



City of Sacramento

CENTRAL CITY

SPECIFIC PLAN

FINAL ENVIRONMENTAL IMPACT REPORT

February 2018

CENTRAL CITY SPECIFIC PLAN

Final Environmental Impact Report

Prepared for
City of Sacramento

February 2018



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CHAPTER 1

Introduction and List of Commenters

1.1 Purpose of this Document

This document includes all agency and public written comments received on the Draft Environmental Impact Report (Draft EIR, SCH # 2017022048) for the Central City Specific Plan project (formerly known as the Downtown Specific Plan project). Also included are changes in the text of the Draft EIR either in response to written comments or initiated by staff.

The Central City Specific Plan and related documents can be found on the City's website: <http://www.cityofsacramento.org/Community-Development/Planning/Major-Projects/Central-City-Specific-Plan/Resources>

Written comments were received by the City of Sacramento during the public comment period from September 22, 2017 through November 8, 2017. This document includes written responses to each comment received on the Draft EIR. This Final EIR document has been prepared in accordance with the California Environmental Quality Act (CEQA) and together with the Draft EIR (and Appendices) constitutes the EIR for the proposed Central City Specific Plan (CCSP) that will be used by the decision-makers during project hearings. The responses and text changes correct, clarify, and amplify text in the Draft EIR, as appropriate. These changes do not alter the conclusions of the Draft EIR.

1.2 Summary of the Central City Specific Plan

During the circulation period of the Draft EIR for public comment, the name of the proposed specific plan was changed from Downtown Specific Plan (DSP) to Central City Specific Plan (CCSP). The change was made in response to suggestions that the new title would more accurately reflect the manner in which City staff and the public refer to the area covered in the plan. All comments referring to the previous project title are considered here, and the change in project name has no effect on the environmental analysis included in the EIR.

While there are no boundaries between “downtown” and “midtown,” characteristics and experiences of the neighborhoods in these areas are different. The plan includes strategies to encourage varied housing options that reflect Sacramento's diversity. The plan strives to maintain distinctive characteristics of the City's neighborhoods and enhance their livability. The Central

City Specific Plan offers different strategies for different neighborhoods, and the name change better reflects those principles.

The Central City Specific Plan would provide an update to existing City planning documents, including the 2035 General Plan and Central City Community Plan, to facilitate preferred growth in the central city. The intent of the CCSP is to encourage residential and non-residential growth within the CCSP area. The CCSP anticipates approximately 13,401 residential units and 3,820,294 square feet (sf) of new non-residential uses in the plan area over the next 20 years. The new non-residential square footage would be combined with an additional 3,352,650 sf of backfill non-residential development, which includes new uses that would occur within existing buildings, for a total development potential of 7,173,044 square feet of non-residential uses. It is assumed that most of the new housing units within the CCSP area would be multifamily units.

The anticipated growth would be facilitated in part by the establishment of the Central City Special Planning District (SPD) which provides updates to policies to allow for an intensification of development in the Central City by expanding allowable heights and densities in specified zones, emphasizes the importance of transit-oriented development by prohibiting automobile oriented uses within a half mile of any light rail or streetcar station and establishing parking maximums for parking districts within the plan area, and providing a different set of open space requirements for key land uses within the plan area, which would differ from existing citywide requirements.

The Central City Specific Plan Infrastructure Analysis prepared for the proposed CCSP identifies potential infrastructure improvements necessary to accommodate the development and intensification anticipated with implementation of the CCSP. Existing sanitary sewer, storm drainage, water, electrical power, telecommunications, and natural gas infrastructure capacity would be provided as needed to adequately serve anticipated demands.

The CCSP will implement the transportation system described in Sacramento Grid 3.0, which is the City's plan to integrate planned transportation improvements and programs into the existing downtown grid. This document provides a transportation framework to support the 2035 General Plan's transportation policies to serve future transportation needs and to "create a well-connected transportation network, support increased densities and a mix of uses in multi-modal districts, help walking become more practical for short trips, support bicycling for both short- and long-distance trips, improve transit to serve highly frequented destinations, conserve energy resources, reduce greenhouse gas emissions and air pollution, and do so while continuing to accommodate auto mobility." The proposed transportation system would include improvements beyond those described in Grid 3.0, including lane reductions to improve multimodal transportation along key roadway corridors and the removal of a multimodal connections consistent with the recently approved Railyards Specific Plan.

The preferred roadway network proposed as part of the CCSP primarily involves re-striping existing roadways, adding a few blocks of new roadway, converting one-way streets to two-way

streets, and providing lane reductions along specific travel corridors. Additional facilities and connections would be made to enhance the pedestrian and bicycle networks. Bike lanes, including buffered bike lanes along some roadway segments, would be added to roadways where possible to reduce conflict with buses and reduce higher risk running movements across vehicle lanes, working toward a goal of establishing a Low Stress Bicycle Network. Reconfiguration of the roadway network, described in the CCSP, would include provisions for improved transit. Provisions for transit would include dedicated transit lanes along roadways proposed for 3-lane to 2-lane conversion and enlarged bus stops, which would include design elements intended to improve the transit-riding experience.

Two hotels are anticipated for development in the CCSP area – one at the northwest corner of 13th Street and J Street and one at the southwest corner of 15th Street and L Street. While these two hotels are anticipated under the CCSP, formal applications for these hotels have not been submitted, and project-specific details are not known. However, the hotel considered for the southwest corner of 15th Street and L Street is analyzed in a separate EIR, the Sacramento Convention Center Renovation and Expansion & 15th/K Street Hotel Projects EIR.

The proposed CCSP would provide guidance for the selection of locations for the placement of public art and types of art displayed, providing for a range of public art media which would be dependent on opportunities presented by proposed sites and the space requirements for each category. Types of public artwork described in the proposed CCSP include aerial sculpture, ground sculpture, light display and sculpture, landscape, infrastructure, temporary, performance, playground, literary, inhabitable, water, and architecture. The proposed CCSP identifies criteria for the identification of points of interest and guidance for the siting of public art.

The CCSP proposes the siting of a new fire station to the west of the BNSF rail lines, somewhere near the R Street corridor, to meet service demands of future projected development in the CCSP area. The exact location of the new fire station has not been determined at this time and an exact location is not analyzed in this EIR.

Implementation of the CCSP would include the addition of 4.87 acres of planned neighborhood parks, 4.87 acres of planned community parks, and 34.56 acres of planned regional parks.

1.3 Project Actions

Adoption of the proposed CCSP is anticipated to include, but may not be limited to, the following City actions:

- Certification of the EIR to determine that the EIR was completed in compliance with the requirements of CEQA, that the decision-making body has reviewed and considered the information in the EIR, and that the EIR reflects the independent judgment of the City of Sacramento;

- Adoption of a Mitigation Monitoring Plan (MMP), which specifies the methods for monitoring mitigation measures required to eliminate or reduce the project's significant effects on the environment;
- Adoption of Findings of Fact, and for any impacts determined to be significant and unavoidable, a Statement of Overriding Considerations;
- Approval of a Water Supply Assessment;
- Approval of one or more amendments to the 2035 General Plan;
- Approval of a rezone;
- Approval of the Central City Specific Plan;
- Approval of the Central City Special Planning District;
- Approval of amendments to the Central City Urban Design Guidelines;
- Approval of one or more amendments to the Planning and Development Code;
- Approval of removing Chapter 17.308 of the Planning and Development Code relating to the Building Conservation (BC) Overlay Zone;
- Approval of removing Chapter 17.324 of the Planning and Development Code relating to the Midtown Commercial (MC) Overlay Zone;
- Approval of removing Chapter 17.328 of the Planning and Development Code relating to the Neighborhood Corridor (NC) Overlay Zone;
- Approval of removing Chapter 17.344 of the Planning and Development Code relating to the Urban Neighborhood (UN) Overlay Zone;
- Approval of removing Chapter 17.444 of the Planning and Development Code relating to the R Street Corridor Special Planning District; and
- Approval of removing Chapter 17.408 of the Planning and Development Code relating to the Central Business District Special Planning District.

Subsequent individual projects implemented under the proposed CCSP would be anticipated to include, but may not be limited to, the following actions by entities other than the City:

- Approval of a construction activity stormwater permit, including a Stormwater Pollution Prevention Plan, from the Central Valley Regional Water Quality Control Board (CVRWQCB);
- Approval of a pre-treatment permit from the Sacramento Regional County Sanitation District to allow discharges associated with construction dewatering to the CSS;
- Approval of a stationary source permit from the Sacramento Metropolitan Air Quality Management District (SMAQMD); and

- Approval of a water quality certification under Section 401 of the Clean Water Act by CVRWQCB.

1.4 Organization of the Final EIR

The Final EIR is organized as follows:

Chapter 1 – Introduction and List of Commenters: This chapter summarizes the project under consideration and describes the contents of the Final EIR. This chapter also contains a list of all of the agencies or persons who submitted comments on the Draft EIR during the public review period, presented in order by agency, organization, individual and date received.

Chapter 2 – Revisions to the Draft EIR: This chapter describes changes and refinements made to the proposed CCSP since publication of the Draft EIR. These refinements, clarifications, amplifications, and corrections, which are described as a narrative in the beginning of the chapter, would not change the environmental analysis and conclusions presented in the Draft EIR for the reasons discussed in Chapter 2. This chapter also summarizes text changes made to the Draft EIR in response to comments made on the Draft EIR and staff-initiated text changes. Changes to the text of the Draft EIR are shown by either ~~strike through~~ where text has been deleted, or double underline where new text has been inserted.

Chapter 3 – Comments and Responses: This chapter contains the comment letters received on the Draft EIR followed by responses to individual comments. Each comment letter is presented with brackets indicating how the letter has been divided into individual comments. Each comment is given a binomial with the letter number appearing first, followed by the comment number. For example, comments in Letter A1 are numbered A1-1, A1-2, A1-3, and so on. Immediately following the letter are responses, each with binomials that correspond to the bracketed comments.

If the subject matter of one letter overlaps that of another letter, the reader may be referred to more than one group of comments and responses to review all information on a given subject. Where this occurs, cross-references to other comments are provided. In some cases, similar comments were made in multiple comment letters. To address comments that have similar themes, master responses are provided at the beginning of the chapter, and individual responses may refer the reader to the master response(s).

Some comments that were submitted to the City do not pertain to substantial environmental issues or do not address the adequacy of the analysis contained in the Draft EIR. Responses to such comments, though not required, are included to provide additional information. When a comment does not directly pertain to environmental issues analyzed in the Draft EIR, does not ask a question about the adequacy of the analysis contained in the Draft EIR, expresses an opinion related to the merits of the proposed CCSP, or does not question an element of or conclusion of the Draft EIR, the response notes the comment and may provide additional information where appropriate. Many comments express opinions about the merits or specific aspects of the proposed CCSP and these are included in the Final EIR for consideration by the decision-makers.

Chapter 4 – Mitigation Monitoring Plan: This chapter contains the Mitigation Monitoring Plan (MMP) to guide the City in its implementation and monitoring of measures adopted in the EIR, and to comply with the requirements of Public Resources Code Section 21081.6(a).

1.5 Public Participation and Review

The City of Sacramento has complied with all noticing and public review requirements of CEQA. This compliance included notification of all responsible and trustee agencies and interested groups, organizations, and individuals that the Draft EIR was available for review. The following list of actions took place during the preparation, distribution, and review of the Draft EIR:

- A Notice of Preparation (NOP) for the EIR was filed with the State Clearinghouse on February 15, 2017. The official 30-day public review comment period for the NOP ended on March 17, 2017 (SCH# 2017022048). The NOP was distributed in particular to governmental agencies, organizations, and persons interested in the proposed CCSP. The City sent the NOP to agencies with statutory responsibilities in connection with the proposed CCSP with the request for their input on the scope and content of the environmental information that should be addressed in the EIR. The NOP was also published on the City’s website and filed at the County Clerk’s office.
- A public scoping meeting for the EIR was held on March 2, 2017.
- A community open house was held on March 20, 2017 to inform the public about the CCSP and invite public comment on the CCSP and the scope of the EIR.
- A Notice of Completion (NOC) and copies of the Draft EIR were filed with the State Clearinghouse on September 22, 2017. An official 45-day public review period for the Draft EIR was established by the State Clearinghouse, ending on November 8, 2017. A Notice of Availability (NOA) for the Draft EIR was published in the Daily Recorder on September 22, 2017 and sent to appropriate public agencies and interested parties. The Draft EIR was also published on the City’s website at <http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>.
- Copies of the Draft EIR were available for review at the following location:
City of Sacramento
Community Development Department
300 Richards Boulevard, Third Floor
Sacramento, CA 95811
- Printed copies of the NOA and Draft EIR Executive Summary, as well as the Draft EIR on CD were provided publicly at the following location:
Sacramento Central Library
828 I Street
Sacramento, CA 95814
- An informational open house was held on October 9, 2017 at City Hall, 915 I Street, Sacramento to give the public an opportunity to visit information stations, learn about the CCSP, review and provide input on the draft CCSP and Draft EIR, and ask questions.

1.6 List of Commenters

The City of Sacramento received 40 comment letters during the comment period on the Draft EIR for the proposed CCSP. Table 1-1 below indicates the numerical designation for each comment letter, the author of the comment letter, and the date of the comment letter.

**TABLE 1-1
COMMENT LETTERS REGARDING THE DRAFT EIR**

Letter #	Entity	Author(s) of Comment Letter/e-mail	Date of Comment Letter/e-mail
Agencies – Federal, State, and Local			
A1	Sacramento Regional County Sanitation District (Regional San, SRCSD)	Robb Armstrong, Regional San Development Services and Plan Check	September 26, 2017
A2	Central Valley Flood Protection Board (CVFPB)	Andrea Buckley, Environmental Services and Land Management Branch Chief	September 28, 2017
A3	Sacramento Area Sewer District (SASD)	Yadira Lewis, SASD Development Services	October 13, 2017
A4	Department of Toxic Substances Control (DTSC)	Ruth Cayabyab, Brownfields and Environmental Restoration Program	October 31, 2017
A5	California Department of Transportation (Caltrans)	Jefferey Morneau, Branch Chief, Office of Transportation Planning – South Branch	November 3, 2017
A6	Sacramento Municipal Utility District (SMUD)	Beth Tincher, Regional & Local Government Affairs	November 7, 2017
A7	Governor's Office of Planning and Research (OPR, State Clearinghouse)	Scott Morgan, Director, State Clearinghouse	November 7, 2017
A8	Sacramento City Unified School District (SCUSD)	Harold M. Freiman, Lozano Smith	November 8, 2017
A9	Sacramento Metropolitan Air Quality Management District (SMAQMD)	JJ Hurley, Associate Air Quality Planner/Analyst, Land Use & CEQA section-Communication, Land Use & Mobile Sources Division	November 8, 2017
A10	California Department of Transportation (Caltrans)	Jefferey Morneau, Branch Chief, Office of Transportation Planning – South Branch	November 13, 2017
Organizations			
O1	Boulevard Park Neighborhood Association (BPNA)	Eric Knutson, Margaret Buss, Liz Edmonds, David Herbert, Marjorie Duffy, and Ty Dockery; BPNA Board of Directors	November 4, 2017
O2	Friends of Capitol Mansions	Friends of Capitol Mansions Association Membership and Board	November 7, 2017
O3	Preservation Sacramento	William Burg, Projects Subcommittee Chair on behalf of Garret Root, President, Preservation Sacramento Board of Directors	November 7, 2017
O4	Sacramento Downtown Partnership	Michael Ault, Executive Director	November 7, 2017
O5	Environmental Council of Sacramento (ECOS)	John Deeter, Co-chair, Transportation, Air Quality & Climate Change Committee	November 8, 2017

TABLE 1-1
COMMENT LETTERS REGARDING THE DRAFT EIR

Letter #	Entity	Author(s) of Comment Letter/e-mail	Date of Comment Letter/e-mail
O6	House Sacramento	Kevin Dumler, Co-Chair of House Sacramento	November 8, 2017
O7	Preservation Sacramento (2)	William Burg, Projects Subcommittee Chair on behalf of Garret Root, President, Preservation Sacramento Board of Directors	November 8, 2017
O8	Sacramentans for Fair Planning	William Burg, Executive Committee	November 8, 2017
O9	Sacramento Area Bicycle Advocates (SABA)	Jordan Lang, Project Analyst	November 8, 2017
O10	Sacramento Modern (SacMod)	Gretchen Steinberg, President	November 8, 2017
O11	WALKS Sacramento	Chris Holm, Project Manager	November 8, 2017
Individuals			
I1		Roland Brady	September 25, 2017
I2		Whitney Leeman (1)	September 29, 2017
I3		Alice Levine	October 26, 2017
I4		Travis Silcox	November 3, 2017
I5		Penny Harding	November 6, 2017
I6		David Herbert	November 6, 2017
I7		Whitney Leeman (2)	November 6, 2017
I8		Alix Ogilvie	November 6, 2017
I9		Patrick and Vickie Cosentino	November 6, 2017
I10		Herbert and Barbara Nobriga	November 6, 2017
I11		Sally Flory-O'Neil and Paul O'Neil	November 6, 2017
I12		Sarah Kerber	November 7, 2017
I13		Ned Thimmayya	November 7, 2017
I14		Dylan Wiseman	November 7, 2017
I15		Margaret Buss	November 8, 2017
I16		Karen Jacques	November 8, 2017
I17		Linda Schetter (1)	November 8, 2017
I18		Linda Schetter (2)	November 8, 2017
I19		Jessica Sorenson	November 8, 2017
I20		Susan Valdez	November 8, 2017

CHAPTER 2

Revisions to the Draft EIR

2.1 Introduction

This chapter describes changes made to the proposed projects since the publication of the Draft EIR as well as text changes made to the Draft EIR either in response to a comment letter, initiated by City staff, or in response to a modification to the proposed CCSP.

Under CEQA, recirculation of all or part of an EIR may be required if significant new information is added after public review and prior to certification. According to State CEQA Guidelines section 15088.5(a), new information is not considered significant “unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.” More specifically, the Guidelines define significant new information as including:

- A new significant environmental impact resulting from the project or from a new mitigation measure;
- A substantial increase in the severity of an environmental impact that would not be reduced to insignificance by adopted mitigation measures;
- A feasible project alternative or mitigation measure considerably different from those analyzed in the Draft EIR that would clearly lessen the environmental impacts of the project and which the project proponents decline to adopt; and
- A Draft EIR that is so fundamentally and basically inadequate and conclusory that meaningful public review and comment were precluded.

The changes to the proposed CCSP and text changes described below update, refine, clarify, and amplify the project information and analyses presented in the Draft EIR. No new significant impacts are identified, and no information is provided that would involve a substantial increase in severity of a significant impact that would not be mitigated by measures agreed to by the City. In addition, no new or considerably different CCSP alternatives or mitigation measures have been identified. Finally, there are no changes or set of changes that would reflect fundamental inadequacies in the Draft EIR. Recirculation of any part of the Draft EIR therefore is not required.

2.2 Changes to the Central City Specific Plan

This section summarizes changes made to the proposed CCSP. The summary included here is intended to describe changes to the CCSP elements and any changes to maps since publication of the Draft EIR. Specific text changes to the Draft EIR are noted below in section 2.3, Text Changes to the Draft EIR. Revised Draft EIR figures are included at the end of this chapter. These changes are minor and do not change the environmental analysis or significance conclusions described in the Draft EIR.

Central City Specific Plan

Changes to the description of the proposed CCSP that have occurred since publication of the Draft EIR include:

- The name of the proposed specific plan has been changed from Downtown Specific Plan (DSP) to Central City Specific Plan (CCSP). The term “central city” is intended to include areas generally identified as “downtown” and midtown.” While there are no boundaries between downtown and midtown, characteristics and experiences of the neighborhoods in these areas are different. The plan includes strategies to encourage varied housing options that reflect Sacramento's diversity. The plan strives to maintain distinctive characteristics of the City's neighborhoods and enhance their livability. The Central City Specific Plan offers different strategies for different neighborhoods, and the name change better reflects those principles.
- The boundary of the CCSP area has changed slightly at the southwest-most corner. The CCSP area no longer includes the existing tank farms south of Broadway and west of Interstate 5 (I-5). Therefore, Broadway is the southern border of the revised CCSP area west of I-5 all the way to the Sacramento River. Figure S-3 and Figure 2-3 have been revised to show the new CCSP boundary, and are included at the end of this chapter. No changes in environmental impact significance conclusions result from the changed boundary.

2.3 Changes to Regulatory Setting

Alhambra Corridor Special Planning District

The Alhambra Corridor Special Planning District (Alhambra Corridor SPD) was adopted in 1992 and included the area bordered by 26th Street and 34th Street from the railroad levee to Highway 50. The intent of the Alhambra Corridor SPD, as codified in Section 17.420.010 of the Sacramento City Code, is “to assist in the preservation of the neighborhood scale and character, along with providing additional housing opportunities in the area.” The stated goals of the Alhambra Corridor SPD are to “[m]aintain and improve the character, quality, and vitality of individual neighborhoods;” “[m]aintain the diverse character and housing opportunities provided in these urban neighborhoods;” and “[p]rovide the opportunity for a balanced mixture of uses in neighborhoods adjacent to transit facilities and transportation corridors.”¹

¹ Sacramento City Code, § 17.420.010.

In September 2016, prior to the publication of the NOP for the proposed CCSP EIR, the City Council adopted modifications to the Alhambra Corridor SPD “in order to remove regulatory barriers that could inhibit housing development in the project area.” Among other changes, the modifications moved the western boundary of the Alhambra Corridor SPD from 26th Street to 29th Street. The effect of this change was to eliminate any overlap with the proposed boundaries of the CCSP, and to revert zoning regulations in the affected area between 26th Street and 29th Street to the base zoning as described in the City’s Planning and Development Code (Chapter 17 of the City Code).

After publication of the CCSP Draft EIR, the Superior Court of California, in the County of Sacramento, rendered a January 12, 2018 decision that required the City to rescind the September 2016 modifications, which reestablished the western boundary of the Alhambra Corridor SPD at 26th Street. To comply with the Court’s decision, the City will be repealing the September 2016 modifications to Sections 17.420.010, 17.420.020, and Title 17 of the Sacramento City Code prior to the adoption of the project. Pursuant to the repeal the following changes have been made:

- 26th Street has been reestablished as the western boundary the Alhambra Corridor SPD;
- The zoning for the affected parcels from 26th Street to 29th Street reverts to the 1992 Alhambra Corridor SPD zoning for those parcels.
- Elimination of an exemption from height limits for development located within the area bounded by I Street to the north, Alhambra Boulevard to the east, N Street to the south, and 30th Street to the west (Height Limit Exemption Area). The parcels within the Height Limit Exemption Area are again subject to the height limit requirements of the Alhambra Corridor SPD. This last change is located outside of the area affected by the proposed CCSP and addressed in the CCSP Draft EIR.

Repeal of the amendments described above, in particular the reestablishment the western boundary of the Alhambra Corridor SPD at 26th Street and reestablishment of previous Alhambra Corridor SPD zoning overlaps and creates a potential inconsistency with the proposed CCSP. The eastern boundary of the proposed CCSP area is 29th Street, within which the proposed CCSP would establishes zoning designations for parcels west of 29th Street.

Required Changes to Proposed CCSP and CCSP EIR

New Action to Change Alhambra Corridor SPD Western Boundary

To remedy the overlap and zoning inconsistency between the Alhambra Corridor SPD and proposed CCSP, the City proposes to include a new action to the list of Project Approvals and Entitlements, in the CCSP Draft EIR Chapter 2.0, Project Description, to move the western boundary of the Alhambra Corridor SPD from 26th Street to 29th Street. This action would occur concurrent with adoption of the proposed CCSP, and would result in rezone of all areas within the Central City SPD, including the area between 26th and 29th streets, to Central City SPD zoning designations as previously described in the CCSP Draft EIR. This revision is included in Section 2.3, Text Changes to the Draft EIR, below.

This additional action would have no effect on the content of the CCSP Draft EIR. The change in boundary would bring the conditions of the project area into conformance with the assumed conditions in the CCSP Draft EIR. There would be no changes to or new impacts of the proposed CCSP with this change.

Revision to Draft EIR Regulatory Setting

The Regulatory Setting of the Draft EIR is also affected by the Superior Court decision. The Draft EIR was published prior to the Superior Court's decision, at which time the western boundary of the Alhambra Corridor SPD was 29th Street. The Superior Court's decision and the subsequent repeal of amendments to City ordinances, described above, alter the existing regulatory setting that is the existing condition at the time that adoption of the CCSP would be considered. As described above, zoning designations within the portion of the CCSP area that overlaps with the Alhambra Corridor SPD are now Alhambra Corridor SPD designations, not the base zoning designations reflected in the Draft EIR regulatory setting discussion. This revision is included in Section 2.3, Text Changes to the Draft EIR, below.

Alhambra Corridor SPD zoning designations restrict building heights to 35 feet on property located within 300 feet of residential zones. This is applicable to all zoning designations within the Alhambra Corridor SPD. The maximum height within 300 feet of residential uses differs from the maximum allowable height for base zoning designations, the difference varying by type of zoning designation. **Table 2-1**, below, shows the differing maximum allowable heights for each zoning designation with and without the Alhambra Corridor SPD.

As shown in Table 2-1, parcels between 26th and 29th streets are now subject to Alhambra Corridor SPD zoning height restrictions, including lower maximum allowable heights, relative to base zone maximums, if located within 300 feet of residential uses. This would apply to R-4-SPD, R-5-SPD, RMX-SPD, C-4-SPD, C-2-SPD, and H-SPD zones, as shown in **Figure 2-1**.

As described in the CCSP Draft EIR, the proposed project would rezone all parcels within the plan area to Central City SPD zoning designations, with the exception of the Entertainment and Sports Center SPD, which is to remain, as described in Chapter 2.0, Project Description. The proposed project would increase maximum allowable building heights in the C-2, OB, and RMX zones, relative to the maximum allowable heights for the base zoning and Alhambra corridor requirements for those zones. **Table 2-2** provides a comparison of the proposed increase in maximum allowable height relative to base zoning requirements and Alhambra Corridor SPD requirements.

Under the proposed Central City SPD, maximum allowable heights would be increased to 85 feet in the C-2-SPD zone, 65 feet in the OB-SPD zone, and 65 feet in RMX-SPD zone. As described above, relative to base zone requirements, Alhambra Corridor SPD zoning requirements have lower allowable maximum heights, if those parcels are within 300 feet of residential zones. This is applicable to the C-2-SPD and RMX-SPD zones. Implementation of the proposed CCSP would

**TABLE 2-1
MAXIMUM ALLOWABLE HEIGHTS WITH AND WITHOUT THE ALHAMBRA CORRIDOR SPD ZONING**

Base Zone	Maximum Height with Alhambra Corridor SPD (Within 300 ft. from residential zone.)	Maximum Height with Alhambra Corridor SPD (Outside of 300 ft. from residential zone.)	Maximum Height Without Alhambra Corridor SPD												
R-1B	35 ft.	35 ft.	35 ft.												
R-3A	35 ft.	35 ft.	35 ft.												
R-4	35 ft.	45 ft.	45 ft.												
R-4PUD	35 ft.	35 ft.	35 ft.												
R-5	35 ft.	240 ft.	240 ft.												
RMX	35 ft.	45 ft.	45 ft.												
RO	35 ft.	35 ft.	35 ft.												
OB	35 ft.	35 ft.	35 ft.												
C-1	35 ft.	35 ft.	35 ft.												
C-4	35 ft.	75 ft.	75 ft.												
C-2	35 ft.	65 ft.	<p>A. Height. Unless subsection B applies, the maximum height is 65 ft.</p> <p>B. Transitional height. Portions of buildings in the C-2 zone within certain distances of the R-1, R-1B, and R-2 zones (<i>property line</i>) shall not exceed the following height limits:</p> <table border="0"> <thead> <tr> <th><u>Distance (ft.)</u></th> <th><u>Height (ft.)</u></th> </tr> </thead> <tbody> <tr> <td>0-39</td> <td>45</td> </tr> <tr> <td>40-79</td> <td>55</td> </tr> <tr> <td>80+</td> <td>65</td> </tr> </tbody> </table>	<u>Distance (ft.)</u>	<u>Height (ft.)</u>	0-39	45	40-79	55	80+	65				
<u>Distance (ft.)</u>	<u>Height (ft.)</u>														
0-39	45														
40-79	55														
80+	65														
H	35 ft.	120 ft.	<p>A. Height. Unless subsections B or C apply, the maximum height is 120 ft.</p> <p>B. Transitional Height. Portions of buildings in the H zone within certain distances of R-zones (<i>property line</i>) shall not exceed the following height limits.</p> <table border="0"> <thead> <tr> <th><u>Distance (ft.)</u></th> <th><u>Height (ft.)</u></th> </tr> </thead> <tbody> <tr> <td>0-39</td> <td>45</td> </tr> <tr> <td>40-79</td> <td>55</td> </tr> <tr> <td>80-119</td> <td>65</td> </tr> <tr> <td>120-159</td> <td>90</td> </tr> <tr> <td>160+</td> <td>120</td> </tr> </tbody> </table> <p>C. In granting a conditional use permit for a major medical facility, the planning and design commission may permit a height exceeding the limits of subsections A and B.</p>	<u>Distance (ft.)</u>	<u>Height (ft.)</u>	0-39	45	40-79	55	80-119	65	120-159	90	160+	120
<u>Distance (ft.)</u>	<u>Height (ft.)</u>														
0-39	45														
40-79	55														
80-119	65														
120-159	90														
160+	120														

Source: City of Sacramento, 2016. *Staff Report for Public Hearing Item 21; Modifications to the Alhambra Corridor Special Planning District (SPD)(LR16-009) [Noticed 09/16/2016; Passed for Publication 09/20/2016; Published 09/23/2016] (File # 2016-01090. September 27, 2016. Page 9 of 44.*

**TABLE 2-2
COMPARISON OF INCREASE IN MAXIMUM ALLOWABLE HEIGHT BETWEEN BASE ZONING, ALHAMBRA
CORRIDOR SPD, AND CENTRAL CITY SPD ZONING**

Distance From Residential Zone	Maximum Allowable Height		
	Base Zone	Alhambra Corridor SPD	Central City SPD
0 – 300 ft. 300+ ft.	<u>R-1B</u> 35 ft. 35 ft.	<u>R-1B-SPD</u> 35 ft. 35 ft.	<u>R-1B-SPD</u> 35 ft. 35 ft.
0 – 300 ft. 300+ ft.	<u>R-3A</u> 35 ft. 35 ft.	<u>R-3A-SPD</u> 35 ft. 35 ft.	<u>R-3A-SPD</u> 35 ft. 35 ft.
0 – 300 ft. 300+ ft.	<u>R-4</u> 45 ft. 45 ft.	<u>R-4-SPD</u> 35 ft. 45 ft.	<u>R-4-SPD</u> 45 ft. 45 ft.
0 – 300 ft. 300+ ft.	<u>R-4PUD</u> 35 ft. 35 ft.	<u>R-4PUD-SPD</u> 35 ft. 35 ft.	<u>R-4PUD-SPD</u> 35 ft. 35 ft.
0 – 300 ft. 300+ ft.	<u>R-5</u> 240 ft. 240 ft.	<u>R-5-SPD</u> 35 ft. 240 ft.	<u>R-5-SPD</u> 240 ft. 240 ft.
0 – 39 ft. 40 – 79 ft. 80 – 299 ft. 300+ ft.	<u>RMX</u> 45 ft. 45 ft. 45 ft. 45 ft.	<u>RMX-SPD</u> 35 ft. 35 ft. 35 ft. 45 ft.	<u>RMX-SPD</u> 45 ft. 55 ft. 65 ft. 65 ft.
0 – 300 ft. 300+ ft.	<u>RO</u> 35 ft. 35 ft.	<u>RO-SPD</u> 35 ft. 35 ft.	<u>RO-SPD</u> 35 ft. 35 ft.
0 – 39 ft. 40 – 79 ft. 80 – 299 ft. 300+ ft.	<u>OB</u> 35 ft. 35 ft. 35 ft. 35 ft.	<u>OB-SPD</u> 35 ft. 35 ft. 35 ft. 35 ft.	<u>OB-SPD</u> 45 ft. 55 ft. 65 ft. 65 ft.
0 – 300 ft. 300+ ft.	<u>C-1</u> 35 ft. 35 ft.	<u>C-1-SPD</u> 35 ft. 35 ft.	<u>C-1-SPD</u> 35 ft. 35 ft.
0 – 300 ft. 300+ ft.	<u>C-4</u> 75 ft. 75 ft.	<u>C-4-SPD</u> 35 ft. 75 ft.	<u>C-4-SPD</u> 75 ft. 75 ft.
0 – 39 ft. 40 – 79 ft. 80+ ft. 300+ ft.	<u>C-2</u> 45 ft. 55 ft. 65 ft. 65 ft.	<u>C-2-SPD</u> 35 ft. 35 ft. 35 ft. 65 ft.	<u>C-2-SPD</u> 45 ft. 55 ft. 85 ft. 85 ft.
R-3A Zones 0-39 ft. 40-79 ft. 80+ ft. 300+ ft.	<u>C-2</u> 45 ft. 55 ft. 65 ft. 65 ft.	<u>C-2-SP</u> 35 ft. 35 ft. 35 ft. 65 ft.	<u>C-2-SPD</u> 45 ft. 65 ft. 85 ft. 85 ft.
0 – 39 ft. 40 – 79 ft. 80 – 119 ft. 120 – 159 ft. 160+ ft. 300+ ft.	<u>H</u> 45 ft. 55 ft. 65 ft. 90 ft. 120 ft. 120 ft.	<u>H-SPD</u> 35 ft. 35 ft. 35 ft. 35 ft. 35 ft. 120 ft.	<u>H-SPD</u> 45 ft. 55 ft. 65 ft. 90 ft. 120 ft. 120 ft.

Source: City of Sacramento, 2016; ESA, 2018

result in a rezone of C-2-SPD zones (Alhambra Corridor SPD) east of 29th Street to C-2-SPD zones (Central City SPD) and an increase of maximum allowable height from 65 feet to 85 feet for existing C-2-SPD zones, if those parcels are outside of 300 feet from residential zones. The C-2-SPD zones (Central City SPD) would increase allowable height from 35 feet to 85 feet, if those parcels are within 300 feet of residential zones. For RMX-SPD zones (Alhambra Corridor SPD) that are within 300 feet of residential zones, implementation of the CCSP would rezone those parcels to RMX-SPD (Central City SPD) and increase allowable heights from 35 feet to 65 feet. RMX-SPD zones (Alhambra Corridor SPD) beyond 300 feet from residential zones would be rezoned to RMX-SPD (Central City SPD) which would increase maximum allowable height for those parcels from 45 feet to 65 feet.

Applicability to Impact Analysis in Draft EIR

The CCSP Draft EIR includes analysis of potential physical impacts of the proposed CCSP from the increases to maximum allowable heights in the C-2, OB, and RMX zones, relative to existing conditions. The City action to rescind the 2016 modifications to the Alhambra Corridor SPD changed the regulatory setting within which the CCSP would be applied. Nevertheless, the existing building heights in the plan area constitute the existing environmental setting that forms the baseline for the impact analysis in the CCSP Draft EIR (see CCSP Draft EIR p. 4.1-38).

Table 2-3 identifies the topical areas of the Draft EIR where potential indirect effects could occur as a result of the proposed plan.

Development pursuant to the proposed CCSP could result in the development of taller structures than currently exist in the plan area between 26th and 29th streets. The proposed maximum allowable heights for the proposed CCSP would be the same as were evaluated in the Draft EIR. As it relates to maximum allowable heights, analysis in the Draft EIR evaluates the potential physical impacts of development that could occur within the CCSP area, assuming that development would be constructed to the maximum allowable heights for each zoning designation. The change analyzed in the Draft EIR is the change from existing building heights to the maximum allowable building heights for each zoning designation. Changes to the regulatory setting, based on City actions since publication of the CCSP Draft EIR, do not affect existing building heights nor the increased maximum allowable heights under the proposed CCSP.

Because the analysis in the Draft EIR considers the effects of the project compared to a baseline that reflects the existing conditions in the plan area, the change in maximum allowable heights resulting from implementation of the proposed CCSP does not affect or alter the environmental impact describe in the CCSP Draft EIR.

**TABLE 2-3
IDENTIFICATION OF POTENTIAL INDIRECT EFFECTS**

Issue	Impact	Draft EIR Page Number
Aesthetic Resources	Impact 4.1-1 Impact 4.1-2 Impact 4.1-3 Impact 4.1-4 Impact 4.1-5 Impact 4.1-6	Page 4.1-38 Page 4.1-40 Page 4.1-43 Page 4.1-44 Page 4.1-46 Page 4.1-47
Air Quality	Impact 4.2-2 Impact 4.2-3 Impact 4.2-4 Impact 4.2-5 Impact 4.2-7 Impact 4.2-8 Impact 4.2-9 Impact 4.2-10	Page 4.2-21 Page 4.2-26 Page 4.2-28 Page 4.2-29 Page 4.2-33 Page 4.2-34 Page 4.2-35 Page 4.2-36
Energy Demand and Conservation	Impact 4.5-1 Impact 4.5-2 Impact 4.5-3	Page 4.5-10 Page 4.5-12 Page 4.5-14
Noise	Impact 4.10-1 Impact 4.10-2 Impact 4.10-3 Impact 4.10-4 Impact 4.10-5 Impact 4.10-6 Impact 4.10-7 Impact 4.10-8	Page 4.10-18 Page 4.10-20 Page 4.10-26 Page 4.10-27 Page 4.10-32 Page 4.10-32 Page 4.10-38 Page 4.10-39
Transportation and Circulation	Impact 4.12-1 Impact 4.12-2 Impact 4.12-8 Impact 4.12-9	Page 4.12-46 Page 4.12-52 Page 4.12-67 Page 4.12-68
Utilities	Impact 4.13-1 Impact 4.13-3 Impact 4.13-5 Impact 4.13-6 Impact 4.13-7 Impact 4.13-8 Impact 4.13-9 Impact 4.13-10	Page 4.13-11 Page 4.13-13 Page 4.13-29 Page 4.13-30 Page 4.13-31 Page 4.13-36 Page 4.13-41 Page 4.13-43

2.4 Text Changes to the Draft EIR

This section summarizes text changes made to the Draft EIR either in response to a comment letter, initiated by City staff, or in response to a modification to the proposed CCSP. New text is indicated in double underline and text to be deleted is reflected by a ~~strike through~~. Text changes are presented in the page order in which they appear in the Draft EIR.

The text revisions provide clarification, amplification, and corrections that have been identified since publication of the Draft EIR. The text changes do not result in a change in the analysis or conclusions of the Draft EIR.

Global Text Changes

Throughout the EIR, the term “Downtown Specific Plan” is revised to read “Central City Specific Plan.”

Throughout the EIR, the term “DSP” is revised to read “CCSP.”

Throughout the EIR, the term “DSP area” is revised to read “CCSP area.”

Throughout the EIR, the term “Downtown Special Planning District” is revised to read “Central City Special Planning District.”

Throughout the EIR, the term “Downtown SPD” is revised to read “Central City SPD.”

All maps and figures that show the CCSP boundary are revised to eliminate the tank farm south of Broadway and west of I-5 from the CCSP boundary, as shown in Figure S-3 and Figure 2-3 at the end of this chapter.

S, Summary

Page S-17, the first sentence of the third paragraph is revised to read:

Potential exposure to contaminated soil materials (~~both soil vapor and soil~~) would only occur during construction. Once a particular project has been constructed, there would be no further direct exposure during operations. Vapor intrusion could occur during construction and operation of a project, depending on the site location and the proximity to and type of soil contaminants present.

Page S-20, the last paragraph is revised to read:

The analysis looks at existing parks, open space, and recreational facilities in the vicinity of the ~~DSP~~ CCSP area and examines the potential need to expand or enhance existing facilities or to construct new facilities. The evaluation addresses potential effects of implementation of the proposed ~~DSP~~ CCSP on parks and open space resources within the vicinity of the ~~DSP~~ CCSP area, primarily the Central City, and also analyzes the proposed ~~DSP~~'s CCSP's relationship to applicable goals and policies of local park-related plans. The availability of parkland within the CCSP that is not managed by the City of Sacramento Department of Parks and Recreation, as well as the proximity of existing parks that are proximate to, but not within, the CCSP area helps alleviate parkland demand on facilities within the CCSP area. Although new residential development in the CCSP area would add residents in the CCSP area and result in increased use of existing parks and recreational facilities, there are sufficient parks within and immediately adjacent to the CCSP area to serve area residents. As a result,

development in the CCSP area would not cause or accelerate physical deterioration of the park facilities, and the impact would be less than significant.

The proposed ~~DSP~~ CCSP would facilitate development of additional housing units and non-residential space, ~~increased~~ increasing resident populations; and ~~increase the number of employees~~ employment in the CCSP area. This increase in resident population and employees would create an additional demand for parks and recreational facilities within the ~~DSP~~ CCSP area, which could cause the need to provide additional parks and recreation facilities, the construction of which could cause significant environmental impacts. Although the CCSP proposes to provide 4.87 acres of community parks, 4.87 acres of neighborhood parks, and 34.56 acres of regional parks, additional land would be necessary to meet the City’s parkland standards. Therefore, mitigation is required for development within the CCSP area to comply with the City’s Quimby and Park Impact Fees (PIF) ordinances to offset the need for additional parkland and to comply with the City’s parkland standards. ~~Although new residential development in the DSP area would add residents in the DSP area and result in increased demand and use of existing parks and recreational facilities, there are enough parks within and immediately adjacent to the DSP area to serve residents. As a result, development in the DSP area would not cause or accelerate physical deterioration of the park facilities, and the impact would be less than significant.~~

Page S-32, Impact 4.2-5 in Table S-1, Summary of Impacts and Mitigation Measures Evaluated in the Draft EIR, is revised to read:

<p>4.2-5: Implementation of the proposed DSP <u>CCSP</u> could result in short-term and long-term exposure to Toxic Air Contaminants.</p>	<p>LS</p>	<p>Mitigation Measure 4.2-5</p> <p>The City shall require implementation of the following mitigation measures as part of approval of any residences in the DSP area within 500 feet of Business 80, Highway 50 or I-5:</p> <ul style="list-style-type: none"> • Locate sensitive receptors as far as possible from Business 80, Highway 50 or I-5. • Provide vegetative barriers between the source and receptors. Guidance from the US EPA’s July 2016 Recommendations for Constructing Roadside Vegetation Barriers to Improve Near-Road Air Quality or Sacramento Metropolitan Air Quality Management District Landscaping Guidance for Improving Air Quality near Roadways may be incorporated. • Install HVAC systems capable of at least MERV 13 in each proposed building. • The ventilation systems installed should be properly maintained, following standard practices, and as specified by the manufacturer. • A fixed notice should be placed on the filter compartment door of each ventilation unit advising that MERV 13 (or greater) filters shall be used. 	<p>SU</p>
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Page S-39, Impact 4.4-3 in Table S-1, Summary of Impacts and Mitigation Measures Evaluated in the Draft EIR, is revised to read:

4.4-3: The proposed DSP could cause a substantial adverse change in the significance of historical resource as defined in CEQA Guidelines section 15064.5.	PS <u>LS</u>	None Required.	LS
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Page S-40, Impact 4.5-2 in Table S-1, Summary of Impacts and Mitigation Measures Evaluated in the Draft EIR, is revised to read:

4.5-2: The proposed DSP <u>CCSP</u> could result in the wasteful, inefficient, or unnecessary use of energy.	PS <u>LS</u>	Mitigation Measure 4.5-1 Implement Mitigation Measure 4.7-1. <u>None Required.</u>	LS <u>NA</u>
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Page S-41, Impact 4.7-1 in Table S-1, Summary of Impacts and Mitigation Measures Evaluated in the Draft EIR, is revised to read:

4.7-1: Implementation of the proposed DSP <u>CCSP</u> could conflict with the City of Sacramento's Climate Action Plan.	PS <u>LS</u>	Mitigation Measure 4.7-1 Prior to issuance of building permits for new non-residential buildings, the applicant shall submit to the City of Sacramento Building Department building design plans demonstrating that the buildings would exceed the 2016 Title 24 energy standards by 15 percent or more. <u>None Required.</u>	LS <u>NA</u>
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Page S-41, Impact 4.8-1 in Table S-1, Summary of Impacts and Mitigation Measures Evaluated in the Draft EIR, is revised to read:

4.8-1: Development pursuant to the proposed DSP <u>CCSP</u> could expose people to contaminated soil during construction activities.	PS	Mitigation Measure 4.8-1 If a development site is listed in the Phase I ESA Overview Study as being of moderate or high potential to have a Recognized Environmental Condition (REC), the applicant shall conduct a site specific Phase I Environmental Site Assessment during the entitlement process in general accordance with the current version of ASTM 1527 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process prior to construction and <u>shall</u> comply with the recommendations in the report. <u>Recommendations may include guidance on mitigating hazards from encountering contaminated groundwater, including measures related to disturbance of existing treatment systems, drilling, groundwater extraction, or vapor intrusion.</u> This requirement does not apply to projects in which excavation would extend no deeper than 18 inches, including projects that are limited to installation of a fence, deck, single-family residence, garage or addition to an existing residence (e.g., room addition), shallow landscaping with or without irrigation lines, or other minor site improvements, or	LS
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replacement of existing facilities (road signs, sidewalks, pipes, etc.) where ground disturbance would occur principally in previously disturbed sediment.

Page S-47, Impact 4.11-3 in Table S-1, Summary of Impacts and Mitigation Measures Evaluated in the Draft EIR, is revised to read:

4.11-3: The proposed projects <u>CCSP</u> would increase the demand for fire protection services.	LS	None Required.	NA
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Page S-49, Impact 4.12-3 in Table S-1, Summary of Impacts and Mitigation Measures Evaluated in the Draft EIR, is revised to read:

4.12-3: The proposed <u>DSP CCSP</u> could worsen freeway operations.	PS	<p>Mitigation Measure 4.12-3. Freeway Subregional Corridor Mitigation Program (SCMP).</p> <p>Each project developed pursuant to the <u>DSP CCSP, and subject to mitigation measures of the CCSP EIR</u>, that generates more than 100 vehicular <u>AM or PM</u> peak hour trips that are directed toward the highway system shall:</p> <ul style="list-style-type: none"> • Remit monetary payment to the I-5 Freeway Subregional Corridor Mitigation Program (SCMP). This remittance shall be completed prior to the issuance of building permits. <p>OR</p> <ul style="list-style-type: none"> • Negotiate a mutually acceptable agreement with Caltrans and the City. <p><u>Projects in the CCSP area that would be exempt from the implementation of this measure include projects not subject to CEQA (Public Resources Code (PRC) §21080(b)), projects that are categorically exempt from CEQA or projects eligible for statutory streamlining including but not limited to qualified housing projects (PRC §§21159.21 and 21159.24), affordable low-income housing projects (PRC §21159.23), and qualifying infill developments (PRC §21094.5 and State CEQA Guidelines §15332), as well as projects that are not required to address specific or cumulative impacts from cars and light-duty truck trips generated by the project on the regional transportation network (PRC §21159.28).</u></p>	LS
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Chapter 2, Project Description

Page 2-9, the second paragraph is revised to read:

There are four existing Special Planning Districts (SPDs) within the DSP CCSP area. The Entertainment and Sports Center SPD provides specific development guidelines for areas around the Golden 1 Center and Downtown Commons. The Central Business District (CBD) SPD provides development and urban form development guidance for areas within the CBD, generally located between F Street, Q Street, 3rd Street, and 16th Street. The R Street SPD sets development standards for the R Street Corridor bounded by 2nd Street, 29th Street, Q Street, and S Street. The Alhambra Corridor SPD lies ~~mostly~~

~~outside halfway inside~~ of the ~~DSP CCSP~~ area, ~~although a portion is within the plan area~~. The Alhambra Corridor SPD is bounded by B Street, US 50, ~~29th~~ 26th Street, and 34th Street.

Page 2-13, under the Planning and Development Code header, the subheading and the first paragraph are revised to read:

Downtown Central City Special Planning District

The proposed ~~CCSP DSP~~ would create a new SPD that would apply to the majority of the ~~CCSP DSP~~ area in order to facilitate housing and non-residential growth, as shown on **Figure 2-6**. Currently, there are four existing SPDs within the ~~CCSP DSP~~ area: Central Business District SPD (City Code Chapter 17.408), R Street Corridor SPD (City Code Chapter 17.444), Entertainment and Sports Center SPD (City Code Chapter 17.442), and a portion of the Alhambra Corridor SPD (City Code Chapter 17.420). The Central Business District SPD would be removed, ~~portions elements~~ of the R Street Corridor SPD would be incorporated into the Downtown Central City SPD, and the Entertainment and Sports Center (ESC) SPD and the western portion of the Alhambra Corridor SPD,¹ from 26th Street to 29th Street, would ~~remain unchanged~~ be rezoned to be part of the Central City SPD, moving the western boundary of the Alhambra Corridor SPD, from 26th Street to 29th Street. The Downtown Central City SPD would cover the entire ~~CCSP DSP~~ area outside of the ESC SPD and the modified Alhambra Corridor SPD; therefore, the Downtown Central City SPD and its subsequent regulations do not apply to parcels located within these two existing SPDs. The following existing requirements found in the current R Street Corridor SPD² would be incorporated into the Downtown Central City SPD:

- ¹ The Alhambra Corridor SPD, per Section 17.420.010 of the Sacramento City Code, includes properties located between ~~29th~~ 26th and 34th streets from the Union Pacific railroad mainline levee to the W/X Freeway (US 50).
- ² The R Street Corridor SPD, per Section 17.444.020 of the Sacramento City Code, encompasses 54 blocks and is bounded by Q Street on the north, S Street on the south, 2nd Street on the west, and 29th Street on the east.

Pages 2-15 to 2-16, the second paragraph below the C-2 Zone heading, is revised to read:

The provisions for existing transitional height tiering that can be applied to portions of buildings located in the C-2 zone within specific distances of the R-1, R-1B, ~~and R-2, and R-3A~~ zones would be modified to accommodate the new maximum height requirement. When located 0–39 feet from the R-1, R-1B, ~~and R-2, and R-3A~~ zone, the maximum height limit would ~~remain be~~ 45 feet, consistent with base zoning. From 40–79 feet from the R-1, R-1B, and R-2 zone, the maximum height limit would ~~remain be~~ 55 feet, consistent with base zoning. From 40-79 feet from the R-3A zone, the maximum height limit would be 65 feet. However, for locations 80 feet or greater from the R-1, R-1B, ~~and R-2, and R-3A~~ zones, the maximum height limit would be increased from 65 feet to 85 feet. For locations within the existing Alhambra Corridor SPD that are to be subsumed

into the Central City SPD, the change in maximum allowable height would be from 35 feet to 45 feet, within 40 feet residential zones; 35 feet to 55 feet, within 80 feet of residential zones; 35 feet to 85 feet, within 300 feet of residential zones; and 65 feet to 80 feet, at 300 feet or greater distances from residential zones.

OB Zone

There are approximately 35.6 acres within the proposed ~~Downtown~~ Central City SPD that are designated as OB where the maximum height limit would increase from 35 feet to 65 feet. Within the ~~Downtown~~ Central City SPD, the OB zone is generally concentrated along portions of G Street and 7th Street near the Alkali Flat neighborhood, between Q Street and R Street west of 8th Street, and at the intersection of R Street and 16th Street. The OB zone would allow the maximum height limit to be tiered between 45 feet and 65 feet when located in proximity to the R-1, R-1B, and R-2 zones. From 0–39 feet from the R-1, R-1B, and R-2 zone, the maximum height limit would be 45 feet. From 40–79 feet from the R-1, R-1B, and R-2 zone, the maximum height limit would be 55 feet. From 80 feet or greater from the R-1, R-1B, and R-2 zone, the maximum height limit would be 65 feet. For locations within the existing Alhambra Corridor SPD that are to be subsumed into the Central City SPD, the change in maximum allowable height would be from 35 feet to 45 feet, within 40 feet residential zones; 35 feet to 55 feet, within 80 feet of residential zones; and 35 feet to 65 feet, at 80 feet or greater distances from residential zones.

RMX Zone

There are 80.4 acres within the proposed ~~Downtown~~ Central City SPD that are designated as RMX, and the maximum height limit in this zone would increase from 45 feet to 65 feet. This increase in allowable height from 45 feet to 65 feet applies only to parcels not located within the existing R Street Corridor SPD Maximum Height Map, as discussed earlier. Within the ~~Downtown~~ Central City SPD, the RMX zone is generally concentrated along the entire length of R Street and near the intersection of L Street and 18th Street. The RMX zone would allow the maximum height limit to be tiered between 45 feet and 65 feet when located in proximity to the R-1, R-1B, and R-2 zones. When located 0–39 feet from the R-1, R-1B, and R-2 zone, the maximum height limit would be 45 feet. When located 40–79 feet from the R-1, R-1B, and R-2 zone, the maximum height limit would be 55 feet. When located 80 feet or greater from the R-1, R-1B, and R-2 zone, the maximum height limit would be 65 feet. For locations within the existing Alhambra Corridor SPD that are to be subsumed into the Central City SPD, the change in maximum allowable height would be from 35 feet to 45 feet, within 40 feet residential zones; 35 feet to 55 feet, within 80 feet of residential zones; 35 feet to 65 feet, from 80 feet to 300 feet of residential zones; and 45 feet to 65 feet, at 300 feet or greater distances from residential zones.

Page 2-28, the second, third, and fourth paragraphs are revised to read:

SMUD estimates that the additional electrical load from anticipated development within the ĐSP CCSP area may be 70 to 90 megawatts. A majority of the load would require adding major components in the ĐSP CCSP area. With additional transportation electrification expected to increase with technology trending toward DC fast charging plazas. Each charging station could require up to 2 MW increasing the overall load requirements to 94-118 MW. SMUD is currently working to replace the North City substation with Station E, a 160 MVA facility. This will allow for additional express feeders mainly to serve the Railyards Specific Plan area (adjacent to but outside of the ĐSP CCSP area), and to offload and back up downtown feeders to serve future development within the ĐSP CCSP area. An existing North City substation feeder is being extended to the ĐSP CCSP area in 2017 and the first express feeder is planned by 2019 when the new Station E is completed.

Anticipated development in the ĐSP CCSP area will require an additional 40 MVA substation, with a capacity of at least 80 MVA, along the 7th Street corridor in the Railyards Specific Plan Area or River District, likely between North B Street and Richards Boulevard; this could be located anywhere between 7th Street and 10th Street, North B Street and Richards Boulevard. The substation is more expensive to construct west of 7th Street and less expensive further east since overhead facilities would need to be extended from Station E. Although this substation is likely to be located outside of the ĐSP CCSP area, it is needed to help supply adequate electricity to uses within the ĐSP CCSP area.

Depending on the specific use and intensity of development within the ĐSP CCSP area the installation of switches, risers, line reconductors,⁶ or line extensions to specific development parcels may be required. Additional major equipment and infrastructure external to the ĐSP CCSP area would be required as electrical demand approaches area electrical capacity. This would require additional duct banks and splice vaults along 5th and 6th streets. A feeder tie on 7th Street or 12th Street may need to be extended from the north but this may be external to the ĐSP CCSP area. These improvements would be identified in SMUD's five year system plan as the need arises. Extension of the existing 21 kV distribution system would be required to serve the additional development in the ĐSP CCSP area. The capacity of this substation would be dependent on the combined demand of the CCSP, Railyards Specific Plan, and River District Specific Plan.

6 Reconductoring is replacement of the cable or wire on an electric circuit, typically a high-voltage transmission line, usually to afford a greater electric-current-carrying capability.

Page 2-37, the first paragraph is revised to read:

In addition, SMUD is replacing the existing Station A site (will become Station G) to a parcel directly north and across Government Alley from the current site to meet current

safety regulations, to serve the RSP Area, and to continue to provide reliable electrical service to the ~~DSP~~ CCSP area. SMUD is reserving the existing Station A site for future 21 kV system improvements and a substation. After Station A is decommissioned, this site would be renamed Station H (21kV) with a planned capacity of 80 MVA. Capacity would support Railyards development via existing infrastructure on 5th and 6th streets and Railyards Boulevard.

Chapter 3, Land Use, Population, and Housing

Page 3-23, Paragraphs 3 and 4 are revised to read:

The ESC SPD and ~~Alhambra Corridor SPD~~¹¹ would remain unchanged. Parcels within the Alhambra Corridor SPD, from 26th Street to 29th Street would be rezoned to be included in the Central City SPD. The ~~Downtown~~ Central City SPD would cover the entire ~~DSP~~ CCSP area outside of the ESC SPD and the ~~Alhambra Corridor SPD~~, and the regulations of the ~~Downtown~~ SPD would not apply to parcels located within these two existing SPDs, and the western boundary of the Alhambra Corridor SPD would be moved to 29th Street, coterminous with the eastern boundary of the Central City SPD.

¹¹ The Alhambra Corridor SPD, per Section 17.420.010 of the Sacramento City Code, includes properties located between ~~29th~~ 26th and 34th streets from the Southern Pacific railroad mainline levee to the W/X Freeway (US 50).

Maximum Heights

The proposed ~~Downtown~~ Central City SPD would allow for an increase in maximum height in three of the City's zoning designations within the CCSP ~~DSP~~ area: the C-2-SPD, OB-SPD, and RMX-SPD zones (see Figure 2-6 in Chapter 2, Project Description for the location of these three zoning designations within the ~~Downtown~~ Central City SPD). Within the proposed ~~Downtown~~ Central City SPD, the C-2-SPD zone is generally concentrated along several of the area's commercial corridors, which include portions of H, I, J, K, and O streets running east and west and portions of 16th, 19th, 20th, 21st, and 29th streets running north and south. There are approximately 400 acres within the proposed ~~Downtown~~ Central City SPD that are designated as C-2, and the maximum height requirements in this zone would increase from 65 feet to 85 feet. For C-2 zones within the existing Alhambra Corridor SPD that are to be subsumed into the Central City SPD, the change in maximum allowable height would be from 35 feet to 45 feet, within 40 feet residential zones; 35 feet to 55 feet, within 80 feet of residential zones; 35 feet to 85 feet, within 300 feet of residential zones; and 65 feet to 80 feet, at 300 feet or greater distances from residential zones.

There are approximately 35.6 acres within the ~~Downtown~~ Central City SPD that are designated as OB. Within the ~~Downtown~~ Central City SPD, the OB zone is generally concentrated along portions of G Street and 7th Street near the Alkali Flat neighborhood, between Q Street and R Street west of 8th Street, and at the intersection of R Street and

16th Street. The maximum height requirements in this zone would increase from 35 feet to 65 feet. For OB zones within the existing Alhambra Corridor SPD that are to be subsumed into the Central City SPD, the change in maximum allowable height would be from 35 feet to 45 feet, within 40 feet residential zones; 35 feet to 55 feet, within 80 feet of residential zones; and 35 feet to 65 feet, at 80 feet or greater distances from residential zones.

There are 80.4 acres within the ~~Downtown~~ Central City SPD that are designated as RMX. Within the ~~Downtown~~ Central City SPD, the RMX zone is generally concentrated along the entire length of R Street and near the intersection of L Street and 18th Street. The maximum height requirements in this zone would increase from 45 feet to 65 feet, but this increase in allowable height would apply only to parcels outside the existing R Street Corridor SPD Maximum Height Map. Within the RMX zone maximum height requirement would be required to be tiered between 45 feet and 65 feet when located in proximity to the R-1, R-1B, and R-2 zones. For RMX zones within the existing Alhambra Corridor SPD that are to be subsumed into the Central City SPD, the change in maximum allowable height would be from 35 feet to 45 feet, within 40 feet residential zones; 35 feet to 55 feet, within 80 feet of residential zones; 35 feet to 65 feet, from 80 to 300 feet of residential zones; and 45 feet to 65 feet, at 300 feet or greater distances from residential zones.

Section 4.1, Aesthetics, Light, and Glare

Page 4.1-36, the C-2 Zone discussion is revised to read:

There are approximately 400 acres within the proposed Central City ~~Downtown~~ SPD that are designated as C-2, and the maximum height requirement in this zone would increase from 65 feet to 85 feet, except where existing maximum height requirements are lower. This would include parcels within the existing Alhambra Corridor SPD, which would retain their existing underlying zoning, but would be rezoned to the Central City SPD. Those parcels are subject to existing Alhambra Corridor SPD maximum height requirements of 35 feet, within 300 feet of residential zones. In those instances, maximum height requirements for those parcels would be increased from 35 feet to 85 feet under the proposed CCSP, except where limited by transitional height tiering requirements. Within the proposed Central City ~~Downtown~~ SPD, the C-2 zone is generally concentrated along several commercial corridors, including portions of H, I, J, K, and O Streets and portions of 16th, 19th, 20th, 21st, and 29th Streets.

The provisions for existing transitional height tiering that can be applied to portions of buildings located in the C-2 zone within specific distances of the R-1, R-1B, and R-2 zones would be modified to required transitional height tiering from R-3A zones and accommodate the new maximum height requirement. When located 0–39 feet from the R-1, R-1B, ~~and R-2,~~ and R-3A zone, the maximum height limit would remain 45 feet.

From 40–79 feet from the R-1, R-1B, and R-2 zone, the maximum height limit would remain 55 feet. From 40–79 feet from the R-3A zone, the maximum height limit would be 65 feet. However, for locations 80 feet or greater from the R-1, R-1B, and R-2 zone, the maximum height limit would be ~~increased from 65 feet to 85 feet,~~ increased from 65 feet in C-2 zones and from 35 feet (if within 300 feet of residential zones) in C-2-SPD zones within the existing Alhambra Corridor SPD that would be subsumed into the Central City SPD.

Page 4.1-40, the first paragraph of the discussion under the DSP Elements heading is revised to read:

CCSP DSP Elements

As discussed above, the proposed CCSP DSP allows for increased development and resultant physical change within the CCSP DSP area over an anticipated 20-year period. Specifically, the physical changes would include an increase in the allowable maximum height in the C-2 zones (from 65 feet to 85 feet or 35 feet to 85 feet, for C-2-SPD zones in the Alhambra Corridor SPD area to be subsumed, within 300 feet of residential uses), OB zones (from 35 feet to 65 feet), and RMX zones (from 45 feet to 65 feet or 35 feet to 65 feet, for C-2 SPD zones in the Alhambra Corridor SPD area to be subsumed, within 300 feet of residential uses) zones; placement of public art in multiple locations in the CCSP DSP area; above-ground infrastructure improvements, including new or extended overhead electrical transmission lines and street lighting.

Section 4.2, Air Quality

Page 4.2-32, Mitigation Measure 4.2-5 is revised to read:

Mitigation Measure 4.2-5

The City shall require implementation of the following mitigation measures as part of approval of any residences in the ~~DSP~~ CCSP area within 500 feet of Business 80, Highway 50 or I-5:

- *Locate sensitive receptors as far as possible from Business 80, Highway 50 or I-5.*
- *Provide vegetative barriers between the source and receptors. Guidance from the US EPA's July 2016 Recommendations for Constructing Roadside Vegetation Barriers to Improve Near-Road Air Quality or Sacramento Metropolitan Air Quality Management District Landscaping Guidance for Improving Air Quality near Roadways may be incorporated.*
- *Install HVAC systems capable of at least MERV 13 in each proposed building.*
 - *The ventilation systems installed should be properly maintained, following standard practices, and as specified by the manufacturer.*

- ~~A fixed notice should be placed on the filter compartment door of each ventilation unit advising that MERV 13 (or greater) filters shall be used.~~

Section 4.3, Biological Resources

Page 4.3-64, the Significance After Mitigation paragraph that follows Mitigation Measure 4.3-6 is revised to read:

Significance After Mitigation: With the implementation of Mitigation Measure 4.3-14, in combination with CDFW riparian vegetation mitigation requirements, the proposed projects' CCSP's contribution to cumulative impact on bat species within Sacramento County would be reduced. Project-related disturbance to bat species would be less than considerable contribution to the cumulative loss of bats within Sacramento County, and this impact would be **less than significant**.

Section 4.5, Energy Demand and Conservation

Page 4.5-1, the fifth paragraph is revised to read:

In ~~2016~~2015, SMUD obtained its electricity from the following sources: large hydroelectric (~~238~~ percent and natural gas (~~4147~~ percent).⁴ Around ~~1623~~ percent of SMUD's energy resources are from "unspecified sources of power", which means it was obtained through transactions and the specific generation source is not traceable. Approximately ~~2022~~ percent of SMUD's energy portfolio is from eligible renewable resources, including biomass and waste (11 percent), geothermal (1 percent), eligible hydroelectric (1 percent), solar (3 percent), and wind (~~47~~ percent).

⁴ Sacramento Municipal Utility District (SMUD), 2017, 2016 Power Content Label.

Page 4.5-7, the third paragraph is revised to read:

Based on land use projections assumed under the ~~DSP~~ CCSP, SMUD estimates that the additional electrical load from development within the ~~DSP~~ CCSP area may be ~~7075~~ to ~~90100~~ megawatts. A majority of the load would require adding major components in the ~~DSP~~ CCSP area. SMUD is already working on replacing the North City substation (NCY) with Station E, a 160 MVA facility. Once Station A (network) is replaced with Station G, and the Station A site is decommissioned, Station A is being planned to add 80 MVA. With the addition of 13,400 units and 3.8 million square feet of commercial development, another ~~three 40-MVA~~ substations, with capacity of at least 80 MVA, would be required along the 7th Street corridor in the Railyards or River District, preferably between North B Street and Richards Boulevard. The capacity of this substation would depend on the combined demand of the CCSP, Railyards Specific Plan and River District Specific Plan.

Pages 4.5-12 through 4.5-14, Impact 4.5-2 is revised to read:

Impact 4.5-2: The proposed DSP CCSP could result in the wasteful, inefficient, or unnecessary use of energy.

Electricity and Natural Gas

Buildings and infrastructure constructed pursuant to the proposed DSP CCSP would comply with the versions of California Code of Regulations Titles 20 and 24, including CALGreen, that are applicable at the time that building permits are issued. In addition, the City's 2035 General Plan and CAP include policies and programs that seek to reduce energy consumption. In particular, 2035 General Plan policy LU 2.6.6., Efficiency through Density, requires the City to increase energy efficiency through increasing average residential densities; the proposed DSP CCSP would be consistent with this policy by planning for additional residential uses in the Central City. Further, the City's CAP General Plan includes policies that promote energy efficiency and reduction of energy consumption ~~requires projects to meet standards that would avoid the wasteful, inefficient or unnecessary use of energy.~~

~~More specifically, according to the City's CAP action: 3.4.1 and 3.4.2, consistency with the City's CAP requires a project to demonstrate that it can exceed the current Title 24 building standards by a minimum of 15 percent. To do this, the proposed residential and non-residential buildings developed pursuant to under the proposed DSP would have to be constructed to exceed the energy efficiency standards established by the current 2016 Title 24 energy standards by a minimum of 15 percent.~~

The State has updated the Building Energy Efficiency Standards on an approximate three-year cycle, with each cycle resulting in increasingly stringent energy requirements. For example, the 2013 Building Energy Efficiency Standards went into effect on July 1, 2014 and the 2016 Building Energy Efficiency Standards went into effect on January 1, 2017. The California Energy Commission has stated that the 2013 Title 24 standards would use 25 percent less energy for lighting, heating, cooling, ventilation, and water heating than the Title 24 standards used for the City's CAP (2008 Title 24 standards),²³ and that single-family residential built to the 2016 standards will use about 28 percent less energy for lighting, heating, cooling, ventilation and water heating than those built to the 2013 standards.²⁴ Energy savings for non-residential buildings are comparable. These energy improvements enacted by the State and applicable to each building constructed in the community would prevent the wasteful, inefficient, or unnecessary use of energy.

²³—California Energy Commission, 2017. *2013 Building Energy Efficiency Standards. Building Energy Efficiency Standards Frequently Asked Questions*. Available: www.energy.ca.gov/title24/2013standards/rulemaking/documents/2013_Building_Energy_Efficiency_Standards_FAQ.pdf. Accessed October 23, 2017.

²⁴—California Energy Commission, 2017. *2016 Building Energy Efficiency Standards. Building Energy Efficiency Standards Frequently Asked Questions*. Available: http://www.energy.ca.gov/title24/2016standards/rulemaking/documents/2016_Building_Energy_Efficiency_Standards_FAQ.pdf. Accessed October 23, 2017.

In the future, development pursuant to the proposed ~~DSP~~ CCSP will have to meet the requirements of increasingly ambitious goals that California has developed for energy efficiency, including a goal of zero net energy (ZNE) use in all new homes by 2020 and commercial buildings by 2030.²³²⁵ The ZNE goal means new buildings must use a combination of improved efficiency and distributed renewable energy generation to meet 100 percent of their annual energy needs. The 2019 Title 24 energy standards are expected to take the final step to achieve ZNE for newly constructed residential buildings throughout California. Since the proposed ~~DSP~~ CCSP is not scheduled to be considered for approval prior to late 2017 or early 2018, a large majority of the residential dwelling units anticipated to be built under the DSP would be built to 2019 Title 24 energy standards, which for residential units would clearly be ~~15 percent~~ more efficient than units constructed to the 2016 Title 24 energy standards. ~~Irrespective of when ZNE for non-residential buildings is implemented through Title 24, the City's CAP policies would continue to encourage, but not explicitly require, non-residential development to exceed the 2016 Title 24 energy standards by 15 percent.~~

²³²⁵ California Energy Commission, 2016. 2016 Building Energy Efficiency Standards Frequently Asked Questions. Available: www.energy.ca.gov/title24/2016standards/rulemaking/documents/2016_Building_Energy_Efficiency_Standards_FAQ.pdf.

The residential and commercial uses proposed under the ~~DSP~~ CCSP will be constructed to meet the latest Title 24 energy standards and would not result in wasteful or unnecessary use of energy. ~~However, since it is possible that the non-residential buildings developed pursuant to the proposed DSP may not exceed the 2016 Title 24 energy standards by 15 percent, the proposed DSP may not be consistent with the CAP Actions 3.4.1 and 3.4.2 and could result in inefficient use of energy.~~ Therefore, this impact would be considered **potentially less than significant**.

Operational and Construction Transportation

Based on Table 4.5-2, it is estimated that 125,237 gallons of diesel fuel and 14,124,000 gallons of gasoline would be consumed for the ~~DSP~~ CCSP operational uses.

Transportation energy would be used efficiently due to the location, density, and mix of planned uses in the ~~DSP~~ CCSP area. As discussed in section 4.12, Transportation and Circulation, the proposed ~~DSP~~ CCSP land use design, roadway system, and mobility network were developed in accordance with Sacramento Grid 3.0, which would result in an average VMT per capita and average VMT per employee below the regional and countywide averages calculated by SACOG. Mixed-use developments, such as the proposed ~~DSP~~ CCSP, provide an opportunity for people to live, work, shop, and find recreation opportunities within one community. This allows people to travel shorter distances between their origins and destinations. These shorter travel distances reduce vehicle trip lengths and make walking and bicycling more viable travel options. In addition, the regionally central location of the ~~DSP~~ CCSP area means that trip lengths would be shorter than if the proposed land uses were developed elsewhere in the region.

This reduction in trip making and trip lengths would have a commensurate reduction in transportation fuel consumption.

As explained above in Impact 4.5-1, construction of development and infrastructure pursuant to the proposed DSP CCSP would require the use of fuels for operation of construction equipment, construction vehicles, and construction worker vehicles. Direct energy use would also include the use of electricity required to power construction equipment. As shown in Table 4.5-3, for the construction of the proposed DSP CCSP, it is estimated there would be approximately 3,141,833 gallons of diesel fuel and 1,188,373 gallons of gasoline consumed. Notably, construction activities are temporary and would be spread over a period of two decades or more. Since the use would be temporary, it would not result in a long-term increase in demand for fuel. Thus, construction and operation of development undertaken pursuant to the proposed DSP CCSP would not result in a wasteful or unnecessary use of energy. Therefore, this impact would be considered **less than significant**.

Summary

The proposed DSP CCSP, would be designed and operated to minimize the use of electrical, natural gas, and transportation fuel energy to the extent feasible. Development proposed in the CCSP area would be required to comply with the versions of California Code of Regulations Titles 20 and 24, including CALGreen, that are applicable at the time that building permits are issued. ~~It is currently unknown if the 2019 Title 24 energy standards for non-residential buildings will exceed the most current 2016 Title 24 energy standards by 15 percent as required under the City's CAP Actions 3.4.1 and 3.4.2. By meeting all sustainability features required under the future 2019 24 Title 24 energy standards, it is clear that residential development would be energy efficient and consistent with the City's CAP actions. Energy savings for non-residential buildings would be comparable, however it cannot be demonstrated that the non-residential uses proposed under the DSP would be able to exceed the current 2016 Title 24 energy standards by 15 percent as required under the City's CAP Actions 3.4.1 and 3.4.2. Therefore, the proposed DSP CCSP would not~~ ~~could~~ result in wasteful, inefficient or unnecessary use of energy. Therefore, this impact would be considered **potentially less than significant**.

Mitigation Measure

None required.

Mitigation Measure 4.5-2

Implement Mitigation Measure 4.7-1.

Significance after Mitigation: Implementation of **Mitigation Measure 4.5-2** would insure that development under the proposed DSP would be consistent with CAP Actions 3.4.1 and 3.4.2 by requiring the applicant design any proposed non-residential buildings to exceed the 2016 Title 24 energy standards by a minimum

of 15 percent. ~~By demonstrating consistency with the City's CAP, the project would not result in an inefficient use of energy. Therefore, after mitigation this impact would be less than significant.~~

Section 4.7, Global Climate Change

Page 4.7-19, question 2 text is revised to read:

2. *Would the proposed ~~DSP~~ CCSP incorporate traffic calming measures ~~(Applicable CAP Action: 2.1.1)?~~*

Page 4.7-20, question 3 text is revised to read:

3. *Would the proposed ~~DSP~~ CCSP incorporate pedestrian facilities and connections to public transportation consistent with the City's Pedestrian Master Plan ~~(Applicable CAP Action: 2.2.1)?~~*

Page 4.7-20, question 4 text is revised to read:

4. *Would the proposed ~~DSP~~ CCSP incorporate bicycle facilities consistent with the City's Bikeway Master Plan and meet or exceed minimum standards for bicycle facilities in the Zone Code and CALGreen ~~(Applicable CAP Action: 2.3.1)?~~*

Pages 4.7-21 through 4.7-23, the discussions under questions 5 and 6, summary, and mitigation measures are revised to read:

5. *Would the proposed ~~DSP~~ CCSP include on-site renewable energy systems (e.g., solar photovoltaic, solar water heating, etc.) that would generate at least 15 percent of the project's total energy demand ~~(CAP Actions 3.4.1 and 3.4.2)?~~*

~~In lieu of installing on-site renewable energy systems that would generate 15 percent of the project's total energy, Sacramento's CAP checklist also considers projects as consistent if they would exceed the current Title 24 building standards by a minimum of 15 percent. To do this, the proposed residential and non-residential buildings developed pursuant to the proposed DSP would have to be constructed to exceed the energy efficiency standards established by the 2016 Title 24 energy standards by a minimum of 15 percent.~~

The proposed CCSP would not require new uses within the CCSP area to generate 15 percent of each use's energy demand on-site. However, development under the proposed CCSP would be designed in compliance with the 2016 Title 24 Building Energy Efficiency Standards, effective January 1, 2017.

The CAP Consistency Review Checklist was based on improving efficiency by 30 percent above the requirements of the 2008 Title 24 standards (effective January 1,

2010). Since setting that standard, the State has updated the Building Energy Efficiency Standards on an approximate three-year cycle, with each cycle resulting in increasingly stringent energy requirements. For example, the 2013 Building Energy Efficiency Standards went into effect on July 1, 2014 and the 2016 Building Energy Efficiency Standards went into effect on January 1, 2017. The California Energy Commission has stated that the 2013 Title 24 standards would use 25 percent less energy for lighting, heating, cooling, ventilation, and water heating than the Title 24 standards used for the City's CAP (2008 Title 24 standards),³³ and that single-family residential built to the 2016 standards will use about 28 percent less energy for lighting, heating, cooling, ventilation and water heating than those built to the 2013 standards.³⁴ Energy savings for non-residential buildings are comparable. These energy improvements enacted by the State and applicable to each building constructed in the community would satisfy the reduction requirements that are identified in the City's CAP.

³³—California Energy Commission, 2017. *2013 Building Energy Efficiency Standards. Building Energy Efficiency Standards Frequently Asked Questions*. Available: www.energy.ca.gov/title24/2013standards/rulemaking/documents/2013_Building_Energy_Efficiency_Standards_FAQ.pdf. Accessed October 23, 2017.

³⁴—California Energy Commission, 2017. *2016 Building Energy Efficiency Standards. Building Energy Efficiency Standards Frequently Asked Questions*. Available: http://www.energy.ca.gov/title24/2016standards/rulemaking/documents/2016_Building_Energy_Efficiency_Standards_FAQ.pdf. Accessed October 23, 2017.

California has developed a goal of zero net energy (ZNE) use in all new homes by 2020 and commercial buildings by 2030.³³³⁵ The ZNE goal means new buildings must use a combination of improved efficiency and distributed renewable energy generation to meet 100 percent of their annual energy needs. The 2019 Title 24 energy standards are expected to take the final step to achieve ZNE for newly constructed residential buildings throughout California. A large majority of the proposed residential dwelling units will be built to 2019 Title 24 energy standards, which for residential units would clearly be ~~15 percent~~ more efficient than the 2016 Title 24 energy standards. ~~It is currently unknown if the 2019 Title 24 energy standards for non-residential buildings will exceed the 2016 Title 24 energy standards by 15 percent.~~ Therefore, the impact would be less than significant.

³³³⁵ California Energy Commission, 2016. *2016 Building Energy Efficiency Standards. Building Energy Efficiency Standards Frequently Asked Questions*. Available: www.energy.ca.gov/title24/2016standards/rulemaking/documents/2016_Building_Energy_Efficiency_Standards_FAQ.pdf.

~~Since the proposed non-residential buildings may not exceed the 2016 Title 24 energy standards by 15 percent, the proposed DSP may not be consistent with the CAP Actions 3.4.1 and 3.4.2. Therefore, the impact is potentially significant.~~

6. ~~Would the proposed DSP CCSP comply with minimum CALGreen Tier 1 water efficiency standards (CAP Action: 5.1.1)?~~

As discussed above pertaining to 2035 General Plan Policy U 2.1.10, the proposed ~~DSP~~ CCSP acknowledges the importance of water conservation in both residential and non-residential development and landscaping. It would include a commitment to a series of water conserving landscape requirements that involve the use of drought-resistant landscaping and water-conserving irrigation methods to reduce water waste. The proposed ~~DSP~~ CCSP would include a commitment to achieve, at a minimum, the CALGreen Tier 1 water efficiency standards. Consequently, the ~~DSP~~ CCSP would be consistent with this CAP energy efficiency and renewable energy requirement.

The proposed ~~DSP~~ CCSP would be consistent with ~~five of the~~ all six applicable CAP consistency questions described above. ~~Therefore, the impact would be considered less than significant.~~ Since it is possible that the non-residential buildings proposed under the proposed ~~DSP~~ would not exceed the 2016 Title 24 energy standards by 15 percent, this impact would be considered **potentially significant**.

Summary

As described above, the proposed ~~DSP~~ CCSP would require future development in the ~~DSP~~ CCSP area to be consistent with and conform to each of the applicable criteria to establish consistency with the City's CAP, ~~except for CAP Action 3.4.1 and 3.4.2.~~ As established in CEQA Guidelines section 15183.5(b), because the City has determined that these projects would be consistent with the City's CAP, the proposed ~~DSP~~ CCSP contribution to cumulative GHG emissions is considered **less than significant**.

Mitigation Measure

None required.

Mitigation Measure 4.7-1

Prior to issuance of building permits for new non-residential buildings, the applicant shall submit to the City of Sacramento Building Department building design plans demonstrating that the buildings would exceed the 2016 Title 24 energy standards by 15 percent or more.

Significance after Mitigation: Implementation of **Mitigation Measure 4.7-1** would insure that development under the proposed ~~DSP~~ would be consistent with CAP Action 3.4.1 and 3.4.2 by requiring the applicant design any proposed non-residential buildings to exceed the 2016 Title 24 energy standards by a minimum of 15 percent. As a result, the proposed ~~DSP~~ as mitigated would be consistent with CAP Action 3.4.1 and 3.4.2. Therefore, after mitigation this impact would result be **less than significant**.

Section 4.8, Hazards and Hazardous Materials

Beginning on page 4.8-18, Impact 4.8-1 and Mitigation Measure 4.8-1 are revised as follows:

Impact 4.8-1: Development pursuant to the proposed DSP CCSP could expose people to contaminated soil ~~during construction activities.~~

~~Exposure to contaminated soil materials (both soil vapor and soil) would only occur during construction. Once a particular project has been constructed, there would be no further exposure during operations. Therefore, only construction impacts are analyzed below.~~

Construction

As described in Subsection 4.8.1, the DSP CCSP area was developed beginning in the 1800s and has evolved over the years to include, at various times, a wide range of commercial, industrial, and residential uses, including manufacturing, fueling stations and vehicle repair, dry cleaning, and landfills. As identified in the Phase I ESA Overview Study and summarized in the environmental setting, within the DSP CCSP area, 26 sites are currently considered to have a high potential for RECs (impacts or hazardous materials exist on the site) and 35 have a moderate potential (impacts or hazardous materials may exist on the site). Because of the long history of development, ubiquitous environmental issues may exist throughout the DSP CCSP area. In addition to the specific issues identified in the Phase I ESA Overview Study for individual sites, these ubiquitous environmental issues may include lead in soil from deteriorated LCP on existing or former structures and pesticides in soil around structures.

Some of the sites identified in the Phase I ESA Overview Study may be susceptible to vapor intrusion from contaminated soils. If contaminated groundwater is encountered during construction activities, compliance with DTSC regulations regarding the treatment of contaminated groundwater would be required. However, vapor intrusion from contaminated groundwater could result in the release of VOCs.

In addition, the closed landfills located in the northeast portion of the DSP CCSP area would present risks if construction were to occur there. Although the landfills were not permitted to accept liquid or hazardous waste, the decomposition of the solid waste can result in the generation of hazardous materials, as evidenced by the detection of contaminants in groundwater beneath and south of the landfills and the generation of methane gas within the waste footprints.

Note that the Phase I ESA Overview Study evaluated conditions as of June 2017 and the identified active hazardous materials sites will continue to undergo investigation and cleanup as required by regulatory agencies. At the future time when a given particular property is redeveloped, conditions would be different by then and the particular property may or may not have been cleaned up. In addition, unknown hazardous materials may be

present in soil or other hazardous materials releases may occur between now and then at other properties. The investigation and cleanup responsibilities for each hazardous materials property would be with the property's responsible party, as designated by the overseeing regulatory agency, but may be incomplete at the time of redevelopment. Consequently, the excavation of contaminated soils during construction and operation could expose people to associated health risks. This is considered a **potentially significant** impact.

Mitigation Measure

Mitigation Measure 4.8-1

If a development site is listed in the Phase I ESA Overview Study as being of moderate or high potential to have a Recognized Environmental Condition (REC), the applicant shall conduct a site specific Phase I Environmental Site Assessment during the entitlement process in general accordance with the current version of ASTM 1527 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process prior to construction and shall comply with the recommendations in the report. Recommendations may include guidance on mitigating hazards from encountering contaminated groundwater, including measures related to disturbance of existing treatment systems, drilling, groundwater extraction, or vapor intrusion.

This requirement does not apply to projects in which excavation would extend no deeper than 18 inches, including projects that are limited to installation of a fence, deck, single-family residence, garage or addition to an existing residence (e.g., room addition), shallow landscaping with or without irrigation lines, or other minor site improvements, or replacement of existing facilities (road signs, sidewalks, pipes, etc.) where ground disturbance would occur principally in previously disturbed sediment.

Significance after Mitigation: With the implementation of **Mitigation Measure 4.8-1** listed above, this impact would be reduced to a **less-than-significant** level because the Phase I assessment would identify the presence of potential or actual hazardous materials, which, if identified, would then require further investigation and cleanup in compliance with applicable regulations, if needed.

Page 4.8-4, the last sentence of the first paragraph is revised to read:

Cleanup activities are largely complete in the RSP Area and the remaining hazardous materials issues are largely limited to localized land use restrictions that are unlikely to affect the ~~DSP Area~~ CCSP area. Groundwater remediation in the RSP Area and in portions of the CCSP area are ongoing.

Page 4.8-16, the first paragraph is revised to read:

Railyards Project Soil and Groundwater Management Plan

The RSP Area is adjacent to and northwest of the ~~DSP CCSP area~~. Ongoing cleanup activities may overlap the northwestern portion of the ~~DSP CCSP area~~ (e.g., groundwater). ~~In the event that contaminated groundwater originating from the RSP Area is encountered during projects in the DSP Area, the requirements of the~~ The Railyards Projects Soil and Groundwater Management Plan or SGMP, approved by DTSC in 2015, would apply applies only to properties within the RSP Area, and does not directly apply to properties outside of the RSP Area.¹² The SGMP was prepared for use with each development project to be constructed within the RSP Area that requires special handling of soil and/or groundwater to ensure compliance with regulatory requirements and other obligations set forth in the SGMP. ~~In particular,~~ However, projects within the ~~DSP Area CCSP area~~ are not permitted to interfere with ongoing cleanup activities within the RSP Area.

12 Stantec, 2015. Railyards Projects Soil and Groundwater Management Plan, Sacramento Railyards, Sacramento, California, December.

Section 4.11, Public Services

Page 4.11-32, the last sentence of the fourth paragraph is revised to read:

Another dog park in the ~~DSP CCSP~~ area is located at Sutter Landing Regional Park.

Page 4.11-39, policy ERC 2.4.4 is corrected to read:

ERC 2.4.4 ~~**Park Acreage Service Level Goal.** The City shall strive to develop and maintain 5 acres of neighborhood and community parks and other recreational facilities/sites per 1,000 population.~~ **Setbacks from Rivers and Creeks.** The City shall ensure adequate building setbacks from rivers and creeks, increasing them where possible to protect natural resources.

Page 4.11-40, the language for policy ERC 2.5.1 is incorrectly numbered. The policy numbering and text is revised to read:

ERC ~~2.5.4~~ ~~2.5.4~~ **Capital Funding.** The City shall fund the costs of acquisition and development of City neighborhood and community parks, and community and recreation facilities through land dedication, in-lieu fees, and/or development impact fees.

Section 4.12, Transportation

Page 4.12-60, Mitigation Measure 4.12-3 and the text following the mitigation measure are revised to read:

Mitigation Measures

Mitigation Measure 4.12-3. Freeway Subregional Corridor Mitigation Program (SCMP).

Each project developed pursuant to the ~~DSP~~ CCSP, and subject to mitigation measures of the CCSP EIR, that generates more than 100 vehicular AM or PM peak hour trips that are directed toward the highway system shall:

- *Remit monetary payment to the I-5 Freeway SCMP. This remittance shall be completed prior to the issuance of building permits.*

OR

- *Negotiate a mutually acceptable agreement with Caltrans and the City.*

Projects in the CCSP area that would be exempt from the implementation of this measure include projects not subject to CEQA (Public Resources Code (PRC) §21080(b)), projects that are categorically exempt from CEQA or projects eligible for statutory streamlining including but not limited to qualified housing projects (PRC §§21159.21 and 21159.24), affordable low-income housing projects (PRC §21159.23), and qualifying infill developments (PRC §21094.5 and State CEQA Guidelines §15332), as well as projects that are not required to address specific or cumulative impacts from cars and light-duty truck trips generated by the project on the regional transportation network (PRC §21159.28).

Significance After Mitigation: On April 5, 2016, the City approved the I-5 SCMP and certified its Supplemental EIR (SCH #2011012081). The SCMP would reduce auto travel on study area freeways by providing funding towards a diverse list of multimodal transportation improvement projects, including a new bridge across the American River, two new bridges across the Sacramento River, a streetcar system that would serve the study area, and new high occupancy vehicle (HOV) lanes on I-5.

The SCMP provides the option for development projects to monetarily contribute to the program, which would constitute mitigation for a project's impacts to the area's freeway system. To reduce the Plan's freeway impacts shown in Table 4.12-11, the Plan would participate in the SCMP through **Mitigation Measure 4.12-3**. As stated in Resolution 2016-0109, certain projects would be exempt from the I-5 Subregional Corridor Mitigation Fee Program; projects that are statutorily or categorically exempt from CEQA would also be exempt from the fee program. Therefore, the Plan would not have significant impacts to freeway facilities in the area. Implementation of **Mitigation Measure 4.12-3** would reduce this impact to **less than significant** under CEQA.

Section 4.13, Utilities

Page 4.13-41, the text under the Methodology and Assumptions header and the first paragraph under Impacts and Mitigation Measures are revised to read:

Methodology and Assumptions

The following impact analysis evaluates the potential for ~~DSP~~CCSP-related development to result in changes to existing infrastructure and supply relating to solid waste. The analysis focuses on wastes generated by the development anticipated under the proposed ~~DSP~~ CCSP and potential impacts to solid waste handling and disposal facilities located outside of the ~~DSP~~ CCSP area. Potential changes in solid waste generation are evaluated using waste generation factors shown in **Table 4.13-6**. Estimated solid waste generation for the ~~DSP~~ CCSP was also calculated based on factors shown in Table 4.13-6. Existing waste generation was subtracted from anticipated waste generation to identify the net increase in waste associated with the CCSP.

Impacts and Mitigation Measures

Impact 4.13-9: The collection or disposal of additional solid waste generated under the proposed ~~DSP~~ CCSP would result in adverse physical environmental effects.

Construction

Construction in the ~~DSP~~ CCSP area would result in the generation of various construction waste including scrap lumber, scrap finishing materials, various scrap metals, and other recyclable and non-recyclable construction related wastes.

~~identify the net increase in waste associated with the DSP.~~

Chapter 6, Alternatives

Page 6-10, the fourth paragraph of the Alternative 1 (No Project) description is revised to read:

Alternative 1 would implement the 2035 General Plan and Central City Community Plan in their present form. Development parameters would not be increased within the zones specified above; therefore, growth throughout the CCSP ~~DSP~~ area would be anticipated to proceed in a less-concentrated way than would be anticipated to occur under the CCSP ~~DSP~~. Under Alternative 1, the western boundary of the Alhambra Corridor SPD would remain at 26th Street and all parcels, within the area of the SPD to be subsumed into the proposed Central City SPD, would be subject to Alhambra Corridor SPD zoning requirements, including a maximum allowable height of 35 feet, if located within 300 feet of residential zones. Those parcels would be subject to Alhambra Corridor SPD zoning. In addition, the proposed transitional-height-tiering requirements for C-2 zones in the vicinity of R-3A zones, would not be implemented.

Page 6-14, the second paragraph under the Land Use and Zoning heading is revised to read:

The Reduced Heights Alternative would retain the same distribution of land use and zoning designations as are described in the proposed DSP CCSP, as described in the Policy Changes subsection of Section 3.2, Land Use, but would not increase maximum allowable heights in the Central City SPD area for C-2, RMX, or OB base zones.

Table 6-1 provides the existing maximum allowable heights for the base zones above, and maximum allowable heights for the proposed Central City SPD, as described in Chapter 2, Project Description.

**TABLE 6-1
ALLOWABLE DEVELOPMENT HEIGHTS BY ALTERNATIVE**

Zone	Existing Base Zone Maximum Height (Alternative 1)	Maximum Height Under Alternative 2 (Same as Existing Base Zoning)	Maximum Height Under DSP CCSP
C-2	65 feet	65 feet	85 feet
RMX	45 feet	45 feet	65 feet
OB	35 feet	35 feet	65 feet

Changes to Figures

All revised Draft EIR figures are included at the end of this chapter.

Figure S-2, Project Vicinity, is revised to show the revised CCSP boundaries, specifically the change to remove the existing tank farms south of Broadway and west of I-5 from the CCSP area.

Figure S-3, Downtown Specific Plan Area, is revised to show the revised CCSP boundaries, specifically the change to remove the existing tank farms south of Broadway and west of I-5 from the CCSP area. Additionally, the figure name is revised to Central City Specific Plan Area to reflect the specific plan name change.

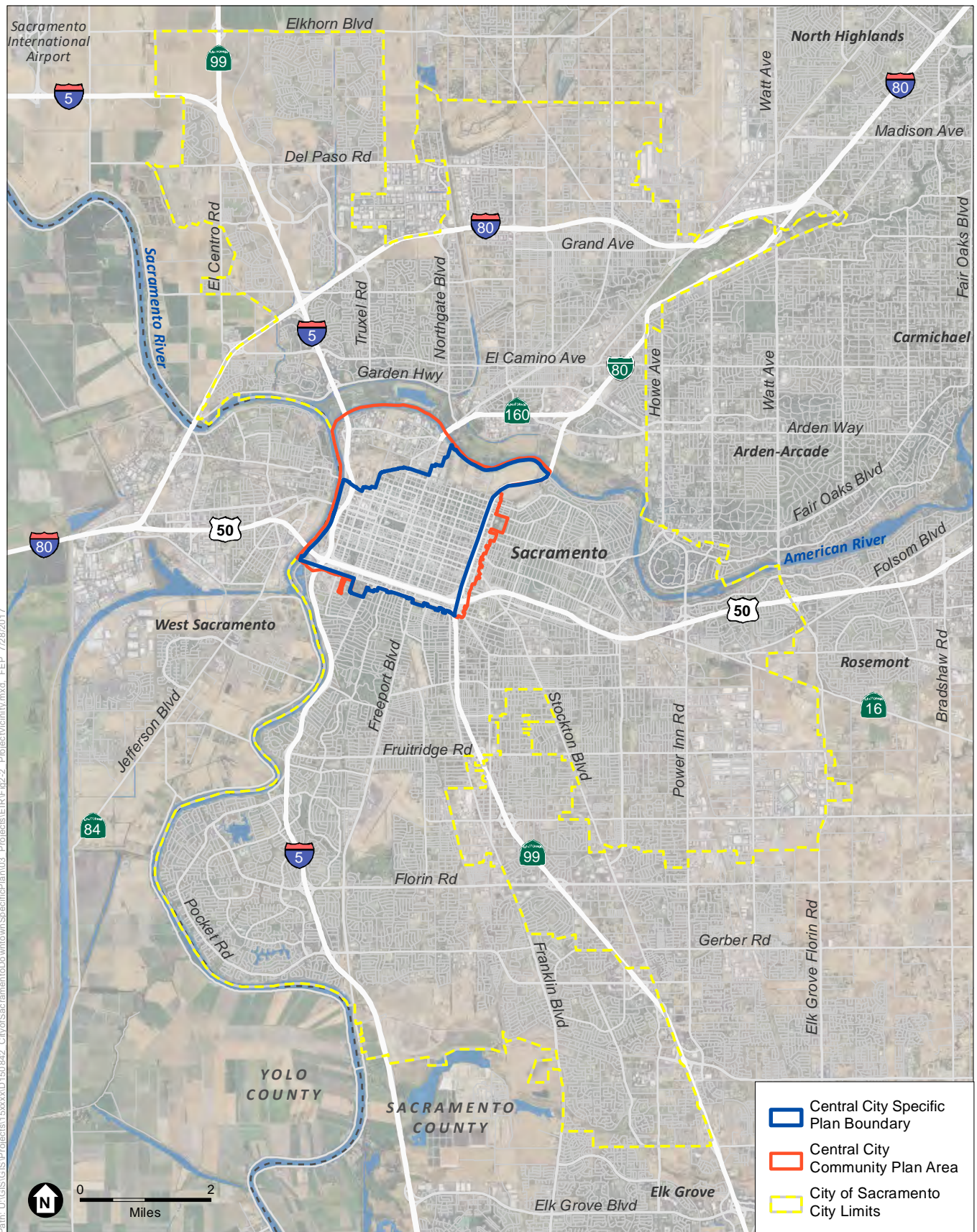
Figure 2-2, Project Vicinity, is revised to show the revised CCSP boundaries, specifically the change to remove the existing tank farms south of Broadway and west of I-5 from the CCSP area.

Figure 2-3, Downtown Specific Plan Area, is revised to show the revised CCSP boundaries, specifically the change to remove the existing tank farms south of Broadway and west of I-5 from the CCSP area. Additionally, the figure name is revised to Central City Specific Plan Area to reflect the specific plan name change.

Figure 2-6, Special Planning Districts, is revised to show the revised Alhambra Corridor SPD boundaries, specifically the change to the western boundary of the existing Alhambra Corridor SPD from 29th Street to 26th Street.

Changes to Appendices

The title page for Appendix C2, Air Quality Mitigation Plan, was incorrectly labeled as Global Climate Change Data. The title page is updated to reflect the correct title. Additionally, references in Appendix C2 to the Downtown Specific Plan were changed to Central City Specific Plan, consistent with the global changes described in this Final EIR. The complete, revised Appendix C2 is included here for reference.



SOURCE: Esri, 2015; USDA, 2016; City of Sacramento, 2017; ESA, 2017

City of Sacramento Central City Specific Plan EIR

Figure S-2
Project Vicinity



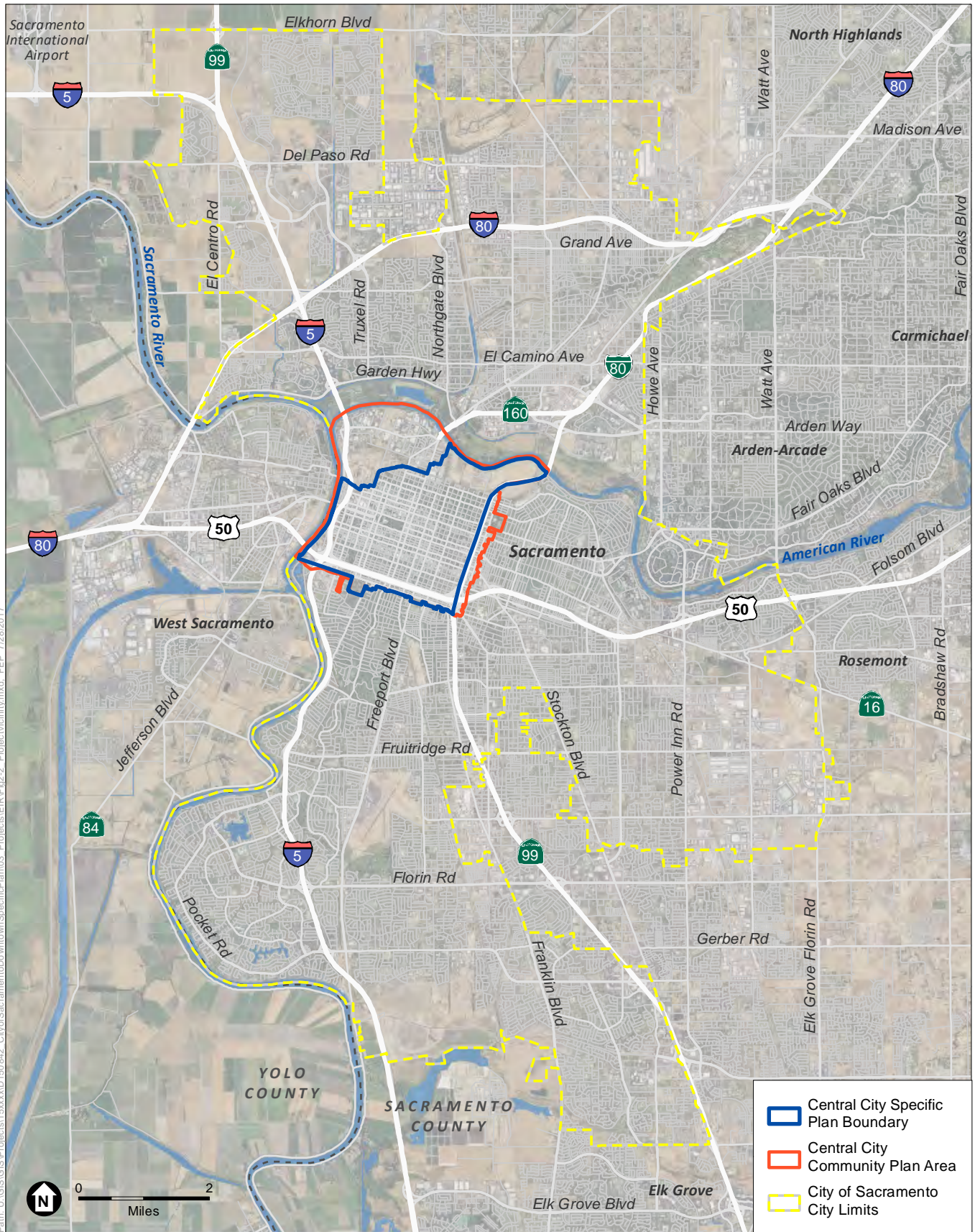


SOURCE: USDA, 2014; City of Sacramento, 2016; ESA, 2017

City of Sacramento Central City Specific Plan EIR

Figure S-3
Central City Specific Plan Area





SOURCE: Esri, 2015; USDA, 2016; City of Sacramento, 2017; ESA, 2017

City of Sacramento Central City Specific Plan EIR

Figure 2-2
Project Vicinity





Path: U:\GIS\GIS\Projects\15xxxx\150842_CityofSacramentoDowntownSpecificPlan\03_Projects\EIR\Fig2-3_DowntownSpecificPlanArea.mxd, FEP_7/28/2017

SOURCE: USDA, 2014; City of Sacramento, 2016; ESA, 2017

City of Sacramento Central City Specific Plan EIR

Figure 2-3
Central City Specific Plan Area





SOURCE: USDA, 2016; City of Sacramento, 2017; ESA, 2018

Central City Specific Plan

Figure 2-6
Special Planning Districts



Appendix C2

Air Quality Mitigation Plan

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Introduction

The Sacramento Metropolitan Air Quality Management District (SMAQMD) has developed guidance to mitigate operational emissions for projects subject to the California Environmental Quality Act.¹ SMAQMD's guidance recommends that project applicants prepare an Air Quality Mitigation Plan (AQMP) for all projects that exceed SMAQMD's operational significance thresholds of 65 pounds per day for reactive organic gases (ROG) and/or 65 pounds per day for nitrogen oxides (NO_x).

If a project exceeds these thresholds, mitigation must be identified to reduce on-road mobile source emissions by 15 percent if the project is within the current State Implementation Plan (SIP), or by 35 percent if not within the SIP. Since the proposed Central City Specific Plan (CCSP) is included within the SIP, the 15 percent reduction applies to this project.²

SMAQMD Guidance

The following steps are used to determine if a project meets the 15 percent reduction goal. The first step involves estimating total unmitigated ROG and NO_x emissions using CalEEMod default values. Since this project includes a traffic analysis, the second step involves estimating mitigated ROG and NO_x emissions using CalEEMod but adjusted for the vehicle miles traveled (VMT) estimates included in the project traffic report. Then, the decrease in ROG and NO_x mobile source emissions between unmitigated and mitigated is calculated, and the difference is converted to NO_x equivalents or NO_xe. NO_xe is the sum of NO_x reductions plus one-seventh of ROG reductions. If the project meets the 15 percent NO_xe reduction goal, it is considered consistent with the SIP.

CCSP Emission Reductions

CCSP Unmitigated Emissions

Unmitigated CCSP ROG and NO_x emissions from mobile sources were estimated using the CalEEMod model (2016.3.1 version), which can be found in Table C2-1. With one exception, the unmitigated emissions have been estimated using CalEEMod default values. The only exception is that the daily trip generation rates are based on the trip rates included in the traffic study.

CCSP Emissions after Implementation of all Design Features

The mitigated emission estimates were also estimated using CalEEMod, except that trip lengths were adjusted so that the CCSP's VMT estimates match those in the project traffic analysis. This approach matches SMAQMD's Off-Model Measure (TS: Traffic Study (meta-measure)) included

¹ Sacramento Metropolitan Air Quality Management District. Recommended Guidance for Land Use Emission Reductions, Version 3.3 (for Operational Emissions). Accessed May 2, 2017.

² City of Sacramento, 2015. *City of Sacramento 2035 General Plan Master Environmental Impact Report* (SCH No. 2012122006). Certified March 3, 2015.

in SMAQMD's AQMP guidance. The result of mitigated emission estimates can be found in **Table C2-1**.

TABLE C2-1
CCSP PERCENT REDUCTION OF MOBILE EMISSIONS OF NO_xE
WITH AND WITHOUT MITIGATION¹

Project	Unmitigated Emissions (ppd)			Mitigated Emissions (ppd)			Percent Reduction	Exceed 15%?
	ROG	NO _x	NO _x e ²	ROG	NO _x	NO _x e ²		
CCSP	302	1,179	1,222	65	260	269	78%	Yes

1. Operational emissions estimates for summertime conditions were made using CalEEMod 2016.3.1. See Appendix C1 for details.
2. NO_xe as defined by the SMAQMD is the reduction in ROG divided by 7 plus the reduction in NO_x.

The traffic study (meta-measure) recognizes that site-specific information is better than information generated from a statewide model. Consequently, it recommends that if a project has a traffic study, then that study should be used in lieu of the CalEEMod model defaults to estimate unmitigated emissions.³ SMAQMD's guidance states that traffic studies typically include calculations of internal trip capture, the mix of land uses, distances to job centers, and transit, walking, and cycling information. In lieu of using CalEEMod's built in mitigation measures, SMAQMD recommends that the project traffic study should be used instead. To do this, CalEEMod's default values (typically trip generation rates and trip lengths) are adjusted so that its VMT estimates are consistent with the traffic study, and adding any mitigation not accounted for in the traffic study. The VMT estimates for the CCSP were modeled using the Sacramento Area Council of Government's (SACOG) SACMET travel demand model.⁴ SACMET accounts for several factors that reduce project VMT. These include:

- job accessibility (within a 30-minute drive or transit travel time),
- proximity to transit (distance to nearest light rail or bus station, in miles),
- availability of Class 1 and 2 bike lanes within and adjacent to the project,
- parameters that effect walking, including sidewalks and pedestrian paths and distances to transit, commercial, and related destinations,
- job and housing density (dwelling units and jobs per acre), and
- jobs and housing mix.

The CalEEMod default estimate of total VMT was revised to be consistent with the project-specific VMT estimates. Within CalEEMod, VMT estimates for each land use type are the product of trip generation rates times trip lengths. CalEEMod's default trip lengths were adjusted so that its VMT matched the project specific estimates.

³ Sacramento Metropolitan Air Quality Management District. *Operational Emissions Mitigation*. <http://www.airquality.org/businesses/ceqa-land-use-planning/mitigation>. Accessed May 2, 2017.

⁴ DKS Associates, 2017. Sacramento Downtown Specific Plan Traffic Study. March, 2017.

AQMP Effectiveness

After modeling the unmitigated project emissions, SMAQMD recommends applying all feasible project mitigation and recalculating the daily summer emissions as NO_xe. The effectiveness of the mitigation plan is then calculated as a percentage reduction from the unmitigated project, defined as follows:

$$\text{AQMP Effectiveness} = \frac{(\text{Unmitigated Project NO}_{x\text{e}} - \text{Mitigated Project NO}_{x\text{e}})}{\text{Unmitigated Project NO}_{x\text{e}}} \times 100$$

Using the SMAQMD Recommended Guidance for Land Use Emission Reduction,⁵ the percent reduction of mobile emissions of NO_xe after mitigation for the CCSP is presented in Table C2-1. The average daily trip lengths for each proposed land use were adjusted in the each mitigated CalEEMod run until the annual VMT matched those provided by DKS Associates for the CCSP.

As shown in Table C2-1, the CCSP would result in a 78 percent reduction in NO_xe emissions after mitigation, respectively. The CCSP would achieve a 15 percent emission reduction/mitigation guideline established by the SMAQMD and would be consistent with the SIP.

⁵ Sacramento Metropolitan Air Quality Management District, 2016. Recommended Guidance for Land Use Emission Reductions Version 3.3 (for Operations Emissions). September 26, 2016.

CHAPTER 3

Comments and Responses

3.1 Introduction

This section contains the comment letters that were received on the Draft EIR. Following each comment letter is a response by the City intended to supplement, clarify, or amend information provided in the Draft EIR or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues may be discussed or noted for the record. Where text changes in the Draft EIR are warranted based upon comments on the Draft EIR, those changes are generally included following the response to comment. However, in some cases when the text change is extensive, the reader is instead referred to Chapter 2, Text Changes to the Draft EIR, where all the text changes can be found.

Occasionally, a response to a comment provides a cross-reference to another response to comment. This occurs when the same, or very similar, comment was made or question asked, and an appropriate response was included elsewhere.

3.2 Master Responses

This section presents responses to environmental issues raised in multiple comments. Rather than responding individually, master responses have been developed to address such comments comprehensively and these master responses are organized per topic in this section. The master response number is then identified in the individual response to comment so that reviewers can readily locate all relevant information pertaining to the following issues of concern.

Master Response 1: Planning-Related Issues

Floor Area Ratio

Several comments noted that there was an inconsistency between the CCSP and the CCSP EIR regarding the allowance of a floor area ratio (FAR) deviation. Policy LU 1.1.10 in the 2035 General Plan currently states:

LU 1.1.10 **Exceeding Floor-Area-Ratio.** The City may allow new development to exceed the maximum allowed FAR or density if it is determined that the project provides a significant community benefit. (RDR)

CCSP Draft EIR page 2-21 explains that General Plan Policy LU 1.1.10 would be modified to allow new development to exceed the required FAR by up to 20 percent if it is determined that the project provides a significant community benefit.

A similar discussion regarding the potential change to General Plan Policy LU 1.1.10 was not provided in the CCSP or the Draft Ordinance because the policy change is not proposed to be included in CCSP. The CCSP does, however, explain that General Plan policies and CCSP policies will guide development in the CCSP area. Instead of being addressed as part of the CCSP, the policy change would have been proposed as a general plan amendment. On CCSP Draft EIR page 2-58, approval of one or more amendments to the 2035 General Plan is a requested City action.

General Plan Policy LU 1.1.10 refers to a “significant community benefit” which is typically determined on a case-by-case basis dependent on the merits of each project and whether the project furthers the goals of the City.

The City has found that the current maximum FAR for various general plan land use designations are too low, in some cases not allowing the maximum building envelope permitted in the proposed Central City Special Planning District. Amendments to general plan land use designations would have citywide impacts and would be better addressed in the upcoming General Plan Update. During the General Plan Update, the City will also consider amending Policy LU 1.1.10 to allow new development to exceed the required FAR by up to 20 percent if it is determined that the project provides a significant community benefit.

Height Limits and Transitional Zones

Various comments have expressed concern about changes to height limits in C-2 zones from 65 to 85 feet. The increased heights are moderated by transitional height standards that require that the height is stepped down to 55 and 45 feet depending on the distance from R1/R1A or R2/R2A zones. However, the proposed Central City Special Planning District does not require transitional height when a development is near R-3, R-3A, or R-4 zones.

Since the comments were submitted the City has agreed to require transitional height standards for when a C-2 zoned property is within 80 feet of the R-3A zone. If a portion of a building or structure is within 39 feet of the R-3A zone the height is restricted to 45 feet. If a portion of the building or structure is within 79 feet from the R-3A zone the height is restricted to 65 feet. The

R-3 and R-4 zones do not require transitional height standards because they are rarely found in the Central City and none could be found adjacent to the C-2 zone.

Policy Language

Several comments refer specifically to CCSP Policy LU 5.1 which states, “Consistent Standards and Guidelines. Maintain clear and consistent development standards and design guidelines that are user friendly, remove barriers for Central City projects, and provide adequate flexibility to react to changing market opportunities.” Some comments suggest that the City’s proposed policy is contradictory by striving for “clear and consistent development standards” while allowing “flexibility” in development.

The City recognizes the importance of establishing clear development standards and guidelines to foster consistent, predictable growth in the CCSP area. By establishing minimum and maximum densities, maximum allowable building heights, minimum and maximum floor-area-ratios, and parameters around urban design elements, the CCSP outlines the basic requirements for development in the CCSP area. Those considering development opportunities in the CCSP area will be better able to understand which policies apply to their project or project site by following the policies and guidelines in the CCSP, eliminating complicated overlapping of zoning, guidelines, initiatives, development standards and other regulations.

However, each development project in the CCSP area is unique due to the size and location of the project site, access to the transportation network, land use adjacency considerations, and the like. To that end, the CCSP is intended to establish goals and policies that foster growth and allow for some flexibility, within established parameters, for development to occur, with a recognition that market considerations have a substantial role in driving development decision-making. Providing policies that are prescriptive, rigid, and absolute, and that do not consider unique or individual development or site circumstances, removes a developer’s ability to suggest creative solutions to challenges, and compels the City to approve or deny projects based on preconceived, formulaic requirements. In addition, all projects calling for new construction, design changes to existing buildings or demolitions are subject to the City’s site plan and design review process, which is premised on ensuring that all such proposed development is compatible with existing development. Explicitly recognizing the need to allow for flexibility to react to changing market opportunities allows the development community to design projects that capitalize on opportunities as they arise.

Master Response 2: Historic Resources

Several comments were received that related to historic resources in the specific plan area and the potential for such resources to be affected by activities associated with the specific plan. This master response sets forth the City’s response generally to the issues presented.

R Street Historic District

Several comments were received regarding the methodology behind the R Street Corridor Historic District Survey, which can be located at the project website:

<http://www.cityofsacramento.org/-/media/Corporate/Files/CDD/Planning/Downtown-Specific-Plan/News-And-Updates/R-St-Corridor-Historic-District-Survey.pdf?la=en>.

The goal of the R Street Corridor Historic District Survey Report was to update the existing historic district record. The City's consultant surveyed all of the buildings in the R Street Corridor for possible inclusion in the existing R Street Historic District under the already established Historic Contexts and Period of Significance. The report did not evaluate any of the buildings or structures in the R Street Corridor for individual eligibility or as potential contributors to any other existing or potential districts. The findings of this report, however, do not preclude the possibility that some of the resources in the R Street Corridor are eligible for listing either individually as landmarks or as contributors to another potential historic district. In fact, page 39 of the report under Recommendations notes:

A large number of historic-age commercial and industrial buildings are present in the R Street Corridor. However, only a small portion of those fit within the Agricultural and Railroad contexts. ESA recommends that an industrial/commercial context be developed and applied [to] the R Street Corridor Study Area to determine if a larger historic district exists.

While the study did not fully research this possibility, the City's consultant architectural historians believe that a larger historic district is likely to exist along the R Street Corridor under a different, or expanded, period of significance under the theme of industrial and/or commercial development. In recognition of this fact, the report was revised to include the following additional recommendation:

Resources in the R Street Corridor were not evaluated for individual eligibility as a part of this effort. There are many historic-age buildings and structures in the R Street Corridor that, with additional research and evaluation, could be individually eligible historic resources and/or contributors to other potential historic districts not yet identified. Historic-age resources in the R Street Corridor that have not been previously evaluated should be evaluated for individual eligibility as well as inclusion in a potential historic district.

As noted, the focus of the study in question was to evaluate the existing R Street Historic District, not to determine if any new potential districts exist.

Identification/Evaluation of Historic Resources on Opportunity Sites

Comments have been received expressing opposition to the CEQA streamlining described in the CCSP EIR and concern that not all of the historic-age buildings and structures on the Opportunity Sites were evaluated. Commenters expressed concern that if not all of the buildings on Opportunity Sites, or in some cases throughout the CCSP area, are evaluated as part of the CCSP then future projects would not comply with CEQA. These comments appear to be based on a concern that the CCSP EIR would be the only CEQA document that would be prepared for any potential project on Opportunity Sites.

The City has adopted clear policy guidance relating to the preservation of historic resources. The 2035 General Plan, for example, provides that demolition of historic resources should be considered only as a “last resort” when rehabilitation is not feasible, or if the public health, safety and welfare is endangered, or the public benefits outweigh the loss of the resources. (2035 General Plan, Policy HCR 2.1.15.) Demolition of a historic resources would not be consistent with the Secretary of the Interior Standards, and would not be covered by the principle that compliance with those standards is treated as mitigating impacts to a less-than-significant level. (CEQA Guidelines section 15064.5(b)(3).) As a result, the City would require further CEQA review for such a project.

The general plan also establishes clear policy direction regarding the review of projects that might affect historic resources. These policies call for early project consultation (HCR 2.1.9), enforcement of City procedures relating to historic preservation (HCR 2.1.8), and consideration of compatibility with historic context in reviewing new development, alterations and rehabilitation projects (HCR 2.1.11). Appropriately, the general plan calls for the City’s planning studies and documents, such as the Central City Specific Plan, to take historical resources into account in preparing such documents and plans (HCR 2.1.6).

The City Code includes extensive provisions regarding the processes that must be followed in dealing with historic resources. Importantly, the City Code establishes clear responsibility for compliance. City Code section 17.604.100 sets forth the responsibilities of the Preservation Commission, Preservation Director and Preservation staff.

The general plan identifies resources 50 years and older as deserving close attention (Policy HCR 2.1.2.). Sacramento City Code Sec. 17, Article VI (17.604.600) sets forth the process for the review of all permits that involve demolition or relocation of buildings and structures 50-years-old or older, triggered when a project proposes to demolish 50-linear feet of exterior wall or 50-percent of the building’s footprint and the building or structure had not been previously evaluated. Using the established criteria, the Preservation Director makes a preliminary determination regarding eligibility for listing on the Sacramento Register. The building would then be nominated for listing. Once nominated for listing, protections pursuant to Sec. 17, Article IV (17.604.400) are triggered which would make review of a demolition permit a discretionary action and require preparation of a CEQA document, possibly an EIR should the applicant chose to proceed with demolition. In addition to any City regulation, CEQA establishes requirements for impact analysis of historic resources that the City would be required to implement in any event.

Table 2 in Appendix D of the CRSIR provides information on architectural resources in the specific plan area, broken down by parcel number including the acreage, address, and year built as well as notes regarding current eligibility status and recommended eligibility. This information was intended to provide City staff with basic information to support a decision as to the next steps needed for environmental compliance with regards to historic resources when a project is first proposed. The CRSIR was provided in the CCSP EIR as Appendix E. Implementing Action HR-2 from the CCSP reinforces this identification requirement and states:

Conduct Historic Resource Investigations. Complete historical resource investigations for projects where no historical studies have been prepared for buildings 50 years or older.

While the technical reports for the CCSP, the R Street Corridor Historic District Survey Report, and the Cultural Resources Survey and Inventory Report (CRSIR) provide valuable information for property owners, developers, and other seeking to successfully implement projects in the Central City, the CCSP EIR is not the final CEQA review or evaluation for projects on Opportunity Sites with significant impacts on historic resources. The presence of general plan policies, City Code provisions and requirements of CEQA ensure that historic resources would be identified and any project impacts evaluated, as part of City review.

There are many options that developers may consider using, consistent with the Central City Specific Plan and Central City Specific Plan Draft EIR, to develop projects that include historic resources to avoid significant historical resource impacts. For example, adaptive re-use is recognized as a project approach that, when successful, provides for continued economic relevance while protecting the important historic resource. Where feasible and appropriate, redevelopment projects could incorporate historical features located on the project site into the proposed development project or, alternatively, such projects could propose relocating an onsite historical resource to a new location.

Relocation is also a recognized strategy, in appropriate cases, for avoiding significant adverse effects to historic resources. The California Office of Historic Preservation has indicated as follows:

Moved buildings, structures, or objects. The SHRC [State Historical Resources Commission] encourages the retention of historical resources on site and discourages the non-historic grouping of historic buildings into parks or districts. However, it is recognized that moving an historic building, structure or object is sometimes necessary to prevent its destruction. Therefore, a moved building, structure or object that is otherwise eligible may be listed in the California Register if it was moved to prevent its demolition at its former location and if the new location is compatible with the original character and use of the historical resource. A historical resource should retain its historic features and compatibility in orientation, setting and general environment.

Similarly, the City of Sacramento City Code acknowledges that relocation of historic structures may be appropriate. Chapter 17 of the Sacramento City Code includes a provision for moving listed structures to retain their eligibility if the structure is significant primarily for its architectural value or it is the most important surviving structure associated with a historic person or event. City staff and the Historic Preservation Commission would evaluate any proposed move to ensure a listed structure would retain its eligibility for listing on the Sacramento Register. (See, e.g., City Code section 17.604.210.C.2.)

Where relocation is proposed and the surroundings help convey the resource's historical significance, the distance the resource is relocated from its original surroundings is one of the

factors that may affect the determination as to whether the relocation preserves the historic integrity of the building or structure. As noted above in the statement from the Office of Historic Preservation, the key issues for determination in a relocation project are retention of historic features and compatibility in orientation, setting and general environment. In most cases relocation within the immediate vicinity is more likely to satisfy these standards than removal of the resource from its immediate surroundings.

While the City has identified “opportunity sites” in the specific plan, the particular location, and particular timing, of any specific development is unknown. Given the uncertainty in this regard, and the presence of City policies and code provisions, it would be speculative to attempt to predict which resources may be proposed for future demolition or otherwise adversely altered with respect to the physical characteristics that convey the resource’s historical significance. Thus, the Draft EIR concluded correctly that, through compliance with City policies and code provisions, impacts on historic resources would be less than significant.

Infill Development in Historic Districts/Design Guidelines

Several comments revolved around infill development in historic districts, asserting there is insufficient design guidance and review required for these projects to ensure that infill projects have minimal impacts to historic districts. As described above, the City has a process for evaluating historic resources to ensure their continued integrity. The City is considering changes to this process in the future, but the specific plan does not create any deficiency requiring further analysis. In Section 3.6.5 Historic Resources Implementing Actions of the CCSP, it states:

In addition to adherence to CCSP policies pertaining to historic resources, new development in the CCSP area will be subject to the applicable policies of the General Plan, the City Planning and Development Code (including the requirements of Chapter 17.604, Historic Preservation), and the City’s site plan and design review process, which ensure that new development is consistent with applicable plans and design guidelines and is compatible with surrounding development.

In addition, the City’s Central City Urban Design Guidelines include a number of provisions that address the protection of historic resources in the CCSP area.

Implementing Action HR-3 will be implemented in 2018 and states:

Design Standards for Alley Infill. Develop design standards for alley infill projects in listed Historic Districts informed by the Preservation Commission’s Interim Principles for the Protection of Historic Districts and Landmarks with Respect to Infill Development within the Central City.

Implementing Action HR-4 will be implemented starting in 2018 and anticipated to be completed in 2021 and states:

Context Statements and Design Guidelines. Develop context statements and design guidelines for each listed Historic District that are tailored to the unique characteristics of those districts in order to preserve the context of the historic resources.

Implementing Action HR-5 concerning the City's Mills Act program states:

Mills Act. Implement the Mills Act, allowing owners of historic properties to offset rehabilitation expenses via lowered property taxes.

The Mills Act program is a financial incentive program that grants property tax reductions to owners of property listed in the Sacramento register (individually listed or contributors to historic districts), the National Register of Historic Places, or the California Register of Historical Places.

Current policy: Sacramento City Code 17.604.100 (C):

1. ...The preservation commission's role in reviewing development projects shall be limited to hearing projects of major significance and appeals of the preservation director's decisions as set forth in this chapter.

Mitigation Measures

Comments have been received expressing concern that there are no mitigation measures in the CCSP EIR with regards to historic resources. This is partially likely due to a typo in Table S-1 that indicates that the Impact 4.4-3 is Potentially Significant (PS) prior to mitigation and Less than Significant (LTS) after mitigation. This clerical error has been corrected in Chapter 2 of the Final EIR.



September 26, 2017

Mr. Scott Johnson
 City of Sacramento – Community Development Department
 300 Richards Boulevard, 3rd Floor
 Sacramento CA 95811

Subject: Notice of Availability of a Draft Environmental Impact Report for the Downtown Specific Plan

Dear Mr. Johnson,

Sacramento Regional County Sanitation District (Regional San) has reviewed the subject Draft Environmental Impact Report and has the following comments.

Regional San is not a land-use authority. Projects identified within Regional San planning documents are based on growth projections provided by land-use authorities. Sewer studies will need to be completed to assess the impacts of any project that has the potential to increase wastewater flow demands. Onsite and offsite impacts associated with constructing sanitary sewer facilities to provide service to the project should be included within this environmental impact report.

Customers receiving service from Regional San are responsible for rates and fees outlined within the latest Regional San Ordinances. Fees for connecting to the sewer system are set up to recover the capital investment of sewer treatment facilities that serves new customers. The Regional San ordinance is located on the Regional San website at: <http://www.regionalsan.com/ordinances-agreements>.

Local sanitary sewer service for the proposed project site will be provided by the City of Sacramento's local sewer collection system. Ultimate conveyance to the Sacramento Regional Wastewater Treatment Plant (SRWTP) for treatment and disposal will be provided via Sump 2/2A and the Regional San City Interceptor system. Cumulative impacts of the proposed project will need to be quantified by the project proponents to ensure that both wet and dry weather capacity limitations within Sump 2/2A and the City Interceptor system are not exceeded.

On March 13, 2013, Regional San approved the Wastewater Operating Agreement between the Sacramento Regional San County Sanitation District and the City of Sacramento. The following flow limitations are outlined within this agreement:

Service Area	Flow Rate (MGD)
Combined Flows from Sump 2 and Sump 2A	60
Combined flows from Sumps 2, 2A, 21, 55, and 119	98
Total to City Interceptor of combined flows from Sumps 2, 2A, 21, 55, 119, and five trunk connections	108.5

Any proposed groundwater remediation work anticipated to occur as part of the project and proposed to be discharged into Regional San facilities will require the necessary discharging permit from Regional San. Permitting will be handled through Regional San's Wastewater Source Control Section (WSCS). The City must abide by the Regional San Ordinance as well as the requirements contained in a wastewater discharge permit.

Main Office

10060 Goethe Road
 Sacramento, CA 95827-3553
 Tel: 916.876.6000
 Fax: 916.876.6160

Treatment Plant

8521 Laguna Station Road
 Elk Grove, CA 95758-9550
 Tel: 916.875.9000
 Fax: 916.875.9068

Board of Directors

Representing:

County of Sacramento

County of Yolo

City of Citrus Heights

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Director of Policy & Planning

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Joseph Maestretti

Chief Financial Officer

Claudia Goss

Public Affairs Manager

Mr. Scott Johnson
September 26, 2017
Page 2

The SRWTP provides secondary treatment using an activated sludge process. Incoming wastewater flows through mechanical bar screens through a primary sedimentation process. This allows most of the heavy organic solids to settle to the bottom of the tanks. These solids are later delivered to the digesters. Next, oxygen is added to the wastewater to grow naturally occurring microscopic organisms, which consume the organic particles in the wastewater. These organisms eventually settle on the bottom of the secondary clarifiers. Clean water pours off the top of these clarifiers and is chlorinated, removing any pathogens or other harmful organisms that may still exist. Chlorine disinfection occurs while the wastewater travels through a two mile "outfall" pipeline to the Sacramento River, near the town of Freeport, California. Before entering the river, sulfur dioxide is added to neutralize the chlorine. The design of the SRWTP and collection system was balanced to have SRWTP facilities accommodate some of the wet weather flows while minimizing idle SRWTP facilities during dry weather. The SRWTP was designed to accommodate some wet weather flows while the storage basins and interceptors were designed to accommodate the remaining wet weather flows.

6

A NPDES Discharge Permit was issued to Regional San by the Central Valley Regional Water Quality Control Board (Water Board) in December 2010. In adopting the new Discharge Permit, the Water Board required Regional San to meet significantly more restrictive treatment levels over its current levels. Regional San believed that many of these new conditions go beyond what is reasonable and necessary to protect the environment, and appealed the permit decision to the State Water Resources Control Board (State Board). In December 2012, the State Board issued an Order that effectively upheld the Permit. As a result, Regional San filed litigation in California Superior Court. Regional San and the Water Board agreed to a partial settlement in October 2013 to address several issues and a final settlement on the remaining issues were heard by the Water Board in August 2014. Regional San began the necessary activities, studies and projects to meet the permit conditions. The new treatment facilities to achieve the permit and settlement requirements must be completed by May 2021 for ammonia and nitrate and May 2023 for the pathogen requirements.

Regional San currently owns and operates a 5-mgd Water Reclamation (WRF) that has been producing Title 22 tertiary recycled since 2003. The WRF is located within the SRWTP property in Elk Grove. A portion of the recycled water is used by Regional San at the SRWTP and the rest is wholesaled to the Sacramento County Water Agency (SCWA). SCWA retails the recycled water, primarily for landscape irrigation use, to select customers in the City of Elk Grove. It should be noted that Regional San currently does not have any planned facilities that could provide recycled water to the proposed project or its vicinity. Additionally, Regional San is not a water purveyor and any potential use of recycled water in the project area must be coordinated between the key stakeholders, e.g. land use jurisdictions, water purveyors, users, and the recycled water producers.

7

If you have any questions regarding this letter, please feel free to contact me at (916) 876-6104 or by email: armstrongro@sacsewer.com.

Sincerely,

Robb Armstrong

Regional San Development Services & Plan Check

cc: SASD Development Services

Letter A1 Response **Robb Armstong, Sacramento Regional County Sanitation District (Regional San, SRCSD)**
September 26, 2017

- A1-1 The City acknowledges that the Sacramento County Regional Sanitation District (Regional San) is not a land use authority and does not generate growth projections for its service area. As discussed in section 4.13, Utilities, of the Draft EIR, the proposed CCSP would not connect directly to Regional San sewage collection facilities, but would instead connect to the City's existing combined sewer system and Storm Drainage Basin 52. Construction of on-site sanitary sewer systems, and connection to the City's sewer system, are discussed in the impact assessment in section 4.13.1 of the Draft EIR, and throughout other environmental impact analysis sections of the EIR, as relevant to each CEQA resource area. Please refer to these sections of the Draft EIR for more information.
- A1-2 The comment refers to Regional San ordinances that establish rates and fees for sewer system connections and service. The comment does not address the environmental impact report for the proposed CCSP. The comment is noted and will be conveyed to the City Council for its consideration.
- A1-3 As discussed in Impact 4.13-1 on pages 4.13-11 through 4.13-12 of the Draft EIR, peak wastewater flows from the CCSP area to the SRWWTP would be approximately 2.52 million gallons per day (mgd). This amount of wastewater would not exceed the current excess capacity of approximately 75 mgd at the SRWWTP. During storm events, flow rates in the CSS can increase by a factor of approximately 2 to 3, and system capacity can be exceeded, particularly during peak flows. However, implementation of Mitigation Measure 4.13-1 would administer measures to manage wastewater, drainage and dewatered groundwater flows in a manner that would not exceed the existing capacity of the CSS and Basin 52 systems during storm events.
- Cumulatively, the proposed CCSP's contributions to cumulative scenario impacts would be less than one percent of the SRWWTP's total capacity. The CCSP would increase wastewater requiring treatment by 2.52 mgd (ADWF); the CCSP is consistent with the growth projections used to prepare the Regional San's 2020 Master Plan.
- There are approximately 2,682 acres in the CCSP area served by the CSS system. Of this area, approximate 61 acres (or approximately two percent) are considered pervious or raw land. Conversion of the 61 acres to impervious surfaces would result in an increase in stormwater runoff during storm events to the CSS. During these periods, the project contribution to cumulative increases in the CSS from stormwater

runoff, wastewater, and construction dewatering could exacerbate the lack of capacity in the system.

The Central City Infrastructure Analysis and CSSIP identify a number of improvements to the drainage and sewer systems in the vicinity of the CCSP area, as listed on page 4.13-3 of this EIR. If these improvements were fully implemented, there would be additional capacity within the system, which would reduce the potential for existing and future flows to exceed system capacity. There are approximately 294 acres within the CCSP area served by Basin 52. Of that area, only 3.6 acres are pervious or raw land. Development of this limited amount of pervious land would not result in a significant increase in stormwater runoff within the Basin 52 area.

Implementation of Mitigation Measure 4.13-1 would fully offset the project contribution to the sewer and wastewater systems by requiring that the applicant construct appropriate facilities to delay discharge of wastewater, groundwater and/or stormwater or pay the applicable fee to the City to make necessary localized or system-wide improvements. This management of wastewater and stormwater flows from the CCSP area would ensure that existing CSS capacity would not be exceeded, and the CCSP would not contribute additional flows to the sewer system during high capacity periods. Thus the proposed CCSP would not contribute to exceedance of capacity of Sump 2, 2A, or the City Interceptor system during major storm events. Additionally, the City would continue to manage stormwater and wastewater flows in accordance with the current Wastewater Operating Agreement between the City and SRCSD. During dry weather, the City would manage discharges from the CCSP area within capacity limitations specified in that agreement. During high flow events, the proposed projects would not contribute sewage to the system, as discussed previously. Therefore, the CCSP would not contribute to cumulatively considerable impacts on the SRCSD's wastewater collection and conveyance facilities.

A1-4 The comment includes excerpted information from the Wastewater Operating Agreement between Regional San and the City of Sacramento. As noted in section 4.13 of the Draft EIR, the City has entered into a contract with the SRWWTP to convey up to a total capacity of 108.5 mgd of wastewater combined from Sumps 2, 2A, 21, 55, and 119. These flows would be routed along Regional San's Interceptor pipeline for conveyance to Regional San's treatment facility, and ultimate treatment. Wastewater, drainage, and dewatered groundwater flows from the CCSP area would be required to be managed so as to not exceed the agreed upon limitation. The comment is noted and will be conveyed to the City Council for its consideration.

A1-5 As discussed on page 4.8-11 of the Draft EIR, dewatered groundwater discharges to the City's sewer system would be regulated and monitored by the City's Utilities Department pursuant to Department of Utilities Engineering Services Policy No.

0001, adopted as Resolution No. 92-439. The City requires that any short-term discharge be permitted, or an approved memorandum of understanding (MOU) for long-term discharges be established, between the discharger and the City. Short-term limited discharges of seven-days duration or less must be approved through the City Department of Utilities by acceptance letter. The MOU must specify the type of groundwater discharge, flow rates, discharge system design, a City-approved contaminant assessment of the proposed groundwater discharge indicating tested levels of constituents, and a City-approved effluent monitoring plan to ensure contaminant levels remain in compliance with State standards or Regional San and Regional Water Board-approved levels. All groundwater discharges to the sewer must be granted a Regional San discharge permit.

As a standard precautionary action, the Regional Water Board would be notified by the City or project applicants prior to beginning any site preparation or grading and the applicant would adhere to all requests and recommendations from the Regional Water Board. Prior to discharge, a National Pollutant Discharge Elimination System (NPDES) permit would be required that would specify standards for testing, monitoring, and reporting, receiving water limitations, and discharge prohibitions. Compliance with all applicable laws and regulations at the federal, State, and local levels would prevent the exposure of individuals and the environment to hazards associated with contaminated groundwater by ensuring that contaminated groundwater is routed to the Regional San treatment system and that dewatering activities do not interfere with ongoing groundwater cleanup in the RSP Area, if any.

- A1-6 The comment describes the process for providing secondary treatment for wastewater. The comment also describes Regional San's negotiation with the Central Valley Regional Water Quality Control Board over the specification of the NPDES Discharge Permit issued in 2010. The comment does not address the environmental impact report for the proposed projects. The comment is noted and will be conveyed to the City Council for its consideration.
- A1-7 The City of Sacramento does not supply recycled water to the CCSP area. Recycled water facilities or infrastructure are not proposed as part of the CCSP and would have no impact on Regional San's existing recycled water facilities or conveyance.

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Ste. 170
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682



September 28, 2017

Mr. Scott Johnson
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, California 95811

Subject: Downtown Specific Plan, Environmental Impact Report,
SCH Number: 2017022048

Location: Sacramento County

Dear Mr. Johnson,

Central Valley Flood Protection Board (Board) staff has reviewed the subject document and provides the following comments:

The proposed project is within the Sacramento River and the American River, regulated streams under Board jurisdiction, and may require a Board permit prior to construction.

The Board's jurisdiction covers the entire Central Valley including all tributaries and distributaries of the Sacramento and San Joaquin Rivers, and the Tulare and Buena Vista basins south of the San Joaquin River.

Under authorities granted by California Water Code and Public Resources Code statutes, the Board enforces its Title 23, California Code of Regulations (Title 23) for the construction, maintenance, and protection of adopted plans of flood control, including the federal-State facilities of the State Plan of Flood Control, regulated streams, and designated floodways.

Pursuant to Title 23, Section 6 a Board permit is required prior to working within the Board's jurisdiction for the placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee.

Permits may also be required to bring existing works that predate permitting into compliance with Title 23, or where it is necessary to establish the conditions normally imposed by



Mr. Scott Johnson
September 28, 2017
Page 2 of 2

permitting. The circumstances include those where responsibility for the works has not been clearly established or ownership and use have been revised.

Other federal (including U.S. Army Corps of Engineers Section 10 and 404 regulatory permits), State and local agency permits may be required and are the applicant's responsibility to obtain.

Board permit applications and Title 23 regulations are available on our website at <http://www.cvfpb.ca.gov/>. Maps of the Board's jurisdiction are also available from the California Department of Water Resources website at <http://gis.bam.water.ca.gov/bam/>.

Please contact James Herota at (916) 574-0651, or via email at James.Herota@CVFlood.ca.gov if you have any questions.

↑
1
(cont.)

Sincerely,



Andrea Buckley
Environmental Services and Land Management Branch Chief

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, California 95814

Letter A2 Andrea Buckley, Central Valley Flood Protection Board (CVFPB)
Response September 28, 2017

- A2-1 The comment describes CVFPB jurisdiction and authority to enforce Title 23 requirements. The comment describes applicable Title 23 requirements for projects that may construct, reconstruct, remove, or abandon various elements within CVFPB jurisdiction. CVFPB and other federal, state, and local agency permits may be required for projects constructed pursuant to the CCSP. The comment provides links and contact information for additional information regarding CVFPB permit applications, jurisdiction, and Title 23 regulations. CCSP impacts on cumulative flood risk are discussed in Impact 4.9-6. Development projects pursuant to the CCSP would not be approved unless flood risk is consistent with plans that are aimed to provide a 200-year flood protection standard for the entire city (Policy EC 2.1.11) and would be consistent with on-going planning associated with the CVFPB.

October 13, 2017

Scott Johnson
City of Sacramento
Community Development Department
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

Subject: Notice of Availability (NOA) – Draft Environmental Impact Report for the Downtown Specific Plan (DSP)

Dear Mr. Johnson,

The Sacramento Area Sewer District (SASD) has reviewed the Notice of Availability - Draft Environmental Impact Report for the subject project.

The project site is located within the City of Sacramento's Central city community. The DSP area is bounded by the American River, the River District Specific Plan Area, and Railyards Specific Plan Area to the north; the Sacramento River to the west; the southern portions of parcels fronting the south side of Broadway to the south; and Business 80 to the east.

It is anticipated that the amount of development that would occur over the next 20 years would be generally consistent with what has been assumed to occur over that timeframe under the Sacramento 2035 General Plan. It is anticipated up to 13,401 new housing units, approximately 3.8 million square feet of new non-residential uses, and 750 hotel rooms would be built in the DSP area. There would also be an additional 3.3 million square feet of backfill non-residential development, which includes new uses that would occur within existing buildings and, in turn, allow for a total development potential of 7.1 million square feet of non-residential uses when combined with the new growth. It is assumed that most of the new housing units projected in the DSP area would be multifamily units.

The subject project is outside the boundaries of SASD but within the Urban Service Boundary and Sacramento Regional County Sanitation District (Regional San) boundaries as shown on the Sacramento County General Plan. The Sacramento City Utilities Department will be providing local sewage services at the site with Regional San conveying the sewage from city collector to the Sacramento Regional Wastewater Treatment Plant.

If you have any questions regarding these comments, please call me at 916-876-6336 or call Dillon Miele at 916-876-6480.

Sincerely,

Yadira Lewis

Yadira Lewis
SASD Development Services

1

Letter A3 Yadira Lewis, Sacramento Area Sewer District (SASD)
Response October 13, 2017

- A3-1 The comment describes SASD interpretation of the proposed CCSP. The comment describes the CCSP area as outside the boundaries of the SASD but within the urban service boundary and Sacramento Regional County Sanitation District (Regional San) boundaries. The comment identifies the Sacramento City Utilities Department as provider of sewage services to the CCSP area and Regional San as conveyer of sewage from the city collector to the Sacramento Regional Wastewater Treatment Plan (SRWTP). The comment does not address the environmental impact report for the proposed CCSP. The comment is noted and will be conveyed to the City Council for its consideration.



Department of Toxic Substances Control

Matthew Rodriguez
Secretary for
Environmental Protection

Barbara A. Lee, Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Edmund G. Brown Jr.
Governor

October 31, 2017

Via E-Mail Only

Scott Johnson, SRJohnson@cityofsacramento.org

COMMENTS ON CITY OF SACRAMENTO'S SEPTEMBER 2017 DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE DOWNTOWN SPECIFIC PLAN

Dear Mr. Johnson:

Department of Toxic Substances Control (DTSC) has received the September 19, 2017 Notice of Availability and reviewed the *Draft Downtown Specific Plan Environmental Impact Report* (Draft EIR) dated September 2017.

DTSC previously provided comments dated March 10, 2017 on the February 15, 2017 Notice of Preparation. As stated in the comments, active DTSC cleanup sites within the Downtown Specific Plan (DSP) area include, but are not limited to, PG&E Sacramento at 2000 Front Street, Sacramento Plating, Inc. at 2809 S Street, and The Railyards located at 501 Jibboom Street (with a groundwater plume that extends downtown). DTSC also stated that the EIR should be consistent with the City's 2035 General Plan and the Railyards Specific Plan Update.

1

DTSC reviewed the Draft EIR and has the following comments regarding sections on Hazards and Hazard Materials, with a focus on groundwater from The Railyards:

1. **Summary, Hazards and Hazardous Materials (Page S-17).** The Draft EIR assumes that for projects where construction has the potential to encounter contaminated soil, soil gas, and/or groundwater, the potential for risk would only be during construction and not operation. DTSC guidance on vapor intrusion should be considered if construction encounters contaminated groundwater. The most recent guidance is the *Final Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air (Vapor Intrusion Guidance)*, dated October 2011, and *Advisory – Active Soil Gas Investigation*, dated April 2012.

2

2. **4.8.1 Environmental Setting (Page 4.8-4).** The Draft EIR states, “Cleanup activities are largely complete in the [Railyards Specific Plan (RSP)] area and the remaining hazardous materials issues are largely limited to localized land use restrictions that are unlikely to affect the DSP area.” To clarify, cleanup activities for soil are largely complete in the RSP area; however, groundwater remediation continues and extends from the RSP to the DSP area.

3

3. **4.8.2. Regulatory Setting, Local, Railyards Project Soil and Groundwater Management Plan (Page 4.8-16).** The Draft EIR states that the *Railyards Project Soil and Groundwater Management Plan* (SGMP) would apply if contaminated groundwater is encountered from the RSP area. To clarify, the SGMP was submitted as a requirement under a September 30, 2015 land use covenant (LUC) that is only applicable for specific parcels at the Railyards property. The LUC and SGMP were not intended to be applied to other projects, nevertheless, similar restrictions and plans may be developed and adopted as part of the DSP area’s mitigation measures. For example, general restrictions found in the SGMP and LUC include: (a) no remediation system, monitoring well network, extraction wells, associated conveyance piping, or treatment systems shall be altered, disturbed, or destroyed without prior approval by DTSC, (b) all drilling for any water, oil, or gas shall be prohibited without prior approval by DTSC, and (c) extraction or use of groundwater shall be prohibited without prior approval by DTSC. The mitigation and monitoring plan in the November 2007 RSP EIR is a good reference for mitigation measures for construction activities located in areas affected by the RSP groundwater – including installing sewer or storm drainage, building design, grading, and dewatering.

4

4. **4.8.3 Analysis, Impacts and Mitigation (Page 4.8-21).** The Draft EIR analyzes the potential for exposure to contaminated groundwater during construction or dewatering activities. For Impact 4.8-3, it states, “If necessary, construction dewatering activities could extract groundwater that contains elevated level of contaminants potentially exposing the environment, construction workers, and/or the public to adverse effects. The dewatering of contaminated groundwater could therefore present risks to public health and safety, and the environment, if the contaminated groundwater is not handled properly.” It also states that, “In addition, groundwater dewatering in locations adjacent to the RSP Area could pump contaminated groundwater and interfere with ongoing RSP groundwater cleanup activities. As specified in the [SGMP], groundwater may not be extracted, treated or discharged in any way without an approved plan submitted to DTSC, [Regional Water Quality Control Board], property owner(s), and project proponent.” DTSC concurs; dewatering activities (including drilling and pumping) shall not adversely affect remediation of contaminated groundwater, or exacerbate them such that contamination expands either laterally or vertically. DTSC recommends that these requirements for groundwater are presented as mitigation measures, like those developed for soil. Also, please refer to Comment 3 for clarifications on the applicability of the SGMP.

5

Scott Johnson
October 31, 2017
Page 3 of 3

DTSC appreciates the opportunity to review and comment on the Draft EIR to assure the document is complete and accurate. If you have any questions, please contact me at (916) 255-3601 or Ruth.Cayabyab@dtsc.ca.gov.

Sincerely,



Ruth Cayabyab
Brownfields and Environmental Restoration Program

CC: Fernando Amador, P.E., Fernando.Amador@dtsc.ca.gov

Letter A4 Response **Ruth Cayabyab, Department of Toxic Substances Control (DTSC)**
October 31, 2017

A4-1 The comment notes specific sites within the CCSP area that are subject to Department of Toxic Substances Control (DTSC) oversight. Draft EIR Appendix H, Hazards, presents findings from the Phase I Environmental Site Assessment (ESA) Overview Study prepared for the CCSP area, with a specific emphasis on identifying known hazards on City-identified Opportunity Sites in the CCSP area. As shown in Draft EIR Appendix H, Tier 1 Opportunity Sites table, Opportunity Site 96 consists of multiple parcels, including the Pacific Gas & Electric (PG&E) site on Front Street. As shown in the Tier 1 Opportunity Sites table, Opportunity Site 9 recognizes that the Sacramento Plating site at 2809 S Street is located down- or cross-gradient of Opportunity Site 9. The Railyards Specific Plan Area is not within the CCSP area, but the South Plume is recognized as an existing condition that radiates south of the Railyards and into the downtown area. The South Plume is noted in the Tier 1 Opportunity Sites table as a cleanup site approximately 2,300 feet northwest of Opportunity Site 67.

As described in Draft EIR Chapter 3, Land Use, Population, and Housing, the CCSP is consistent with the goals and policies of the City of Sacramento 2035 General Plan. The Railyards Specific Plan Area is not within the boundaries of the CCSP, but the Railyards Specific Plan and CCSP are both consistent with the City of Sacramento 2035 General Plan and the SACOG MTP/SCS.

A4-2 As noted in the in Draft EIR Appendix H, Tier 1 Opportunity Sites table, some of the Opportunity Sites are known to have a Recognized Environmental Condition (REC) such as volatile organic compounds (VOCs) in soil vapor. As such, page S-17, the first sentence of the third paragraph is revised to read:

Potential exposure to contaminated soil materials (~~both soil vapor and soil~~) would only occur during construction. Once a particular project has been constructed, there would be no further direct exposure during operations. Vapor intrusion could occur during construction and operation of a project, depending on the site location and the proximity to and type of soil contaminants present.

Impact 4.8-1 on page 4.8-18 is revised to read:

Impact 4.8-1: Development pursuant to the proposed DSP CCSP could expose people to contaminated soil ~~during construction activities.~~

~~Exposure to contaminated soil materials (both soil vapor and soil) would only occur during construction. Once a particular project has been constructed, there~~

~~would be no further exposure during operations. Therefore, only construction impacts are analyzed below.~~

Construction

As described in Subsection 4.8.1, the ~~DSP~~ CCSP area was developed beginning in the 1800s and has evolved over the years to include, at various times, a wide range of commercial, industrial, and residential uses, including manufacturing, fueling stations and vehicle repair, dry cleaning, and landfills. As identified in the Phase I ESA Overview Study and summarized in the environmental setting, within the ~~DSP~~ CCSP area, 26 sites are currently considered to have a high potential for RECs (impacts or hazardous materials exist on the site) and 35 have a moderate potential (impacts or hazardous materials may exist on the site). Because of the long history of development, ubiquitous environmental issues may exist throughout the ~~DSP~~ CCSP area. In addition to the specific issues identified in the Phase I ESA Overview Study for individual sites, these ubiquitous environmental issues may include lead in soil from deteriorated LCP on existing or former structures and pesticides in soil around structures.

Some of the sites identified in the Phase I ESA Overview Study may be susceptible to vapor intrusion from contaminated soils. If contaminated groundwater is encountered during construction activities, compliance with DTSC regulations regarding the treatment of contaminated groundwater would be required. However, vapor intrusion from contaminated groundwater could result in the release of VOCs.

In addition, the closed landfills located in the northeast portion of the ~~DSP~~ CCSP area would present risks if construction were to occur there. Although the landfills were not permitted to accept liquid or hazardous waste, the decomposition of the solid waste can result in the generation of hazardous materials, as evidenced by the detection of contaminants in groundwater beneath and south of the landfills and the generation of methane gas within the waste footprints.

Note that the Phase I ESA Overview Study evaluated conditions as of June 2017 and the identified active hazardous materials sites will continue to undergo investigation and cleanup as required by regulatory agencies. At the future time when a given particular property is redeveloped, conditions would be different by then and the particular property may or may not have been cleaned up. In addition, unknown hazardous materials may be present in soil or other hazardous materials releases may occur between now and then at other properties. The investigation and cleanup responsibilities for each hazardous materials property would be with the property's responsible party, as designated by the overseeing regulatory agency, but may be incomplete at the time of redevelopment. Consequently, the excavation of contaminated soils during construction and

operation could expose people to associated health risks. This is considered a **potentially significant** impact.

Mitigation Measure

Mitigation Measure 4.8-1

If a development site is listed in the Phase I ESA Overview Study as being of moderate or high potential to have a Recognized Environmental Condition (REC), the applicant shall conduct a site specific Phase I Environmental Site Assessment during the entitlement process in general accordance with the current version of ASTM 1527 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process prior to construction and shall comply with the recommendations in the report. Recommendations may include guidance on mitigating hazards from encountering contaminated groundwater, including measures related to disturbance of existing treatment systems, drilling, groundwater extraction, or vapor intrusion.

This requirement does not apply to projects in which excavation would extend no deeper than 18 inches, including projects that are limited to installation of a fence, deck, single-family residence, garage or addition to an existing residence (e.g., room addition), shallow landscaping with or without irrigation lines, or other minor site improvements, or replacement of existing facilities (road signs, sidewalks, pipes, etc.) where ground disturbance would occur principally in previously disturbed sediment.

Significance after Mitigation: With the implementation of **Mitigation Measure 4.8-1** listed above, this impact would be reduced to a **less-than-significant** level because the Phase I assessment would identify the presence of potential or actual hazardous materials, which, if identified, would then require further investigation and cleanup in compliance with applicable regulations, if needed.

A4-3 The last sentence of the first paragraph on page 4.8-4 is revised to read:

Cleanup activities are largely complete in the RSP Area and the remaining hazardous materials issues are largely limited to localized land use restrictions that are unlikely to affect the ~~DSP Area~~ CCSP area. Groundwater remediation in the RSP Area and in portions of the CCSP area are ongoing.

A4-4 The comment explains that the Railyards Projects Soil and Groundwater Management Plan or SGMP, approved by DTSC in 2015, is applicable only to those properties within the RSP Area, and does not extend to areas outside of the RSP Area. As a result of this clarification, the first paragraph on page 4.8-16 is revised to read:

Railyards Project Soil and Groundwater Management Plan

The RSP Area is adjacent to and northwest of the ~~DSP~~ CCSP area. Ongoing cleanup activities may overlap the northwestern portion of the ~~DSP~~ CCSP area (e.g., groundwater). ~~In the event that contaminated groundwater originating from the RSP Area is encountered during projects in the DSP Area, the requirements of the~~ The Railyards Projects Soil and Groundwater Management Plan or SGMP, approved by DTSC in 2015, would apply applies only to properties within the RSP Area, and does not directly apply to properties outside of the RSP Area.¹² The SGMP was prepared for use with each development project to be constructed within the RSP Area that requires special handling of soil and/or groundwater to ensure compliance with regulatory requirements and other obligations set forth in the SGMP. ~~In particular, However,~~ projects within the ~~DSP Area~~ CCSP area are not permitted to interfere with ongoing cleanup activities within the RSP Area.

12 Stantec, 2015. Railyards Projects Soil and Groundwater Management Plan, Sacramento Railyards, Sacramento, California, December.

As described in Response to Comment A4-2, Mitigation Measure 4.8-1 is revised to clarify that recommendations provided in site-specific Phase I Environmental Site Assessments may include specific guidance related to the handling of contaminated groundwater, if encountered, in the CCSP area.

- A4-5 The comment concurs with the analysis presented under Impact 4.8-3 that, “...construction dewatering activities could extract groundwater that contains elevated level of contaminants potentially exposing the environment, construction workers, and/or the public to adverse effects. The dewatering of contaminated groundwater could therefore present risks to public health and safety, and the environment, if the contaminated dewatered groundwater is not handled properly. ... In addition, groundwater dewatering in locations adjacent to the RSP Area could pump contaminated groundwater and interfere with ongoing RSP groundwater cleanup activities. As specified in the Railyards Projects - Soil & Groundwater Management Plan, groundwater may not be extracted, treated or discharged in any way without an approved plan submitted to DTSC, RWQCB, property owner(s), and project proponent.”

Please also see Response to Comment A4-4.

DEPARTMENT OF TRANSPORTATION
DISTRICT 3 – SACRAMENTO AREA OFFICE
2379 GATEWAY OAKS DRIVE, STE 150 – MS 19
SACRAMENTO, CA 95833
PHONE (916) 274-0635
FAX (916) 263-1796
TTY 711



*Serious drought.
Help save water!*

November 3, 2017

03-SAC2017-00178
2017022048

Mr. Scott Johnson
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811

Downtown Specific Plan (DSP) – Draft Environmental Impact Report (DEIR)

Dear Mr. Johnson,

Thank you for including the California Department of Transportation (Caltrans) in the DEIR public review process for the project referenced above. Caltrans’ new mission, vision, and goals signal a modernization of our approach to California’s transportation system. We review this local development for impacts to the State Highway System (SHS) in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the State’s smart mobility goals that support a vibrant economy, and build communities, not sprawl.

The proposed Downtown Specific Plan (DSP) project is slated to develop 10,000 places to live in downtown Sacramento, including land use regulation and policies designed to streamline housing development process and identify necessary public improvements which will support new housing development. The DSP area is bounded by the Sacramento River to the west, the American River to the north (not including the River District and Railyards specific plan areas), and Broadway on the south end. The following comments are based on the DEIR, including Grid 3.0, and the DSP Utility Infrastructure Analysis.

Caltrans appreciates that some of the comments brought forward in our March 16, 2017 NOP comments letter were addressed in the DEIR.

Caltrans is generally supportive of the proposed improvements within the DSP, and Grid 3.0. Caltrans is highly supportive of projected increases in the use of multi-modal and active transportation systems, as well as improvements to the network that improves efficiency for all modes.

1

I-5 Subregional Corridor Mitigation Program (SCMP)

The SCMP is a voluntary impact fee program for new development within the I-5, SR 99, State Route 51 (SR 51) and U.S. Route 50 (US 50) corridors between the cities of Elk Grove, Sacramento, and West Sacramento. The SCMP was developed with each city in collaboration with Caltrans for the purpose of promoting smart growth, reducing daily congested vehicle miles traveled (VMT) and delay on the SHS, and reduce daily VMT on the regional transportation system through funding an array of projects that includes all modes. The SCMP has been adopted by the cities of Sacramento, West Sacramento, and Elk Grove.

Through the I-5 SCMP, impact fee contributions would be made in lieu of conducting a detailed traffic impact study for freeway mainline impacts, including freeway mainline analysis, "merge and diverge" analysis and weaving analysis on the mainline under either existing and cumulative conditions. If the applicant chooses to contribute towards the SCMP, the applicant would still be required to analyze intersection impacts, off-ramp traffic back-up onto the freeway mainline, and any significant safety issues in the vicinity of the intersection.

DSP Mitigation Measure 4.12-3

On page S-49 of the DEIR Mitigation 4.12-3 states, "The proposed DSP could worsen freeway operations. Potentially Significant. Each project developed pursuant to the DSP that generates more than 100 vehicular peak hour trips that are directed toward the highway system shall:

- Remit monetary payment to the I-5 Freeway Subregional Corridor Mitigation Program (SCMP). This remittance shall be completed prior to the issuance of building permits.
- OR
- Negotiate a mutually acceptable agreement with Caltrans and the City."

Caltrans has concerns regarding DSP development impacts which would not be covered by voluntary participation in the I-5 SCMP, including but not limited to operational impacts at freeway intersections, and on/off-ramps. Therefore, Caltrans requests mitigation measures consider the full potential significance of impacts by DSP future developments, including anticipated operational impacts at both freeway intersections, and on/off-ramps. Caltrans suggests language be added to Mitigation 4.12-3 that distinguishes between operational impacts that can be mitigated through the I-5 SCMP and impacts that cannot be mitigated through the I-5 SCMP.

Encroachment Permit

Construction of 29th and 30th Streets couplets at the SR 99 / Broadway interchange, conversion of P Street to a 2-way facility, and lane reductions on L and J Streets will trigger a Caltrans Encroachment Permit application process. Please be advised that any work or traffic control that would encroach onto the State Right of Way (ROW) requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five sets of plans clearly indicating State ROW must be submitted to the address below.



Mr. Scott Johnson / City of Sacramento
November 3, 2017
Page 3

Charles Laughlin
California Department of Transportation
District 3 Office of Permits
703 B Street
Marysville, CA 95901

Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. See the website link below for more information.
<http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

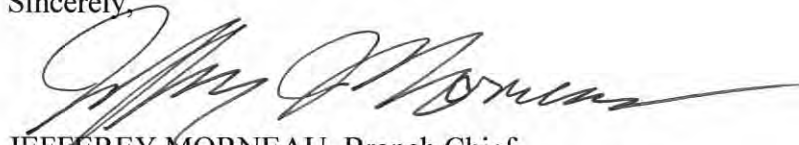
↑ 3
(cont.)

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

↑ 4

If you have any questions regarding these comments or require additional information, please contact me at 916-274-0638 or by email at: jeffrey.morneau@dot.ca.gov.

Sincerely,



JEFFEREY MORNEAU, Branch Chief
Office of Transportation Planning – South Branch

Letter A5 Response **Jefferey Morneau, California Department of Transportation (Caltrans)**
November 3, 2017

- A5-1 The commenter is generally supportive of the proposed improvements, and of the projected increases in the use of multimodal and active transportation systems. No further response is required.
- A5-2 The commenter describes the I-5 Subregional Corridor Mitigation Program (SCMP), which is identified as project mitigation under Mitigation Measure 4.12-3 in the CCSP Draft EIR. The commenter is concerned about impacts not covered by participation in the I-5 SCMP, including operational impacts at ramp terminal intersection and off-ramp queueing. The commenter suggests language be added to Mitigation Measure 4.12-3 that distinguishes between operational impacts that can be mitigated through the I-5 SCMP and impacts that cannot be mitigated through the I-5 SCMP.
- The commenter rescinds and clarifies this comment in Comment Letter A10. Refer to Responses to Comment Letter A10 for further information.
- A5-3 The commenter states that the construction of the 29th and 30th streets couplet at the SR 99/Broadway interchange, conversion of P Street to a two-way facility, lane reductions on L Street and J Street, and any other construction or traffic control that would encroach on to the State Right of Way (ROW) will trigger a Caltrans Encroachment Permit application process. The commenter provides a link to the encroachment permit application.
- Future construction projects with the potential to impact State ROW will apply for a Caltrans Encroachment Permit during the individual environmental clearance process.
- A5-4 The comment requests that the City provide copies to the commenting organization for future actions regarding the CCSP. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.



Sent Via E-Mail

November 7, 2017

Scott Johnson, Associate Planner
 City of Sacramento, Community Development Department
 Environmental Planning Services
 300 Richards Boulevard, Third Floor
 Sacramento, CA 95811
 SRJohnson@cityofsacramento.org

**Subject: Downtown Specific Plan Draft Environmental Impact Report
 (Clearinghouse # 2017022048)**

Dear Mr. Johnson,

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the Downtown Specific Plan Draft Environmental Impact Report (Project Draft EIR). SMUD is the primary energy provider for Sacramento County and the proposed Project area. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce global warming, and lower the cost to serve our region. As a Responsible Agency, SMUD aims to ensure that the proposed Project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

Based on our review of the Project Draft EIR, SMUD offers the following specific comments related to the document text:

Advisory Comments:

Summary

- *Page S-2 –Land Use and Zoning:* The City focused development analyses on the opportunity sites and the total number of anticipated residential units (13,400 units). If more extensive development occurs in other areas, it could affect the load requirements on specific infrastructure. Phasing of development within the City will also affect how and when infrastructure improvements occur and what the extent of the infrastructure improvements will be.
- *Page S-7– Infrastructure Improvements:* SMUD will take the City goals and policies into consideration when planning for infrastructure improvements but has an internal process

for identifying and prioritizing infrastructure improvements throughout SMUD’s service territory and funding for such improvements.

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(cont.)

Project Description

- *Page 2-11 –Growth Potential:* Same comment as for Page S-2
- *Page 2-21 – Central City Urban Design Guidelines:* Providing shade and providing for energy efficiency through the placement of trees is a goal that SMUD supports. Placing trees in the same location where the City is expecting utilities to be placed may be in direct conflict especially where utilities are underground. Joint placement can create service and maintenance issues. There are California Public Utility Commission General Order 95 clearance requirements between trees and overhead electrical lines. Additional tree root barrier measures or selection of specific small tree species may be necessary in specific areas. The City’s Urban Forester and SMUD shall make a concerted effort to develop a collaborative plan that addresses both agency concerns.

3

- *Page 2-49 – Alley Activation:* SMUD supports the City’s effort to great vibrant and active uses in the alley, but alley activation may limit options for the placement of utilities. The location of where utility infrastructure may be placed may affect cost to the developer. Above ground options of transformer boxes is the least expensive and underground vaults are more expensive. Locating utilities in the alley also minimizes the impact to traffic/pedestrian flow on major streets during installation and ongoing maintenance activities. In the event the Applicant requires the relocation or removal of existing SMUD facilities on or adjacent to the subject property, the Applicant shall coordinate with SMUD. The Applicant shall be responsible for the cost of relocation or removal.

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Proposed Amendments and additions to text:

Project Description

- *Page 2-28 – Electricity, 2nd paragraph:* Add information that was included in the Downtown Specific Plan document regarding Electric Vehicle charging and the additional electricity load required for these uses.
 - With additional transportation electrification expected to increase with technology trending toward DC fast charging plazas. Each charging station could require up to 2 MW increasing the overall load requirements to 94- 118 MW.
 - Station E is a 160 MVA facility instead of a 60 MVA facility.
- *Page 2-28 – Electricity, Paragraph 3:*
 - In first sentence amend: “...will require an additional 40MVA a substation with a capacity of at least 80MVA along the ...”

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- *Page 2-28 – Electricity, Paragraph 4:*
 - Add another sentence: The capacity of this substation will be dependent on the combined demand of the DSP, Railyard Specific Plan and River District Specific Plan.
- *Page 2-37 – Electricity, Paragraph 1, add to last line:*
 - 1st paragraph, add last line: After Station A is decommissioned, this site will be renamed Station H (21kV) with a planned capacity of 80MVA. Capacity will support Railyard development via existing infrastructure on 5th, 6th Sts. and Railyard Blvd.

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(cont.)

Aesthetics, Light, and Glare

- *Page 4.1-38:* Placement of replacement of SMUD powerlines and equipment are not subject to the City’s design review process.

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Energy Demand

- *Page 4.5-1 – Electricity:* The sources that are cited for as SMUD electrical sources reflect SMUD most recent 6 Power Contact Label filed for 2016 with the California Energy Commission. These numbers are available at: <https://www.smud.org/assets/documents/pdf/Power-Content-Label-full.pdf>
- *Page 4.5-7, Electricity Demand. Third Paragraph:*
 - In the first sentence, change 70 to 90 megawatts to 75-100 megawatts.
 - In the second sentence change Station E, a 60 MVA facility to a 160 MVA facility.
 - In the last sentence of the third paragraph, another ~~three 40 MVA~~ substation with capacity of at least 80 MVA.
 - At the end of this paragraph add: The capacity of this substation will be dependent on the combined demand of the DSP, Railyard Specific Plan and River District Specific Plan.

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In addition to specific text comments, SMUD is offering the following input for your consideration:

1. *Project Description:* SMUD would like to be informed of any anticipated Project related impacts on existing or future SMUD facilities. It is important that information regarding potential impacts to SMUD facilities in the vicinity of the proposed Project be contained in the Project description chapter of the EIR, as well as the existing conditions discussion of the utilities, hazards and hazardous materials, and cumulative impact sections.
2. *Energy Delivery (Capacity):* Please continue to coordinate with SMUD staff regarding the proposed energy delivery assumptions associated with the proposed Project site. Subsequent environmental documents should provide analysis regarding

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SMUD’s ability to handle the Project’s anticipated energy needs. SMUD is looking forward to partnering with the City to ensure that the Project is designed in an energy efficient and sustainable way.

3. **Energy Delivery (Infrastructure):** Subsequent specific project environmental documents provides an analysis of the proposed on-site and off-site energy infrastructure improvements needed to construct and operate the proposed Project.

4. *Planning Consideration:* If proper clearances from any proposed roadway widening, lane extensions, auxiliary lanes, bike path, structure replacements cannot be maintained (please consult with SMUD’s new services department for precise clearance requirements), the customer will need to work with SMUD to relocate and/or underground these facilities. This work will be billable to the customer.

5. *Transmission Considerations:* The following comments pertain to the design and construction requirements around SMUD’s transmission right-of-ways. For additional information please visit our website and review our Guide for Transmission Encroachment: <https://www.smud.org/assets/documents/pdf/Guide-for-Transimssion-Encroachment.pdf>.

a. Project owner or contractor shall comply with the clearance requirements between the proposed improvements and SMUD overhead transmission lines per the latest revision of California Public Utilities Commission, General Order No. 95. Project owner or contractor shall abide the clearance requirements from all CAL-OSHA Title 8 approach distance as stated in Subchapter 5, Group 2, Article 37, during project construction.

b. SMUD reserves the right to use any portion of its easements on or adjacent to the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.

c. All above ground metallic facilities proposed within the SMUD easement must be properly grounded. Grounding plans should be stamped by a California licensed electrical engineer, meet all National Electric Safety Code requirements, and be submitted to SMUD for review.

d. The Project Owner or contractor is responsible for assessing any impacts (including but not limited to induced voltage and current effects) to its facilities as a result of constructing and operating their facilities within close proximity to SMUD’s high voltage transmission lines.

e. Any excavation or construction activities within a 25-foot radial distance of any SMUD transmission structure will require the presence of a SMUD construction inspector to witness construction activities. See **Item i** below for contact information.

f. There shall be no storage of fuel or combustibles and no fueling of vehicles within the SMUD easement.



- g. There shall be no long term staging or storage of construction materials within the SMUD easement, such materials shall be removed from the easement at the completion of the Project.
- h. All boom-operated construction equipment within SMUD’s easement corridor shall be equipped with a mechanical lock-out device to prevent the boom from extending above the Cal-OSHA required clearance distance to SMUD’s energized high voltage lines and fiber optic communication lines.
- i. The Applicant shall add the following note to Project drawings:
WARNING – SMUD OVERHEAD TRANSMISSION LINES ARE LIVE
 – Electrocution Potential. Project owner or Contractor shall take all appropriate safety measures when working near or under lines, including placement of OSHA-required warning signage. On-site SMUD inspection required when working within 25-feet of SMUD facilities. Contractor shall contact SMUD’s Construction Management Inspection at (916) 732-5905 or (916) 799-5733 to schedule inspection. 72-hour advance notice is required. Project owner or Contractor shall protect SMUD facilities during construction and notify SMUD immediately if facilities are damaged. Any damage to existing facilities shall be repaired at the Project owner or contractor’s expense.
- j. The Project Owner or contractor is responsible for ensuring that any subcontractor performing work in the subject right of way is aware of and abides by these conditions.
- k. Any deviations or revisions to the plans as submitted shall be brought to the attention of SMUD’s Real Estate Department.



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(cont.)

SMUD would like to be involved with discussing the above areas of interest as well as discussing any other potential issues. We aim to be partners in the efficient and sustainable delivery of the proposed Project. Please ensure that the information included in this response is conveyed to the Project planners and the appropriate Project proponents.



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Environmental leadership is a core value of SMUD and we look forward to collaborating with you on this Project. Again, we appreciate the opportunity to provide input on Project Draft EIR. If you have any questions regarding this letter, please contact SMUD’s Environmental Management Specialist, Rob Ferrera, at rob.ferrera@smud.org or 916.732.6676.

Sincerely,

Beth Tincher
Regional & Local Government Affairs
Sacramento Municipal Utility District
6301 S Street, Mail Stop A313
Sacramento, CA 95817
Beth.tincher@smud.org

Cc: Rob Ferrera

Letter A6 Beth Tincher, Sacramento Municipal Utility District (SMUD)
Response November 7, 2017

- A6-1 The comment summarizes the Sacramento Municipal Utility District (SMUD) service area, which includes the CCSP area and the greater Sacramento region. The comment also describes the SMUD role as a responsible agency for the limitation of potential significant environmental effects on SMUD facilities. SMUD has reviewed the Draft EIR for the CCSP and provides comments related to the text of the Draft EIR. This comment, while noted, does not require modifications to the EIR's analysis or conclusions of significance.
- A6-2 The comment advises that if more extensive development occurs in areas subject to the CCSP that were not considered for development in the Draft EIR, it could affect the load requirements on specific SMUD infrastructure. The comment further describes that phasing of development could impact when infrastructure impacts would occur. The comment advises that SMUD would take City goals and policies into consideration when planning for infrastructure improvements and has internal processes for specific planning and funding of system improvements. This comment, while noted, does not require modifications to the EIR's analysis or conclusions of significance.
- A6-3 The comment describes SMUD support for the provision of shade and energy efficiency through the placement of trees as a goal. SMUD identifies potential conflict from the placement of trees and utility poles. The comment advises that SMUD would work with the City's Urban Forester to develop a collaborative plan that addresses both agency concerns. This comment, while noted, does not require modifications to the EIR's analysis or conclusions of significance.
- A6-4 The comment advises that the location where utility infrastructure would be placed for each project pursuant to the CCSP may affect the cost to the developer. Infrastructure placed below ground or in alleys would be preferable but may occur at increased cost. The comment advises that applicants for projects pursuant to the CCSP shall coordinate with SMUD for the relocation or removal of SMUD infrastructure. Impacts from construction
- A6-5 The comment identifies suggested revisions to the Chapter 2 of the Draft EIR, Project Description. Page 2-28 of the Draft EIR describes the estimated additional electrical load from development pursuant to the CCSP. However, information that was included in the CCSP regarding electric vehicles charging and the additional electricity load required for those uses, was not fully described in the Draft EIR. Page 2-28, paragraph 2, is revised to read:

SMUD estimates that the additional electrical load from anticipated development within the DSP CCSP area may be 70 to 90 megawatts. A majority of the load would require adding major components in the DSP CCSP area. With additional transportation electrification expected to increase with technology trending toward DC fast charging plazas. Each charging station could require up to 2 MW increasing the overall load requirements to 94-118 MW. SMUD is currently working to replace the North City substation with Station E, a 160 MVA facility. This will allow for additional express feeders mainly to serve the Railyards Specific Plan area (adjacent to but outside of the DSP CCSP area), and to offload and back up downtown feeders to serve future development within the DSP CCSP area. An existing North City substation feeder is being extended to the DSP CCSP area in 2017 and the first express feeder is planned by 2019 when the new Station E is completed.

Page 2-28, the third paragraph is revised to read:

Anticipated development in the DSP CCSP area will require an additional 40 MVA substation, with a capacity of at least 80 MVA, along the 7th Street corridor in the Railyards Specific Plan Area or River District, likely between North B Street and Richards Boulevard; this could be located anywhere between 7th Street and 10th Street, North B Street and Richards Boulevard. The substation is more expensive to construct west of 7th Street and less expensive further east since overhead facilities would need to be extended from Station E. Although this substation is likely to be located outside of the DSP CCSP area, it is needed to help supply adequate electricity to uses within the DSP CCSP area.

Page 2-28, the fourth paragraph is revised to read:

Depending on the specific use and intensity of development within the DSP CCSP area the installation of switches, risers, line reconductors,⁶ or line extensions to specific development parcels may be required. Additional major equipment and infrastructure external to the DSP CCSP area would be required as electrical demand approaches area electrical capacity. This would require additional duct banks and splice vaults along 5th and 6th streets. A feeder tie on 7th Street or 12th Street may need to be extended from the north but this may be external to the DSP CCSP area. These improvements would be identified in SMUD's five year system plan as the need arises. Extension of the existing 21 kV distribution system would be required to serve the additional development in the DSP CCSP area. The capacity of this substation would be dependent on the combined demand of the CCSP, Railyards Specific Plan, and River District Specific Plan.

6 Reconductoring is replacement of the cable or wire on an electric circuit, typically a high-voltage transmission line, usually to afford a greater electric-current-carrying capability.

Page 2-37, the first paragraph is revised to read:

In addition, SMUD is replacing the existing Station A site (will become Station G) to a parcel directly north and across Government Alley from the current site to meet current safety regulations, to serve the RSP Area, and to continue to provide reliable electrical service to the ~~DSP~~ CCSP area. SMUD is reserving the existing Station A site for future 21 kV system improvements and a substation. After Station A is decommissioned, this site would be renamed Station H (21kV) with a planned capacity of 80 MVA. Capacity would support Railyards development via existing infrastructure on 5th and 6th streets and Railyards Boulevard.

A6-6 The comment advises that placement or replacement of SMUD power lines and equipment are not subject to the City’s design review process. The first paragraph on page 4.1-38 of the Draft EIR describes infrastructure improvements, such as new or extended overhead electrical transmission lines, as having potential to affect views of important scenic resources. The City does not anticipate that development pursuant to the CCSP would add a substantial amount of new overhead lines and associated infrastructure, such that views of scenic resources would be adversely impacted. New development in the CCSP area would be anticipated to include in-ground electrical infrastructure where feasible and new electrical infrastructure would be anticipated to be similar to existing facilities throughout the CCSP area.

A6-7 The Draft EIR provided a summary of the type and percentage of electricity provided by SMUD in 2015. The comment provides a link to this same information for 2016. The fifth paragraph on page 4.5-1 of the Draft EIR is revised to read:

In ~~2016~~2015, SMUD obtained its electricity from the following sources: large hydroelectric (~~238~~ percent and natural gas (~~4147~~ percent).⁴ Around ~~1623~~ percent of SMUD’s energy resources are from “unspecified sources of power”, which means it was obtained through transactions and the specific generation source is not traceable. Approximately ~~2022~~ percent of SMUD’s energy portfolio is from eligible renewable resources, including biomass and waste (11 percent), geothermal (1 percent), eligible hydroelectric (1 percent), solar (3 percent), and wind (~~47~~ percent).

4 Sacramento Municipal Utility District (SMUD), 2017. 2016 Power Content Label.

A6-8 The comment identifies revisions to be made to page 4.5-7, based on suggested revisions to the project description. The third paragraph on page 4.5-7 is revised to read:

Based on land use projections assumed under the ~~DSP~~ CCSP, SMUD estimates that the additional electrical load from development within the ~~DSP~~ CCSP area may be ~~7075~~ to ~~90100~~ megawatts. A majority of the load would require adding major components in the ~~DSP~~ CCSP area. SMUD is already working on

replacing the North City substation (NCY) with Station E, a 160MVA facility. Once Station A (network) is replaced with Station G, and the Station A site is decommissioned, Station A is being planned to add 80 MVA. With the addition of 13,400 units and 3.8 million square feet of commercial development, another ~~three 40 MVA~~ substations, with capacity of at least 80 MVA, would be required along the 7th Street corridor in the Railyards or River District, preferably between North B Street and Richards Boulevard. The capacity of this substation would depend on the combined demand of the CCSP, Railyards Specific Plan and River District Specific Plan.

- A6-9 The comment advises that SMUD requests to be informed of any anticipated project related impacts on existing or future SMUD facilities. The comment also advises that the City include potential impacts to SMUD facilities in the Project Description, Utilities, Hazards and Hazardous Materials and cumulative impact sections. The Draft EIR includes all known or anticipated elements of anticipated development pursuant to the CCSP, describing them as a necessary in the sections described above. The comment is noted and will be conveyed to the City Council for its consideration.
- A6-10 The comment requests that the City continue to coordinate with SMUD staff regarding the proposed energy delivery assumptions associated with projects developed pursuant to the CCSP. SMUD identifies subsequent specific project environmental documents as providing analysis of proposed on- and off-site energy infrastructure improvements needed to construct and operate each project developed pursuant to the CCSP. This comment, while noted, does not require modifications to the EIR's analysis or conclusions of significance.
- A6-11 The comment advises the City and project applicants to consult with SMUD if proper clearances from proposed roadway widening, lane extensions, auxiliary lanes, bike paths, or structure replacements cannot be maintained. The City/project applicants would need to work with SMUD to relocate and/or underground those facilities. This comment, while noted, does not require modifications to the EIR's analysis or conclusions of significance.
- A6-12 The comment describes the design and construction requirements around SMUD's transmission right-of-ways and refers the City and project applicants to SMUD's Guide for Transmission Encroachment for additional information. This comment, while noted, does not require modifications to the EIR's analysis or conclusions of significance.
- A6-13 The comment requests that the City and project applicants include SMUD in the conversations regarding potential impacts to SMUD facilities from the proposed projects, pursuant to the CCSP. The comment further requests that the City provide information provided in SMUD's comment letter to appropriate project applicants.

This City would continue to consult with SMUD for projects that would occur pursuant to the CCSP. This comment, while noted, does not require modifications to the EIR's analysis or conclusions of significance.



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Letter A7



Ken Alex
Director

November 7, 2017

Scott Johnson
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811

Subject: Downtown Specific Plan EIR
SCH#: 2017022048

Dear Scott Johnson:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on November 6, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1

**Document Details Report
State Clearinghouse Data Base**

Letter A7

SCH# 2017022048
Project Title Downtown Specific Plan EIR
Lead Agency Sacramento, City of

Type EIR Draft EIR
Description The DSP will be a key program to implement the Downtown Housing Initiative Plan, an initiative to develop 10,000 places to live in downtown Sacramento. The DSP EIR analyzes future residential and non-residential growth within the DSP area, generally bound by the Sacramento River, American River, Business 80, and Broadway. The DSP anticipates the development of approx 13,401 residential units and up to 7,173,044 sf of non-residential uses in the plan area over the next 20 years. The DSP includes updated zoning rules and policies for the DSP area, creation of the Downtown Special Planning District, infrastructure improvements, transportation network improvements, two new hotels, and implementation of a public art plan.

Lead Agency Contact

Name Scott Johnson
Agency City of Sacramento
Phone 916-808-5842
email
Address 300 Richards Blvd, 3rd Floor
City Sacramento **State** CA **Zip** 95811
Fax

Project Location

County Sacramento
City Sacramento
Region
Cross Streets Area bounded by Broadway, Sacramento River, American River, Business 80 (SR 51)
Lat / Long 38° 34' 37.3" N / 121° 29' 05.0" W
Parcel No. MULT
Township 7N **Range** 4E **Section** 36 **Base**

Proximity to:

Highways I-5, SR 160, I 80, US 50
Airports
Railways UPRR, BNSF, Amtrak
Waterways Sacramento, American River
Schools several
Land Use

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Geologic/Seismic; Growth Inducing; Landuse; Noise; Other Issues; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

Reviewing Agencies Resources Agency; Central Valley Flood Protection Board; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; California Highway Patrol; Caltrans, District 3 S; Office of Emergency Services, California; Department of Housing and Community Development; State Water Resources Control Board, Division of Drinking Water; Regional Water Quality Control Bd., Region 5 (Sacramento); Delta Protection Commission; Delta Stewardship Council; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

Date Received 09/22/2017 **Start of Review** 09/22/2017 **End of Review** 11/06/2017



CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Ste. 170
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682



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11/6/17
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Governor's Office of Planning & Research

OCT 02 2017

STATE CLEARINGHOUSE

September 28, 2017

Mr. Scott Johnson
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, California 95811

Subject: Downtown Specific Plan, Environmental Impact Report,
SCH Number: 2017022048

Location: Sacramento County

Dear Mr. Johnson,

Central Valley Flood Protection Board (Board) staff has reviewed the subject document and provides the following comments:

The proposed project is within the Sacramento River and the American River, regulated streams under Board jurisdiction, and may require a Board permit prior to construction.

The Board's jurisdiction covers the entire Central Valley including all tributaries and distributaries of the Sacramento and San Joaquin Rivers, and the Tulare and Buena Vista basins south of the San Joaquin River.

Under authorities granted by California Water Code and Public Resources Code statutes, the Board enforces its Title 23, California Code of Regulations (Title 23) for the construction, maintenance, and protection of adopted plans of flood control, including the federal-State facilities of the State Plan of Flood Control, regulated streams, and designated floodways.

Pursuant to Title 23, Section 6 a Board permit is required prior to working within the Board's jurisdiction for the placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee.

Permits may also be required to bring existing works that predate permitting into compliance with Title 23, or where it is necessary to establish the conditions normally imposed by



Mr. Scott Johnson
September 28, 2017
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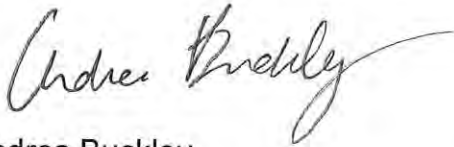
permitting. The circumstances include those where responsibility for the works has not been clearly established or ownership and use have been revised.

Other federal (including U.S. Army Corps of Engineers Section 10 and 404 regulatory permits), State and local agency permits may be required and are the applicant's responsibility to obtain.

Board permit applications and Title 23 regulations are available on our website at <http://www.cvfpb.ca.gov/>. Maps of the Board's jurisdiction are also available from the California Department of Water Resources website at <http://gis.bam.water.ca.gov/bam/>.

Please contact James Herota at (916) 574-0651, or via email at James.Herota@CVFlood.ca.gov if you have any questions.

Sincerely,



Andrea Buckley
Environmental Services and Land Management Branch Chief

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, California 95814

2
(cont.)

Letter A7 **Scott Morgan, Governor's Office of Planning and Research**
Response **(OPR, State Clearinghouse)**
November 7, 2017

- A7-1 The comment acknowledges that the City complied with CEQA requirements for State Clearinghouse review of draft environmental documents. According to the attached State Clearinghouse Data Base Document Details Report, the Draft EIR was distributed for review to the following State agencies: Resources Agency; Central Valley Flood Protection Board; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; California Highway Patrol; Department of Transportation (Caltrans), District 3 S; Office of Emergency Services, California; Department of Housing and Community Development; State Water Resources Control Board, Division of Drinking Water; Regional Water Quality Control Board, Region 5 (Sacramento); Delta Protection Commission; Delta Stewardship Council; Native American Heritage Commission; Public Utilities Commission; and State Lands Commission. The Central Valley Flood Protection Board (CVFPB) letter attached to the comment letter from the Governor's Office of Planning and Research is included in this Final EIR as Comment Letter A2. Responses to the CVFPB comments are addressed in Response to Comment A2-1. The comment is noted.
- A7-2 This comment is duplicative of Comment Letter A2. Please see Response to Comment A2-1.



Harold M. Freiman
Attorney at Law

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November 8, 2017

Via U.S. Mail & E-Mail: SRJohnson@cityofsacramento.org

Scott Johnson, Associate Planner
City of Sacramento, Community Development Department
Environmental Planning Services
300 Richards Boulevard, Third Floor
Sacramento, CA 95811

Re: Comments of Sacramento City Unified School District on
Draft Environmental Impact Report for Downtown Specific Plan

Dear Mr. Johnson:

Our firm represents Sacramento City Unified School District (“District”). On behalf of the District, we submit these comments on the Draft Environmental Impact Report (“Draft EIR”) prepared for the proposed Downtown Specific Plan (“DSP”). As set forth in this letter, the Draft EIR does not comply with the California Environmental Quality Act (“CEQA,” Pub. Resources Code, §§ 21000, *et seq.*) and the CEQA Guidelines (Cal. Code Regs., tit. 14, §§ 15000, *et seq.*) for both technical and substantive reasons. Moreover, the Draft EIR does not include sufficient information to evaluate potential environmental impacts related to schools. In the end, the Draft EIR disregards the simple fact that there is nowhere in the DSP area for the District to house the students who will be generated by development that occurs as a result of the DSP. **Through this letter, the District wishes to emphasize that this Project has the potential to have a profound negative effect on the District’s students, their families, and residents who will reside in and near the Project.**

1

The District does not believe that the DSP area is planned to be nearly devoid of school-aged children who may attend District schools. City representatives have indicated that their intent is not to have a child desert in downtown. Rather, the DSP expressly contemplates the revitalization of the DSP area in order to provide a viable living, working, shopping, and cultural environment. (See Draft EIR, 3-29.) The stated purpose and vision of the DSP is to expand the role of Downtown as the “region’s hub for living, work, commerce, arts, culture, entertainment, and government.” (DSP, § 1.1.) Despite this, the Draft EIR’s analysis relies on the faulty assumption that the revitalized downtown will produce extraordinarily few District students. This is contrary to the very purpose of the project being studied.

2

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As another public agency serving the population of Sacramento, the District prefers to cooperate with the City regarding the proposed Project so as to help ensure that it will benefit the entire community, without undue impacts. The stated intent of the Draft EIR is to “incentivize residential and non-residential growth within the DSP area” (Draft EIR, S-2), yet the Draft EIR does very little to address the significant impacts on the District’s student population, their families, District staff and teachers, and the school facilities in which they are housed. The Draft EIR further fails to mitigate the inevitable student influx to downtown schools that are already at capacity, and the significant effects that will occur when those students must then travel to schools outside the DSP area to attend school. It remains the District’s hope that collaboration between the District and both the City and Project developers can occur to avoid this result and allow the future Project to proceed.

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(cont.)

3

The District met with City staff and CEQA consultants on multiple occasions over the course of several weeks in July, August, and September of 2017 to discuss the Project’s impacts on schools. During those meetings, the City’s CEQA consultants expressly acknowledged that the Project had the potential for significant impacts on schools, even if a student generation rate that is lower than the District’s adopted rate is used. Yet, as further discussed below, the City inexplicably abandoned this obvious conclusion in the Draft EIR; rejected the District’s student generation data in favor of its own; inflated the existing capacity of District’s schools by assuming that the District could house students in non-classroom space by cutting integral programs; and concluded that the impacts on schools will be “less than significant.” During its meetings with the District, the City and its consultants discussed the impacts and potential options for mitigation, and the District prepared and submitted proposed mitigation language to be considered for inclusion in the EIR. None of these mitigation options is included in the Draft EIR and the District’s specific proposal was rejected without any explanation, reason or counter-proposal. The District’s elected officials and staff made good faith attempts to work with the City during preparation of the EIR, only to have their concerns for its students and faculty disregarded entirely in the draft, which disingenuously states that there “are no known areas of controversy for the DSP.” (Draft EIR, S-10.) This statement is inaccurate and violative of CEQA, which requires the EIR to include a summary identifying “[a]reas of controversy known to the Lead Agency including issues raised by agencies and the public.” (Cal. Code Regs., tit. 14, § 15123(b)(2).) The City was well aware of the District’s concerns prior to and during preparation of the EIR.

4

Instead of addressing these issues, the City has indicated that it will wait for issues affecting schools to be further addressed when specific development is proposed. To the extent that the Draft EIR has already concluded that the entirety of the Project can have little to no impact on schools, the District is understandably concerned that any future analysis will rely on that reasoning and reach the same conclusion. Deferring analysis until specific development projects later occur under the DSP results in piecemealing, where the overall impact is inappropriately diminished by considering each new development allowed by the DSP separately. The District has significant concerns about what has not yet been analyzed in the EIR with regard to impacts on schools and students.

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The City also claims that it is “committed” to working with the District “to provide adequate, high quality schools to serve the DSP area,” and that it “would work collaboratively with the SCUSD to regularly monitor existing student generation rates to accurately determine school

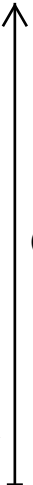
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facility needs in the future.” (Draft EIR, S-20.) There is no true commitment, as the Draft EIR separately concludes that the impacts on schools are not significant, and therefore declines to adopt any enforceable measure to address those impacts. Also, even if this statement did involve a true commitment, monitoring student generation rates to determine facility needs does nothing to address the impacts related to schools. There is no indication that the City would do anything with the data they obtain through such “monitoring.”



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(cont.)

With the foregoing in mind, the District requests that the City revise the Draft EIR to address the serious deficiencies identified in this letter, develop appropriate mitigation measures for impacts that are identified as significant, and then recirculate the revised Draft EIR as required by CEQA. (Cal. Code Regs., tit. 14, § 15088.5.) At the bare minimum, the District requests that the City consider making minor changes to the Draft EIR as specifically discussed at the end of this letter, to help ensure that the school issues will adequately be addressed in the future.

I. The Draft EIR does not meet its purpose as an informational document because it fails to provide an adequate description of the environmental setting related to schools.

An environmental impact report is required to include a description of the physical environmental conditions in the vicinity of the project *as they exist* at the time the notice of preparation is published. This environmental setting constitutes the baseline physical conditions by which the lead agency determines whether an impact is significant. (Cal. Code Regs., tit. 14, § 15125, subd. (a).) In this regard, the Draft EIR’s discussion of the current conditions of the schools that will be affected by the DSP is both inaccurate and of particular concern. For example, with regard to the Draft EIR’s discussion of two elementary schools, William Land Elementary School (“William Land ES”) and Washington Elementary School (“Washington ES”), the Draft EIR misstates the capacity of both schools, and incorrectly describes them as having capacity for new students. (Draft EIR, Table 4.11.2.) Both are small, urban schools with very little or no room to expand. Simply put, there is no capacity for additional elementary school students on either of these sites. The analysis in the Draft EIR also fails to discuss the significant limitations associated with constructing additions or adding portables to either of these elementary school sites. In addition to both sites being undersized, the amount of open space at both elementary schools is far below the state guidelines. There is also limited parent or teacher parking, which will result in significant impacts that are not even mentioned in the Draft EIR.



7

The Draft EIR misstates the capacity of each of the five elementary schools, two middle schools, and one high school that will be affected by the DSP. (Draft EIR, Table 4.11-2.) For example, the Draft EIR states that the “design capacity” of Bret Harte Elementary School is 576. The actual capacity of Bret Harte Elementary School is in fact 312, according to an analysis by District staff, and as previously shared by the District with City staff and the City’s CEQA consultants. This discrepancy results because the Draft EIR’s “design capacity” is generated based on the assumption that all classroom space be used as regular teaching classrooms, meaning that all other programs that use classroom space, such as art classes, preschools, student development, and computer labs, would end with these spaces converted to a regular teaching classroom. Similarly, the City’s assumed loading of classrooms ignores special education classrooms, which typically serve far fewer students so as to accommodate their special needs. Such smaller classrooms are often necessary to meet the requirement of both federal law (20 U.S.C. §§ 1414, *et seq.*) and state



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law (Ed. Code, §§ 56000, *et seq.*) Additionally, the District’s Governing Board recently implemented reduced class sizes at all District elementary schools in order to enhance the educational opportunities and learning environment for students, and be consistent with the class size dictated by the Local Control Funding Formula, which is the existing law governing the state’s finance system for K-12 school districts, and which requires school districts to make progress towards achieving an average class enrollment of not more than 24 pupils for each school site in K-3 classrooms as early as 2014. (Ed. Code, § 42238.02; Cal. Code Regs., tit. 5, § 15498.) Additionally, consideration must be given to the District's collective bargaining agreement with its teachers' union. The District does not necessarily have the ability to make unilateral modifications to its class sizes. The Draft EIR fails to take the reduced class size into account, resulting in inaccurate information and overstated capacity in the District’s elementary schools.

8 (cont.)
9

The Draft EIR acknowledges that its calculations “may not accurately predict the actual maximum capacity” that the District could currently accommodate, but nonetheless presumes the removal of these existing “alternative” programs to allow these spaces to be solely used as “regular teaching classrooms.” (Draft EIR, 4.11-28.) This assumption is untenable as it is these very programs which make particular schools attractive and provide students with a well-rounded educational experience. Further, the Draft EIR repeats this error for each school site, and as a result the capacity number for each is incorrect. Therefore, the Draft EIR’s description of school conditions in the vicinity of the project *as they exist* at the time is inadequate and fails to provide a valid baseline by which to analyze and determine whether the project’s impacts will be significant, which they will be.

10

The Draft EIR’s flawed discussion of capacity in District schools is further exacerbated by its assumption of adequate parks within the DSP area. (Draft EIR, S-20-21.) This is an unsupported conclusion, with no reasoning, where over 13,000 new residences will be added. Also, as residents are added with no addition of parkland, the District’s facilities will be further strained as they are needed for recreational activities. In addition, while the Draft EIR cites section 14010 of the California Code of Regulations as one limitation on the District’s siting of schools, it fails to mention a host of other legal limitations with which the District must comply when selecting the location for a new school. See the attached checklist for a more comprehensive list of regulations applicable to locations of schools.

11

The Draft EIR’s student generation rate (SGR) calculation (Table 4.11-3) is also inadequate and unsupported. The Draft EIR’s SGR compares the number of students living within the DSP area and attending District schools to the number of households in the DSP area. This calculation is inaccurate because it is based only on students already in the downtown area and further fails to account for students generated by commercial development. The Draft EIR states that “[t]he DSP anticipates **13,401** residential units...” (Draft EIR, S-2.) The assertion that such a staggering number of residences will only generate 951 school-age children is unfounded and irrational. (Draft EIR, 4.11-28.)

12

The District’s SGR, per the Sacramento City Unified School District Developer Fee Justification Report prepared by SCI Consulting Group, was calculated using a current analysis of enrollment and housing stock. Housing units were segmented by type. The District’s SGR, shown in the table below, is based on multi-family housing units only.

↓

	Draft EIR SGR	District SGR
Elementary School	0.04	0.19
Middle School	0.012	0.03
High School	.0019	0.04

The District’s rates are historically based, actual figures that are more accurate than those utilized in the Draft EIR because, while they take into account the entire district, the calculations are made solely using multi-family units, which are mostly in the downtown area. This method of calculation presents an appropriate and more realistic rate of students that will be generated by the DSP. However, even the District’s rates are likely to be understated, taking into account the effect of the project, which will revitalize living areas in downtown. The SGR used in the Draft EIR entirely ignores the fact that the current downtown area has limited and often undesirable residences, which of course could contribute to a lower SGR. That is precisely why the Project was conceived: to add new, more desirable housing, including replacing some of the existing, run-down housing.

12
(cont.)

District staff analyzed District enrollment records, comparing students generated by downtown development projects that are older than 10 years to students generated by downtown development projects that were completed within the past 10 years, and found that the more recent developments have generated double to triple the amount of students as the older developments. In fact, the District has seen an increase when comparing last year’s student enrollment in the downtown area to this year’s student enrollment in the downtown area. This all supports the conclusion that more recent downtown developments have been successful in incentivizing residential growth in the downtown area. This further supports the District’s insistence that the Draft EIR address a realistic student generation number that would apply to new housing in a revitalized and more resident-friendly downtown area under the DSP.

The Draft EIR’s plan to address the resulting growth impacts includes amending “individual school attendance boundaries to best serve the students generated by development” and relying on families to choose to send students to private schools or charter schools outside of the District. (Draft EIR, 4.11-24.) These solutions constitute a delegation of responsibility to mitigate impacts on an unrelated entity—the District—in violation of CEQA. The Draft EIR also states that the District can amend its attendance boundaries to accommodate students generated by development, including in the context of the elementary school site identified within the Railyards Specific Plan. The District’s agreement with the Railyards developer limits the District’s ability to change attendance boundaries. Moreover, any change in attendance boundaries presumably will lead to the transportation of students to schools outside the downtown area, adding to the traffic impacts discussed below. The assumption that downtown residents will flee the District, in part for costly private schools and in part for unidentified and perhaps unavailable or non-existent charter schools, is flawed and unsupported. These suggestions understate the impacts on schools, and further are inadequate forms of mitigation that do not sufficiently address the significant growth impacts to the District caused by the DSP. (Draft EIR 4.11-28.)

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Where the environmental setting in an EIR contains inaccuracies, it fails as an informational document. An EIR cannot properly and accurately assess the impacts of the project or determine appropriate mitigation measures if it does not include adequate consideration and documentation of the existing environmental conditions. (See, *San Joaquin Raptor/Wildlife Rescue Center, et al. v. County of Stanislaus* (1994) 27 Cal.App.4th 713.)

14

II. The Draft EIR does not meet its purposes as an informational document because it fails to provide an adequate analysis of environmental impacts related to schools.

A. The Draft EIR contains an inadequate discussion of school related impacts.

The Draft EIR states that the “standard of significance” for impacts on schools is as follows:

The proposed project would have a significant impact related to schools if it would generate students that would exceed the design capacity of existing or planned schools that would result in the need for new or physically altered school facilities, the construction of which could cause substantial adverse physical environmental impacts.

(Draft EIR, 4.11-27.) This standard wholly ignores other potential impacts, such as traffic effects, as other bases to find significant impacts related to schools. Further, the Draft EIR does not actually analyze impacts subject to this standard anyway. There is no analysis regarding whether there would be a need for “new or physically altered” school facilities—*which there will be*. Nor is there any analysis of the impact on the District’s ability to continue providing adequate services - which again, *there will be*. The Draft EIR also fails to discuss the significant limitations associated with constructing additions or adding portables to the existing school sites, due to lack of land to acquire and little space to build. The Draft EIR offers only a brief conclusory statement, under “Impact 4.11-6,” that the “implementation of the proposed DSP . . . would contribute to cumulative increases in student enrollment in Sacramento City Unified School District.” (Draft EIR, 4.11-30.) Although the Draft EIR fails to analyze this impact under its own standard stated above, it is clear that an increase in student enrollment constitutes a significant impact. The preparer of an EIR must make a genuine effort to obtain and disseminate information necessary to the understanding of impacts of project implementation. (See Cal. Code Regs., tit. 14, § 15151; *Sierra Club v. State Board of Forestry* (1994) 7 Cal.4th 1215, 1236.)

15

This failure adequately to address impacts on schools is likely the result of a misconception arising from applicable California law. Section 4.11.3 of the Draft EIR, notes that “[p]ursuant to [Senate Bill] 50, all development within the DSP area would be required to pay applicable school fees, which are deemed full and complete mitigation for impacts on schools . . .” (See also Draft EIR, S-20, 4.11-25, 29, 31.) In each of these instances, the Draft EIR misstates the law. In fact, Senate Bill 50, as codified in relevant part in Government Code section 65996, does not relieve a lead agency from analyzing the impact on schools of a proposed project, concluding that there are significant impacts that may remain unmitigated, and further analyzing whether a mitigation measure is available adequately to mitigate the impacts. The proposed Project cannot be approved unless the City either imposes mitigation measures adequate to mitigate identified impacts to a level of less-than-significant or the City adopts an applicable statement of overriding consideration. (Pub. Resources Code § 21002; CEQA Guidelines §§ 15021 (a) (2), 15091 (a) & 15096 (g); see *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App. 3d 30, 41-42 (disapproved on other

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grounds in *Western States Petroleum Assn. v. Superior Court* (1995) 9 Cal.4th 559.) The Draft EIR also contains outdated and inaccurate information regarding the current statutorily-authorized amount of Level 1 developer fees, citing the 2012 increase to \$3.20 per square foot of residential development and \$0.51 per square foot of commercial development. The State Allocation Board has authorized increasing the statutory amount twice since 2012. The District’s current residential fee amount is \$3.36 per square foot and commercial fees at \$0.54 per square foot.

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(cont.)

Regardless, statutory school impact fees would not sufficiently fund new facilities that will be needed to serve the DSP area. **The Draft EIR categorically recognizes that developer fees and state funding do not fully fund new school facilities.** (Draft EIR, 4.11-26.) The District agrees with this conclusion. It is commonly understood that “Level 1” school impact fees, which the District has adopted, for schools cover only approximately one-third of the projected cost of school construction, with the other two-thirds expected to come from State and local bond funds. Although the recent passage of Proposition 51 authorized the release of bonds to fund construction and improvement of K-12 school facilities, these bonds are being used to backfill previously-filed applications and are therefore not expected to be available for new construction funding applications by the time the development would be occurring under the DSP. The shortfall of necessary funds is exacerbated by very high land costs in the downtown Sacramento area, and the lack of available school sites. Additionally, Government Code section 65996(b) mentions only “school facilities mitigation,” meaning that mitigation of impacts on issues other than the adequacy of school facilities must still be addressed. (See *Chawanakee Unified School Dist. v. County of Madera* (2011) 196 Cal.App.4th 1016, 1028, discussed below.)

16

The Draft EIR fails to explore other measures that would alleviate the impact of the increases in student enrollment. Government Code section 65996 does not preclude a host of available means of addressing a School District’s needs as a result of new development. Alternative means of addressing the impacts of new development on schools still allowed under Senate Bill 50 include:

1. Coordinated Planning for School Sites

Government Code sections 65352 and 65352.2 require local cities to coordinate planning of school facilities with school districts. The Legislature confirmed in this statutory scheme that the parties are meant to coordinate “[o]ptions for the siting of new schools and whether or not the local city or counties existing land use element appropriately reflects the demand for public school facilities, and ensures that new planned development reserves location for public schools in the most appropriate locations.” (Gov. Code 65352.2(d)(2).) The City has made no meaningful effort to coordinate with the District. The Draft EIR vaguely addresses this requirement, but offers no concrete plan to ensure that it is met, instead concluding that “it would be speculative to attempt to evaluate such impacts within the context of this EIR.” (Draft EIR, 4.11-29.) Yet, the Draft EIR does not find its conclusion that the DSP will result in impacts that are “less than significant” to be speculative. (Draft EIR 4.11-31.) The fact that new school sites will inevitably be needed, given that the current school facilities are at capacity and have no room for expansion, is not speculative and this impact must be adequately addressed. Failure to do so constitutes an improper delegation of CEQA analysis to an unrelated entity (the District) and improper deferral of CEQA analysis.

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The Legislature recognized that new planned development should take into consideration and even “reserve” where schools would be located to serve the development because schools are as integral a part of planning for new development as is any other public service, such as fire, police, water and sewer. As it relates to this instance, the intent behind sections 65350, *et seq.*, supports the District’s position that the City must analyze whether the current actual capacity of District schools is adequate to accommodate both the existing population and the new development that will result from the DSP. The City can help the District provide adequate facilities required to offset the impact of the Project, which are not sufficiently addressed by developer fees, by acknowledging the significant impact on schools, and requiring alternative mitigation measures to assure that there is an adequate site to accommodate school facilities if and when needed.

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(cont.)

Although the Draft EIR states that developers would “consult with the two school districts to ensure adequate school needs are met,” this statement is inadequate as mitigation because it does not commit the City to any action, and does create a condition of approval for developers. (Draft EIR, 4.11-27.) Mitigation measures are required to be enforceable through conditions of approval, contracts or other means that are legally binding. (Pub. Resources Code, §21081.6, subd. (b); Cal. Code Regs., tit. 14, § 15126.4, subd. (a)(2).) The measure in the Draft EIR that purports to “ensure adequate school needs are met” does not meet this standard, and is therefore inadequate. It does not commit the City to take any action in the future, or refrain from doing so, and it does not impose any obligation on a third party through a condition of approval or contract. The measure also improperly defers formulation of mitigation. While deferral of *specifics* is acceptable in some circumstances, the lead agency must articulate specific performance criteria and make further approval contingent on finding a way to meet them. In *Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260 (“*Santee*”), an EIR was disapproved by the court based on the fact that it improperly deferred mitigation of impacts to an endangered butterfly and did not include any performance standards or guidelines. The court found that the anticipated plan for management contained nonspecific actions, and left the timing and other specifics subject to the discretion of the habitat preserve manager on prevailing environmental conditions. Therefore, the activities were not guaranteed to occur at any particular time or in any particular manner. Further, the EIR in *Preserve Wild Santee* did not indicate that it was in any way impractical or infeasible to specify standards or guidelines.

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Likewise, here, the City has improperly delegated authority for development of adequate mitigation measures to address the school siting issues to the developers. This is not a permissible delegation of authority under CEQA. (Cal. Code Regs., tit. 14, § 15025, subd. (b)(1).) Per section 15084, subdivision (e), of the CEQA Guidelines, a Draft EIR must reflect the independent judgment of the lead agency, and the lead agency is responsible for the adequacy and objectivity of the Draft EIR. Leaving developers to discuss school-related issues with the District, particularly without any actual requirements that they do so, and establishing no criteria for any such discussion or future environmental analysis does not comply with this standard. (See also, Pub. Resources Code, § 21081.6, subd. (b); Cal Code Regs., tit. 14, § 15126.4, subd. (a)(2) [EIR must have mitigation measures that are enforceable through conditions of approval, contracts or other means that are legally binding].)

2. Land Dedication

One possible mitigation method that the District discussed during its meetings with the City, but which was not addressed meaningfully in the Draft EIR, would be for the City to consider adopting findings requiring any developer building as part of the development allowed by the Project to dedicate land and/or funding pursuant to Government Code sections 65970, *et seq.*, which permit the City to require a developer to dedicate land to a School District.

Section 65974 specifically states that “for the purpose of establishing an interim method of providing classroom facilities where overcrowded conditions exist, . . . a city, county, or city and county may, by ordinance, require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for classroom and related facilities for elementary or high schools as a condition to the approval of a residential development.” Nothing in Senate Bill 50/Government Code section 65996 precludes this approach. Land dedication is a permissible mitigation measure under Government Code sections 65995, *et seq.* Section 65995(a) specifically states that “[e]xcept for a fee, charge, dedication, or other requirement authorized under Section 17620 of the Education Code, or pursuant to Chapter 4.7 (commencing with Section 65970), a fee, charge, dedication or other requirement for the construction or reconstruction of school facilities may not be levied. . . .” (Emphasis added.) Section 65995 expressly excludes Chapter 4.7, inclusive of section 65974, from this limitation, thus permitting a city to address conditions of overcrowding in school facilities or inadequately sized school sites by requiring, for example, the dedication of land.

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Further, the City is authorized by section 66478 of the Subdivision Map Act to require dedication of elementary school sites when needed to address development. Nothing in Government Code sections 65995, *et seq.*, precludes such a requirement.

A land dedication requirement would be good public planning benefiting all residents of the community, including future residents of the Project. Land suitable for a new school site in downtown Sacramento is already extremely scarce; it will only become more so if the Project is implemented and further development occurs. Under Government Code sections 65352 and 65352.2, the City has a duty to help plan for adequate services to its residents by ensuring that future sites are set aside for schools. Failure to do so leads to inadequate services, future controversies, and the potential need for a school district to exercise its rights under eminent domain, displacing existing residents. Therefore, mitigation for the impacts stemming from the DSP that are not considered in the Draft EIR is and can be made available even after Senate Bill 50.

Land dedication is particularly important in the Project’s vicinity given the lack of available vacant land for new school facilities.

3. Phasing

Another method by which the City can work cooperatively with the District within all legal constraints to ensure adequate school facilities with regard to new development allowed by the Project, and which therefore can serve as an appropriate mitigation measure, is the requirement that all future development be phased. Timing development so as to balance the availability of school facilities with new development can significantly aid the School District in its attempt to provide

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for the additional students who will be generated as a result of the Project and development following approval of the Project. Such phasing is not a denial of new development on the basis of insufficient school facilities in contravention to SB 50; it is instead appropriate planning to offset the impacts of new development.

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 (cont.)

B. The Draft EIR contains an inadequate discussion of additional school-related impacts.

In addition to the above discussion of the inadequacy of school impact fees to mitigate the Project’s significant impact on schools, the Draft EIR fails to address other types of impacts related to the inundation of District schools that will be caused by the Project.

The case of *Chawanakee Unified School District v. County of Madera, et al.*, (2011) 196 Cal.App.4th 1016 (“*Chawanakee*”) addresses the extent to which a city or county must consider school related impacts in an environmental impact report for new development. The Court determined that SB 50 does **not** excuse a lead agency from conducting environmental review of school impacts other than an impact “on school facilities.” With respect to this terminology from subdivision (a) of section 65996, the Court opined:

[T]he use of the term “on” indicates a direct relationship between the object (i.e. school facilities) and the impact and excludes impacts to other parts of the physical environment. Consequently, the phrase “impacts on school facilities” used in SB 50 does not cover all possible environmental impacts that have any type of connection or relationship to schools. (*Id.*, at 1028.)

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As a result, the Court of Appeal in *Chawanakee* concluded that the County would have to set aside the certification of the EIR at issue in that case and approvals of the project and take “action necessary to bring the EIR into compliance with CEQA regarding its analysis of the (a) traffic from private and school bus trips to existing schools outside the project area pending the construction of schools within the project area and (b) the potential environmental effects from the construction of additions, either temporary or permanent, to existing schools prior to the construction of schools in the project area.” (*Id.*, at 2019.) The Draft EIR does not contain any discussion of these potential impacts and effects.

There is no analysis whatsoever in the Draft EIR of the impact on school children and surrounding neighborhoods as portable classrooms or permanent construction are added to existing schools, or new schools are built, to accommodate development flowing from the approval of the Project. Additional impacts are similarly overlooked.

1. Traffic and Transportation

Though the Draft EIR generally analyzes the impacts of increased traffic, its analysis is inadequate particularly as related to schools. Moreover, the limited analysis provided by the Draft EIR is based off of data from 2011-2015. This fails to present an adequate description of the existing traffic setting, because Caltrans’ traffic study guidelines suggest that data no more than two years old should be used. (See *Caltrans Guide for the Preparation of Traffic Impact Studies*, Dec. 2002, State of California Department of Transportation.)

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The Draft EIR provides no analysis of the inevitable morning rush hour traffic impact that will result from parents needing to transport their children to schools outside of the DSP area, given that the schools within the DSP area are at capacity and there is no space to build new school facilities within the DSP area. In particular, all high-school-aged students will need to be transported outside of the DSP area, since, as the Draft EIR notes, the District only has one already overcrowded high school, which is outside the DSP area. (Draft EIR, 4.11-29.) The Draft EIR does not account for these added traffic effects. Indeed, it acknowledges at page 4.11-22 that students living in the DSP area could apply for enrollment at other schools within the SCUSD, when space is available. Yet, there is no discussion whatsoever regarding the traffic and transportation impacts of such enrollment. The Draft EIR states on page S-16 that the proposed DSP “is designed and operated to minimize the use of electrical, natural gas, and transportation fuel energy to the extent feasible.” However, the need to transport children outside of the DSP area provides clear evidence to the contrary. On page S-21, the Draft EIR discusses its objective to place residents “proximate to employment entertainment, retail and neighborhood centers,” but makes no mention of schools. These impacts defeat a stated purpose of the Draft EIR, which is to “incentivize residential growth” (Draft EIR, S-2) so that people can live near where they work.

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The Draft EIR also must include greater analysis regarding safety issues affected by traffic, such as reduced pedestrian safety (particularly as pupils walk to and from the schools that will serve the Project area), reduced response times for emergency services and first responders traveling to school sites, and increased gridlock during, before, and after school drop-off and pick-up hours. Particularly because the District does not provide regular bussing for students (an important existing condition not addressed in the Draft EIR), the Project has the potential to create substantial impacts in terms of traffic. Also, due to limited space, many District schools have limited parking. As a result, the Project has the potential to create a necessity for offsite parking, which could result in additional traffic and safety impacts, which the Draft EIR does not mention or in any way address. The Draft EIR also highlights various roads that will undergo changes in the number of lanes provided, in many cases cutting lanes to provide for bike lanes. Yet the Draft EIR does not address the impacts these lane reductions will have on traffic, particularly in areas near schools, or on the safety of students going to or from school, including by foot or bicycle.

Given these concerns and the lack of mitigation measures to address them adequately, the Draft EIR must be revised and supplemented to analyze the significant issues of traffic and safety as they relate to schools. The *Chawanakee* case supports the conclusion that greater traffic analysis that **specifically takes the District and its students into consideration** is required.

As stated in *Chawanakee*, a project's indirect impacts on parts of the physical environment that are not school facilities are not excused from being considered. For example:

[A]n impact on traffic, even if that traffic is near a school facility and related to getting students to and from the facility, is not an impact 'on school facilities' for purposes of Government Code section 65996, subdivision (a). From both a chronological and a molecular view of adverse physical change, the additional students traveling to existing schools will impact the roadways and traffic before they set foot on the school grounds. From a funding perspective, the capped school facilities fee will not be used by a school district to improve intersections affected by the traffic. Thus, it makes little sense to say

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that the impact on traffic is fully mitigated by the payment of the fee. In summary, ... the impact on traffic is not an impact on school facilities and, as a result, the impact on traffic must be considered in the EIR.

(*Chawanakee*, *supra*, 196 Cal.App.4th at 1028-29.)

The Draft EIR acknowledges that were the District to accommodate DSP area enrollment by expanding existing school facilities or developing new school sites, “there could be additional environmental effects associated with construction and operation of such schools;” however, the Draft EIR goes on to conclude that “because these factors are unknown at this time, it would be speculative to attempt to evaluate such impacts within the context of this EIR.” (Draft EIR, 4.11-29.) In this regard, the Draft EIR fails to comply with CEQA and the requirements of *Chawanakee* and *Santee*. Additionally, there is no specific data or discussion of such school trips, and there is no way to separate those types of trips from other vehicle trips so as to meaningfully review and analyze their impacts. The analysis therefore fails to comply with CEQA. (See, Pub. Resources Code, § 21003, subd. (b) [EIR must be meaningful and useful to decision-makers and the public]; Cal. Code Regs., tit. 14, §§ 15140, 15147 [maps, charts and other means of presenting information graphically should be used to enhance an EIR's clarity; technical data should be summarized].)

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(cont.)

2. Global Climate Change

The Draft EIR’s analysis of global climate change is flawed throughout for its reliance on the flawed assumptions contained elsewhere in the Draft EIR. Although the Draft EIR states that the Project would result in “a reduction in vehicle trips and vehicle miles traveled,” which would “tend to reduce levels of air pollutant emissions (including greenhouse gas emissions),” the Draft EIR fails to account for the added vehicle trips resulting from transporting students to schools outside the downtown area, as discussed above. The Draft EIR’s analysis of the global climate change issue relies on the assumption that the Project will comply with existing City policies, including Policy LU 2.6.6, Efficiency through Density, and Policy MU 2.1.1., regarding the Pedestrian Master Plan. The assumption throughout is that the density of the project and reduction of trips generated will have a positive effect on global climate change. Per the District’s comments above regarding traffic effects, and the related pedestrian and bicycle traffic concerns, the effect of over 13,000 new residences in the downtown area and no school capacity to serve them will be an increase in vehicle trips originating in the DSP area and travelling outside of that area to existing or future school sites, and then back into the DSP area for work or to return to residences. The Draft EIR fails both as an informational document and in its analysis of the impacts on global climate change by incorrectly assuming both that traffic will be reduced and that pedestrian and bicycle travel will be increased, all without taking into account travel to and from schools.

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3. Impacts of commercial development

The Draft EIR acknowledges that the DSP anticipates 3,820,294 square feet of new non-residential uses, yet, despite the stated purpose of allowing people to live near where they work, the Draft EIR does not analyze the extent to which such commercial development would generate students or create any demand for schools. The Legislature has expressly recognized that commercial

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development, such as hotels, generates students. Otherwise, it would not have authorized school districts to charge fees against commercial and industrial development, as it did with Education Code section 17620(a)(1)(A). The imposition of fees on commercial and industrial development is based on the premise, recognized by the Legislature, that this type of development will attract new employees with families and therefore will generate new students. (See, *Shapell Industries, Inc. v. Governing Board* (1991) 1 Cal.App.4th 218, 246.) Since California law provides for fees to be imposed on both residential and commercial development, it recognizes that the students generated by these types of development do not necessarily overlap. Thus, the impacts of student generation resulting from both types of development must be analyzed. Data regarding commercial and industrial development is readily available in the District’s enclosed Sacramento City Unified School District Developer Fee Justification Report prepared by SCI Consulting Group.

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(cont.)

Employees of new commercial development have the potential to generate a substantial number of new students that will need to be accommodated in District facilities. This additional impact on facilities is not identified in the Draft EIR, let alone analyzed or mitigated. These additional students generated by commercial development will also need to be accommodated in portables or new school construction, creating additional impacts related to staffing, curriculum, traffic, air quality, noise, aesthetics, climate change, and potentially others. None of these impacts is addressed in the Draft EIR.

4. Inadequate Discussion of Air Quality Impacts

The Draft EIR is inadequate in its discussion of Air Quality Impacts, particularly as related to schools. Most importantly, while the Draft EIR references sensitive receptors, such as schools and children, and further details general air quality impacts and mitigation plans, it fails to identify specific impacts related to sensitive receptors, and correspondingly fails to mitigate such impacts. The significance criteria for evaluating air quality impacts are also inadequate because they do not make any mention of sensitive receptors. These impacts will likely disrupt classes as well as prevent students from being able to be outside during construction. As noted above, a traffic impact that will result from parents needing to transport their children to schools outside of the DSP area, given that the schools within the DSP area are at capacity and there is no space to build new school facilities within the DSP area. This added traffic impact also affects air quality and results in higher fuel emissions, than would result if more students could bike or walk to schools within the DSP area. The discussion of air quality impacts on schools is lacking, and the Draft EIR is not in compliance with CEQA.

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Page 4.2-19 of the Draft EIR identifies the following impact: “Implementation of the proposed DSP could conflict with or obstruct implementation of an applicable air quality plan.” Additionally, though the Draft EIR recognizes the Project’s potential to cause significant impacts (i.e. Draft EIR, 4.2-28), it provides no mitigation with regard to these impacts and the District’s various schools in the DSP area and surrounding areas. These plans are inadequate and do not comply with CEQA because they do not provide a meaningful basis from which the decision-makers and the public can review and analyze impacts.

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5. Hazardous Materials

The Draft EIR briefly notes that “implementation of the proposed DSP, in combination with other cumulative development, could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter miles of an existing or proposed school.” (Draft EIR, 4.8-29.) However, the Draft EIR fails to analyze these impacts and instead relies on “numerous laws and regulations” to govern the transportation and management of these hazardous materials and offers no mitigation. (Draft EIR, 4.8-29.) This lack of analysis and failure to address any mitigation measure to offset these impacts is unacceptable, particularly since the Project is proposed in such a densely populated area and therefore ongoing construction will likely occur near school sites.

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6. Water Impacts

The Draft EIR acknowledges that the Project could result in “land-disturbing activities,” which have the potential to pose a threat to water quality. It further acknowledges that the Project could contribute to cumulative increases in the risk of flooding. (Draft EIR, 4.9-6.) However, the Draft EIR concludes that any of these impacts will be less than significant. (Draft EIR, 4.3-50.) This conclusion is drawn without any analysis as to how this lowered water quality will affect school districts or the population as a whole, as students and residents alike will inevitably be in close proximity to the various construction sites, and therefore experience the impacts.

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7. Noise and Vibration Impacts

The Draft EIR notes that sensitive receptors, such as schools, “could be exposed to loading dock and HVAC [Heating Ventilation Air Condition] noise that could result in a substantial permanent increase in ambient exterior noise levels” that “could result in a significant impact.” (Draft EIR, S-20.) It additionally notes that historic structures could be affected by vibration impacts. (Draft EIR, S-19.) Yet there is no analysis as to how schools, a particular sensitive receptor that will likely be in close proximity to various construction sites, will be affected by these noise and vibration impacts. It is likely these impacts could disrupt classes, prevent students from being able to be outside due to overwhelming outside noise that would affect teachers’ abilities to monitor and direct students because they cannot be heard, and lastly, could affect the very buildings students are housed in. The Draft EIR fails to address concerns like these and is therefore inadequate.

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8. Projected Staffing Requirements

The Draft EIR does not provide a description of projected teacher/staffing requirements based on anticipated population growth and existing State and District policies. This information is critical for the City to assess whether the proposed Project impacts staffing requirements by necessitating additional teachers. The addition of staff will also contribute to traffic impacts at and around school sites. These are not impacts on “school facilities,” as described in Government Code sections 65995, *et seq.*, but rather are physical and financial impacts on the District and the Project area stemming from the Project, as well as direct physical impacts related to traffic as well as parking. Because the Draft EIR does not address these impacts, it similarly addresses no mitigation measure to offset the traffic and financial impacts on the District resulting from the physical impacts of the Project.

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9. Impact on Curriculum

The Draft EIR fails to analyze whether there is any impact on curriculum as a result of anticipated population growth. Specifically, the Draft EIR does not address whether additional programs would now be required (including but not limited to special education and specific general education courses) as a result of the influx of students from the Project. Similarly, **no** consideration is given to the effects on the educational program of diverting students from specialty curriculum programs in place in the schools in and around the Project area to accommodate the influx of students. The assumption in the Draft EIR that all downtown area schools will have only fully loaded classrooms would mean the elimination of existing specialty programs, labs, special education programs, and more, as discussed above. Again, this impact is not considered.

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10. Improper Analysis of Cumulative Impacts

The Draft EIR's discussion of cumulative impacts related to schools is inadequate. The Draft EIR states that the proposed projects would contribute to the cumulative increases in student enrollment for the District. (Draft EIR, 4.11-30.) It also states that enrollment levels would ebb and flow as demographics within the districts change, and that young families moving into a new neighborhood will initially increase enrollments at elementary schools, but as those students age, the enrollments at local elementary schools may drop. (Draft EIR, 4.11-30.) Not only is this language ambiguous, but it is also based entirely on unfounded and unsupported assumptions. It also oversimplifies the issues that school districts face in terms of increases and decreases in enrollment. It is not known how many "young families" will move into the new neighborhood, and regardless, the District has to be ready to accommodate students of all ages and in all numbers, regardless of when they arrive, since the timing of enrollment of new students is not known. It is also not clear that "as those students age, the enrollment at local elementary schools may drop." The Draft EIR's assertion that enrollment will drop as students age, fails to acknowledge the possibility (and perhaps probability) that the families in these homes will move out once their children are out of school, prompting new families to move in with their students needing to be housed in District schools. Thus, enrollment would remain the same. The Draft EIR offers no evidence or analysis whatsoever to support its baseless assertion.

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The discussion of cumulative impacts states that the District incorporates "a wide range of temporary measures to respond to changes in student enrollment at city schools that include but are not limited to splitting grade levels, temporarily transferring students to other schools with additional capacity, installing temporary facilities, and sending students to other neighboring school districts when appropriate." (Draft EIR, 4.11-30.) As stated above, the District has no space to add temporary facilities on its sites in or near the Project area, and since school districts are constitutionally required to provide a free education to all of the students in their respective districts, and to accommodate those students in adequate facilities, the transfer of student to other districts is an inadequate and unconstitutional remedy. (Cal. Const., art. IX, § 5; *Hartzell v. Connell* (1984) 35 Cal.3d 899, 904-905; *Ward v. Flood* (1874) 48 Cal. 36, 51.) Regardless, transferring students to other schools or other districts would certainly result in a host of impacts that are not addressed in the Draft EIR, including in particular impacts related to traffic and air quality. None of these impacts are analyzed or even considered in the Draft EIR.

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III. The Draft EIR Fails to Analyze a Reasonable Range of Alternatives

CEQA requires that an EIR identify and discuss alternatives to the Project. (Pub. Resources Code, §§ 21002, 21002.1(a), 21100(b)(4), 21150.) This requirement stems from the fundamental statutory policy that public agencies should require the implementation of feasible alternatives or feasible mitigation measures to reduce a project's significant environment impacts. (Pub. Resources Code, § 21002.) According to the CEQA Guidelines, an EIR must describe a reasonable range of alternatives to the proposed project, or to its location, that would feasibly attain most of the project's basic objectives while reducing or avoiding any of its significant environmental effects. (Cal. Code Regs., tit. 14, § 15126.6(a).) The EIR must explain how the project alternatives were selected for analysis, and also identify alternatives rejected as infeasible and explain why they were rejected. (Cal. Code Regs., tit. 14, § 15156.6(c).) The Draft EIR is insufficient because it does not meet these requirements.

The Draft EIR considered only three alternatives to the Project: No Project/Existing General Plan, Reduced Height Alternative, and Transportation Network Option C Alternative. Noticeably missing from the list is any alternative involving reduced density or any similar reduced scope or intensity. Also, there is no analysis or reasoning provided as to why such alternatives were not considered or analyzed. A similarly-flawed EIR was invalidated in *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal.App.4th 1059. In that case, the EIR for a new city general plan included two alternatives with the same level of increased development as the proposed project but did not consider any reduced development alternatives. (*Id.* at 1087.) The Court recognized that the project's environmental impacts would flow largely from growth, and therefore concluded that the EIR was fatally flawed because it did not include a reduced development alternative that would provide information about how most project objectives could be satisfied without the level of environmental impacts that would result from the project. (*Id.*) Similarly, the Draft EIR for the DSP fails because it deprives the public and the decision-makers of the necessary information in order to make an informed decision. The City's decision-makers have no way of determining whether or not a reduced density option could avoid or lessen the impacts of the Project while still meeting the Project's objectives. As a result, the Draft EIR fails to comply with CEQA and must be revised and recirculated.

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IV. The Proposed Downtown Specific Plan is Inconsistent with the City's Adopted General Plan, and the Draft EIR Fails to Address Such Inconsistency

The CEQA Guidelines require an EIR to discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans. (Cal. Code Regs., tit. 14, § 15125(d).) An "applicable" plan is one that has already been adopted and thus legally applies to the project. (*Chaparral Greens v. City of Chula Vista* (1996) 50 Cal.App.4th 1134, 1145.) The purpose of the required analysis is to identify inconsistencies that the lead agency should address. By doing so, the lead agency may be able to modify the project to avoid any such inconsistencies. (See *Orinda Association v. Board of Supervisors* (1986) 182 Cal.App.3d 1145, 1169.) The Draft EIR fails to satisfy these requirements because it fails adequately to consider consistency with the City of Sacramento 2035 General Plan ("General Plan").

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The Draft EIR acknowledges that the General Plan contains the goal of “efficient and equitable distribution of quality educational facilities.” (Draft EIR, 4.11-27 (quoting Goal ERC 1.1).) No analysis is undertaken and no information is provided as to *how* the Project will result in such efficient and equitable distribution of quality educational facilities. Reliance on the General Plan’s policies to “ensure” adequate facilities fails as an enforceable and adequate mitigation measure. (Draft EIR, 4.11-31.) As it stands, the Project likely will be underserved by school facilities, and hence educational opportunities, as discussed earlier. Residents of the Project will therefore face inequity with other students in the District as well as in surrounding school districts, including undersized schools, lack of play space, lack of parking, and school overcrowding. This inconsistency and relating impact must be addressed in the Draft EIR.

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(cont.)

The Draft EIR also cites General Plan Policies ERC 1.1.1 — 1.1.4, requiring consultation between the City and school districts “at the earliest possible opportunity to provide school sites and facilities that are located in the neighborhoods they serve.” (ERC 1.1.1.) The District and the City had several meetings prior to publication of the Draft EIR, however, those meetings resulted in the City ignoring the District’s concerns and proposals without explanation. Likewise, the Draft EIR fails to meet any of the General Plan’s four location criteria cited from the guidelines of the California Department of Education. (ERC 1.1.2.) Those guidelines for locating schools contained in the General Plan include locating schools on sites that “are safely and conveniently accessible,” away from “incompatible land uses,” located centrally to the planned attendance areas, where there are safe pedestrian and bike paths, and more. (Draft EIR, 4.11-27.) No analysis is provided as to how the Project accomplishes any of this; further, the Draft EIR fails to contemplate a potential school site to address the inevitable school overcrowding and lack of space. (ERC 1.1.3.)

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Despite the foregoing, the Draft EIR concludes that the Project “would be consistent with each of [these] General Plan goals and policies.” (Draft EIR, 4.11-27.) This bold conclusion is both false and unsupported. Similarly, the Draft EIR asserts that “the proposed DSP would ensure adequate attendance of schools within the plan area to meet capacities within the plan area,” but offers no analysis or explanation as to how this will be accomplished. (Draft EIR, 4.11-27.) To the extent the Draft EIR insists developers “would coordinate school needs with SCUSD to achieve optimum school siting,” there is no analysis or explanation of how the developer “coordinating” with the District will meet the General Plan policies or how this requirement will be enforced. (Draft EIR, 4.11-27.) These unsupported declarations, regarding developer coordination and development of joint-use facilities, fail as a mitigation measures. This deficient analysis leads to an incorrect conclusion that the Project is consistent with the General Plan goals and policies, and the Draft EIR then fails to consider the impact of the actual inconsistencies, in violation of CEQA. (Cal. Code Regs., tit. 14, § 15125(d).)

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V. Proposed Revisions to Draft EIR

While the School District is very concerned about the impacts of this Project and the adequacy of the Draft EIR and feels that additional analysis and recirculation are required, there are, at a minimum, certain provisions of the Draft EIR that could be improved. It is within the City Council’s discretion to make such changes to the final EIR when it is certified. Addition of this type of language could help avoid potential legal challenges to the Draft EIR.

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While the District disagrees with the conclusion that the impacts, including cumulative impacts, on schools are “less than significant,” if the City is resolute that this conclusion will not change, at a minimum, the District would ask that language be added to clarify a point that City representatives have made verbally to the District. The City has indicated that the impact of specific future development proposed within the Project area would be returned to the City for further CEQA review and other analysis of impacts. The Draft EIR makes no commitment on this point. The District would, again at a minimum, like to see a commitment that such further analysis will occur before development is actually approved. Towards this end, the District proposes adding the previously proposed language the District provided to City staff and EIR consultants prior to the circulation of the Draft EIR, on September 12, 2017, (see attached) after the statements “Less than significant,” or elsewhere if preferred.

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(cont.)

Similarly, in the mitigation section, even if no impact is found (despite the District’s disagreement with that conclusion), the District would request that the same type of measure be included in order to ensure that the impacts of specific developments later proposed will be considered and addressed by both the developers and the City. There is precedent for including mitigation measures in a Draft EIR that help offset even less than significant impacts.

At a bare minimum, the District requests that the Draft EIR confirm that developers must coordinate with the District and that issues of the type addressed in these comments will be addressed in further CEQA analysis, when specific development projects are considered in the future. Possible language to address this would as follows:

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Developers will meet and confer with the impacted school districts prior to approval of their specific development proposals within the Specific Plan area regarding impacts of their development on school related issues, and further CEQA analysis shall be undertaken as needed to address these impacts.

Conclusion

The Draft EIR does not adequately analyze the Project’s potential impacts, particularly as related to schools. The Draft EIR must address with greater specificity the impacts on school facilities and services, student safety, and more, as addressed in this letter. The District encourages the City and Project proponents to work cooperatively with the District and consider alternative mitigation measures that can assist in adequately mitigating the impacts on the District’s schools and the affected surrounding environment. The District stands ready to continue meeting and working with the City to address these vital issues.

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Sincerely,

LOZANO SMITH

A handwritten signature in black ink, appearing to read "Harold M. Freiman", with a horizontal line extending to the right.

Harold M. Freiman

HMF/gc

- Enclosures:
- (1) Schoolsite Planning and Site Evaluation Checklist
 - (2) Sacramento City Unified School District Developer Fee Justification Report
 - (3) Proposed Language to Draft EIR



SCHOOLSITE PLANNING AND SITE EVALUATION CHECKLIST

(Excludes most CEQA and eminent domain requirements)

The following is a summary of the steps which generally need to be taken by a school district prior to acquiring property for a schoolsite. This is only a summary, intended to give a snapshot of the planning and site evaluation issues associated with schoolsite acquisition.

SCHOOLSITE PLANNING ISSUES

1. **NOTIFICATION TO PLANNING COMMISSION.** The District, as a public agency, has a duty to notify the local planning commission of the possibility of acquiring property for a new schoolsite, or for the addition of land to an existing schoolsite. Public Resources Code 21151.2 requires a thirty (30) day notice to the commission and Government Code 65402 requires a forty (40) day notice. These notices can be combined in one letter.
2. **PUBLIC HEARING ON SITE SUITABILITY FOR NEW SCHOOL OR ADDITION TO A SCHOOLSITE.** Prior to purchasing property, Education Code section 17211 requires the District to hold a public hearing and adopt a Resolution making required site evaluation findings regarding the suitability of a new schoolsite or an addition to an existing schoolsite. California Department of Education Guidelines are used for this purpose. (Cal. Code Regs. ("CCR"), tit. 5, §§ 14010, et seq.) A brief explanation of each of these required findings is provided below in the section entitled "Schoolsite Evaluation – Findings Required Under Education Code § 17211."
3. **CEQA COMPLIANCE.** The District must comply with the California Environmental Quality Act (CEQA), with the degree of CEQA review determined based on the specific nature of the project. See the attached "CEQA Checklist for School Districts." CEQA review is generally required prior to completing an acquisition of property.
4. **SITE EVALUATION DUE DILIGENCE STUDIES, CDE & DTSC APPROVAL.** The District must complete its due diligence/site selection and evaluation studies before purchasing the property. California Department of Education (CDE) approval must be obtained for schoolsites. Department of Toxic Substances Control (DTSC) approval must also be secured for receipt of State funding.

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SCHOOLSITE EVALUATION

FINDINGS REQUIRED UNDER EDUCATION CODE § 17211

- _____ 1. Submission of proposed school construction to the city Planning Commission to determine whether the proposed project complies with the city's general plan. The Planning Commission shall render a report within 40 days as to the conformity of the project with the general plan. (Gov't Code 65401, 65402; 5 CCR 14011(f), P.R.C. 21151.2.)
- _____ 2. Verify that the acreage and enrollment for the new school site meets the requirements set forth in "School Site Analysis and Development" (1996 Edition), published by the State Department of Education, pp. 14-20. (5 CCR § 14010 (a).) Alternatively, if the land does not meet those requirements, the District must show that: sufficient land is not available due to pre-existing development; sufficient land is available, but the cost of mitigating geological or environmental hazards renders the site(s) economically unfeasible, or the land is not located near the population to be served by the school and transportation would be a financial hardship. (5 CCR § 14010 (a).)
- If site is less than recommended acreage required, the District must demonstrate how students will be provided an adequate educational program including physical education as described in the District's adopted course of study. (5 CCR 14010(b).)
- _____ 3. Verify that the property line of the site, even if a joint use agreement, is at least (1) 100 feet for 50-133 KV line, (2) 150 feet for 220-230 KV line, (3) 350 feet for 500-550 KV line – from the edge of power line easements. (5 CCR § 14010 (c).)
- _____ 4. Verify that the site is sufficient distance from a railroad track easement. If within 1500 of RR track easement, safety study must be done by competent professional trained in assessing cargo, frequency, speed, schedule of railroad traffic, grade, curves, type of track and condition of track need for sound/safety barriers, need for pedestrian and vehicle safeguards at RR crossings, presence of high pressure gas lines near tracks that might rupture to determine that it poses no personal injury or property damage risk on the school site in the event of a derailment or other disaster. Prepare evacuation plan and identify possible/reasonable mitigations measures. (5 CCR § 14010 (d).)
- _____ 5. Verify that the site is not adjacent to a road or freeway that any site-related traffic and sound level studies have determined will have safety problems or sound levels which adversely affect the educational program. (5 CCR § 14010 (e).)
- _____ 6. Verify that the site does not contain an active earthquake fault or fault trace. (5 CCR § 14010 (f); Ed.C. §§17212, 17212.5.)
- _____ 7. Verify that the site is not within an area of flood or dam flood inundation, or, if so, that the cost of mitigating the flood or inundation impact is reasonable. (5 CCR § 14010 (g).)
- _____ 8. Verify that the site is not located near an above-ground water or fuel storage tank or within 1500 feet of easement of an above-ground or underground pipeline that can pose a safety hazard as determined by a risk analysis study by competent professional. (5 CCR § 14010 (h).)

9. Verify that the site is not subject to moderate to high liquefaction or landslides. (5 CCR § 14010 (i).)

10. Verify that the shape of the site has a proportionate length to width ratio to accommodate building layout, parking and play fields that can be safely supervised and does not exceed the allowed passing time to classes for the District. (5 CCR § 14010 (j).)

11. Verify that the site is easily accessible from arterial roads and shall allow minimum peripheral visibility from the planned driveways in accordance with the Sight Distance Standards established in the “Highway Design Manual”, Table 201.1, published by the Department of Transportation, July 1, 1990 edition. (5 CCR § 14010 (k).)

12. Verify that the site is not on major arterial streets with a heavy traffic pattern as determined by site-related traffic studies including those that require student crossings unless a mitigation plan is developed that complies with the “School Area Pedestrian Safety” manual, California Department of Transportation, 1987 edition. (5 CCR § 14010 (l).)

13. Verify that the existing or proposed zoning of the surrounding properties is compatible with schools in that the zoning does not pose a potential health or safety risk to students or staff. (5 CCR § 14010 (m), Ed. Code § 17213; Gov. C. §65402.)

14. Verify that the site is located within the proposed attendance area to encourage student walking and avoid excessive bussing, unless bussing is used to promote ethnic diversity. (5 CCR § 14010 (n).)

15. Verify that the site promotes joint use of parks, libraries, museums and other public services, the acreage of which may be included as part of recommended acreage as stated in #2 above. (5 CCR § 14010 (o).)

16. Verify that the site is conveniently located for public services including but not limited to police and fire protection, public transit, and trash disposal. (5 CCR § 14010 (p).)

17. Verify that the District has considered environmental factors of light, wind, noise, aesthetics and air pollution. (5 CCR § 14010(q).)

18. Verify that the easements on or adjacent to the site shall not restrict access or building placement. (5 CCR § 14010 (r).)

19. Verify that the District has considered the cost and complications of the distance of the utilities to the site and cost of bringing utilities to the site and concluded that these factors will not result in undue delays or unreasonable costs consistent with State Allocation Board standards. (5 CCR § 14010 (s)(1).)

20. Verify that the District has considered the cost and complications of site preparation, including grading, drainage, demolition, hazardous clean-up, including clean-up of indigenous materials such as serpentine rock, and off-site development of streets, curbs, gutters, and lights and concluded that these factors will not result in undue delays or unreasonable costs consistent with State Allocation Board standards. (5 CCR § 14010 (s)(2).)

_____ 21. Verify that the District has considered the cost and complications of eminent domain, relocation costs, severance damages, title clearance and legal fees, as applicable, and concluded that these factors will not result in undue delays or unreasonable costs consistent with State Allocation Board standards. (5 CCR § 14010 (s)(3).)

_____ 22. Verify that the District has considered the cost and complications of the long-term high maintenance or landscaping costs and concluded that these factors will not result in undue delays or unreasonable costs consistent with State Allocation Board standards. (5 CCR § 14010 (s)(4).)

_____ 23. Verify that the District has considered the cost and complications of whether the site contains any wildlife habitat that is on a state or federal protected or endangered species list, or contains wetlands, natural waterways or areas that might support migratory species, or contains evidence of any environmentally sensitive vegetation and concluded that these factors will not result in undue delays or unreasonable costs consistent with State Allocation Board standards. (5 CCR § 14010 (s)(5).)

_____ 24. If proposed site is on or within 2,000 feet of significant disposal of hazardous waste, the District must contact Department of Toxic Substances control for determination of whether the property should be considered a Hazardous Waste Property or Border Zone Property. (5 CCR § 14010(t); see also Ed.C. §17213(a)(1).)

NOTE: The District may request exemptions to any of the foregoing standards except for item number one from the Superintendent of Public Instruction if the District can demonstrate that “mitigation of specific circumstances overrides a standard without compromising a safe and supportive school environment.” (CCR § 14010(u).)

_____ 25. Board must evaluate property at a public hearing using site selections standards established by State Dept. of Ed. (Education Code §17211)

_____ 26. Verify that competent personnel have investigated the site and that the final site selection has been determined by an evaluation of all factors affecting the public interest, not just on the basis of raw land cost. (Education Code § 17212.)

_____ 27. Verify that the site is not in a “special studies zone” or designated as “geologically hazardous,” as defined by Government Code section 65302. If so, a geological study must be completed which assesses the nature of the site and potential for earthquake or other geological hazard damage, and the cost of mitigating the risk factors. (Education Code §§ 17212, 17212.5.)

_____ 28. Verify the District has, in preparing the environmental impact report or negative declaration, has consulted with administering agency in which the site is located and with any air pollution control district or air quality management district having jurisdiction in the area. (Education Code § 17213(b).)

_____ 29. Verify that there are no facilities within one-fourth mile of the site which “might reasonably be anticipated to emit hazardous air emissions, or to handle hazardous or acutely hazardous materials, substances, or waste.” (Education Code § 17213(b).) (Site may still be purchased if the District makes further findings set forth in Education Code § 17213 (c).)

_____ 30. Verify whether the proposed site is within 2 miles of an airport, in which case the District must give written notice of the proposed purchase to the State Dept. of Education who in turn notifies the Department of Transportation, which must issue a report as to whether it favors acquisition of the property for a school site. (Education Code § 17215.) If the report favors acquisition, the District must hold a public hearing on the matter prior to acquiring or leasing the site. If the report does not favor the acquisition or lease, the governing board or charter school may not acquire title to or lease the property; no state funds or local funds may be apportioned or expended for the acquisition or lease of that site, construction of any school building on that site, or for the expansion of any existing site to include that site. *(Not applicable to site acquired prior to 1/1/66 nor to additions or extension to those sites.)

_____ 31. Verify whether the school site is contiguous to existing boundaries of the District, in which case the District must submit a report to the county's committee on school district organization, which then must issue a report of its recommendations. (Education Code § 17217)

_____ 32. Verify whether the site is within an agricultural preserve, in which case the District must submit a report to the State Director of Conservation. (Gov't. Code § 51291.)

_____ 33. Verify whether the District is receiving more than 50 percent of funding for the school construction from the State Allocation Board pursuant to the Leroy F. Greene State School Building Lease-Purchase Law of 1976, and if so, whether the State has designated the District as a self-certified District. (Education Code §§17000, et seq.; CCR § 14011.) If more than 50% of the funding will come from the State and the District is not self-certified, additional findings should be made consistent with CCR § 14011.

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(cont.)

If receiving funding under the Leroy F. Greene School Facilities Act of 1998:

_____ 34. Contract with an environmental assessor to conduct a Phase I environmental assessment of the proposed school site. (Education Code §17213.1(a).) The Phase I environmental assessment shall contain one of the following recommendations:

(A) A further investigation of the site is not required; or

(B) A preliminary endangerment assessment is needed, including sampling or testing, to determine the following:

(i) If a release of hazardous material has occurred and, if so, the extent of the release.

(ii) If there is the threat of a release of hazardous materials.

(iii) If a naturally occurring hazardous material is present.

If the Phase I environmental assessment concludes that further investigation of the site is not required, the assessment together with all documentation related to the proposed acquisition shall be submitted to the Department of Toxic Substances Control ("DTSC"). The DTSC then has 30 days decide whether to approve the assessment. (Education Code §17213.1(a)(2).)

_____ 35. If the Phase I assessment or the Department of Toxic Substances Control determines that a preliminary endangerment assessment is needed:

Contract with an environmental assessor or enter an agreement with DTSC for a preliminary endangerment assessment. The assessment shall be made available for public review for at least 30 days, and shall be submitted to the DTSC, which shall approve or disapprove the assessment within 60 days. If the assessment is not approved, the DTSC shall inform the District of the actions necessary to obtain approval. (Education Code §17213.1(a)(4).)

If the preliminary endangerment assessment determines that a release of hazardous materials has occurred, that there is a threat of such a release, or that naturally occurring hazardous material is present, and the DTSC approves this determination, the District may still seek approval from the State DOE after preparing a financial analysis of the costs arising from acquiring the site, and assessing the benefits of the site compared to alternative sites. (Education Code §17213.1(a)(10).)

If not receiving funding under the Leroy F. Greene School Facilities Act of 1998:

_____ 36. Verify the site is not currently or formerly a hazardous substance release site or a solid waste disposal site. (Education Code § 17213(a).)

_____ 37. Verify the site is not a hazardous substance release site identified by the State Department of Health Services in a current list adopted pursuant to §25356 of the Health & Safety Code for removal or remedial action pursuant to Chapter 6.8 of Division 20 of Health and Safety Code. (Education Code § 17213(a).)

_____ 38. Verify the site does not contain one or more pipelines, situated underground or above ground, which carries hazardous substances, acutely hazardous materials, or hazardous wastes. (Education Code § 17213(a).)

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SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

DEVELOPER FEE JUSTIFICATION REPORT

SEPTEMBER 2015

PREPARED FOR:

**BOARD OF EDUCATION
SACRAMENTO CITY UNIFIED SCHOOL DISTRICT**

PREPARED BY:

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SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

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EXECUTIVE SUMMARY

This Developer Fee Justification Report ("Report") determines the cost of adequate school facilities attributable to new residential, commercial and industrial development within the Sacramento City Unified School District ("District") and serves to justify the adoption of the Level 1 developer fees pursuant to Section 17620 of the Education Code and Sections 65995 and 66001 of the Government Code. These fees are subject to a biennial inflationary adjustment in an amount equal to the change in the statewide cost index for class b construction.

In January 2014, the State Allocation Board ("SAB") increased the statutory limit on "Level 1" developer fees to \$3.36 per square foot of residential construction and \$0.54 per square foot of commercial / industrial construction. The District's current developer fees are \$3.20 per square foot for new residential construction and \$0.51 per square foot for new commercial and industrial construction.

Education Code § 17620 states that "the governing board of any school district is authorized to levy a fee, charge, dedication, or other forms of requirement against any development project for the construction or reconstruction of school facilities." In order to impose such fees, this Report must demonstrate that a reasonable relationship or "nexus" exists between new development that occurs within the District and the need for new or reconstructed school facilities attributable to new development. More specifically, this Report will present findings in order to meet the procedural requirements of the Mitigation Fee Act, also known as AB 1600, which are as follows:

1. Identify the purpose of the fee.
2. Identify the use to which the fee is to be put.
3. Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.
4. Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.
5. Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

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SUMMARY OF KEY FINDINGS

1. The District's total enrollment, as of September 2014, was 42,191 students. Based on State loading standards, the District has an existing school building capacity for 54,509 students.
2. For purposes of this Report, approximately 6,500 new single family homes and 12,500 new multi-family units are projected to be constructed within the District over the next 20 + years.
3. It is estimated that the average square footage for new single family homes ("SFR") will be 1,759 square feet and 954 square feet per new multi-family residential unit ("MFR").
4. A student generation rate analysis finds that a new single family home will generate an average of 0.79 K-12 students; while a new multi-family unit ("apartments" and "condos") will generate an average of 0.26 K-12 students.
5. Over the next 20 + years, 8,417 new students are expected from the forecasted 6,500 new single-family residential and 12,500 multi-family units from new residential development in the District. This breaks down to 5,231 elementary school grade students, 1,160 middle school grade students, and 2,026 high school grade students.
6. Many of the District's school facilities are over 20 years old and are in need of reconstruction / modernization.
7. The total estimated cost of reconstructing and renovating school facilities needed for current and future students is over \$1.3 billion in current dollars. This cost equates to \$14,507 per existing seat in the District.
8. As noted, each new single family home ("SFR") will generate 0.79 K-12 students and each new multi-family unit ("MFR") will generate 0.26 K-12 students. Consequently, the cost of reconstructed school facilities per new SFR unit and MFR unit \$11,460 and \$3,807 respectively. On a square footage basis, this impact equates to \$6.52 per square foot for a new SFR and \$3.99 per square foot for a new MFR.
9. Given the maximum Level 1 residential developer fee is \$3.36 per square foot, the fee will cover only 40 percent of the need. Therefore, the Level 1 residential developer fee is justified at the maximum statutory rate for the District.
10. The unfunded impact of commercial and industrial development, after residential developer fee revenues, exceeds \$0.54 per square foot for every

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commercial / industrial land use category except for the retail self-storage category. Therefore, the Level 1 commercial / industrial developer fees are justified at the maximum rate for every commercial and industrial land use category except for the retail self-storage category which should be levied at \$0.26 per square foot.

SUMMARY OF GENERAL RECOMMENDATIONS

1. Based upon the findings presented in this Report, it is recommended that the District adopt a resolution levying Level 1 developer fees at the maximum level as authorized by Government Code § 65995 et al. The maximum K-12 developer fees are as follows:

New Residential Construction:	\$3.36 per sq. ft.
New Commercial Construction:	\$0.54 per sq. ft.
New Industrial Construction:	\$0.54 per sq. ft.
New Retail Self-Storage Construction:	\$0.26 per sq. ft.

2. The fees should be adopted and implemented in accordance with Government Code § 65995 and Education Code § 17620 as generally described in Appendix A and B to this Report.

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PROJECTED RESIDENTIAL DEVELOPMENT

DISTRICT PROFILE

The Sacramento City Unified School District serves K through 12 students in the County and City of Sacramento. The District currently operates 50 elementary schools, 42 of these schools serving grades K through 6 and 8 of these serving grades K through 8; 7 junior high schools serving grades 7 through 8; with grades 9 through 12 being served by 5 high schools. In addition, the District has 8 alternative education schools. The District currently serves a total of 42,191 K-12 students (9/14 Enrollments).

DISTRICT CAPACITY AND ENROLLMENT (2014-15)

Figure 1 on the following page compares the District's September 2014 student enrollment with the District's total school building capacity. The District's school capacity calculation is based upon District and School loading standards. Under the District standard, permanent teaching stations are counted and loaded at the rate of 31 students per classroom for grades K-3 and 33 students per classroom for grades 4-12. State and District standards also consider classrooms less than 750 square feet non-conforming and were excluded. The District's independent study school, Capital City High School, has been excluded from this Report.

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FIGURE 1 – DISTRICT CAPACITY AND ENROLLMENT (2014-15)

Schools	Capacity	Enrollments 2014-15	Unused Capacity
Elementary Schools	23,232	20,368	2,864
K - 8 Schools	6,098	5,116	982
Junior High Schools	8,901	4,959	3,942
High Schools	11,362	8,975	2,387
Other Schools	4,916	2,773	2,143
Total K - 12	54,509	42,191	12,318

Source: Sacramento City Unified School District

PROJECTED RESIDENTIAL DEVELOPMENT

Residential development is projected to significantly increase over the next ten years. There has been particular interest in revitalizing the Downtown Corridor; the Downtown Railyards project is planning at least 10,000 multi-family units in the next 20 years. In addition, several developers have been interested in residential development in the southern area of the District. There are also several smaller residential development projects planned to be complete within the next five years.

Based on previous and current housing development proposals, 6,500 new single family and 12,500 new multi-family residential units are projected to be constructed within next 20 years.

STUDENT GENERATION RATES FROM NEW HOUSING

Student generation rates, otherwise known as “yield factors,” are the average number of students that are generated by each housing unit. The yield factors for Sacramento City Unified School District were determined by SCI Consulting Group, using a current analysis of enrollments and the housing stock. The yield factor study involved address matching enrollments with the District’s housing database for the same year. Housing units were subsequently segmented by type, and enrollments were analyzed by housing type and area.

This study determined the average yields for all housing units in the District by housing type. These yields are for the existing housing stock. In addition, the analysis also evaluated yields for new housing. On average, yield factors from new homes begin at a higher rate than yields from the existing housing stock.

Figure 2 on the following page presents the student generation rate for new single-family homes and new multi-family units on a K-6, 7-8, 9-12 and district-wide basis.

FIGURE 2 – STUDENT GENERATION RATES FROM NEW HOUSING

<i>Grade</i>	<i>SFR</i>	<i>MFR</i>
<i>K thru 6</i>	0.44	0.19
<i>7 thru 8</i>	0.12	0.03
<i>9 thru 12</i>	0.23	0.04
<i>K thru 12</i>	0.79	0.26

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(cont.)

PROJECTED STUDENTS FROM NEW HOUSING

Figure 3 below projects the number of elementary, middle and high school students that will be generated by the projected new housing units thru 2035 within the District. If 19,000 new housing units are to be constructed in the District over the next 20 + years as projected, and each new SFR and MFR are expected to generated 0.79 and 0.26 students per unit respectively, then the District enrollment will added 8,417 students from new development.

FIGURE 3 – PROJECTED STUDENTS FROM NEW DEVELOPMENT

Period	Projected Housing Units		Students Generated			
	SFR	MFR	K-6	7 - 8	9 - 12	K-12
2015-2035	6,500	12,500	5,231	1,160	2,026	8,417

Source: City of Sacramento, Community Development Department; Sacramento Area Council of Governments



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NEW RESIDENTIAL BUILDING AREA

Based on an analysis historical building permits issued within the District and previous residential development project applications projects that the average size of a single family home will be 1,759 square feet and new multi-family housing unit will be 954 square feet. As a result, figure 4 projects 23,358,500 square feet of new residential area will be constructed thru 2035 within the District.

FIGURE 4 – PROJECTED NEW RESIDENTIAL BUILDING AREA

	SFR	MFR	Totals
Average Dwelling Size (Sq. Ft.)	1,759	954	
Total New Housing Units	6,500	12,500	19,000
Total Residential Square Footage	11,433,500	11,925,000	23,358,500

COSTS ATTRIBUTABLE TO NEW RESIDENTIAL DEVELOPMENT

The Mitigation Fee Act states that developer fees “shall not include the costs attributable to existing deficiencies in public facilities, but may include the costs attributable to the increased demand for public facilities reasonably related to the development project in order to (1) refurbish existing facilities to maintain the existing level of service or (2) achieve an adopted level of service that is consistent with the general plan. The District’s Master Plan has identified over \$1.3 billion dollars in reconstruction / modernization needs in order to bring existing facilities up to District standards. The District will need to explore and make use of every viable revenue source, in addition to developer fee proceeds, if it is to be able to complete these reconstruction / modernization needs and provide facilities consistent with the District’s adopted level of service. Potential revenue sources include general obligation (“G.O. bonds”) bonds and modernization grants.

In 2012 voters approved Measure Q and Measure R, which is authorized to provide \$414 million dollars in G.O. bonds for capital improvements and modernization projects. In 2013 the District issued \$70 million dollars for facility expenditures.

The State School Facility Program (“SFP”) provides funding assistance to school districts for the modernization of school facilities. The assistance is in the form of grants approved by the State Allocation Board (“SAB”) and requires a 40 percent local contribution. A school district is eligible for grants when students are housed in permanent buildings 25 years old or older and relocatable classrooms 20 years old or older and the buildings have not been previously modernized with State funds. The grant amount is increased and funding for specific utility upgrades are allowed if permanent buildings to be modernized are 50 years old or over.

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SCHOOL FACILITIES COSTS ATTRIBUTABLE TO RESIDENTIAL DEVELOPMENT

The following tables set forth the analysis of the cost of providing adequate school facilities per square foot of new residential development area for single family and multi-family housing. In this case, the cost of reconstruction of the District's existing facilities is allocated among the existing District "seats". The following figure shows the identified reconstruction costs by school. By determining the cost per existing seat rather than by student, reconstruction costs are fairly and equally allocated between existing and future development.

FIGURE 5 --SCHOOL FACILITY RECONSTRUCTION COSTS BY SCHOOL SITE

Sacramento City Schools	Reconstruction	Capacity
<i>Elementary Schools</i>		
Abraham Lincoln Elementary	\$17,026,765	479
Bowling Green Charter	\$0	1,120
Bret Harte	\$13,921,310	491
Caleb Greenwood	\$22,962,783	657
Camellia Basic	\$17,519,446	511
Caroline Wenzel	\$15,971,570	492
Cesar Chavez Intermediate (4-6)	\$4,958,590	439
Crocker/Riverside	\$18,034,640	670
David Lubin	\$13,182,910	639
Earl Warren	\$17,986,280	609
Edward Kemble	\$13,962,780	475
Elder Creek	\$13,714,350	827
Ethel I. Baker	\$14,864,330	757
Ethel Phillips	\$18,550,480	449
Golden Empire	\$19,243,510	681
H.W. Harkness	\$17,751,760	445
Hollywood Park	\$15,678,390	361
Hubert H. Bancroft	\$18,850,910	603
Isador Cohen	\$13,635,233	460
James W. Marshall	\$10,577,060	479
John Bidwell	\$18,878,470	558
John Cabrillo	\$21,304,010	439
John D. Sloat Basic	\$18,144,100	389
Leataata Floyd Elementary	\$14,260,480	346
Mark Twain	\$21,167,640	591
Matsuyama	\$14,804,140	709
New Joseph Bonnheim	\$24,980,670	473
Nicholas	\$20,744,100	713
O.W. Erlewine	\$16,537,560	438
Oak Ridge	\$22,509,630	533
Pacific	\$20,778,550	528
Parkway	\$20,337,221	662
Peter Burnett	\$16,979,170	599
Phoebe A. Hearst Basic	\$5,272,410	672

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(cont.)

Sacramento City Schools Continued	Reconstruction	Capacity
<u>Elementary Schools</u>		
Pony Express	\$18,265,520	542
Sequoia	\$17,878,640	578
Susan B. Anthony	\$20,809,490	351
Sutterville	\$17,471,140	705
Tahoe	\$22,365,644	394
Theodore Judah	\$15,070,770	554
William Land	\$9,550,840	412
Woodbine	\$22,585,290	402
Total Elementary	\$699,088,582	23,232
<u>K-8 Schools</u>		
A. M. Winn Waldorf-Inspired	\$20,562,100	396
Alice Birney Waldorf Inspired	\$24,787,020	558
Keith B. Kenny	\$3,528,330	505
John H. Still	\$4,774,640	1129
Dr. Martin Luther King Jr.	\$13,969,410	711
Genevieve F. Didion	\$20,581,210	677
Leonardo da Vinci	\$18,414,630	952
Rosa Parks	\$29,491,930	1170
Total K-8 Schools	\$136,109,270	6,098
<u>Junior High Schools</u>		
Albert Einstein Middle	\$27,901,900	1,415
California Middle	\$27,608,230	1,063
Fern Bacon Middle	\$27,071,720	1,395
Kit Carson Middle	\$31,476,120	1,014
Sam Brannan Middle	\$31,449,600	1,271
Sutter Middle	\$43,517,370	1,390
Will C. Wood	\$23,933,520	1,353
Total Junior High	\$212,958,460	8,901
<u>High Schools</u>		
C. K. McClatchy High	\$69,539,691	2,405
Hiram W. Johnson High	\$58,383,215	1,901
John F. Kennedy High	\$41,868,930	2,680
Luther Burbank High	\$49,820,290	1,996
Rosemont High	\$21,724,950	2,380
Total High	\$241,337,076	11,362
<u>Other Schools</u>		
American Legion	\$17,859,400	399
Accelerated Academy / Success Academy	\$2,865,720	455
George Washington Carver	\$15,426,320	700
Health Professions High	\$2,826,460	700
The Met High School	\$710,970	330
New Technology High	\$6,225,681	455
School of Engineering and Sciences	\$4,719,000	700
West Campus	\$34,912,280	1,177
Total Other Schools	\$85,545,831	4,916
Total K-12	\$1,375,039,219	54,509

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(cont.)

Figure 6 below shows the amount of modernization funds the District could receive based on the current basic per pupil grant amounts and current enrollments. Including Measure Q and R funds and potential modernization grant funding sources, the District has over \$787 million dollars of unfunded facility reconstruction needs. The total unfunded reconstruction costs are divided by the existing student capacity within the District to determine the cost per student seat of \$14,507 (current dollars).

FIGURE 6 – TOTAL SCHOOL FACILITY COST PER STUDENT SEAT

Total Reconstruction Cost ¹	\$1,375,039,219
Less: Measure Q Remaining Authorized Funds	\$346,000,000
Measure R Remaining Authorized Funds	\$68,000,000
Modernization Grants Elementary	\$95,347,434
Modernization Grants Middle	\$25,989,579
Modernization Grants High	\$48,958,625
	<u>\$584,295,638</u>
Total Unfunded Reconstruction Costs	<u>\$790,743,581</u>
Total Existing School Capacity	54,509
Total School Facilities Cost per Existing Seat	<u>\$14,507</u>

¹ Source: Sacramento City USD Sustainable Facilities Master Plan 2012

SCHOOL FACILITIES COSTS PER NEW HOUSING UNIT

Figure 7 on the next page calculates the cost of reconstructed school facilities attributable per new single family home and per new multi-family housing unit. To determine these costs, the total school facilities costs per student from the previous table are multiplied by the K-12 student generation rate for each housing type. As shown, the total cost per new single family home (“SFR”) and new multi-family residential unit (“MFR”) is \$11,460 and \$3,807 respectively.

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(cont.)

FIGURE 7 – SCHOOL FACILITIES COST PER NEW HOUSING UNIT

Total School Facilities Cost Per Student	\$14,507
Student Generation Rate per SFR Unit	0.79
Student Generation Rate per MFR Unit	0.26
Cost per New SFR Unit	\$11,460
Cost per New MFR Unit	\$3,807

SCHOOL FACILITIES COSTS PER SQUARE FOOT OF NEW RESIDENTIAL BUILDING AREA

This Report also calculates the school facilities cost per square foot attributable to new residential development by dividing the total school facilities cost per unit by the average square footage for the new housing units. As shown, the school facilities cost per square foot of new residential area from new single-family and multi-family housing is \$6.52 and \$3.99 per square foot respectively.

FIGURE 8 – SCHOOL FACILITIES COST PER SQUARE FOOT

Cost per New SFR Unit	\$11,460
Cost per New MFR Unit	\$3,807
Average Square Footage, New SFR Unit	1,759
Average Square Footage, New MFR Unit	954
Total Cost per Square Foot of SFR Residential Area	\$6.52
Total Cost per Square Foot of MFR Residential Area	\$3.99

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JUSTIFICATION FOR LEVEL 1 DEVELOPER FEES

In order to establish or increase developer fees, the District is required to develop a justification report that demonstrates the nexus between the imposed fee and the need for public facilities created by new development. If the cost of providing adequate school facilities for new housing units is greater than the amount collected by the maximum Statutory residential developer fee, then the District may levy the fee or a lower justified amount. The current maximum State authorized K-12 fees are \$3.36 per square foot of residential area and \$0.54 per square foot of commercial / industrial area. These statutory maximum amounts or "Level 1" fees were increased by the State Allocation Board in January 2014.

RESIDENTIAL DEVELOPER FEE

As previously discussed, the average cost of adequate school facilities per new housing unit is \$11,460 per SFR and \$3,807 per MFR. Given the projected average square footage of new housing units is 1,759 square feet per SFR and 954 square feet per MFR, the maximum developer fee of \$3.36 per square foot will mitigate only 40 percent of the impact of new residential development on school facilities. Therefore, the Level 1 residential developer fee is justified at the maximum rate for the District.

COMMERCIAL / INDUSTRIAL DEVELOPER FEE

As commercial and industrial properties develop, new jobs are created. Many of the people hired into these new jobs move into the community thereby increasing the need for adequate school facilities to serve their children. Consequently, commercial and industrial development impacts the enrollment of the District. The maximum fee that can be borne by residential growth was originally determined to be \$1.50 per square foot, now \$3.36 per square foot. The Legislature determined that if more impact existed than mitigated by residential fees, and it could be shown that it was caused in part by commercial and industrial development, these properties could also be charged fees.

SCI Consulting Group gathered data from the State of California Employment Development Department, the California Department of Finance, Census Bureau, and the County of Sacramento. This data indicated that, as of May 1, 2015 there were a total of 480,105 people living in the City of Sacramento, which includes 214,500 residents with employment status. Furthermore, there are a total of

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191,776 housing units within the City of Sacramento, yielding a ratio of 1.12 employees/housing unit.¹ Based on information from the 2000 US Census, it is estimated that 69.4 percent of employees for new businesses will reside within the District.²

Additionally, Education Code § 17621(e)(1)(b) allows for use of employee generation figures from a traffic generator study produced by the San Diego Association of Governments (“SANDAG”). The SANDAG Traffic Generator Study determined the average number of employees per square foot of space for the various types of commercial and industrial businesses. The employee generation factors are summarized in Figure 9 below.

FIGURE 9 – EMPLOYEES PER SQUARE FOOT OF COMMERCIAL / INDUSTRIAL FLOOR AREA

Type of Business	Square Feet Per Employee	Employees per 1000 Square Feet
Banks	344	2.91
Commercial Offices	222	4.51
Community Shopping Centers	565	1.77
Corporate Offices	351	2.85
Industrial Business Parks	271	3.69
Industrial Parks	599	1.67
Lodging	930	1.08
Medical Offices	238	4.21
Neighborhood Shopping Centers	363	2.76
Research & Development	414	2.42
Overall Average	382	2.62

Source: SANDAG Traffic Generator Study

Using the employee generation average of 2.62 employees per 1,000 square feet of commercial or industrial building area from the SANDAG study, assuming that 69.4 percent of these employees reside in the District and an average of 1.12 employees live in each home and 616 square feet of new commercial / industrial space would, on average, create the need for one additional housing unit in the District for new employees of that business.

¹ Source: California Department of Finance, May 2015 and the California Employment Development Department, May 2015.

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Therefore, the total cost of K-12 school facilities needed per 616 square feet of commercial or industrial space is the same as the total school facilities cost per home of \$11,460. However, maximum residential developer fees provide an average of \$4,558 per new housing unit, so the unfunded cost of school facilities is \$6,903 per housing unit. Therefore, the average unfunded impact of commercial and industrial development on school facilities is \$11.21 per square foot. In comparison, the District's maximum commercial / industrial fee of \$0.54 per square foot covers only 5 percent of this unfunded impact.

This analysis is provided in figure 10 on the following page for each type of land use. As shown, the commercial / industrial fee is justified at the maximum rate of \$0.54 per square foot in every case except for the retail self-storage category. Therefore, the maximum commercial/industrial fee of \$0.54 per square foot is justified for all new commercial / industrial construction except for the retail self-storage category which should be levied at \$0.26 per square foot.

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FIGURE 10 – IMPACT OF COMMERCIAL / INDUSTRIAL DEVELOPMENT

Type of Business	Employees per 1000 Square Feet ¹	Square Feet Creating Need for One New Home ²	Unfunded Impact per Home ³	Unfunded Impact per Square Foot ⁴
Banks	2.91	555	\$6,903	\$12.44
Commercial Offices	4.51	358	\$6,903	\$19.28
Community Shopping Centers	1.77	912	\$6,903	\$7.57
Corporate Offices	2.85	566	\$6,903	\$12.20
Industrial Business Parks	3.69	437	\$6,903	\$15.80
Industrial Parks	1.67	966	\$6,903	\$7.15
Lodging	1.08	1,494	\$6,903	\$4.62
Medical Offices	4.21	383	\$6,903	\$18.02
Retail self-storage	0.06	26,897	\$6,903	\$0.26
Neighborhood Shopping Centers	2.76	585	\$6,903	\$11.80
Research & Development	2.42	667	\$6,903	\$10.35
Overall Average	2.62	616	\$6,903	\$11.21

Notes:

1. Employee generation factors from SANDAG Traffic Generator Study pursuant to Education Code § 17621(e)(1)(b).
2. This is the square feet of commercial or industrial building area that generates the need for one new home in the District. Calculated: 1,000 SF * 1.12 employees per home / (number of employees per 1,000 SF * 0.694 employees to live in District)
3. Unfunded impact equals total District impact per home of \$11,460 less the District's average residential developer fee per unit of \$4,558 (\$3.36 per square foot * average housing unit size of 1,357 square feet.)
4. Unfunded impact per square foot of commercial / industrial development equals unfunded impact per home divided by square feet of commercial/industrial building area which create the need for one new home in the District.

SUMMARY OF DEVELOPMENT IMPACT

In summary, the cost of adequate school facilities attributable to new residential development is \$6.52 per square foot for new single-family homes and \$3.99 per square foot for new multi-family units. The maximum residential developer fee is \$3.36 per square foot mitigates only 40 percent of the impact of residential development. Moreover, the average unfunded impact of commercial or industrial development exceeds the maximum commercial / industrial developer fees at \$0.54 per square foot in every case except for the retail self-storage category. Therefore, residential, commercial and industrial development creates more impact than is offset by the maximum developer fee, so the fees should be adopted at the maximum rate except for new retail self-storage construction which should be adopted at the rate of \$0.26 per square foot.

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NEXUS FINDINGS

This section frames the findings of the Report in terms of the nexus requirements pursuant to Government Code § 66000 et seq. In general, this Report must demonstrate that a reasonable relationship or “nexus” exists between new development that occurs within the District and the need for additional and/or adequate school facilities as a result of new development. The specific nexus requirements and Report findings are discussed below.

IDENTIFY THE PURPOSE OF FEES

The purpose of the fee is to allocate the cost of construction and reconstruction of school facilities attributable to new residential, commercial and industrial development.

IDENTIFY THE USE OF FEES

As outlined in the Report, the fee will be used to fund the construction or reconstruction of school facilities. The District may need to purchase or lease portable classrooms to use for interim housing while permanent facilities are being constructed. Revenue from fees collected on residential, commercial and industrial development may be used to pay for any of the following:

1. Construction or reconstruction of school facilities.
2. Acquisition or leasing of land for school facilities.
3. Design of school facilities.
4. Permit and plan checking fees,
5. Testing and inspection of school sites and buildings,
6. Furniture for use in new school facilities,
7. Purchased or leased interim school facilities.
8. Legal and administrative costs associated with providing school facilities to students generated by new development.
9. Administration of the collection of the fees including the costs of justifying the fees.
10. Other miscellaneous costs resulting from student enrollment growth caused by new development.

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DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE FEE'S USE AND THE TYPE OF DEVELOPMENT PROJECT ON WHICH THE FEE IS IMPOSED

New residential development will cause families to move into the District and will, consequently, generate additional students in the District. As previously discussed, adequate school facilities do not exist for these students. Therefore, the fee's use (construction and/or reconstruction of school facilities) is reasonable related to the type of project (new residential development) upon which it is imposed.

Additionally, new commercial and industrial development will generate new workers to move into the District. Because some of these workers will have school-age children, commercial and industrial development will also generate new students in the District. Again, as previously discussed, adequate school facilities do not exist for these students. Therefore, the fee's use (construction and/or reconstruction of school facilities) is therefore reasonably related to the type of project (new commercial / industrial development) upon which it is imposed.

DETERMINE HOW THERE IS REASONABLE RELATIONSHIP EXISTS BETWEEN THE NEED FOR SCHOOL FACILITIES AND THE TYPE OF DEVELOPMENT ON WHICH THE FEES ARE IMPOSED

As discussed in this Report, the District's school facilities are inadequate in that there is a need for renovation/reconstruction of facilities. Both existing residents and residents from new development should share in these costs. Therefore, the need for adequate school facilities is reasonably related to the new residential, commercial and industrial development projects upon which it is imposed.

DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE AMOUNT OF FEES AND THE COST OF THE SCHOOL FACILITY ATTRIBUTABLE TO THE DEVELOPMENT ON WHICH THE FEES ARE IMPOSED

As outlined in this Report, the District's new statutory residential developer fee of \$3.36 per square foot of new residential space will only mitigates 40 percent of the impact from new residential construction. Therefore, the residential fee is justified at the current maximum rate.

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The Report also demonstrated that the school facilities costs attributable to commercial and industrial development is \$11.21 per square foot. The District's share of the new statutory commercial / industrial developer fee of \$0.54 per square foot of new commercial space only mitigates 5 percent of the impact from new commercial and industrial development. Therefore, the commercial / industrial fee is justified at the current maximum rate.

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APPENDICES

Appendix A – Requirements for Implementation of the Fees

Appendix B – Timeline for Adoption of the Fees

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APPENDIX A – REQUIREMENTS FOR THE IMPLEMENTATION OF THE FEES

TO ESTABLISH, INCREASE FEE:

1. To establish or increase developer fees, a study is needed which assesses the impact of new growth on school facilities, evaluates sources of revenue for capital facilities, and determines the relationship between the amount of the fee and the unfunded need for school facilities created by the development project. Additionally, a capital improvement plan or facilities component which includes estimates of the cost of school facilities to be financed by developer fees may be included. (Ed. Code § 17620 and Govt. Code § 65995)
2. Prior to holding a public hearing during part of a regularly scheduled board meeting: Govt. Code § 66018
 - a. Written notice shall be sent at least 14 days prior to the meeting to all those requesting notification.
 - b. Notice shall be published twice prior to the meeting - the first notice shall be published at least 10 days before the meeting. Govt. Code Section 66016
 - c. Documentation shall be open for public review 10 days prior to the meeting.
3. Public comment is taken at meeting. Cost of meeting can be paid from fees.
4. Governing Board is required to: Govt. Code § 66001(a)
 - a. Identify the purpose of the fee.
 - b. Identify the use to which the fee is to be put. If the use is financing public facilities, the facilities shall be identified. That identification may, but need not, be made by reference to a capital improvement plan as specified in Section 65403 or 66002, may be made in applicable general or specific plan requirements, or may be made in other public documents that identify the public facilities for which the fee is charged.
 - c. Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.
 - d. Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.
5. Governing board must make determination that the fee can be collected at the time of issuance of building permit instead of time of occupancy.

RESOLUTION ESTABLISHING OR INCREASING FEE:

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1. Regular resolution takes effect after 60 days. Govt. Code § 53080.1(a)
2. An urgency resolution, which takes effect immediately and maintains for 30 days, can be extended twice. Govt. Code § 53080.1(b)

FEE COLLECTION AND COORDINATION WITH CITIES AND COUNTIES:

1. School district must notify city/county with the following before city/county is required to withhold permits:
 - a. Copy of resolution
 - b. All supporting documentation
 - c. Map which clearly indicates the area subject to the fees.
 - d. Time when collection or increase of fees commences.
2. It is recommended that an informational letter regarding fees be provided to the building department for building permit applicants.
3. City/county is required to withhold permit or final inspection unless the fee has been collected or the school district has certified that the fee has been paid.
4. To collect fees at time of building permit instead of time of occupancy, an account for the fees must be established and fees appropriated for an adopted proposed construction schedule as outlined in a five year facilities plan for State funding or capital improvement plan. Govt. Code § 66002
5. Fees for mobile homes or manufactured homes are collected at close of escrow or certificate of occupancy.
6. Cost of collecting fees is limited to 3% of the fees collected. If the cost of collection is higher, the amount over 3% must be paid from other District funds.
7. Fees may be used to pay the cost of preparing developer justification studies.
8. The District should develop and use a form letter to certify that fees have been paid.
9. Imposition or increase of fees is exempt from the requirements of the California Environmental Quality Act. Ed. Code § 17621(a)

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CALCULATING DEVELOPER FEES:

The city/county will calculate the space within the perimeter of the new building, and assessable space charged developer fees is defined as follows:

1. New and remodeled residential space subject to developer fees includes square footage within the perimeter of a residential structure, but not including carports, walkways, garages, overhangs, patios, enclosed patios, detached accessory structures, or similar areas. Govt. Code § 65995(b) and Ed. Code § 17620
2. Remodeled residential space with a net increase of less than 500 square feet is totally exempt from Developer Fees. That with a net increase of more than 500 square feet must pay on the entire increase. Ed. Code § 17620(a)(1)(C)
3. New commercial or industrial space subject to Developer Fees is new covered and enclosed space within the perimeter of the structure, but not including storage areas incidental to the development, garages, parking structures, unenclosed walkways, or utility or disposal areas. Govt. Code § 65995(b)(2)

SPACE THAT IS EXEMPT FROM DEVELOPER FEES IS DEFINED AS FOLLOWS:

1. Facilities that cannot be charged developer fees are:
 - a. Structures that are tax exempt and are used exclusively for religious purposes.
 - b. Private full-time day schools
 - c. Facilities owned and operated by a governmental agency.
2. Fees cannot be charged if the new facilities do not impact the need for school facilities.
3. If a manufactured or mobile home was previously located on the pad where a manufactured or mobile home is to be installed, fees are not charged; fees can only be charged if the pad was constructed after 9-1-86.
4. No fees can be charged for reconstruction due to a natural disaster as declared by the governor. Govt. Code Sections 66020 & 66011

DEVELOPMENT CHARGED COMMERCIAL/INDUSTRIAL FEES:

1. Structures to be used for commercial or industrial purposes.
2. Senior housing as defined. Civil Code § 51.3, Health and Safety Code Sections 1569.2(j) and 15432(d)(9) (Govt. Code § 65995.2(a))

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3. Adult only mobile homes. Govt. Code § 65995.2(a)
4. Hotels and motels except residential fees can be charged to residential hotels. Health and Safety Code § 50519 (Govt. Code 65995(d))

USE OF FEES:

Fees can only be used for the construction and reconstruction of school facilities and may be used to pay bonds, notes, leases, loans or other financial obligations for permanent or temporary school facilities. This does not include regular maintenance or routine work; asbestos work except that which is incidental to regular construction and reconstruction; and deferred maintenance

ACCOUNTING PROCEDURES:

1. A separate account must be established for fees. Govt. Code § 66006
2. If any fees remain unexpended or uncommitted five or more years after deposit, annual findings are required which demonstrate that fees are still needed for planned school facilities. Govt. Code § 66001(d)
3. If the district is unable to justify unexpended or uncommitted fees collected five or more years prior, the district shall provide refunds of the unexpended or uncommitted fees plus any accrued interest to the current owners of record on a prorated basis. Govt. Code 66001(e)

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APPENDIX B – TIMELINE FOR ADOPTION OF THE FEES

<u>DATE</u>	<u>TASK</u>
14 Days Before Public Hearing	Notice of hearing mailed to all persons requesting such notice
10 Days Before Public Hearing	First notice of hearing published in a local newspaper. Second publication occurs at least five days after the first publication. Government Code Sections 6062(a) and 60618
10 Days Before Public Hearing	Developer Fee Justification Report is made available for public review
3 Days Before Meeting	Notice of public hearing included in Board agenda
Public Hearing	Board holds public hearing at or near appointed hour. After closing public hearing, Board adopts resolution approving fee
2 Days After Meeting	Staff notifies Cities and County of adoption of Resolution implementing fee and provides these agencies with copies of Resolution and Developer Fee Justification Report
60 Days After Public Hearing	Effective date for implementation of fee

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Proposed Language for EIR: City of Sacramento Downtown Specific Plan

Sacramento City Unified School District's existing schools serving the Downtown Specific Plan Area do not have sufficient capacity to accommodate students generated by development in the Specific Plan Area. The District has two elementary schools within the Plan Area that are built out to capacity, such that it is not possible to expand or even place portable structures on the sites to accommodate new students. Further exacerbating this issue, the Specific Plan Area has little undeveloped land that could accommodate a new school facility to serve students generated by such development. As a result, new housing developments will generate students that will need to be transported to school sites outside of the plan area. The resulting traffic patterns out of the downtown area will intensify. This particularly has the potential for impacts during school drop off hours, which generally correspond to the hours of heavy traffic flow into and within the downtown area. This flow of school related traffic out of the downtown area will result in potentially significant effects in the areas of transportation and traffic, pedestrian safety, air quality, noise, and greenhouse gas emissions. Additionally, to the extent that existing schools outside of the Plan Area do not have capacity to house new students generated by development, new schools will need to be built, or existing schools expanded, resulting in further impacts from construction including dust that degrades air quality and noise caused by construction activity.

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To mitigate these impacts, the City will condition approval of particular development projects in the Downtown Specific Plan Area on the payment of fees and/or dedication of land to offset impacts of the Project on transportation and traffic, pedestrian safety, air quality, noise, and greenhouse gas emissions caused by the transportation of students out of the downtown area to existing and future school sites outside of that area. Such fees shall be in amounts justified by the extent of the impact, which shall be determined by the City based on the District's enrollment and capacity at its schools at the time the particular project or projects are being approved. Further, to the extent that construction of new school facilities will be required to accommodate students generated by development, the impact of the particular development on air quality and construction activity will be analyzed. The District shall be consulted in relation to such impacts in order to determine which schools facilities will be expanded or constructed to facilitate the development. Alternatively, if the District confirms that adequate school facilities within the Specific Plan Area will be available to accommodate a particular project, then impacts related to transportation of students outside of the downtown area will be less than significant, and mitigation related to transportation of students out of the downtown area will not be required. An applicant may presumptively demonstrate the absence of such impacts by providing evidence that they have entered into an agreement with Sacramento City Unified School District in which the School District confirms the availability of school facilities in the Downtown Specific Plan Area to accommodate the applicant's project.

The City will also coordinate with the school district generally to consider the impacts of residential development in the Downtown Specific Plan Area on school facilities and services. The City will help facilitate the District and developers in determining school related needs that result from development, as well as addressing impacts through the imposition of

development fees and other mitigation measures to the extent permitted by law. Such measures may include identifying underutilized sites within the plan area that could be rezoned for future school sites.

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Letter A8 Response **Harold M. Freiman and Lozano Smith, Sacramento City Unified School District (SCUSD)**
November 8, 2017

A8-1 Contrary to the comment, the City has prepared the Draft EIR, combined with this Final EIR, in full compliance with the requirements of the California Environmental Quality Act (Public Resources Code Sections 21000 et. seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et. seq.). Pursuant to CEQA and the Guidelines, the focus of an EIR is on the physical effects of a proposed project on the environment. Social and economic effects have only limited consideration under CEQA, as articulated in State CEQA Guidelines Section 15131, which articulate that such effects are only relevant insofar as they may form a link in a chain of effects between a project and the physical environment (State CEQA Guidelines Section 15131(a)), as a matter of establishing the significance of a physical environmental effect (State CEQA Guidelines Section 15131(b), or as a consideration in determining the feasibility of a mitigation measure or alternative (State CEQA Guidelines Section 15131(c)). The courts have reinforced this interpretation by directing that the physical effects of a project on schools are limited to the physical effects that would result from the construction of schools, and that school overcrowding, per se, is not considered a physical effect on the environment. This was further reinforced and limited through California Government Code Section 65996 (adopted as part of SB 50) which limits the mitigation of schools impacts under CEQA to statutorily established impact fees, and provides that such impact fees are “deemed to provide full and complete school facilities mitigation” (see Government Code Section 65996(b)).

The lack of available sites in the CCSP area to provide future schools, if they were needed, as pointed out in the comment, is a factor of the requirements of the State and the SCUSD. The CCSP area is the oldest part of Sacramento and has long been substantially built out. Development pursuant to the proposed CCSP would occur on an incremental basis, in response to market demand. Mechanisms to acquire and agglomerate parcels in the CCSP area do not exist as a practical matter. As is noted in Response to Comment A8-4, the City’s past experience and research on the student generation from downtown housing in other California cities suggests that there is considerable uncertainty about the potential student generation from future downtown housing, and that the estimates presented in the Draft EIR are well within the range of potential forecasts of future student enrollment. Please see additional detailed information in Responses to Comments A8-2 through A8-45.

A8-2 The Draft EIR analyzes the physical environmental impacts of increased SCUSD enrollment due to implementation of the proposed CCSP in section 4.11, Public Services, subsection 4.11.3, Public Schools. Student generation as a result of the

proposed CCSP is calculated, analysis is provided regarding the capacity of existing schools to accommodate future student enrollment, and the required payment of Level 1 fees pursuant to California Government Code Section 65996 as established in the Leroy F. Greene School Facilities Act of 1998 (SB 50), which is statutorily established as full mitigation for increased student enrollment, is discussed in that portion of the Draft EIR.

The proposed CCSP would include policies aimed toward increasing the number of housing units, diversifying the types of housing constructed, and encouraging more family-oriented housing in the CCSP area. Specifically, CCSP policy H.1.3, Variety of Housing Types, states, “H.1.3 Variety of Housing Types. Encourage projects that provide a variety of housing types and sizes, including those that serve individuals, families, seniors and persons living with disabilities.” Additionally, policy H.1.7, Family Housing, states, “H.1.7 Family Housing. Encourage the construction and preservation of family housing (homes with two or more bedrooms and not restricted to seniors), sited in proximity to necessary services and amenities (e.g., grocery stores, schools, after school programs, parks, etc.).”

With the addition of housing units to the CCSP area, including the development of units of sufficient size to accommodate families, school-aged children may be generated through the provision and occupation of housing in the CCSP area. Nevertheless, the number of school-aged children that would result from housing developed pursuant to the proposed CCSP is predicted by the City to be lower on a per-unit basis than housing in other parts of the community. Past experience in Sacramento substantiates the reasonableness of this conclusion. The Draft EIR neither ignores the generation of new students, nor the effects on the environment of the provision of school services.

The City appreciates the collaborative nature of the SCUSD’s engagement on the CCSP, and looks forward to further future discussions of how best to accommodate SCUSD students that live in the CCSP area. The CCSP EIR provides an analysis of the physical environmental effects of a project. The effects of the project on the SCUSD students and families, District staff and teachers, and school facilities are matters that are social and economic in nature, and are properly addressed outside of the CEQA process. The City looks forward to continuing these discussions with SCUSD.

- A8-3 Impact 4.11-3 and Impact 4.11-4 analyze the reasonably foreseeable project-specific and cumulative impacts to schools, respectively, including impacts associated with travel to and from school, and associated effects. See Responses to Comments A8-6 and A8-17 for a discussion of collaboration between the City and the SCUSD with respect to provision of schools.

A8-4 During the preparation of the Draft CCSP and CCSP Draft EIR, the City’s consultants sought information from the SCUSD via telephone and email, and the City and the City’s planning and environmental consultants met with SCUSD representatives on July 10, 2017; July 17, 2017; July 31, 2017; and August 28, 2017. In addition, the City received additional written correspondence from the SCUSD on September 12, 2017. These meetings provided an opportunity for the City to ask questions of and request information from the SCUSD, and to receive feedback on policy and analytical approaches being considered for the Draft CCSP and CCSP Draft EIR. Examples of information sought from the SCUSD included suggested student enrollment generation rates, and existing and planned capacity of SCUSD schools in the vicinity of the CCSP area. Based on information provided by SCUSD, as well as additional information developed as part of the planning and environmental review process, the City undertook an independent review of the appropriate student generation rates in order to inform the policies in the Draft CCSP as well as the analysis in the Draft EIR. The analysis is described further below.

Table 4.11-2 in the Draft EIR provides information provided by the SCUSD about existing design capacities for SCUSD schools that would serve students from the CCSP area. As described as a note in that table, the design capacity information is based upon the assumption that all classrooms at a school site would be used for classrooms. However, many of the school sites currently have programs that use classroom space such as an art class, preschool, computer lab, student development program, etc. These other uses reduce the number of classrooms that are available. It is understood that design capacity totals shown in Table 4.11-2 also do not provide a precise grade by grade and year-by-year analysis, and therefore may not accurately state the true capacity capabilities.¹

The SCUSD provided standard student enrollment generation rates based on overall City residential uses, both multi-family and single-family. The SCUSD provided different multi-family student generation rates that serve as their “standard” rates: 0.190 elementary school students per household, 0.030 middle school students per household, and 0.040 high school students per household.²

Suspecting that housing in more traditional suburban Sacramento neighborhoods generates student enrollment at higher rates than housing in Sacramento’s core, the City sought to understand better the rate of student enrollment from housing in the CCSP area. The City requested and was provided with student attendance data for the school year beginning 2016 for students living within the Central City area and attending schools in the SCUSD. The geographical boundaries of the Central City are

¹ Javed, Amna. Manager, GIS/Facilities, Sacramento City Unified School District. Personal communication with Matthew Pruter, ESA, April 19, 2017.

² Javed, Amna. Manager, GIS/Facilities, Sacramento City Unified School District. Personal communication with Matthew Pruter, ESA, April 19, 2017.

slightly different than the CCSP area, but are similar. That data is shown in Table A8-1, below. Based on the number of existing households in the CCSP area and the number of students living in the CCSP area and attending SCUSD schools, the student generation rates for 2016 equate to 0.031 elementary school students per household, 0.009 middle school students per household, and 0.014 high school students per household.

**TABLE A8-1
SCUSD STUDENT GENERATION RATES IN THE CENTRAL CITY (2016)**

School Type	SCUSD Students Living in Central City ¹	Households in Central City ²	Student Generation Rate
Elementary (K-6)	579	18,938	0.031
Middle (7-8)	174	18,938	0.009
High (9-12)	270	18,938	0.014

SOURCES:

1. Javed, Amna. Manager, GIS/Facilities. Sacramento City Unified School District. Written communication, August 3, 2017.
2. BAE Urban Economics, 2016. Sacramento Downtown Specific Plan Draft Housing Market Analysis, Phase I and Phase II. November 2016. p. 91, Table 34.

To further its understanding of student generation rates, the City reviewed existing data about the number of households in the CCSP area and identified data from the Sacramento Area Council of Governments (SACOG) SACSIM regional model. The data showed there were 16,619 dwelling units in the CCSP area in 2012. To determine the number of households, defined as the number of occupied dwelling units, a 13.1% vacancy rate was reflected, as shown in Table 2. A student generation rate was then calculated based on the number of students living within the CCSP area and attending SCUSD schools in 2016 and the number of households in the CCSP area in 2012. The student generation rates using regional household data resulted in 0.040 elementary school students per household, 0.012 middle school students per household, and 0.019 high school students per household, as shown in Table A8-2.

**TABLE A8-2
STUDENT GENERATION RATES IN THE CENTRAL CITY (2012) – SACSIM DATA**

School Type	SCUSD Students Living in Central City ¹	Households in CCSP Area ^{2,3}	Student Generation Rate
Elementary (K-6)	579	14,442	0.040
Middle (7-8)	174	14,442	0.012
High (9-12)	270	14,442	0.019

SOURCES:

1. Javed, Amna. Manager, GIS/Facilities. Sacramento City Unified School District. Written communication, August 3, 2017.
2. Households is defined as the number of occupied dwelling units. The CCSP area had 16,619 dwelling units and a 13.1% vacancy rate in 2012.
3. SACOG SACSIM data, 2017.

Based on all of the above information and various student generation rates, the number of students generated by the CCSP can be calculated for each rate, as shown in Table A8-3. While the SCUSD's standard districtwide generation rates suggest a total student generation from CCSP area housing growth of 3,584 students (and 2,546 elementary students), the generation rates based on current actual CCSP area housing suggest that the CCSP area housing growth would result in 724 new students (including 415 elementary students), and generation rates based on SACOG data result in 951 new students (including 536 elementary students).

**TABLE A8-3
COMPARISON OF STUDENT GENERATION IN THE CCSP AREA**

School Type	Number of CCSP Dwelling Units	SCUSD Standard Multifamily Rate ¹	Students Generated by CCSP	SCUSD Actual Central City Rates (2016) ²	Students Generated by CCSP	Rates Based on SACSIM Data (2012) ²	Students Generated by CCSP
Elementary School	13,401	0.19	2,546	0.031	415	0.040	536
Middle School	13,401	0.03	402	0.009	121	0.012	161
High School	13,401	0.04	536	0.014	188	0.019	255
Total	13,401	0.26	3,484	0.054	724	0.071	951

SOURCES:

1. Javed, Amna. Manager, GIS/Facilities, Sacramento City Unified School District. Personal communication with Matthew Pruter, ESA, April 19, 2017.
2. Calculated using 2016 data (Javed, Amna. Manager, GIS/Facilities. Sacramento City Unified School District. Written communication, August 3, 2017. BAE Urban Economics, 2016. Sacramento Downtown Specific Plan Draft Housing Market Analysis, Phase I and Phase II. November 2016. p. 91, Table 34.)

The City also considered student generation rates in other urbanized school districts in California cities similar to Sacramento: Oakland Unified School District, San Jose Unified School District, and San Diego Unified School District. Elementary school, middle school, and high school student generation rates for those districts are shown in Table A8-4. These rates were reviewed and provided the City an understanding of how similar school districts and cities assess potential student generation from housing, but were not used in calculating student generation for the proposed CCSP.

**TABLE A8-4
COMPARISON OF OTHER SCHOOL DISTRICT STUDENT GENERATION RATES**

School Type	Student Generation Rate
Oakland Unified School District (2016)¹	
Elementary (K-6)	0.141
Middle (7-8)	0.060
High (9-12)	0.073
San Jose Unified School District (2016)²	
Elementary (K-6)	0.139
Middle (7-8)	0.059
High (9-12)	0.073
San Diego Unified School District (2014)³	
Elementary (K-6)	0.032
Middle (7-8)	0.012
High (9-12)	0.015
SOURCES:	
1. School Facility Consultants, 2016. School Facility Fee Justification Report for Residential, Commercial & Industrial Development Projects for the Oakland Unified School District. June. p. 6, Table 1-1.	
2. Odell Planning & Research, Inc., 2014. Development Fee Justification Study prepared for San Jose Unified School District. April. p. B-3, Table B-3.	
3. City of San Diego, 2016. Draft Program Environmental Impact Report for the Uptown Community Plan Update. June 10. p. 6.12-18, Table 6.12-5.	

Given the known information about existing enrollment and capacities of potentially affected SCUSD schools, existing data about the number of students currently residing in the CCSP area and attending a SCUSD school, and the comparison of other school districts' multi-family student generation rates, the City opted to use student generation rates derived from SACSIM data. Table 4.11-3 of the Draft EIR demonstrates the student generation rates used and the resulting number of students expected to be generated under the proposed CCSP.

**TABLE 4.11-3
STUDENT GENERATION IN THE DSP CCSP AREA**

School Type	Generation Rate	Number of DSP CCSP Dwelling Units	Students Generated by DSP CCSP
Elementary School	0.040	13,401	536
Middle School	0.012	13,401	161
High School	0.019	13,401	255
Total	--	--	951

SOURCES: SACOG SACSIM data, 2017; BAE Urban Economics, 2016. Sacramento Downtown Specific Plan Draft Housing Market Analysis, Phase I and Phase II. November 2016. p. 91, Table 34; ESA, 2017.

The analysis in Impact 4.11-5 indicated that should the proposed CCSP be built out immediately, students generated at the elementary and high school levels could not be accommodated immediately, and the projected increase in the number of students would exacerbate existing enrollment conditions. However, the development under the proposed CCSP is not to be undertaken as a single development over a short period of time; rather, buildout of the CCSP is anticipated to occur over time, up to 20 years or more at a pace that would be driven by market demand and undertaken by a multitude of private developers and builders. Because of the uncertain pace and type of the development that would occur pursuant to the proposed CCSP, on page 4.11-29 of the Draft EIR, the impact discussion clearly points to the City's commitment to working with the SCUSD in the future:

The City is committed to working with the SCUSD to provide adequate, high quality schools to serve the DSP CCSP area. DSP CCSP policy CA 2.1 requires the City to work closely with SCUSD to determine strategies to serve the increased DSP CCSP student population in a manner appropriate for an urban area. DSP CCSP policy CA 2.4 requires the City to work collaboratively with the SCUSD to regularly monitor existing student generation rates to accurately determine school facility needs in the future. As new development is built in the DSP CCSP area, the actual student generation rate per household will be monitored in order to evaluate and adjust, if necessary, the student projections.

Notwithstanding that commitment for future coordination as conditions evolve and buildout of the CCSP occurs, the last paragraph on page 4.11-25 of the Draft EIR states that according to the provisions of SB 50, "payment of developer fees [is] 'deemed to be complete and full mitigation' of the impacts of new development, fees and state funding do not fully fund new school facilities." SCUSD receives Level 1 fees. SB 50 provides that the impact of a project on school facilities is considered less than significant if developer fees are to be paid. California Government Code Section 65996(b) states that the payment of school facilities fees is "deemed to provide full and complete school facilities mitigation," and that "a state or local agency may not

deny or refuse to approve a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property or any change in governmental organization or reorganization, as defined in Government Code Section 56021 or Section 56073, on the basis that school facilities are inadequate.” More specifically, California Government Code Section 65997(a) states that payment of legislatively established school facilities fees “shall be the exclusive methods of mitigating environmental effects related to the adequacy of school facilities when considering the approval or the establishment of conditions for the approval of a development project,” and Section 56997(b) states conclusively that a state or local agency may not “deny approval of a project on the basis of the adequacy of school facilities.”

California law does not provide for the use of CEQA-based mitigation to require the funding of school construction beyond the payment of established fees. Projects developed under the CCSP would pay the applicable developer school facility fees, and no further environmental mitigation can be imposed by the City to address this issue.

In communication to the City on September 12, 2017, the SCUSD requested that the City (1) establish a new fund program to further fund public schools in the District, (2) require developers in the CCSP area pay new school fees into the newly created fund, and/or (3) the City dedicate land in the CCSP area to the SCUSD. The SCUSD further suggested that individual developers in the CCSP area enter into agreements with the SCUSD prior to the development of individual projects. These measures are beyond the requirements of state law, and the City does not believe that the evidence demonstrates or supports the need for such measures.

The City further notes that the SCUSD is currently dispensing with a number of SCUSD-owned properties within the CCSP area, including a one-half-block parcel at 1619 N Street, which could be renovated and converted into a school, or existing structures could be razed and a new school constructed. Such a central location for a new school could be sufficient to accommodate additional students generated in the CCSP area. The land and/or existing structure could also be used for other SCUSD-sponsored programs or operations such as preschools or student development programs, freeing up classrooms that exist at existing elementary schools in the vicinity of the CCSP area. Thus, the City views the constraints to be largely economic in nature, and with different allocations of space and resources, evidence in the record supports a conclusion that sufficient school capacity can be made available to meet school demands without exacerbating physical environmental effects beyond those described in the Draft EIR.

A8-5 As explained under Response to Comment A8-4, the City recognizes a wide range of possible outcomes in terms of student enrollment generation as a result of

implementation of the proposed CCSP. In light of this uncertainty, and the incremental, market-based implementation of the proposed CCSP that is envisioned, the City has proposed a policy framework that would allow the economic and enrollment effects on the SCUSD to be addressed based on actual enrollment trends rather than what are inevitably speculative estimates of future enrollment.

It is important to note that the level of housing growth provided for in the proposed CCSP is exactly the amount of growth that was projected under the last two City of Sacramento General Plans, going back to the 2030 General Plan adopted in 2009. The 2030 General Plan established new land use designations and fundamentally changed the projections for growth in Sacramento, with a focus on accommodating growth within the existing city limits. The current 2035 General Plan is a refinement of the previous 2030 General Plan, but did not significantly revise growth projections for the City or individual portions of the City. Both of these plans were publically available and were subject to evaluation in Master EIRs. The SCUSD did not provide comment on either the 2030 General Plan Master EIR (publicly circulated from July 9, 2008 to August 22, 2008) nor the 2035 General Plan Master EIR (publicly circulated from August 11, 2014 to September 24, 2014).

Development proposed under the CCSP is consistent with the growth and development assumptions described in the City's 2035 General Plan, as well as the SACOG MTP/SCS which makes regional assumptions about growth, including for the City of Sacramento. To that end, potential impacts to schools, including those within the SCUSD, have been addressed repeatedly with each round of comprehensive planning.

While the policy framework of the proposed CCSP anticipates continued coordination with the SCUSD as development under the proposed CCSP occurs, analysis of the impact of new development on schools is not deferred until individual development projects occur within the CCSP area, as is suggested in the comment. Instead, Section 4.1.1, Public Services, of the CCSP EIR explicitly describes the anticipated number of students to be generated by the CCSP and analyzes the impact comprehensively and in totality.

- A8-6 As is explained in detail in Response to Comment A8-4, in the CCSP Draft EIR, the City carefully examined the potential for increased student enrollment as a result of the proposed CCSP, and based on substantial evidence in the record determined that the impact of increased enrollment on the physical environment would be less than significant. The comment focuses on the Draft EIR conclusion of significance, and points to specific statements in the Draft EIR discussion. However, the comments do not accurately reflect the 2035 General Plan and proposed CCSP policies regarding the commitment of the City to coordinate with the SCUSD to monitor school enrollment and capacities.

As presented on page 4.11-27 of the CCSP Draft EIR, the 2035 General Plan includes the following policies that require the City's ongoing coordination and collaboration with local school districts (including the SCUSD):

- ERC 1.1.1 **School Locations.** The City shall work with school districts at the earliest possible opportunity to provide school sites and facilities that are located in the neighborhoods they serve.
- ERC 1.1.2 **Locational Criteria.** The City shall continue to assist in reserving school sites based on each school district's criteria and the school siting guidelines of the California Department of Education and on the City's following location criteria:
- Locate elementary schools on sites that are safely and conveniently accessible, and away from heavy traffic, excessive noise, and incompatible land uses.
 - Locate school sites centrally with respect to their planned attendance areas.
 - Locate schools in areas where established and/or planned walkways, bicycle paths, or greenways link schools with surrounding uses.
 - Locate, plan, and design new schools to be compatible with adjacent uses.
- ERC 1.1.3 **Schools in Urban Areas.** The City shall work with school districts in urban areas to explore the use of existing smaller sites to accommodate lower enrollments, and/ or higher intensity facilities (e.g., multi-story buildings, underground parking, and playgrounds on roofs).

As a tool to implement the goals and policies of the 2035 General Plan, the proposed CCSP includes policies that build upon and refine the policies of the 2035 General Plan. As is presented on page 65 of the Draft CCSP, the following public education policies are proposed:

- CA 2.1 **Sacramento Unified School District.** Work closely with Sacramento Unified School District to determine strategies to serve the increased CCSP student population in a manner appropriate for an urban area.
- CA 2.2 **Partnerships and Joint Use.** Encourage partnerships and joint use opportunities between schools, the City, businesses, and other institutions and agencies.
- CA 2.3 **New Educational Facilities.** Support the development of new school facilities to accommodate students of all ages.
- CA 2.4 **Monitoring.** Work collaboratively with the Sacramento City Unified School District to regularly monitor existing student generation rates to accurately determine school facility needs in the future.
- CA 2.5 **Adaptive Reuse.** Consider the adaptive reuse of existing buildings for school use.

In addition, the annual tracking of student enrollment rates from the CCSP area would be embodied in the plan as an Implementing Action to supplement existing programs and policies of the City and State regulations, and to assist in the implementation of the CCSP education goals and policies.

Implementing Action CA-2

Tracking Student Generation Rates. Track the growth of housing in the Downtown area and existing student enrollment rates to ensure adequate rates are being used to determine future school facility needs.

Responsible Entity: Community Development Department

Timeframe: Annually

The City believes that the draft policies and implementing action would provide the proper framework to facilitate future coordination between the City and the SCUSD to allow planning for schools based on actual data rather than on the very uncertain long-term estimates currently in the record.

As explained in Responses to Comments A8-1 through A8-5, the CCSP EIR comprehensively evaluated the proposed plan's potential impacts on schools. As such, this issue has been adequately addressed in the Draft EIR. Pursuant to State CEQA Guidelines Section 15088.5, recirculation of a Draft EIR is only required under certain circumstances where "significant new information" is disclosed following the publication and circulation of the Draft EIR. Under CEQA, "significant new information" includes:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Based on evidence in the record, the City has not identified significant new information that would require recirculation of the Draft EIR, in full or in part.

Please see Responses to Comments A8-17, A8-19, A8-23, A8-26, A8-36, A8-37, A8-40 and A8-41 for the City's responses to the commenter's additional requests for revisions to the Draft EIR.

A8-7 The capacity of schools in the SCUSD was based on information provided by the SCUSD Facilities Management and Operations Department (April 2017, see footnotes to Table 4.11-2 in the CCSP Draft EIR). The SCUSD was consulted during

preparation of the CCSP Draft EIR, and provided information on programming and other considerations. On page 4.11-28, the Draft EIR acknowledges:

The identified design capacity of a particular school may not accurately predict the actual maximum capacity that SCUSD could accommodate. As stated in Table 4.11-2, design capacity totals are calculated on the assumption that every single classroom at a school site would be used for regular teaching classrooms. However, many of the school sites currently have programs that use classrooms for alternative uses that are part of the academic program, including preschool, computer lab, student development program, etc. Although important academic functions, these other uses effectively reduce the number of regular teaching classrooms that are available. Design capacity totals also do not provide a specific grade-by-grade and year-by-year analysis, and therefore may not accurately true capacity at any given time.

Further, enrollment levels increase and decrease over time, depending on the demographics of the residential areas within the boundaries of each school. Additional factors that can affect a school's enrollment include families choosing to send students to public magnet schools, private schools, charter schools, or open-enrollment schools outside of the district.

The information provided in the Table 4.11-2 Note and the paragraph on page 4.11-28 referenced above directly reflect information provided by the SCUSD. This information represents the physical capacity of the school facilities at the time that the NOP was issued, and, thus, is consistent with the requirements of State CEQA Guidelines Section 15125(a) which requires a description of “the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published.”

Further, the Draft EIR notes that SCUSD may need to expand existing facilities or construct new facilities to accommodate additional students. As stated on page 4.11-29 of the Draft EIR, “If SCUSD were to accommodate [CCSP] area enrollments by expanding facilities on existing school sites and/or develop new school sites, there could be additional environmental effects associated with construction and operation of such schools. The nature and extent of those environmental effects would depend on the school size, design, location, and other factors. Because these factors are unknown at this time, it would be speculative to attempt to evaluate such impacts within the context of this EIR. Expanded and new school facilities would be subject to environmental review by SCUSD pursuant to CEQA.”

A8-8 School capacity information was provided by SCUSD and is reflected in Draft EIR Table 4.11-2 at a 24:1 student:teacher ratio for elementary schools and at a 33:1 student:teacher ratio for middle and high schools. The City used the SCUSD school

capacity information in the Draft EIR analysis of school enrollment effects. It is also explicitly acknowledged in Draft EIR Table 4.11-2 that “the design capacity totals shown are calculated on the assumption that every single classroom at a school site would be used for classrooms. However, many of the school sites currently have programs that use classroom space such as an art class, preschool, computer lab, student development program, etc. These other uses reduce the number of classrooms that are available. Design capacity totals also do not provide a precise grade by grade and year by year analysis, and therefore may not accurately true capacity capabilities.”

The City understands that SCUSD evolves its use of physical school facilities over time based on enrollment demand, statutory requirements, funding availability, and a multitude of other factors. In light of the long-term nature of the CCSP, the City determined that it was most appropriate to consider the physical capacity of the school facilities as they exist today irrespective of this year’s programmatic uses.

Please also see Response to Comment A8-9.

A8-9 The information provided in the Draft EIR regarding school capacity represents the conditions that were present at the time the analysis was prepared, based on the best information available to the City. As is discussed in Response to Comment A8-8, school capacity is subject to change over time based on evolving statutory or policy objectives (e.g., classroom size), increases or decreases in student enrollment, changes to school operations or curricula, changes to school service area boundaries, and other factors. As an example, prior to the Great Recession, local school districts implemented class size reduction; these reductions were rescinded during the recession years, but have recently been incrementally implemented based on available funding. Thus, capacity of local schools has evolved based on economic conditions and policy direction.

The SCUSD’s status as an open enrollment district and the provision of specialty programs such as STEAM (science, technology, engineering, art, and mathematics) education or other specialized education programs, along with demographic and other changes that affect school enrollment, must be considered and balanced by the SCUSD as part of short- and long-term planning. According to the California Department of Education Data Reporting Office, enrollment in SCUSD schools has dropped considerably in the last 15 years, from a high of approximately 53,400 K-12 students in the 2001-02 school year, to a low of 46,643 students in 2015-16. This decrease of over 6,000 students would affect some schools more than others, and it is reasonable to assume there are now some schools that are under capacity that could absorb additional students should the SCUSD decide to redistribute enrollment.

As described in Response to Comment A8-8, a 24:1 student:teacher ratio is already reflected to calculate elementary schools' design capacity (including for grades K-3), thereby reflecting and complying with California Education Code Section 42238.02 and California Code of Regulations, Title 5, Section 15498. Please see Response to Comment A8-8 regarding enrollment levels and capacities at these elementary schools.

A8-10 Please see Response to Comment A8-7.

A8-11 The comment states that residents would be added to the CCSP area with “no addition of parkland,” and suggests that such a condition would affect school facilities, presumably school playfields and open recreational facilities such as blacktop areas with basketball hoops, which could be used for recreational activities. The contention of the comment is incorrect, is inconsistent with the analysis of parks and recreation in the Draft EIR, and makes an unsubstantiated presumption that recreational facilities on school property would be used by CCSP future residents.

Parks and recreational resources in the CCSP area are described in section 4.11, Public Services, subsection 4.11.4, Parks and Open Space. As noted in Impact 4.11-8 on page 4.11-45 of the Draft EIR, 4.87 acres of community parks, 4.87 acres of neighborhood parks, and 34.56 acres of regional parks would be constructed as part of the proposed CCSP. As shown in Table 4.11-6, the proposed CCSP would need an additional 1.96 acres of community parks to offset the deficit for community and neighborhood parks. This additional acreage is incremental in relation to the CCSP area, and it would be provided over the course of the buildout of the proposed CCSP. Impact 4.11-8 notes, however, that there would be a shortfall of regional parkland, which is intended to serve the entire City and region. As a result, Mitigation Measure 4.11-8 requires that projects within the CCSP area comply with the City's Quimby and Park Impact Fee (PIF) ordinances.

For clarification, the last paragraph on page S-20 revised to read:

The analysis looks at existing parks, open space, and recreational facilities in the vicinity of the ~~DSP~~ CCSP area and examines the potential need to expand or enhance existing facilities or to construct new facilities. The evaluation addresses potential effects of implementation of the proposed ~~DSP~~ CCSP on parks and open space resources within the vicinity of the ~~DSP~~ CCSP area, primarily the Central City, and also analyzes the proposed ~~DSP's~~ CCSP's relationship to applicable goals and policies of local park-related plans. The availability of parkland within the CCSP that is not managed by the City of Sacramento Department of Parks and Recreation, as well as the proximity of existing parks that are proximate to, but not within, the CCSP area helps alleviate parkland demand on facilities within the CCSP area. Although new residential

development in the CCSP area would add residents in the CCSP area and result in increased use of existing parks and recreational facilities, there are sufficient parks within and immediately adjacent to the CCSP area to serve area residents. As a result, development in the CCSP area would not cause or accelerate physical deterioration of the park facilities, and the impact would be less than significant.

The proposed ~~DSP~~ CCSP would facilitate development of additional housing units and non-residential space, ~~increased~~ increasing resident populations, and ~~increase the number of employees~~ employment in the CCSP area. This increase in resident population and employees would create an additional demand for parks and recreational facilities within the ~~DSP~~ CCSP area, which could cause the need to provide additional parks and recreation facilities, the construction of which could cause significant environmental impacts. Although the CCSP proposes to provide 4.87 acres of community parks, 4.87 acres of neighborhood parks, and 34.56 acres of regional parks, additional land would be necessary to meet the City's parkland standards. Therefore, mitigation is required for development within the CCSP area to comply with the City's Quimby and Park Impact Fees (PIF) ordinances to offset the need for additional parkland and to comply with the City's parkland standards. ~~Although new residential development in the DSP area would add residents in the DSP area and result in increased demand and use of existing parks and recreational facilities, there are enough parks within and immediately adjacent to the DSP area to serve residents. As a result, development in the DSP area would not cause or accelerate physical deterioration of the park facilities, and the impact would be less than significant.~~

Contrary to the comment, the proposed CCSP would provide for additional neighborhood and community parks, and provides a mitigation measure intended to support the addition of regional parks resources that would meet the needs of CCSP area residents and the community at large. No evidence is provided that would suggest that a shortfall of parks and recreation facilities would contribute to future use of such facilities on school properties.

The comment also criticizes the discussion of the Regulatory Setting related to school siting criteria established in State law and regulation. If SCUSD decides to identify a location for a new school facility, SCUSD would be required to comply with applicable laws, regulations, and guidelines for the appropriate siting of school facilities. The Regulatory Setting subsection of the Public Schools discussion, pages 4.11-25 to 4.11-27 of the Draft EIR, provides an overview discussion of the provisions of the California Education Code and the California Code of Regulations that affect the siting of schools. Because the proposed CCSP does not involve the identification of a school site, the City determined that it was not appropriate to provide an overly detailed description of siting laws, policies, and regulations. The City chose to identify the California Department of Education's "School Site

Analysis and Development” guidebook, and CCR, Title 5, Division 1, Chapter 13, Subchapter 1, Article 2, Section 14010 and 14011 as examples of the regulatory structure surrounding selection of public school sites. This is consistent with the CEQA requirement that the emphasis of an EIR should be on significant effects on the environment (see State CEQA Guidelines Section 15143).

The siting of new schools facilities is not proposed under the CCSP, and it is unknown whether school facilities would be expanded or new school facilities constructed to serve District enrollment. As stated on page 4.11-29 of the Draft EIR, “Because these factors are unknown at this time, it would be speculative to attempt to evaluate such impacts within the context of this EIR. Expanded and new school facilities would be subject to environmental review by SCUSD pursuant to CEQA.”

A8-12 As is described in Response to Comment A8-4, the student generation rates used by the City in the Draft EIR were selected after the City examined several methods of calculating future student generation, including calibration based on SCUSD data for student enrollment from current housing in the CCSP area. The existing housing stock in the CCSP area is a mix of single family and multi-family housing, and, in fact, can be considered potentially conservative in light of the City’s expectation that nearly all housing constructed in the CCSP area would be multi-family. The SCUSD generation rates that are based on City-wide multifamily housing student generation are clearly inconsistent with the current and foreseeable pattern of housing to be constructed within the CCSP area, and are thus reasonable for a basis of analysis in the EIR.

As noted in State CEQA Guidelines Section 15151, “Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts.” The Draft EIR provides information about a range of methods of projecting student generation, and acknowledges the SCUSD standard rates. Nevertheless, the City, as CEQA Lead Agency, has the discretion to use student generation rates that it believes most accurately describe the future conditions. Acknowledging the relative uncertainty about student generation from CCSP area housing, CCSP policies and an implementing action have been included in the Draft CCSP which provide for annual monitoring of student generation, and regular coordination between the City and the SCUSD. In the event that future enrollment from CCSP area housing exceeds the capacity of the local schools, the policy framework would allow future decisions on student distribution to be based on actual public school enrollment conditions in the future. Please see Response to Comment A8-4 for a discussion of how student generation rates were calculated for use in the CCSP Draft EIR, and for SCUSD-provided information regarding current (2016) student attendance levels for students residing within the CCSP area and students attending SCUSD schools.

A8-13 Contrary to the comment, the analysis provided in the CCSP Draft EIR is not dependent on either the SCUSD amending school district boundaries to balance student enrollment at particular schools, nor on parents choosing to send their children to schools other than SCUSD public schools to which they would otherwise attend. Rather, the Draft EIR acknowledges that SCUSD policies and programs may affect capacity at individual schools. School enrollment programs, such as STEAM (science, technology, engineering, art, and mathematics) education or other specialized education programs, could affect enrollment at some schools accompanied by changes in available enrollment capacity.

As an example of how SCUSD policies and decisions affect school capacity, over the last 20 years, the Washington School has been a regular elementary school, closed, and reopened as a STEAM magnet school; under each scenario the capacity of the school to accommodate elementary school students was different based on the programmatic decisions of the SCUSD. At the same time, to the extent that specialized programs decrease capacity at some schools, there would be corresponding reductions in enrollment and capacity increases at other schools. Similarly, students from the CCSP area could be participants in such programs that could affect the levels of enrollment demand on schools in the vicinity of the CCSP area, or, since the SCUSD is an open enrollment district, parents may choose to enroll their children at a school outside of their geographic attendance area for a multitude of reasons. Further, the Draft EIR acknowledges the recent trends in education that create opportunities for students and their families to choose educational opportunities that are outside of the SCUSD, either through private schools, on-line education, or home schooling. These continued trends will affect public school enrollment, and are acknowledged but not assumed in the future. Rather, the City's selected student generation rates were applied to the total housing increase anticipated under the proposed CCSP and presented as so in the Draft EIR, thus providing what the City believes is a conservative estimate of demand.

A8-14 The comment suggests that disagreement between the City, as Lead Agency, and the SCUSD over the estimation of future student enrollment growth is an "inaccuracy" that results in the EIR failing as an informational document. To the contrary, as is explained above in Response to Comment A8-12, under CEQA, there can be a disagreement among experts. More specifically, State CEQA Guidelines Section 15151 states that "[a]n EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible." The section goes on to indicate that "[t]he courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure." The Draft CCSP EIR fully explores the physical environmental effects of the proposed CCSP,

and recognizes that in a number of areas, including the estimation of school enrollment changes and associated physical effects due to the provision of school services, there are alternative methods of estimating impacts. It documents the substantial evidence upon which the City has based its analysis, and provides a comprehensive, accurate, and adequate assessment of the physical environmental impacts of the proposed CCSP.

Please also see Response to Comments A8-4 and A8-7 regarding methods used to estimate student enrollment changes due to the proposed project, including coordination and communication between the SCUSD and the City to establish existing conditions such as school capacity.

- A8-15 As explained in Impacts 4.11-5 and 4.11-6 of the Draft EIR, buildout of the CCSP would result in the generation of additional students within the SCUSD. The method of analysis is explained in the Draft EIR and further expanded upon in Responses to Comments A8-4 and A8-8 of this document. As explained in Response to Comment A8-14, the City has based the analysis in the Draft EIR on a methodology that is based on actual data for student enrollment from housing in the CCSP area rather than suggested citywide enrollment generation rates that it feels are not an accurate description of the future enrollment patterns reasonably expected to come from future development in the CCSP area. As explained above, the Draft EIR meets the standards of adequacy established under CEQA. Please also see Responses to Comments A8-4 and A8-7.

Please see Response to Comment A8-1 and Draft EIR page 4.11-25 of the Draft EIR regarding the applicability of Government Code Section 65996 to provide full and complete school facilities mitigation related to enrollment. As explained in the Draft EIR, the focus of analysis is on the physical environmental effects of the proposed project. This would be inclusive of any physical environmental effects of the construction of schools or related facilities as a result of the project. Based on the analysis presented in the Draft EIR, the student enrollment generated by development pursuant to the proposed CCSP would not result in reasonably foreseeable physical changes that would result in significant impacts. Had such impacts been identified in the Draft EIR, additional mitigation would have been identified. Although the comment speaks in concept to the need for analysis of the impacts of schools, and the requirement for mitigation where a significant impact is identified, it does not describe, nor provide any substantial evidence that supports an argument that there would be a significant impact that was not disclosed in the Draft EIR.

- A8-16 Please see Responses to Comments A8-1 and A8-15.

- A8-17 The City of Sacramento is supportive of coordination between land use and school facility planning consistent with the respective responsibilities of the City and the

SCUSD. As is described in Response to Comment A8-4, the City initiated coordination with the SCUSD during preparation of the proposed CCSP and the CCSP Draft EIR, resulting in numerous meetings between the two parties. Further, as described in Response to Comment A8-6, the City has proposed policies in the proposed CCSP that would provide for on-going coordination between the City and the SCUSD during the period of implementation of the proposed CCSP.

The comments regarding the coordinated planning of school sites are noted. However, the commenter's reference to Government Code Sections 65352 and 65352.2 as a critique of the Draft EIR are inaccurate and misplaced. Government Code Section 65352 is a provision of the Government Code intended to facilitate coordination between land use agencies and other related agencies, including school districts, during the preparation of an update to or substantial amendment of a general plan. The statute requires that the land use agency provide a copy of the proposed action to the school district (see Government Code Section 65352(a)), and then the school district has up to 45 days to provide comment to the land use agency (see Government Code Section 65352(b)). The proposed CCSP is not an update of the City's General Plan, nor does it include or represent a substantial amendment of the City's General Plan. In fact, as noted elsewhere in this Final EIR, the type and amount of development provided for in the proposed CCSP is identical to that planned for in the City's 2035 General Plan, adopted in February 2015. The proposed CCSP is a Specific Plan that would be adopted pursuant to California Government Code Sections 65450 to 65454.

It should be noted that during the preparation of the 2035 General Plan and 2035 General Plan Master EIR, the City circulated a copy of the draft plan and MEIR to the SCUSD for review. No comments were received from the SCUSD on either the Draft 2035 General Plan or Draft 2035 General Plan Master EIR.

Government Code Section 65352.2 is a statute that seeks improved coordination between cities and school districts related to planning for school sites. The provisions of this code section:

- As part of the coordination pursuant to Government Code Section 65352, allow a school district to request a meeting with the city to discuss coordination of school facility planning, design, and construction;
- Require the school district to provide the city with a copy of any school facilities needs analysis, master plan, or other long range plan that relates to the expansion of school sites within its jurisdiction, and then provides that the city may request a meeting.

Because the current process of consideration of the proposed CCSP and its related Draft EIR relates to the adoption of a Specific Plan, and not a general plan update or substantial amendment, or a long range school facility plan, the provisions of

Government Code Section 65352 or Section 65352.2 are not applicable. As stated in the comment, through these sections of the Government Code, the Legislature intended that cities and school districts should coordinate land use and school facility planning. However, it is clear that the intent of the Legislature was that such coordination should occur at the time that cities consider and adopt their general plans and/or school districts adopt long range facility plans. The CCSP is simply a planning tool to implement the City's general plan, and does not represent new land use policy. The time for the Legislature's intended coordination was when it provided the SCUSD a copy of the Draft 2035 General Plan and General Plan Master EIR. While the City implemented its statutorily-required coordination, the SCUSD did not provide comments as provided for in the Government Code. Nevertheless, the City initiated numerous meetings with the SCUSD as part of the CCSP process. While the City respectfully disagrees with the SCUSD about the future student generation rates, it has embodied its commitment to long-term coordination in policies included in the Draft CCSP (see Response to Comment A8-6).

A8-18 Under CEQA mitigation is only required where a significant impact is identified. In the case of school-related impacts, the Draft EIR provides substantial evidence that there would not be a significant physical environment impact related to the provision of school services, and thus there is no need for mitigation. The Draft EIR, page 4.11-31, explains that with General Plan Policies ERC 1.1.1 through ERC 1.1.3, and proposed CCSP policies CA 2.1 and CA 2.4, combined with the implementation of the fees required under Government Code 65996 (SB 50 fees), the impact related to schools would be less than significant. The provisions for the proper deferral of mitigation are only relevant in situations where under CEQA mitigation is required to avoid or reduce the magnitude of a significant impact. Similarly, in light of the fact that the impact would be less than significant, the City cannot have improperly delegated authority to mitigate to developers. Please see Response to Comment A8-4.

A8-19 Please see Response to Comment A8-4 regarding the availability of land to the SCUSD in the CCSP area. As described in Response to Comment A8-1, the City is precluded from requiring additional mitigation for the impact on school facilities. This would include mitigation requiring land dedication. Further, as described in Response to Comment A8-18, the impact of the proposed CCSP related to provision of school services was determined to be less than significant. As such, there is no requirement or basis for imposition of mitigation under CEQA. The provisions of Government Code Section 65995 addresses establishment of impact fees for school facilities, and not CEQA mitigation.

Government Code Sections 65970 through 65978 establish procedures wherein a school district can officially determine that overcrowding exists (see Section 65971), setting in motion a series of actions which, pursuant to Section 65972, require the local agency to either approve an ordinance requiring developers to make land

dedications or pay additional fees to the school district (see Section 65974), or make findings that there are overriding considerations that would benefit the local agency. To the City's knowledge, the SCUSD has not made findings of overcrowding pursuant to Section 65971. In fact, as noted in in Response to Comment A8-9, the enrollment in the SCUSD has fallen by approximately 6,000 students between the 2001-2002 and 2015-2016 school years. Therefore, reference to the provisions of Government Code Section 65970 through Section 65978 is not relevant to the proposed CCSP.

A8-20 Development under the CCSP is anticipated to occur over time and has a development horizon of 2036. Development projects would largely be initiated and sponsored by private development entities, with the City acting as a regulatory agency. Therefore, development under the CCSP would occur incrementally, consistent with market demand and within the overall growth projections embodied in the 2035 General Plan and SACOG MTP/SCS. The multitude of private parcels and the market-based nature of plan implementation make an overall CCSP phasing program infeasible. However, to reflect the incremental and somewhat unpredictable nature of the development process over time, the City provided for annual monitoring of school enrollment from the CCSP area, and regular coordination over time between the City and the SCUSD to allow planning in response to growth patterns and rates.

A8-21 The comments regarding the Chawanakee Unified School District v. County of Madera (196 Cal.App. 4th 1016) case (Chawanakee) are noted. The present situation with the proposed CCSP is demonstrably different than the conditions that were present in the Chawanakee case. In that situation, Madera County adopted a specific plan for an urban development of a previously undeveloped part of Madera County. That plan called for the development of substantial amounts of housing years before the provision of any school facilities, with a plan for interim provision of school services from an existing school several miles from the new development. In that case there was no existing schools to serve the new development, and the plan identified the schools that would serve in the interim period. In Chawanakee, the Court of Appeal directed that CEQA required the analysis of transportation and related impacts associated with travel from the new development to the current existing schools.

The Chawanakee case is differentiated from the present situation in that the CCSP Draft EIR considers impacts of all development activities within the CCSP area, including transportation and circulation effects on the local and regional roadway and highway system. It is additionally differentiated in that the infill development provided for in the proposed CCSP (which is the same development provided for in the 2015-adopted City of Sacramento 2035 General Plan), is in an urban fabric that is already served by an existing public school system with numerous schools within the immediate area.

Thus, while the Chawanakee case is instructive in establishing the concept that effects of new development related to the provision of school services are within the effects to be addressed in a CEQA document, the current situation is materially different in terms of the predictability of the number, location, or types of improvements that may be required to accommodate students from future development in the CCSP area.

The statement in the comments that the CCSP Draft EIR fails to analyze effects of traffic to and from schools is incorrect. While specific information is not known about the potential for individual SCUSD school sites to be expanded or newly developed, the CCSP Draft EIR considers environmental impacts resulting from development consistent with the CCSP. The indirect effects of CCSP area students attending schools outside the CCSP area, based on buildout of residential units in the CCSP area, are addressed in the Draft EIR to the extent practicable in light of the uncertainties associated with the location, size and enrollment of schools over the next twenty or more years, as well as the potential changes in delivery of educational services over that extended timeframe. For example, the transportation analysis assumes home-to-school and school-to-home trips associated with each residential unit; since the transportation analysis is the basis of the traffic air emissions, traffic noise and greenhouse gas emissions analyses in sections 4.2, 4.7 and 4.10 of the CCSP Draft EIR, these impacts too are considered and disclosed in the CCSP Draft EIR. Please see Responses to Comments A8-22 through A8-24 for additional discussion of consideration of school related traffic impacts.

As discussed above, the CCSP would be developed over many years, and there are a number of different strategies that the SCUSD could use to accommodate students from the CCSP area. The specific timing, location and design of new school construction (within or outside of the CCSP area) and school expansions, if any, are not known at this time. Given that the development under the proposed CCSP would occur over many years, the then-current state of affairs for SCUSD school facilities is speculative at this time. The need for new or expanded schools is uncertain at this time, because the number of residential units, the actual student generation rates from those units, and the capacity of area schools at that time have yet to be determined.

During the numerous communications and meetings between the City and the SCUSD during the preparation of the Draft CCSP EIR, the SCUSD did not provide any information to the City about potential temporary or permanent changes that would be undertaken at local SCUSD schools which would have allowed the City to analyze the effects of physical changes at the school sites. In light of the uncertainty about the number of students that would be generated by development pursuant to the proposed CCSP, and the lack of planned expansion at SCUSD schools, any further consideration of such impacts in the CCSP Draft EIR would have been speculative. Analysis of speculative outcomes of the proposed CCSP would be improper under

CEQA. As noted in State CEQA Guidelines Section 15145, “If, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact.”

A8-22 The commenter states that that the Draft EIR traffic analysis is inadequate as it relates to schools. Please refer to Response to Comment A8-23 which explains how the traffic analysis captures the full effect of school-related travel, including changes in the traffic volumes, vehicle-mile of travel (VMT) and travel by non-auto modes in the CCSP area.

The commenter goes on to correctly state that the traffic analysis in the Draft EIR uses traffic count data collected between 2011-2015, and states that the data fails to present an adequate description of the existing traffic setting because it is inconsistent with Caltrans’ *Guide for the Preparation of Traffic Impact Studies* (2002), which suggests that data be no more than two years old.

As indicated by the commenter, the Caltrans guidelines “suggest” an appropriate age of traffic count data, and are not intended to represent an inflexible and required range irrespective of current conditions present in the project area. The City of Sacramento regularly and routinely updates traffic counts throughout the City and maintains a thorough database of traffic counts for use in studies. The CCSP EIR analysis used the best traffic count information that was available when the NOP was issued in February 2017.

The CCSP covers a vast transportation network, and the CCSP allows development to occur anywhere within the CCSP area. According to the U.S. Census Bureau, the CCSP area contained 32,655 residents as of the year 2000. Most recent American Community Survey (ACS)³ estimates show that the CCSP area averaged 32,488 residents between 2010 and 2014. This represents a nominal decrease of 167 residents since the year 2000. Similar to the overall population trends experienced in the CCSP area, since the year 2000, the total number of households also remained relatively stable. The CCSP area contained 17,771 households in 2000, which increased to an average of 18,182 households between 2010 and 2014. This represents an average annual growth rate of 0.2 percent between 2000 and 2010-2014. Between 2010 and 2015, employment in the CCSP area declined by 9.4 percent, a reduction from 128,370 employees to 116,350 employees.

The use of existing traffic count data was reasonable because population, housing, and employment numbers have not materially changed in the CCSP area. Thus, the

³ The American Community Survey is an ongoing annual survey by the United States Census Bureau that provides social and economic information about communities. <https://www.census.gov/programs-surveys/acs/about.html>. Accessed December 15, 2017.

evidence in the record supports the City's conclusion that traffic count data collected incrementally over a period from 2011 to 2015 is an accurate reflection of current conditions in the CCSP area, and thus appropriate for use as existing and baseline conditions in the CCSP Draft EIR.

As discussed on page 4.12-11 of the Draft EIR, all 58 of the intersections evaluated under existing conditions operate with an average intersection delay of LOS D or better during both the AM and PM peak hours except for Intersection 1 (J Street/ 3rd Street/I-5 Off-ramps), which operates at LOS E during the PM peak hour. As discussed on pages 4.12-33 and 4.12-34 of the Draft EIR, the City's significance criteria allow for LOS F conditions during peak hours at all study locations, provided that the entire roadway system does not experience "severe gridlock." Nominal increases in traffic that may have occurred subsequent to the collection of the traffic count data would not result in substantially different results to those reported in the Draft EIR, and would not alter the finding that the CCSP's impacts to intersection operations would be less than significant under Existing Plus CCSP conditions.

Because the CCSP does not dictate exactly where development can occur within the CCSP area, the expectation of the City to recount every intersection in the CCSP area and surrounding areas would be unreasonable. As described in State CEQA Guidelines Section 15151, "An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. ... The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure." The CCSP Draft EIR made a good faith effort to use the best information available and made reasonable assumptions about the data's applicability. As a result, the data presented in the CCSP Draft EIR is a reasonable representation of traffic conditions in the CCSP area.

A8-23 The commenter expresses concern that the Draft EIR traffic analysis does not specifically account for school trips associated with parents who transport their children to schools outside of the CCSP area. The commenter also expresses concerns of safety issues, reduced response times for emergency services, and gridlock during, before, and after school drop-off and pick-up hours caused by traffic generated by the CCSP. The commenter states that the CCSP has the potential to create a necessity for offsite parking. Lastly, the commenter states that the Draft EIR does not address the impacts that lane reductions will have on traffic, particularly in areas near schools, or on the safety of students going to or from school, including by foot or bicycle. The commenter requests that the Draft EIR specifically take the District and its students into consideration when analyzing traffic and safety impacts.

The CCSP Draft EIR analyzed impacts to intersections as a measure for roadway network performance because intersections are typically the most susceptible locations for delay associated with increased traffic volumes. Page 4.12-33 of the Draft EIR states that impacts to intersections are considered significant if, “the traffic generated by the plan degrades the overall roadway system operation to the extent that the plan would not be consistent with General Plan Policy M 1.2.2 relating to the City’s Level of Service Policy.” The City’s General Plan Policy M 1.2.2 (a) sets forth definitions for acceptable LOS within the Plan area, and states, “LOS F is acceptable at these locations during peak hours, provided that the project (plan) provides improvements to other parts of the citywide transportation system within the project site vicinity (or within the area affected by the project’s vehicular traffic impacts) 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. Road widening or other improvements to road segments are not required.” Page 4.12-34 of the Draft EIR describes the City’s interpretation of General Plan Policy M 1.2.2: “while LOS F peak hour operating conditions at a single intersection may be considered acceptable, an entire roadway system that experiences severe gridlock, and hampers all modes of travel is generally not considered acceptable. To this end, the evaluation of intersection LOS focuses on the totality of system operations to assess consistency with General Plan Policy M 1.2.2.” This text reflects a layered network approach to transportation network improvements within the Plan area, which applies holistic methods to improve the transportation system for all travel modes. To this end, the CCSP does not attempt to prioritize one travel mode, but rather identify improvements that benefit the operation of the entire system.

The Draft EIR evaluates traffic impacts during the morning peak hour, when students are arriving at school and, as explained below, adequately reflects the impact of school-related traffic related to the proposed CCSP. Because school trip traffic is mixed and often linked with traffic of other trip purposes, it is not possible nor relevant to identify impacts associated solely with school trips. As required under CEQA, the traffic analysis considers the effects of all trips generated under the proposed CCSP, including under cumulative conditions. School trips within the CCSP area as well as trips outside the area have been considered in the Draft EIR analysis and identification of impacts. This analysis includes the consideration of capacity / congestion, safety, and VMT effects, as summarized in the CCSP Draft EIR. The analysis specifically considers the changes in number of travel lanes associated with the implementation of circulation improvements provided for in the proposed CCSP. The following discussion summarizes the travel forecasting methodology as it applies to an increase of residential units in the CCSP area, the number of school children associated with the new units, and the assignment of students to schools both within and outside the CCSP area.

As discussed on page 4-12-40 of the Draft EIR, the primary tool used for travel demand forecasting was the SACSIM regional travel demand model developed by SACOG and used to prepare the Metropolitan Transportation Plan/Sustainable Community Strategy (MTP/SCS). SACSIM simulates the “activities” and travel behavior for each individual resident in the region on a “typical” weekday when school is in session. The model inputs include many factors including the demographics of each “household” in the region, the location of each household (at a parcel level) and the mix/density of land uses near that household. The model estimates the travel time by each travel mode to reach any destination in the region for different times of day and uses detailed information on land uses throughout the regional to estimate how individuals will travel to satisfy their daily activities.

SACSIM estimates travel “tours” made by each person in a household. A tour is a chain of trips beginning and ending at the home. The tours are defined by activities including work, school, shop, meal, personal business, social/recreational, etc. There are many types of tours but a relevant example would involve a parent driving a child to school, going to work, picking up the child after work and going shopping before returning home.

SACOG uses detailed census demographic data to estimate the makeup of each existing household in the region including household size and income plus the age of each household member. SACOG then uses a simulation model to estimate the demographics of each household in its horizon year – currently 2036. Thus the model inputs include the number of school-age children in each household and the number of students who are of driving age. The model inputs also include the location and enrollment for both existing schools plus and new schools that are anticipated by 2036.

The model, which reflects a typical day when school is in session, ensures that all school trips generated by all of the school-age students are made to a school. SACOG estimates the number of “person trips” generated by each school-age student and the number of students who are driven, walk, bike or take transit based on detailed household survey data. The model assigns most students to the nearest school if there is capacity in that school. However, the model recognizes that some students will attend alternative (magnet, private etc.) schools. Thus, the model accounts for school-related travel to distant schools even if there is capacity at the nearest school.

The estimate of total development growth (i.e. change in households, population, school enrollment, employment, etc.) in the CCSP area included in the Draft EIR is based on SACOG’s estimated growth through 2036. SACOG estimated that the number of K-12 school-age (5 through 18 years old) students living in the CCSP would increase by about 1,540 by 2036 while they estimated that enrollment in all schools in the CCSP would only increase by 220 by 2036. Recognizing that it may be difficult to increase the capacity of existing schools in the CCSP, the SACOG model

assumes only a modest increase in enrollment. The model assumes that some new schools would be added by 2036 within the City, including in the Railyards area, and also assumes modest increases in enrollment at some existing schools in the City.

As noted above, based on reasonable assumptions the travel demand model ensures that all school trips generated by all of the school age students are made to a school. With the number of K-12 school-age students living in the CCSP area increasing by more than the increase in enrollment at schools in the CCSP by 2036, the travel demand model has assigned a higher percentage of the school-related trips generated by residents of the CCSP to schools outside the CCSP than occurs today. The traffic assignment process used in the travel demand model for the CCSP also accounts for the location and availability of parking, both on-street and off-street. Thus, despite uncertainty about student enrollment increases at specific schools, the travel demand model reasonably captures the full effect of school-related travel, including changes in the traffic volumes, vehicle-mile of travel (VMT) and travel by non-auto modes due to capacity-constrained schools in the CCSP.

Thus, consistent with the findings of the Chawanakee case, the travel demand model that underlies the impact assessment of for transportation and circulation, air quality, greenhouse gas emissions, transportation energy, and transportation noise impacts provides estimates of the changes in traffic volumes on individual roadway segments and intersections that stem from projected development in the CCSP, including traffic traveling to and from schools. In addition, the traffic impact analysis fully captures the changes in traffic demand that stem from changes in traffic capacity due to the reduction of travel lanes that are proposed in the proposed CCSP. No traffic safety related impacts were identified due to the proposed CCSP.

A8-24 The commenter expresses concern that the Draft EIR traffic analysis does not specifically account for school trips and that there is no way to separate those trip types from other vehicle trips in order to meaningfully review their impacts. The commenter claims that the analysis therefore fails to comply with CEQA.

As discussed in Response to Comment A8-23, the Draft EIR adequately reflects the changes in traffic volumes on study roadways segments and intersections that would result from development of all projected land use in the CCSP including school-related traffic.

Please also see Response to Comment A8-21 regarding the factors that differentiate the conditions that were present in the Chawanakee case and made precise analysis of impacts of project-related enrollment increases at specific schools, compared to the conditions that are present with the proposed CCSP, and which make such analysis speculative at this time.

A8-25 See Responses to Comments A8-22 through A8-24 regarding the consideration of school-related traffic. Because school-related traffic was considered and incorporated into the traffic model, school-related traffic was also analyzed and modeled as part of the air quality analysis (section 4.2, Air Quality in the Draft EIR) and the greenhouse gas emissions/global climate change analysis (section 4.7, Global Climate Change in the Draft EIR).

A8-26 Education Code Section 17620 allows school districts to levy fees on commercial development, and requires that the school district take into account the effect of commercial development on schools when setting fees (Section 17621(e)(1)(B)). As with residential development, the payment of development fees would fully mitigate the effect on schools of new commercial development. The proposed CCSP would provide for development of approximately 3,820,294 square feet of non-residential space. If school fees were required for construction of all CCSP non-residential development up to approximately \$1.9 million in school fees could be generated under the current fee levels. The SCUSD has established fees for the development of enclosed commercial/industrial space. These fees likely apply to office, retail, and mixed use space under the proposed CCSP. Thus the total amount of fees that would be collected through development of non-residential space in the CCSP area is approximately \$1.9 million.

The comment does not provide evidence that there is anything characteristic of the non-residential development that would result in greater numbers of employees' children attending schools in or near the CCSP area than assumed in the SCUSD findings used to support the adoption of the developer fees for commercial uses. To the City's knowledge, the SCUSD does not have and did not provide to the City any estimates of student generation rates for non-residential development. Therefore, any precise estimate of new student enrollment associated with increases in non-residential development under the CCSP would be speculative. Please also see Response to Comment A8-24 which explains how all trips, including any school-related trips that would link to home-to-work trips for future downtown employees, are accounted for in the transportation modeling that underlies the transportation and circulation, transportation air quality, greenhouse gas emissions, transportation noise, and transportation energy analyses in the CCSP Draft EIR. Thus, even though a specific estimate of non-residential student generation is not provided, the CCSP Draft EIR accounted for the indirect effects of any such enrollment increase.

A8-27 When the analysis of air quality impacts was being conducted, one of the first steps in the analysis was to evaluate the location of the closest sensitive receptors, which included the locations of future land uses that would be zoned as residences, schools/daycares, and medical facilities.

As described on page 4.2-18 of the Draft EIR, the CALINE4 dispersion model is the preferred method of estimating CO pollutant concentrations at sensitive land uses near congested roadways and intersections. For each intersection analyzed, CALINE4 uses traffic volumes, CO emission rates, and receptor locations to estimate peak hour CO concentrations. For this analysis, CO concentrations were calculated based on a simplified CALINE4 screening procedure and CO emissions rates for Sacramento County from the California Air Resources Board's Emissions Factors (EMFAC) 2014 model. The model is used to identify potential CO hotspots. The modeling methodology assumed worst-case conditions to provide a maximum, worst-case CO concentration. To ensure that an adequate margin of safety was used, the highest 1-hour and 8-hour CO readings from Sacramento County were used as the background concentration. Year 2016 and 2035 was selected for the baseline and cumulative analysis, respectively, in order to generate conservative emission factors and emission estimates. Appendix C1 contains the CO modeling results.

Page 4.2-19 of the Draft EIR explains that although construction activities within the CCSP area would be ongoing incrementally for several years, construction at any particular location within the CCSP area would be intermittent and would occur in different areas for varying durations. Toxic Air Contaminants (TAC) emissions would be spread out geographically over time, reducing exposure at any individual sensitive receptor. Impact 4.2-5 describes potential short-term and long-term exposure to TAC, including as sensitive receptors. Although construction activities within the CCSP could be ongoing incrementally for several years, construction within the CCSP area would be intermittent and occur in different areas for varying durations. Thus, TAC emissions would be spread out geographically over time, reducing exposure at any individual sensitive receptor, and the impact would be less than significant.

Long-term operation of the CCSP could include the development of stationary sources that emit TACs. However, any stationary sources that may emit TACs would be subject to SMAQMD permitting and Toxics Best Available Control Technology (T-BACT) requirements. SMAQMD would assess such sources for potential health risk impacts based on their potential to emit TACs. If it is determined that the sources would be considered a major source of TACs, T BACT would be implemented to reduce emissions (such as through process changes or control equipment incorporation) to ensure a level of control that, at a minimum, is no less stringent than new source maximum achievable control technology. If the implementation of T-BACT would achieve the required level of control, then SMAQMD would deny the required permit. As a result, impacts associated with exposure of sensitive receptors to substantial toxic air emissions from stationary source operations would be less than significant.

The placement of sensitive receptors within 500 feet of a major roadway (Highway 50, Business 80, or I-5) could expose sensitive receptors to high levels of TAC. Implementation of Mitigation Measure 4.2-5 would require sensitive receptors to be placed as far as possible from major roadways. However, the proposed CCSP does not provide for the location of a new school in the vicinity of a major roadway.

Please see Response to Comment A8-24 regarding the consideration of school-related travel in the analysis of transportation impacts, and Response to Comment A8-25 regarding analysis of air quality impacts related to school facilities.

A8-28 The commenter is correct that the CCSP Draft EIR evaluates whether the proposed CCSP would conflict with or obstruct implementation of an applicable air quality plan. However, the commenter incorrectly states that the analysis does not provide a meaningful basis from which decision-makers and the public can review and analyze impacts. As stated in the CCSP Draft EIR section 4.2, Air Quality, the proposed CCSP would be consistent with the land uses (and transportation network) used to develop SACOG's MTP/SCS. The 2013 Revisions to the Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan prepared and implemented by SMAQMD is based on the land uses and transportation network in SACOG's previous 2012 MTP/SCS. Relevant information from the 2012 MTP/SCS was incorporated into the 2016 MTP/SCS, including land use assumptions for the CCSP area. Since the CCSP is consistent with the 2016 MTP/SCS, it would not conflict with or obstruct implementation of SMAQMD's air quality plans.

A8-29 Contrary to the comment, the CCSP Draft EIR provided a thoughtful analysis of hazards and hazardous materials related impacts of the proposed CCSP on schools in section 4.8, Hazards and Hazardous Materials.

The Environmental Setting discussion provides identification of all 15 private and public schools in the CCSP area, as well as two additional schools within one-quarter mile of the CCSP area (see Draft EIR pages 4.8-9 to 4.8-10). On page 4.8-16, the CCSP Draft EIR identifies the following threshold of significance:

- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

Impact 4.8-5 addresses this threshold, and addresses both construction-related and operational exposures of schools to project-related hazards. Regarding construction-related hazards, the analysis acknowledges that "the improper handling and transport of hazardous materials could result in accidental release of hazardous materials near schools, thereby exposing school occupants to hazardous materials," the analysis goes on to reflect the high level of federal, State and local regulation of the handling, transport, generation, and disposal of hazardous materials. However, noting the

regulation-required preparation of Hazardous Materials Business Plans (HMBPs), Stormwater Pollution Prevention Plans (SWPPPs), and associated Best Management Practices (BMPs), the Draft EIR concludes that “[b]ecause numerous laws and regulations govern the transportation and management of hazardous materials to reduce the potential hazards, this impact would be less than significant.”

Regarding operational effects on schools, the analysis recognizes that “[o]peration of facilities near schools within the [CCSP] would involve the use of small quantities of common hazardous materials including paints and thinners, cleaning solvents, and fuels, oils, and lubricants.” The analysis explains the regulation of transportation of hazardous materials by the United State Department of Transportation as well as Caltrans, and that “the preparation and implementation of facility-specific HMBPs would be required of all businesses that handle, generate, and dispose of hazardous materials.” In light of the numerous laws and regulations that govern the operational use of the small quantities of hazardous materials associated with types of housing and non-residential development anticipated under the proposed CCSP, the Draft EIR concludes that this impact would be less than significant.

Impact 4.8-11 addresses the potential for the proposed CCSP, in combination with other cumulative development, to create significant impacts on schools. The analysis of cumulative impacts concludes that the impacts would be less than significant for the same reasons articulated above for the project-specific analysis.

A8-30 The comment suggests an inadequacy in the Draft EIR because it does not address the adverse effects of water quality effects on school districts, including students who could be exposed to such effects. It then makes reference to flooding impacts, with page references to section 4.9, Hydrology and Water Quality, that are either incorrect or non-existent. The reference to page 4.9-6 is to a page in the Regulatory Setting subsection that summarizes relevant provisions of the federal Clean Water Act. The reference to page 4.9-50 does not exist as the last page of the section is page 4.9-25.

The Hydrology and Water Quality chapter contains analyses of both regional flooding as well as water quality effects on groundwater and surface water resources. Project specific and cumulative flooding impacts are determined to be less than significant because the CCSP area is located in FEMA Flood Zone X, which applies to areas of minimal flood hazard outside of the 100-year flood hazard zone (see Impact 4.9-3, page 4.9-21, and Impact 4.9-6, pages 4.9-23 and 24). This would apply equally to the schools that exist in the CCSP area. Because the proposed CCSP would not exacerbate the risk of flooding in the area, including flooding to schools, the impact was determined to be less than significant.

Construction and operational effects on surface water and groundwater quality are considered in Impacts 4.9-1, 4.9-2, 4.9-4 (Project-specific), and 4.9-5 and 4.9-7 (see

Draft EIR pages 4.9-18 through 4.9-25). While acknowledging the potential for uncontrolled runoff from construction sites, the analysis explains how implementation of the NPDES General Construction Permit, Stormwater Quality Improvement Plan, Sacramento Stormwater Quality Partnership Hydromodification Management Plan, and other related regulations would reduce the potential for construction related impacts, concluding that the impact of the proposed CCSP would be less than significant.

Significant operational impacts on surface waters would be avoided through implementation of the Stormwater Quality Design Manual for the Sacramento Region, the City's Stormwater Management and Discharge Control Code, and 2035 General Plan policies related to hydrology and water quality (see page 4.9-20). Significant groundwater impacts would be avoided through implementation of the City's Standard Specification for Dewatering, the CVRWQCB's General Dewatering Permit, and NPDES General Construction Permit BMPs would prevent impacts to groundwater quality during construction, and during project operation, no dewatering or use of groundwater would occur within the CCSP area, avoiding any impacts to groundwater (see Draft EIR page 4.9-22).

The analyses and conclusions in the Draft EIR are focused on the effects of the proposed CCSP on surface and groundwater resources, but to the extent that there could be water-related effects on people or property, the analyses inclusive of any potential effects on schools, as well as school students, faculty and staff.

- A8-31 The Draft EIR includes a detailed analysis of noise effects on noise sensitive uses, which are defined to include “[r]esidences, motels and hotels, schools, libraries, churches, hospitals, and nursing homes.” The comment notes some of the features of schools that make them sensitive to noise, confirming the Draft EIR’s identification of schools as noise sensitive uses. Because of the previously described incremental nature of the development anticipated to occur pursuant to the proposed CCSP, it is would be impossible at this time to attempt to articulate the specific effects of a future project in the vicinity of one of the SCUSD school sites in or near the CCSP area. Nevertheless, the mitigation measures that are identified for noise, including measures 4.10-1 (Construction Noise) and 4.10-2 (HVAC and loading dock noise). In addition, Mitigation Measure 4.10-4(b) would provide protection to buildings, including historic buildings, from vibration caused by construction activities pursuant to the CCSP. Each of these measures was designed to mitigation noise or vibration impacts to existing or future sensitive uses, such as schools.
- A8-32 CEQA requires that an EIR evaluate the effects of a project on the physical environment. More specifically, under CEQA, economic and social effects are relevant only insofar as they may serve as a link in a chain of cause and effect that may connect the proposed action with a physical environmental effect, or they may

be part of the factors considered in determining the significance of a physical environmental effect. The comment includes no discussion or evidence that suggests a connection between the impacts on staffing requirements and the physical environmental effects of the proposed CCSP. Furthermore, it would be speculative at this time to anticipate staffing levels and operational considerations (e.g., staff hours), because the location, number and other aspects of future schools are unknown. As such, there is no basis upon which to require the project to implement the measures suggested in this comment.

The comment does not suggest or provide evidence that economic impacts on the school district might somehow result in urban decay. With up to 7 million square feet of non-residential space and up to 13,400 residential units, the proposed CCSP would generate substantial increases in property tax revenue, a large portion of which would go to the SCUSD.

For a discussion of traffic impacts, please see Responses to Comments A8-21 through A8-23.

- A8-33 Curriculum is not a physical attribute of the environment, and the comment provides no evidence to suggest that curriculum is connected to or otherwise related to a physical change in the environment. As such, pursuant to State CEQA Guidelines Section 15131, this issue is not therefore subject to CEQA analysis. Furthermore, the curriculum and programs that may be offered at a school or schools serving project children has yet to be determined, so it would be speculative to discuss whether such programs could have impacts on the environment beyond the impacts already discussed in the Draft EIR. Please also see Response to Comment A8-1 for a discussion of CEQA's consideration of social and economic effects, such as effects to curriculum.
- A8-34 Please see Responses to Comments A8-4 and A8-5 related to student enrollment and related impacts of the proposed CCSP. Please also see Response to Comment A8-1 regarding the statutory mandate establishing that impacts on school facilities are fully mitigated by payment of developer fees applies to both existing plus project and cumulative analyses.
- A8-35 Please see Responses to Comments A8-7 through A8-9 regarding the capacity of school sites. Please also see Responses to Comments A8-21 through A8-23 regarding the analysis of transportation impacts associated with school-related travel. Although vague, the reference to other impacts associated with transfer of students between schools is noted. The City believes that the issues referred to by this comment are social and economic in nature. Please see Response to Comment A8-1 for a discussion of the role of social and economic effects under CEQA.

A8-36 The City concurs with the comment’s summary of the basic requirement for analysis of a range of reasonable alternatives in an EIR, pursuant to State CEQA Guidelines Section 15126.6. However, the comment’s assertion that the EIR fails to meet these requirements is incorrect.

The comment’s single critique of the range of alternatives is the lack of an alternative “involving reduced density or any similar reduced scope or intensity.” Comparison is drawn to a case involving a general plan EIR which failed to address reduced density. Differentiating the CCSP Draft EIR from the case cited in the comment, rather than being an EIR on a general plan, the CCSP EIR addresses a proposed specific plan that would implement the policy direction of the City’s existing 2035 General Plan EIR. As noted by the comment, an EIR is required to explain the basis for alternatives that were not considered. Thus, on pages 6-4 and 6-5 of the Draft CCSP EIR, the following explanation is provided for why a “Smaller/Less Growth Alternative” was not considered in the EIR:

...the Smaller/Less Growth Alternative would fail to accommodate the amount of growth projected under the 2035 General Plan and SACOG 2016 MTP/SCS, which would tend to push growth outward from the City core into more suburban areas. This growth would result in higher vehicle miles traveled (VMT), relative to the per capita and per employee VMT estimated under the proposed [CCSP], and would be inconsistent with [CCSP] objectives. Concomitant effects triggered by increased per capita and per employee VMT would be increased criteria pollutant emissions and greenhouse gas emissions, increased loss of prime farmland and habitat for special status species, increased water demand, increased energy demand, and the like.

The Smaller/Less Growth Alternative would be inconsistent with some of the most basic objectives of the proposed [CCSP], including (1) encouraging growth in the City inward and fostering infill development, (2) protecting important environmental resources and ensuring long-term economic sustainability and health, (3) creating housing in downtown consistent with the 2035 General Plan, and (4) diversifying downtown employment opportunities. Because the Smaller/Less Growth Alternative would fail to meet some of the most basic objectives of the proposed [CCSP] and would exacerbate a wide range of environmental effects on a regional basis, it was dismissed from further consideration.

Because the fundamental goal of the proposed CCSP is to facilitate implementation of the 2035 General Plan growth for the CCSP area, and because reduction in density in the urban core of Sacramento would exacerbate the adverse environmental impacts of future growth in the City and the region, the City of Sacramento determined that such an alternative was not appropriately included in the range of alternatives

addressed in the EIR. In order to address some of the adverse impacts of the density and intensity of development, the CCSP Draft EIR did include consideration of an alternative that would achieve the planned level of growth in the CCSP area but with lower heights and densities on individual parcels (see Alternative 2: Reduced Heights Alternative, CCSP Draft EIR pages 6-14 through 6-17).

The CCSP Draft EIR provides the range of reasonable alternatives required under CEQA pursuant to State CEQA Guidelines Section 15126.6(c) and (f).

A8-37 State CEQA Guidelines Section 15125(d) states that “[t]he EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans.” The CCSP Draft EIR includes a discussion of the project’s consistency with Goal ERC 1.1, and specifically policies ERC 1.1.1 through ERC 1.1.4 in the 2035 General Plan. Policy ERC 1.1.1 requires the City to work with school districts to provide schools and school sites in neighborhoods they serve. Policy ERC 1.1.2 requires the City to assist in the reservation of school sites and establishes locational criteria for schools that relate to accessibility, safety, and compatibility with adjacent uses. Policy ERC 1.1.3 requires the City to work with the school districts to explore use of smaller sites and higher intensity facilities (multi-story buildings). Finally, policy ERC 1.1.4 requires the City to work with school districts to explore opportunities for joint use facilities.

The Draft EIR states that “[t]he Proposed [CCSP] would ensure adequate attendance of schools within the plan area to meet capacities within the plan area. Consistent with Policies ERC 1.1.1 through ERC 1.1.3, developers for all of the entitled projects would coordinate school needs with SCUSD to achieve optimum school siting. In addition, developers would pay the appropriate fees and consult with the two school districts to ensure adequate school needs are met.” Related to policy ERC 1.1.4, the CCSP Draft EIR discussion notes that “[a] joint-use facility could be developed if consistent with the type of school that would be developed in the [CCSP] area.” The overall conclusion in the CCSP Draft EIR is that the proposed projects would be consistent with each of the 2035 General Plan goals and policies related to the provision of public school services.

Given that the proposed CCSP would ensure that all development in the CCSP area pays school impact fees at the same level as development from other parts of the community that generate students at a higher rate than in the CCSP area, funds would be made available to support school facilities for students within the CCSP area as well as in other parts of the SCUSD service area, promoting access to educational services for students throughout the District. Therefore, the CCSP would not result in inequity with other students.

A8-38 ERC 1.1.1 through 1.1.4 are 2035 General Plan policies that call for the City to coordinate and cooperate with the school district in long range planning for school facilities, and ensuring that school locations take into account student safety and other relevant considerations. As General Plan policies these identify relevant aspirations and goals, and the Draft EIR has adequately identified and discussed the applicable policies (see discussion on pages 4.11-32 and 4.11-33).

The SCUSD assertions regarding communication relating to the project in question are, in the City's view, inaccurate in terms of the City's commitment to supporting the school district's efforts to provide adequate facilities and safe locations for schools. As is described in Response to Comment A8-6, the City engaged in substantial coordination and multiple meetings with the SCUSD during the development of the proposed CCSP and the CCSP Draft EIR. To the extent feasible, the City reflected the input from the SCUSD in the policy framework including in the proposed CCSP, including the requirement for ongoing coordination between the City and the SCUSD, and the requirement for annual monitoring of school enrollment from the CCSP area. Other suggestions of the SCUSD staff, including (1) realignment of the boundary between the SCUSD and the Twin Rivers USD, (2) reservation of a site for a new school within the CCSP, including conversation of public parkland for a new school, and (3) imposition of higher school impact fees were deemed infeasible by the City. The realignment of school district boundaries is not within the City's authority. The reservation of a site within the CCSP is considered not practicable in that the development pursuant to the CCSP will be undertaken by private entities, and not the City. The City does not own land that is currently available or would meet the requirements for school siting. The conversion of parkland in the CCSP area would adversely affect park resources and is not considered feasible by the City at this time. Finally, the City determined that imposition of new and separate fees to augment the SCUSD's fee structure would be contrary to the goals of the plan to facilitate housing development in the CCSP area and achieve the Mayor's Housing Initiative and goals of the 2035 General Plan.

The Draft EIR adequately identified the issues raised by the school district, and reasonably concluded that the project as proposed is consistent with the 2035 General Plan goals and policies cited by the school district. No further response is required.

A8-39 The comment is noted. The school policies of the proposed CCSP are intended to promote long-term coordination between the City, SCUSD, and the development community to ensure the provision of high quality schools to meet the needs of future residents of the CCSP area. Because the impacts related to schools are considered to be less than significant, these policies are not intended to be CEQA mitigation measures. Please see Response to Comment A8-6 regarding schools-related policies of the proposed CCSP. Please also see Response to Comment A8-37 and A8-38 for

additional discussion of the relationship between the proposed CCSP and the school-related policies of the City of Sacramento 2035 General Plan.

A8-40 The comment is noted. Please see Responses to Comments A8-1 through A8-39. As is the City's procedure pursuant to Title 17 of the City Code (Planning and Development Code), each application for a project under the proposed CCSP would be reviewed for compliance under CEQA. Such compliance could be in the form of a CEQA Exemption, a Negative Declaration or Mitigated Negative Declaration, or an Environmental Impact Report; the proper form of CEQA compliance would be based on the specific characteristics of the project proposed, and the adequacy of the CCSP EIR in disclosing the adverse physical environmental impacts of the proposed project. There is no need to include specific language in the proposed CCSP or CCSP EIR to require such review for CEQA compliance because it is already required pursuant to State and City laws and regulations.

A8-41 As described above, the City has determined that the physical environmental impacts related to the provision of school services that would result from the implementation of the proposed CCSP would be less than significant. As such, there is no need and no basis for the imposition of mitigation measures. Pursuant to Guideline Section 15126.4(a)(2), mitigation measures must be "fully enforceable through permit conditions, agreements, or other legally binding instruments." Further, pursuant to Guideline Section 15126.4(a)(4), mitigation measures must be consistent with requirements of the United States Constitution that there be an "essential nexus" between the measure and the impact, and that the measure be "roughly proportional" to the impacts of the project. Because the impact was determined to be less than significant, the City is prohibited from imposing measures such as that suggested by the SCUSD.

As is described in Responses to Comments A8-6 and A8-17, the City recognizes the importance of schools as an amenity in the community, and remains committed to working collaboratively and in coordination with the SCUSD to ensure that high quality public education is available to future residents in the CCSP area. The combined effect of the City's 2035 General Plan policies ERC 1.1.1, 1.1.2, and 1.1.3, and proposed CCSP policies CA 2.1 through CA 2.5, provides a sufficient framework to meet the concerns of the City and SCUSD regarding the provision of school resources for future growth.

A8-42 The comment is noted. Please see Responses to Comments A8-1 through A8-5, A8-7 through A8-16, and A8-18 through A8-31 for discussion of the evaluation of physical environmental impacts of the proposed CCSP in the CCSP Draft EIR. In summary, the City has addressed all of the potential physical adverse effects of the proposed CCSP and disclosed those in the CCSP Draft EIR. As noted in Responses to Comments A8-6 and A8-17, the City has previously engaged in, and remains

committed to, active coordination with the SCUSD to ensure the availability of high quality education for existing and future residents of the CCSP area. The City has committed to continuation of such coordination throughout the implementation of the proposed CCSP, and has reflected as such in the school-related policies of the proposed CCSP.

- A8-43 The comment is an attached copy of a Schoolsite Planning and Site Evaluation Checklist prepared and copyrighted by the law firm Lozano Smith Attorneys at Law. It provides a summary of a large number of state requirements that affect the identification and selection of new school sites. As noted on the first page, the list excludes most CEQA and eminent domain requirements. The attachment was referred to in Comment A8-11, and is addressed in Response to Comment A8-11. Because the attachment does not address any specific aspect of the CCSP Draft EIR, no further response is possible.
- A8-44 The attachment is a SCUSD Developer Fee Justification Report, prepared in September 2015 for the SCUSD Board of Education by SCI Consulting Group. As is stated on page 4.11-29 of the CCSP Draft EIR, the City would impose on all future development within the CCSP area any and all school impact fees that have been adopted by the SCUSD. The attached Developer Fee Justification Report provides the basis for the current fee, and it is expected that updated versions of the attached report will be prepared by the SCUSD over time, and may result in updated fees that the City would apply at the time of a project approval in the CCSP area. There is no further discussion of the relevancy of the attached report to the Draft CCSP EIR.
- A8-45 The attachment is proposed language for the CCSP EIR. As discussed in Response to Comment A8-4, the City received written correspondence from the SCUSD on September 12, 2017, and has considered this language from the SCUSD.

11/8/2017

SENT VIA EMAIL

Scott Johnson, Associate Planner
Community Development Department
300 Richards Boulevard, Third Floor
Sacramento, CA 95811
Email: srjohnson@cityofsacramento.org

Subject: SMAQMD comments on the draft City of Sacramento Downtown Specific Plan Environmental Impact Report

Dear Mr. Johnson,

The Sacramento Metropolitan Air Quality Management District (District) thanks you for the opportunity to comment on the Notice of Availability for the Downtown Specific Plan Draft EIR Plan (DSP). District comments follow:

- 1. Consider including CEQA analysis and authorization of projected bicycle lanes on every street within the Downtown Specific Plan area. District staff do not anticipate that every roadway within the plan area will the will need a protected bikeway; however we encourage the City to include full CEQA review of all potential facilities within the DSP as a means of expediting implementation of cyclist-protective facilities on individual corridors within the plan area in the future.
- 2. Mitigation measure 4.2-5 requires the City to implement health protective measures within 500 feet of Major Roadway(s). The District recommends including rail-lines in the list of sources requiring health-protective design features.
- 3. All projects are subject to District rules in effect at the time of construction. A complete listing of current rules is available at www.airquality.org or by calling (916) 874-4800. A copy of the current District rule statement is attached to this letter.

1
2
3

Please contact me (916) 874-2694 or jhurley@airquality.org with any questions.
Sincerely,

-JJ Hurley

Joseph James Hurley
Associate Air Quality Planner/Analyst
Land Use & CEQA section-Communication, Land Use & Mobile Sources Division
Sacramento Metropolitan Air Quality Management District

777 12th Street, 3rd Floor
Sacramento, CA 95814
jhurley@airquality.org
916.874.2694

ATTACHMENT

SMAQMD Rules & Regulations Statement (revised 1/2017)

*The following statement is recommended as standard condition of approval or construction document language for **all** development projects within the Sacramento Metropolitan Air Quality Management District (SMAQMD):*

All projects are subject to SMAQMD rules in effect at the time of construction. A complete listing of current rules is available at www.airquality.org or by calling 916.874.4800. Specific rules that may relate to construction activities or building design may include, but are not limited to:

Rule 201: General Permit Requirements. Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from SMAQMD prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the SMAQMD early to determine if a permit is required, and to begin the permit application process. Other general types of uses that require a permit include, but are not limited to, dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions.

Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc.) with an internal combustion engine over 50 horsepower is required to have a SMAQMD permit or a California Air Resources Board portable equipment registration (PERP) (see Other Regulations below).

Rule 402: Nuisance. The developer or contractor is required to prevent dust or any emissions from onsite activities from causing injury, nuisance, or annoyance to the public.

Rule 403: Fugitive Dust. The developer or contractor is required to control dust emissions from earth moving activities, storage or any other construction activity to prevent airborne dust from leaving the project site.

Rule 414: Water Heaters, Boilers and Process Heaters Rated Less Than 1,000,000 BTU PER Hour. The developer or contractor is required to install water heaters (including residence water heaters), boilers or process heaters that comply with the emission limits specified in the rule.

Rule 417: Wood Burning Appliances. This rule prohibits the installation of any new, permanently installed, indoor or outdoor, uncontrolled fireplaces in new or existing developments.

Rule 442: Architectural Coatings. The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

Rule 453: Cutback and Emulsified Asphalt Paving Materials. This rule prohibits the use of certain types of cut back or emulsified asphalt for paving, road construction or road maintenance activities.

Rule 460: Adhesives and Sealants. The developer or contractor is required to use adhesives and sealants that comply with the volatile organic compound content limits specified in the rule.

Rule 902: Asbestos. The developer or contractor is required to notify SMAQMD of any regulated renovation or demolition activity. Rule 902 contains specific requirements for surveying, notification, removal, and disposal of asbestos containing material.

Other Regulations (California Code of Regulations (CCR))

17 CCR, Division 3, Chapter 1, Subchapter 7.5, §93105 Naturally Occurring Asbestos: The developer or contractor is required to notify SMAQMD of earth moving projects, greater than 1 acre in size in areas “Moderately Likely to Contain Asbestos” within eastern Sacramento County. The developer or contractor is required to comply with specific requirements for surveying, notification, and handling soil that contains naturally occurring asbestos.

13 CCR, Division 3, Chapter 9, Article 5, Portable Equipment Registration Program: The developer or contractor is required to comply with all registration and operational requirements of the portable equipment registration program such as recordkeeping and notification.

13 CCR, Division 3, Chapter 9, Article 4.8, §2449(d)(2) and 13 CCR, Division 3, Chapter 10, Article 1, §2485 regarding Anti-Idling: Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes. These apply to diesel powered off-road equipment and on-road vehicles, respectively.

Letter A9 Response **JJ Hurley, Sacramento Metropolitan Air Quality Management District (SMAQMD)**
November 8, 2017

A9-1 The commenter requests that the CCSP consider including CEQA-level review of protected bicycle lanes on every street within the Plan area. The commenter mentions that bike lanes on every roadway within the Plan area is likely not necessary, but would be helpful to streamline potential facilities in the future.

The goals and policies in Section 3.9 Mobility of the CCSP reflect a layered network approach to proposed improvements to the transportation system. Specifically, Policy M.3.1 of the CCSP aims to “promote safety and efficiency for all travel modes by prioritizing modes by block, [and] minimizing conflicts between competing modes on high volumes (transit, bike, motor vehicle) routes.” The layered network approach described in Policy M.3.1 is a holistic method of improving the transportation system for all modes. Therefore, the CCSP does not attempt to provide designated bicycle facilities on every street within the Plan area, but rather identify select corridors to facilitate and improve bicycle travel and connectivity.

A9-2 The comment advises that SMAQMD recommends the addition of rail lines to the list of sources requiring that health-protective design features be added to projects within 500 feet of those sources. The comment recommends that this language be added to Mitigation Measure 4.2-5. The City acknowledges that rail lines are sources of TAC. However, as described in the analysis for Impact 4.2-5, based on the California Supreme Court ruling in *CBIA v. BAAQMD*, the City is not required to analyze the effects of existing environmental conditions on the residents of new residential developments, constructed pursuant to the CCSP.

A9-3 The comment advises that all projects developed pursuant to the CCSP are subject to District rules in effect at the time of construction, and provides information regarding the availability of current SMAQMD rules. This comment, while noted, does not require modifications to the EIR’s analysis or conclusions of significance.

DEPARTMENT OF TRANSPORTATION
DISTRICT 3 – SACRAMENTO AREA OFFICE
2379 GATEWAY OAKS DRIVE, STE 150 – MS 19
SACRAMENTO, CA 95833
PHONE (916) 274-0638
FAX (916) 263-1796
TTY 711



Serious drought.
Help save water!

November 13, 2017

03-SAC2017-00178
2017022048

Mr. Scott Johnson
City of Sacramento
300 Richards Blvd, 3rd Floor
Sacramento, CA 95811

Downtown Specific Plan – Draft Environmental Impact Report

Dear Mr. Johnson,

In our comment letter to the City regarding the Downtown Specific Plan (DSP) – Draft Environmental Impact Report (DEIR) dated November 3rd, 2017, we stated the following:

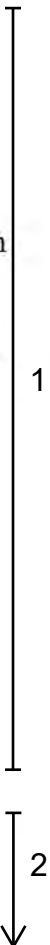
“DSP Mitigation Measure 4.12-3

On page S-49 of the DEIR Mitigation 4.12-3 states, “The proposed DSP could worsen freeway operations. Potentially Significant. Each project developed pursuant to the DSP that generates more than 100 vehicular peak hour trips that are directed toward the highway system shall:

- Remit monetary payment to the I-5 Freeway Subregional Corridor Mitigation Program (SCMP). This remittance shall be completed prior to the issuance of building permits.
OR
- Negotiate a mutually acceptable agreement with Caltrans and the City.”

Caltrans has concerns regarding DSP development impacts which would not be covered by voluntary participation in the I-5 SCMP, including but not limited to operational impacts at freeway intersections, and on/off-ramps. Therefore, Caltrans requests mitigation measures consider the full potential significance of impacts by DSP future developments, including anticipated operational impacts at both freeway intersections, and on/off-ramps. Caltrans suggests language be added to Mitigation 4.12-3 that distinguishes between operational impacts that can be mitigated through the I-5 SCMP and impacts that cannot be mitigated through the I-5 SCMP.”

Caltrans would like to rescind and clarify the above comment. It is our understanding after reviewing Impact 4.12-11 and Table 4.12-16 that under Cumulative plus DSP conditions all study freeway off-ramp queuing would remain within available storage, and that the DSP would have a less than



Mr. Scott Johnson / City of Sacramento
November 13, 2017
Page 2

significant impact to freeway off-ramp queuing. In fact, in several instances, under Cumulative plus DSP conditions the off-ramp queuing is less than the off-ramp queues identified in the Cumulative Conditions scenario.

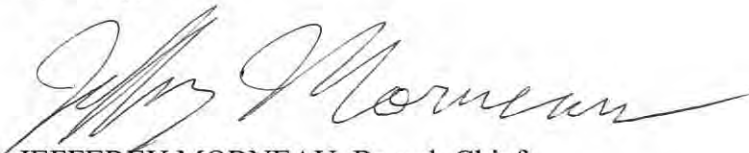
↑ 2
(cont.)

It is Caltrans understanding that when individual development projects within the DSP are proposed, Caltrans will have the opportunity to review and comment on the project application and any associated environmental documents, if applicable. At that juncture Caltrans will have the opportunity to review and comment on the application of the I-5 Subregional Corridor Mitigation Program and comment on any project specific impacts to freeway on and off-ramps and freeway intersections.

↑ 3

If you have any questions regarding these comments or require additional information, please contact me at 916-274-0638 or by email at: jeffrey.morneau@dot.ca.gov.

Sincerely,



JEFFEREY MORNEAU, Branch Chief
Office of Transportation Planning – South Branch

Letter A10 Response **Jefferey Morneau, California Department of Transportation (Caltrans)**
November 13, 2017

- A10-1 The commenter specifically references Comment A5-2, which the commenter submitted on November 3, 2017. No further response is required.
- A10-2 The commenter rescinds Comment A5-2. The commenter clarifies that all study freeway off-ramp queueing would remain within available storage under cumulative conditions, with off-ramp queues decreasing with the project at some locations. No further response is required.
- A10-3 The commenter correctly states that the commenter will have the opportunity to review and comment on individual development projects within the Plan area, along with associated environmental documents, when they are proposed.

Boulevard Park Neighborhood Association (BPNA)

November 4, 2017

To: Scott Johnson, Community Development Environmental Planning Services

RE: Downtown Specific Plan & Draft EIR

Dear Mr. Johnson,

Thank you for your intense efforts in this ambitious endeavor. The Boulevard Park Neighborhood Association Board of Directors do have concerns and suggestions that we hope can be considered and incorporated in the final Ordinance.

1

First is the name- we suggest changing it to the "Central City Specific Plan" as it incorporates both the Downtown and Midtown districts both of which have distinct characteristics that we believe should be maintained and encouraged.

We are also extremely concerned about the transition heights being proposed in the Ordinance between the new proposed height limit of 85 feet in the General Commercial Zone (C-2) and existing residential zones. We note that the properties in Multi Unit Dwelling Zones R-3 & R-3A (of which we have many in Boulevard Park) are not included in these height transition zones. We request that, in exchange for the increase to 85 feet in the C-2 zone, that R-3 and R-3A Zones be included in the Transitional Height Requirement.

2

Another concern we have is that FAR 20% deviation limits that are in the EIR are not included in the Draft Ordinance. We request that, to ensure consistent development standards that match with density and intensity standards laid out in the EIR, the FAR deviation language from the draft EIR be included in the Ordinance so FAR standards can be enforced.

3

We also request that the city clarify that Land Use Policy 5.1 reinforces "consistent development standards" and remove the word "flexibility" as "flexible" contradicts "consistent", and that the Ordinance language under "Related Purpose and Intent", item 4, replace the word "Flexibility" with "Consistent" to ensure the Plan and Ordinance are internally consistent.

4

Finally, the BPNA spent many hours reviewing and discussing the Preservation Commission's Ad Hoc Committee's reports re: infill development in our historic districts and fully support their well- considered findings and recommendations. It appears, though, that staff is still recommending that, in opposition of the Planning and Design and Preservation Commissions recommendations, matters involving infill in historic districts devolve to the Director's Level, precluding neighborhood input. We are requesting that the City Council reverse this decision until Infill Standards for Historic Districts (which the Preservation Commission is currently working on) are enacted by Ordinance and added to the Planning and Development Code.

5

We fully understand the need for more housing, and support infill projects that are well considered and that add to, not destroy, the fabric of our historic neighborhoods. Modifying the draft DSP is imperative to the positive future for our built city, and we hope that our elected and employed leaders hear our voices.

6

Thank you for your consideration,

Eric Knutson, AIA, Preservation Chair, BPNA Board of Directors
Margaret Buss, BPNA Board of Directors
Liz Edmonds, BPNA Board of Directors
David Herbert, BPNA Board of Directors
Marjorie Duffy, BPNA Board of Directors
Ty Dockery, BPNA Board of Directors

Letter O1 Eric Knutson, Boulevard Park Neighborhood Association (BPNA)
Response November 4, 2017

- O1-1 The comment requests that names of the DSP and DSP EIR be changed. The names of the Downtown Specific Plan and Downtown Specific Plan EIR have been revised to be the Central City Specific Plan (CCSP) and Central City Specific Plan EIR (CCSP EIR).
- O1-2 Please see Master Response 1 for a discussion of height limits and transitional zones.
- O1-3 Please see Master Response 1 for a discussion of maximum floor area ratios.
- O1-4 The comment provides suggested revisions to CCSP Policy LU 5.1. The City does not intend to change the language of CCSP Policy LU 5.1. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O1-5 The comment expresses opposition for the change in process that would have infill developments in historic districts reviewed only at the Director level removing the Preservation Commission from the process. The BPNA notes that they would not be opposed to the change after the Infill Guidelines are enacted by Ordinance and added to the Planning and Development Code. Please see Master Response 2 with regards to Infill Development in Historic Districts/Design Guidelines.
- O1-6 The comment advises that the commenting organization supports modification of the CCSP. The City has made revisions to the CCSP in response to comments received on the Draft CCSP. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.

November 7, 2017

To: Members of the Law/Leg Commission, Councilman Hansen

From: Friends of Capitol Mansions Association membership and Board

Re: **EIR for downtown Specific Plan**



The members and Board of Friends of Capitol Mansions Association wish to identify the following areas of concern and potential negative impacts on historic neighborhoods regarding the Environmental Impact Report for the Downtown Specific Plan.

1. There is a lack of mitigation measures for historic properties and districts, despite identified potential impacts to historic properties that could largely be alleviated by the adoption and encoding into Ordinance of the Interim Guidelines for Historic Districts soon to come to City Council. To take time to be thorough would serve us all well.
2. Evaluation of “eligible opportunity site” historic properties is limited and incomplete, including multiple potentially eligible properties that are mislabeled or ignored.
3. Many individually listed historic landmarks and historic districts are located in the “corridor” areas identified in the Downtown Specific Plan, and no map showing the location of landmarks was provided in the DSP materials.
4. The Downtown Specific Plan is confusing in its name, and misleads many to believe it does not encompass Midtown or other areas of the Central City. Renaming it the Central City Specific Plan would be clearer.
5. To change historic preservation decisions from Preservation Commission to Director or staff level severely limits or eliminates opportunity for public notification, comment, and appeal. It is inappropriate to assign final authority for development in Historic Districts to Planning and Design Commission, with the Preservation Commission providing only recommendations. To do so means decisions would be made by a city board that has no subject matter expertise.
6. The DSP contains no language to limit deviations of Floor Area Ratios in cases of “significant community benefit,” despite its inclusion in the EIR and public presentations. With no maximum deviation limit, it is impossible to calculate cumulative impact of multiple projects or conform to required policy elements regarding clear, consistent development standards.
7. Changes to height limits in C2 zones are moderated by setbacks where C2 zones meet R1/R1A or R2/R2A zones. No such moderations exist when C2 zones abut R3/R3A or R4 zones. Many historic homes, districts, and most of Midtown will be without zoning protections afforded R1 and R2 areas. This, despite there is no real difference in the residential nature of these areas, and in spite of the increase in height limits in C2 zones.
8. Much of the Downtown Specific Plan exists in guidelines that do not have corresponding ordinances, or ordinances conflict with DSP guidelines. This results in a lack of integrity or consistency in development or planning, especially in historic districts.



We ask that our concerns be addressed in ordinance language that is clear, concise, and unequivocal in meaning to the end that historic landmarks, districts, and neighborhoods be able to coexist with modern developments in Sacramento. Historic resources cannot, once lost, be replaced.

cc: Greg Sandlund, Scott Johnson

Letter O2 Friends of Capitol Mansions
Response November 7, 2017

- O2-1 The comment expresses opposition to the lack of mitigation measures for historic properties and districts. Please see Master Response 2 with regards to Mitigation Measures as well as Design Guidelines.
- O2-2 This comment expresses concern with the evaluation of resources on the opportunity sites. The comment mentions “multiple potentially eligible properties that are mislabeled or ignored.” Appendix A of the CRSIR includes maps that provide locations for all of the Opportunity Sites with each site color-coded to identify its eligibility status. An “N/A” indicates that there were no buildings or structures on the site at the time of the 2016 survey. “Already listed” on the maps indicates those resources that are already listed on the National Register of Historic Places, California Register of Historical Resources, or Sacramento Register of Historic and Cultural Resources. The Non-Confidential version of the CRSIR was included as Appendix E in the CCSP EIR. Only historic resources on Opportunity Sites are noted on the maps. It is unclear which properties are referenced, but the information provided is accurate and complete to the best of the City’s knowledge given the parameters of the review as described in each technical document. Please see Master Response 2 with regards to Identification/Evaluation of Historic Resources on Opportunity Sites.
- O2-3 The comment requests that names of the DSP and DSP EIR be changed. The names of the Downtown Specific Plan and Downtown Specific Plan EIR have been revised to be the Central City Specific Plan (CCSP) and Central City Specific Plan EIR (CCSP EIR).
- O2-4 This comment expresses concern regarding the review process for projects that have the potential to impact historic resources. City Code section 17.604.100 sets forth the responsibilities of the Preservation Commission, Preservation Director and Preservation staff. Any changes to this process that are currently being considered by the City are not included in the CCSP and are not being analyzed by the CCSP EIR. Please see Master Response 2 under Identification/Evaluation of Historic Resources on Opportunity Sites.
- O2-5 Please see Master Response 1 regarding changes to the maximum allowable floor area ratios.
- O2-6 This comment addresses height limits on adjoining zone districts. Please see Master Response 1 regarding height limits and transitional zones.

O2-7 This comment expresses concern that the specific plan contains guidelines that do not have corresponding ordinances. Please see Master Response 2 for Infill Development in Historic Districts/Design Guidelines.

From: [William Burg](#)
To: [Scott Johnson](#); [Greg Sandlund](#); [Steve Hansen](#); [Consuelo Hernandez](#); [sacramento, preservation](#); [Root, Garret](#)
Subject: Public Comment Regarding Downtown Specific Plan EIR from Preservation Sacramento
Date: Tuesday, November 7, 2017 3:53:56 PM
Attachments: [Downtown Specific Plan EIR Public Comment Preservation Sacramento.pdf](#)
[Ad Hoc Committee 2.1 MB .pdf](#)
[WP Circular 167E.pdf](#)
[9 R Street Historic-and-Cultural-Resources.pdf](#)

Mr. Johnson,

Please find attached public comment regarding the Downtown Specific Plan Environmental Impact Report, on behalf of the Board of Directors of Preservation Sacramento. The additional attached documents are referred to in the comment letter regarding responses to elements of the Downtown Specific Plan.

1

William Burg
Projects Subcommittee Chair

November 7, 2017

Scott Johnson, Associate Planner
Community Development Department
300 Richards Boulevard, Third Floor
Sacramento, CA 95811

RE: Public Comment regarding the Downtown Specific Plan EIR

The Board of Preservation Sacramento wishes to identify the following items as potential areas of concern regarding the Environmental Impact Report for the Downtown Specific Plan. Each item is addressed in detail on the following pages, including recommended strategies for mitigation, providing further analysis, or otherwise addressing potential negative impacts on historic properties and districts.

2

1. The EIR lacks mitigation measures for historic properties and districts, despite identified potential impacts to historic properties.
2. Evaluation of potential additional contributors to R Street historic district is flawed due to consultant’s misinterpretation of Criterion A and Sacramento Register historic contexts.
3. Evaluation of eligible “opportunity site” historic properties is limited and incomplete, including multiple potentially eligible properties that are mislabeled or ignored.
4. Evaluation of eastern portion of R Street fails to evaluate the properties in context of the eastern R Street corridor; a separate R Street historic district appears to exist in this area but was not analyzed by consultant, presumably due to city instructions to only evaluate as individual properties.
5. Historic landmarks and districts in commercial corridors: Many individually listed historic landmarks and historic districts are located in the “corridor” areas identified in the Downtown Specific Plan, and no map showing the location of individual landmarks was provided in the Downtown Specific Plan materials.
6. Devolution of historic preservation decisions from Preservation Commission to director or staff level limits public opportunity for notification, comment, and appeal. Inappropriate assignment of final authority for decisions affecting historic properties to Planning & Design Commission means decisions are made by a city board without subject matter expertise.
7. Proposed language to limit maximum deviation of Floor Area Ratio to 20% in cases of significant community benefit is not part of the Plan, despite its earlier inclusion, and frequent mention in the EIR and public presentations. Without maximum deviation limit, it is impossible to calculate cumulative impact of multiple projects or conform to required policy elements regarding clear and consistent development standards, including required density and intensity standards.
8. Changes to height limits in C2 zones are moderated by required setbacks where C2 zones meet R1/R1A or R2/R2A zones, but not where C2 zones meet R3/R3A or R4 zones. Many historic districts, and most of Midtown, are zoned R3/R3A, *because they are adjacent to C2 zones.*

3

1. **Lack of mitigation measures for historic properties and districts, despite identified potential impacts to historic properties. (EIR, Page S-39, 4.4-3):** The EIR mentions potential negative and unavoidable effects to historic districts, but includes no recommended mitigation measures for those effects. The proposed DSP could cause a substantial adverse change in the significance of a historical resource (per Page S-40, 4.4-5: New construction in proposed DSP area, in combination with other cumulative development within Sacramento County and the City downtown core, could contribute to the cumulative loss or alteration of historic built resources.) We consider both of these impacts potentially significant and thus require mitigation measures. Below are a list of mitigation measures we recommend for adoption in these areas, adapted from the *Preservation Toolkit* document sent to city staff in August 2017:

* Comprehensively survey the eastern portion of R Street (20th Street to 29th Street) for potential eligibility as a historic district, separate from the existing R Street historic district context, in order to proactively identify eligible historic resources along the R Street corridor. The EIR evaluation did not include assessment for a potential district.

* As part of the 20 year span of the General Plan, continue to update historic district surveys within the Plan area and survey areas within the Plan area for potential historic resources and historic districts. The long-term result will be clearer identification of historic resources and reduced need for evaluation of potentially historic sites, as updated surveys proactively identify ineligible properties.

* Implement the 2007 agreement between Code Enforcement department and Preservation Director diverting 50% of code enforcement lien monies collected to the Historic Places Grant program, a matching grant intended to provide funds to restore and repair eligible historic buildings.

* Create a special mitigation fund for historic resources based on fines and fees collected when unavoidable impacts to historic resources occur, such as those that resulted when excavation of underground sidewalk structures on K Street were required in 2010. These funds can be used to repair and restore historic properties and historic features in the plan area, via existing programs like the Historic Places Grant.

* Adopt the Preservation Commission's interim guidelines regarding infill in historic districts as part of the city's Planning and Development Code, as an interim means to address alley infill until subsequent guidelines specific to historic districts can be implemented.

* Reevaluate the survey of R Street for a potential new historic district east of 20th Street, and reevaluate and expand the historic context of the R Street corridor to include a later period of significance, recognizing use of the R Street corridor via railroads and trucks through the 1960s.

* Add required setbacks/height limits in C2 zones adjacent to R3/R3A zoned properties within the Downtown Specific Plan boundaries.

2. **Evaluation of potential additional contributors to R Street historic district is flawed due to consultant’s misinterpretation of National Register Criterion A, California Register Criterion 1, Sacramento Register Criterion I, and Sacramento Register historic contexts.** Consultant’s analysis suggests that city is ignoring industrial historic context despite R Street’s historic role as an industrial corridor. (EIR Appendix E, Cultural Resources Data, Cultural Resources Survey and Inventory Report. DPR 523 Forms)

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*The overly strict evaluation criteria, due to the project’s constrained scope of work, resulted in a report that found *no* new properties eligible for inclusion in the Sacramento Register or the R Street Historic District that were not already listed historic properties, including the finding that the eastern half of the Perfection Bakery building (a listed Sacramento landmark) *is not* eligible to be part of the R Street historic district, while the western half of the same building (also an individual landmark and physically attached to each other) *is* eligible for inclusion in the R Street historic district, with no explanation given for the discrepancy.

* The consultant incorrectly cites National Register Criterion A. According to National Register Bulletin 15, *How to Apply the National Register Criteria for Evaluation*, Page 12, Criterion A, Events, reads: “A property can be associated with either (or both) of two types of events: A specific event marking an important moment in American pre-history or history, and, a pattern of events or a historic trend that made a significant contribution of a community, a State, or the nation.” The evaluator incorrectly describes this criterion on DPR forms (e.g., Page 2 of 3 of evaluation of 1800 24th Street) as: “Criterion 1/A recognizes properties associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States. The property *must also* (emphasis added) have an important association with the event or historic trends—mere association with historic events or historic events or trends is not enough to qualify.” This implication that a property must be significant with broad patterns *and* specific events, rather than being associated with broad patterns *or* specific events, is an overly strict interpretation of Criterion A.

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* Similarly, California Register Criterion 1 does not require association with specific events at all: per California Code of Regulations 4852(b)(1), Criterion 1 is defined as a property that “is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.”

* The City of Sacramento’s landmark eligibility criteria also does not require association with both broad patterns and specific events; Landmark Eligibility Criteria 17.604.210(A) lists Sacramento Register Criterion I as “It is associated with events that have made a significant contribution to the broad patterns of the history of the city, the region, the state or the nation.” Per the consultant’s admission of their instructions regarding this survey, properties were not surveyed for eligibility as contributors to a historic district.

* In testimony to the Preservation Commission on October 18, 2017, consultant Amber Grady of ESA reported that they were given a very detailed scope by City of Sacramento staff, and directed strictly to use the existing context statements. This restriction led the consultant to use an unnecessarily narrow period of significance and criteria for evaluation, excluding potentially eligible resources. Consultant also reported that they believe there is a larger industrial district on R Street, but it did not fit within the narrow parameters provided by the City of Sacramento. This recommendation is located in the cultural resources survey provided by ESA but not included in the EIR appendices. This suggests that the evaluation of potential historic properties that may be affected by this project on R Street is incomplete and requires reevaluation for eligibility as resources under CEQA without the restriction on examining other contexts.

***This concern could be addressed by adding a mitigation measure requiring a redone survey of the properties in the R Street historic district without limiting the analysis to currently listed historic contexts. It is not necessary to write an entire citywide historic context to evaluate potential historic properties on R Street in order to carry out this measure.**

3. **Evaluation of eligible “opportunity site” historic properties is limited and incomplete, including multiple potentially eligible properties that are mislabeled or ignored.** (EIR Appendix E, Cultural Resources Data, Opportunity Sites Table.) The examples below demonstrate errors in procedure and evaluation resulting from incorrect interpretation of National Register criteria, exclusion from consideration due to instructions to ignore properties not eligible under 2035 General Plan historic contexts, or otherwise incorrectly evaluated by the consultant team. It is not a comprehensive list.

* Consolidated Electrical Distributors, 1800 24th Street, had a railroad spur located along R Street serving the building directly, and its occupant in the mid-1950s (Valley Paper Co.) was listed as a railroad customer served by team track in Western Pacific Railroad’s Circular No. 167-E (a document listing industries served by Western Pacific, Southern Pacific, Sacramento Northern, and Central California Traction railroads, via direct spur or team track in Sacramento, circa 1955)—document attached.

* Fischer Tile & Marble, 1800 23rd Street: As with CED above, this property utilizes the incorrect interpretation of National Register Criterion A and California Register Criterion 1 mentioned above.

* 1730 14th Street is identified as having a railroad spur on Quill Alley, disconnected from the R Street railroad line. However, the DPR form does not explain that Western Pacific Railroad’s railroad line ran along Quill Alley, and as an industry directly served by rail, is eligible within the historic context of railroading in Sacramento.

* 915 R Street is identified as associated with “Goodwill Tire & Rubber”; incorrectly labeled, the name of the company is Goodyear. See comments below re Goodyear Tire & Rubber.

* Goodyear Tire & Rubber, 925 R Street/1724 10th Street was served by the adjacent railroad and built within the R Street Historic District’s period of significance. The consultant considered it ineligible because the property was not directly associated with product development or manufacturing, which took place elsewhere, but does not evaluate the property within its local context on R Street, specifically within the R Street Historic District’s established historic context, which considers the transition from railroads to trucks, *running on rubber wheels such as those supplied by this warehouse*, to be a significant event ending the district’s initial period of significance.

*** This concern could be addressed via mitigation measures re-surveying the properties along the eastern portion of R Street and other industrial properties between Q and S Streets as potential contributors to either the R Street historic district or a new eastern R Street historic district with a separate context.**

*** Other eligible Mid-century Modern resources on opportunity sites should be compared to the pending Mid-century Modern Survey of Sacramento for evaluation as historic resources within the established Mid-century Modern historic context generated as part of that survey document, and other eligible criteria.**

4. **Evaluation of eastern portion of R Street fails to evaluate the properties in context of the eastern R Street corridor;** a separate R Street historic district appears to exist in this area but was not analyzed by consultant, presumably due to city instructions to only evaluate as individual properties.

* The consultant did not evaluate R Street for potential historic districts, despite the fact that the regulatory framework of the Environmental Impact Report considers properties potentially eligible for inclusion as historic districts to be historic properties. Thus, the evaluation of cultural resources, limited (per consultant’s scope of work) to evaluation as individually eligible properties, is legally insufficient.

***This concern could be addressed by adding a mitigation measure re-surveying the properties in the eastern portion of R Street for potential eligibility as a historic district with a period of significance extending through the 1960s and the end of freight railroad service, adding the context of distribution by truck and team track (in addition to direct railroad service) as part of the industrial district’s statement of significance.**

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5. **Historic landmarks and districts in commercial corridors:** Many individually listed historic landmarks and historic districts are located in the “corridor” areas identified in the Downtown Specific Plan, and no map showing the location of individual landmarks was provided in the Downtown Specific Plan materials.

*** This concern could be addressed by adding a mitigation measure requiring updating and revision of central city historic property surveys as a DSP goal in the area of historic preservation.**

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6. **Devolution of historic preservation decisions from Preservation Commission to director or staff level** limits public opportunity for notification, comment, and appeal. Inappropriate assignment of final authority for decisions affecting historic properties to Planning & Design Commission, with Preservation Commission providing only an advisory role, means decisions are made by a city board without subject matter expertise.

***This issue could be addressed via a mitigation measure requiring the adoption of interim historic district design guidelines immediately, and adopting the Preservation Commission’s recommendations regarding their concerns about revisions to the Planning and Development Code as presented to the Preservation Commission and Planning & Design Commission in October 2017.**

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Attachment: Preservation Commission Ad-Hoc Committee Letter regarding Amending Section 145.156.020 and Various Provisions of Title 17 of the Sacramento City Code Relating to Planning and Development (M17-016)

7. **Proposed language to limit maximum deviation of Floor Area Ratio to 20% in cases of significant community benefit** was removed from the Plan at some point between October 12 and 19, 2017, despite its mention in EIR (Page 3-27) and public presentations (October 9, 2017 at City Hall, Station 5, Urban Design, Land Use & Preservation.) Without maximum deviation limit, it is impossible to calculate cumulative impact of multiple projects or conform to required policy elements regarding clear and consistent development standards. Without this limit, it is impossible to determine if a property is substantially consistent with its land use and urban form designation.

The Draft EIR specifies an amendment to 2035 General Plan land use policy 1.1.10, Exceeding Floor Area Ratio (FAR), clarifying the policy regarding FAR to allow permitted FAR to be exceeded by 20 percent if the project provides a significant community benefit, replacing the current policy as interpreted, which has no maximum limit for FAR. This item was also presented at the October 9, 2017 community meeting at City Hall, as an element of the Downtown Specific Plan, as part of Station 5. It was also presented to the City's Planning and Design Commission on October 12 as part of the staff report in which this 20% limit on exceeding FAR was described as a General Plan FAR clarification and benefit of the Downtown Specific Plan. On October 18, city planner Greg Sandlund informed the Preservation Commission that this was being removed from the Downtown Specific Plan objectives and would be deferred until the city's 2040 General Plan update, a process that could take several years.

If there is no maximum limit on FAR deviation, and thus no upper limit on potential development, it is impossible to calculate cumulative impact of multiple projects within the Downtown Specific Plan. The DSP's policy element, LU 5.1, specifies "Maintain clear and consistent development standards and design guidelines." If there is no numeric limit on FAR deviation, this standard is impossible to implement, and the EIR cannot achieve one of its required purposes, to calculate and estimate cumulative impacts of projects within the Downtown Specific Plan area. It is thus also inconsistent with the City of Sacramento's 2035 General Plan EIR. Policy Element LU 5.1 is internally inconsistent; the city cannot provide clear and consistent development standards that are also unlimited in their flexibility.

LU.5.1 Consistent Standards and Guidelines: Maintain clear and consistent development standards and design guidelines that are user friendly, remove barriers for Downtown projects, and provide adequate flexibility to react to changing market opportunities. (Downtown Specific Plan, Page 39)

Standard conditions of approval for projects in the DSP area, which the draft EIR states addresses all potential impacts, does not include the maximum FAR if there is no way to ensure a maximum FAR for projects within the DSP boundary, so there are no consistent standards for cumulative impact of downtown projects. This means the EIR is out of compliance with government code regarding density and intensity standards.

*** This issue could be addressed by including the maximum Floor Area Ratio deviation bonus of 20% in the Downtown Specific Plan, amending the 2035 General Plan to reflect this maximum FAR deviation, instead of deferring revision until the 2040 General Plan update, and adding this language to the ordinance that will be adopted by the City Council regarding the Downtown Specific Plan.**

8. Changes to height limits in C2 zones are moderated by reduced height limits where C2 zones meet R1/R1A or R2/R2A zones, but not where C2 zones meet R3/R3A zones. Many historic districts, and in fact most of Midtown, are zoned R3A.

* Given the proposed increase of height in C2 zoned areas from 65 to 85 feet, or higher with deviations, the issue of interface between residential neighborhoods is important. The city clearly prioritizes this by proposing the reduced heights for R1 and R2 zones adjacent to commercial zones, but R3 zones are excluded.

* Sacramento’s residential districts and historic districts include a mixture of R1, R2 and R3 land use categories, with R3 being the most predominant. In most cases the built environment in all three zones includes a mixture of single-family homes, duplexes and multiplexes, and small apartment buildings, generally ranging from 1-3 stories. Some areas zoned R1 (single family or duplexes) include multi-story, multi-unit apartment complexes, while some areas zoned R3 (multi-family) include solely single-family, one-story homes (such as the Bungalow Row historic district.) Based on past central city plans, zoning decisions between R1, R2 and R3 were based on proximity to commercially zoned areas, not intensity of built environment. Thus, the R3 zones are generally closest to commercial zones. They at greatest risk when adjacent to commercial zones, but would lack the protections of R1 and R2 zones, which are generally farther from commercially zoned areas.

* Historic districts mostly or entirely R3A zoned within the DSP boundary include all three Alkali Flat historic districts, Mansion Flat, Capitol Avenue, Capitol Mansions, Winn Park, Bungalow Row, 1200-1300 Q Street, 20th & N Street, Fremont Park, Marshall Park, Washington and Washington School, and portions of Boulevard Park, Southside Park, Poverty Ridge, and Newton Booth historic districts. Hundreds of individual landmarks are also located in R3A zones. While restricting these height limits to R3A zoned properties in historic districts, there is so much overlap that applying the same rules to R3 as R1/R2 is logistically much simpler—see map on next page to see historic districts overlaid with zoning.

***This issue can be addressed by providing the same transition zones in R3/R3A properties as provided for R1 and R2 zones. Adding this change also meets the DSP’s LU 8.2 regarding transitional heights.**

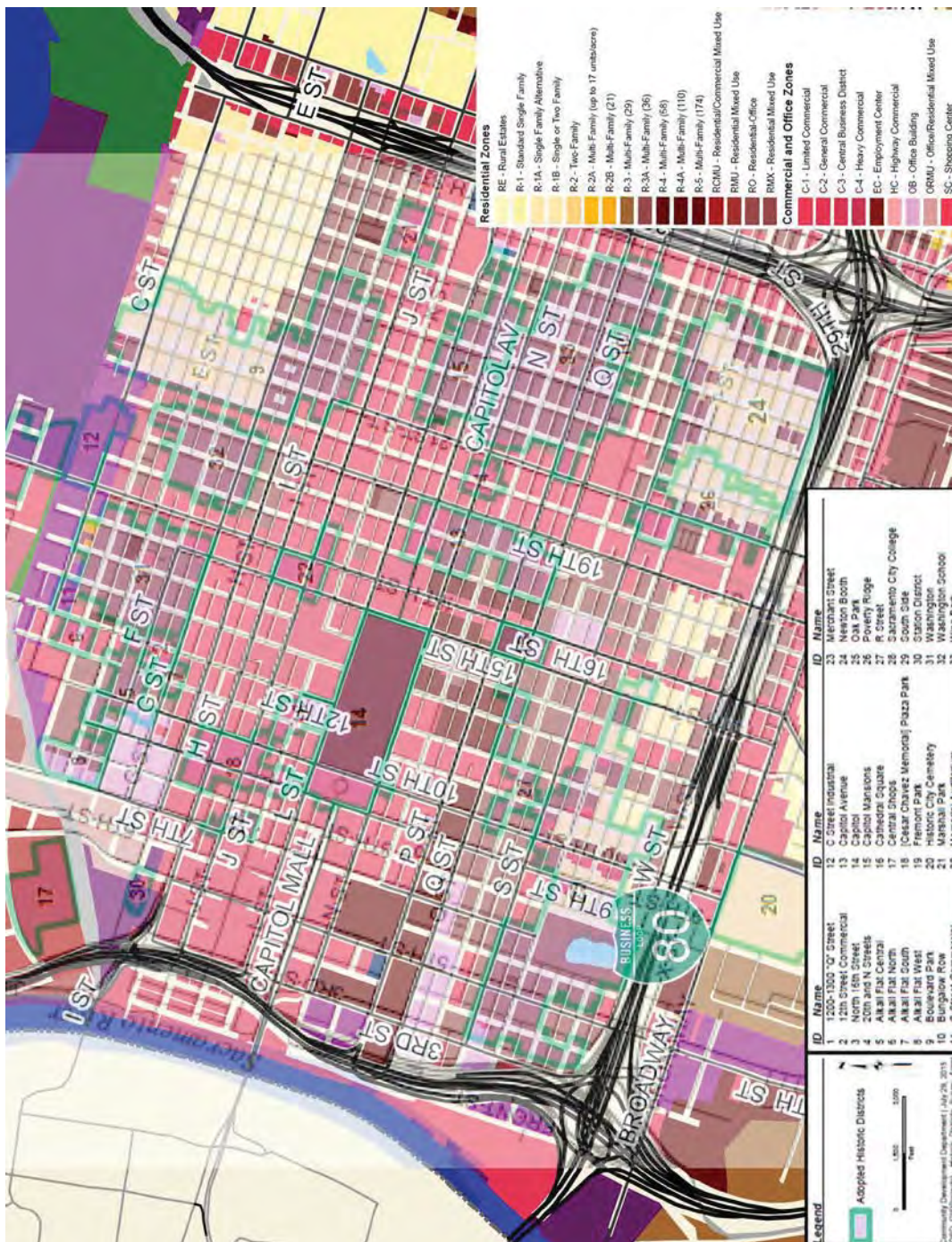
We appreciate this opportunity to provide review and comment, and wish to thank City of Sacramento planner Greg Sandlund for providing prompt feedback regarding the Downtown Specific Plan.



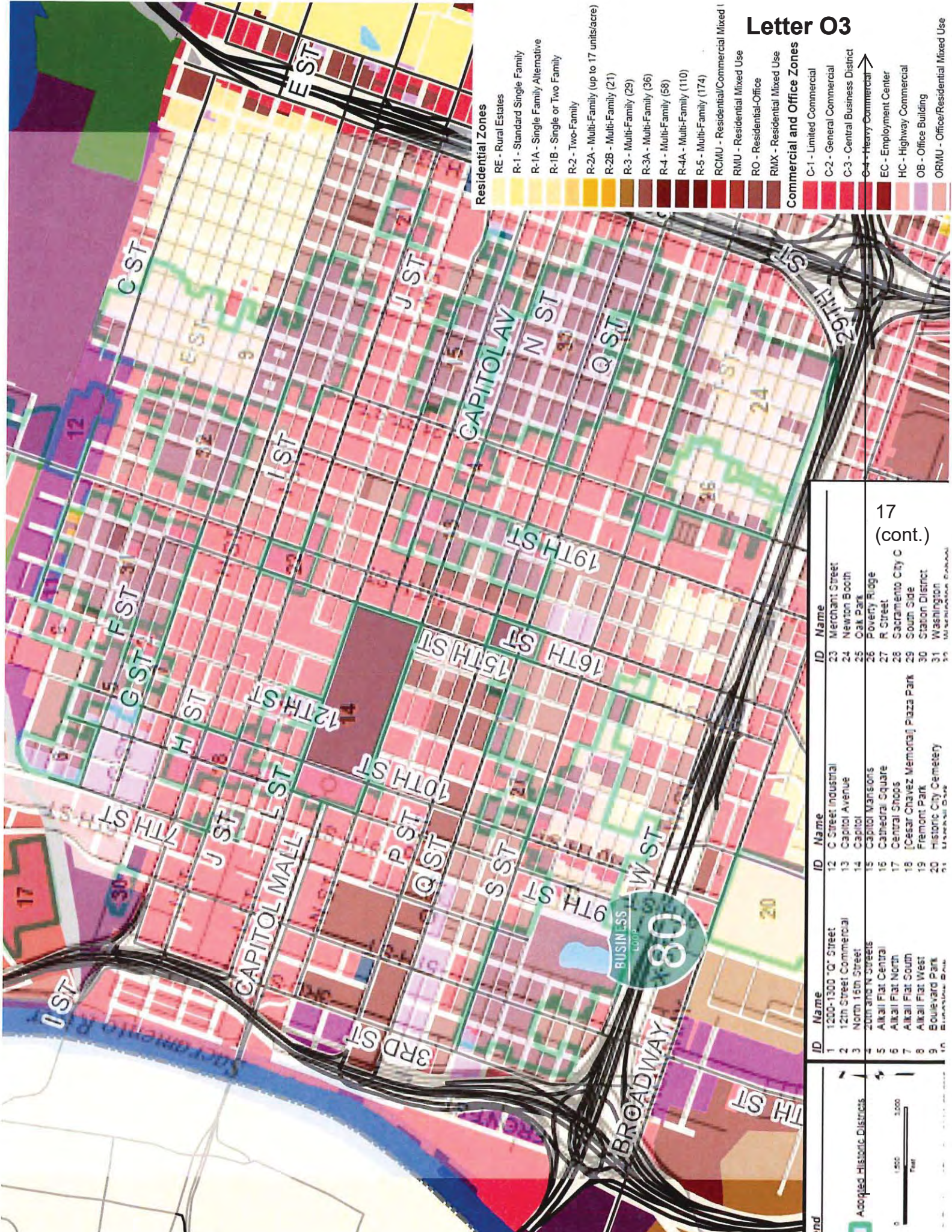
Garret Root, president, Preservation Sacramento Board of Directors

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Attachment: Diagram showing overlay of historic district boundaries (green lines) with R-1/R-2 zones (yellow) and R-3A zones (brown) adjacent to C-2 zones (red) within Downtown Specific Plan boundary. Many of Sacramento's historic districts contain R-3A zoned properties.



Letter O3



Residential Zones

- RE - Rural Estates
- R-1 - Standard Single Family
- R-1A - Single Family Alternative
- R-1B - Single or Two Family
- R-2 - Two-Family
- R-2A - Multi-Family (up to 17 units/acre)
- R-2B - Multi-Family (21)
- R-3 - Multi-Family (29)
- R-3A - Multi-Family (36)
- R-4 - Multi-Family (58)
- R-4A - Multi-Family (110)
- R-5 - Multi-Family (174)
- RCMU - Residential/Commercial Mixed Use
- RNU - Residential Mixed Use
- RO - Residential-Office
- RMX - Residential Mixed Use

Commercial and Office Zones

- C-1 - Limited Commercial
- C-2 - General Commercial
- C-3 - Central Business District
- C-4 - Heavy Commercial
- EC - Employment Center
- HC - Highway Commercial
- OB - Office Building
- ORMU - Office/Residential Mixed Use

ID	Name	ID	Name	ID	Name
1	1200-1300 "O" Street	12	C Street Industrial	23	Merchant Street
2	12th Street Commercial	13	Capitol Avenue	24	Newton Booth
3	North 15th Street	14	Capitol	25	Oak Park
4	20th and N Streets	15	Capitol Mansions	26	Poverty Ridge
5	Alkali Flat Central	16	Cathedral Square	27	R Street
6	Alkali Flat North	17	Central Shops	28	Sacramento City C
7	Alkali Flat South	18	[Cesar Chavez Memorial] Plaza Park	29	South Side
8	Alkali Flat West	19	Fremont Park	30	Station District
9	Boulevard Park	20	Historic City Cemetery	31	Washington
10	BURNING BAY	21	MARSHALL PARK	32	WASHINGTON SCHOOL

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(cont.)



Report to
PRESERVATION COMMISSION
 City of Sacramento

915 I Street, Sacramento, CA 95814-2671
 www.CityofSacramento.org

July 19, 2017

Members of the Preservation Commission:

Subject: Follow-up Discussion of Adhoc Committee Recommendations to the Commission Concerning Infill Development Within Historic Districts

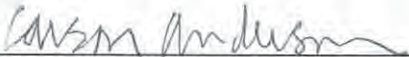
Location/Council District: Citywide

Recommendation: Review and offer comment. If the Commission deems it appropriate in may request staff to return with proposals incorporating the Adhoc Committee's recommendations for formal recommendation and action. If it is the wish of the Commission to make such a recommendation, pursuant to CEQA Guidelines Section 15262, the report, in this case, constitutes a feasibility or planning study for possible future actions which the Commission has not approved or adopted and is exempt from CEQA review.

Contact: Carson Anderson, Preservation Director (916) 808-8259

Discussion: Based upon feedback from the City's legal counsel and Planning staff, the Commission's adhoc committee on infill development within historic districts has provided a revised, updated version of the "Interim Principles for the Protection of Historic Districts with Respect to Infill Development Within the Central City" (attached). These supersede the version provided as part of the Commission's June 21st packet and that was referenced as part of the Chair's Power Point overview.

Although there continue to be some concerns about specific principles under consideration (e.g., setback details, disallowing deviations during the interim period) there is substantial staff agreement and buy-in with the overwhelming majority of the principles and an understanding of the need for guidance until such time as historic district-specific historic preservation plans are crafted and in place.


 CARSON ANDERSON
 Preservation Director

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INFILL DEVELOPMENT AD HOC COMMITTEE REPORT

July 19, 2017

To: Members of the Preservation Commission

Subject: Interim Principles for the Protection of Historic Districts and Landmarks
With Respect to Infill Development within the Central City

Council District: Downtown and Midtown Sacramento / City Council District 4

Recommendation: Adopt Ad Hoc Committee Recommendation

Contact: Infill Development Ad Hoc Committee of the Preservation Commission –
Jon Marshack (jon.marshack@att.net), Jacqueline Whitelam
(jackiewhitelam@gmail.com), and Chad Moffett (chad.moffett@meadhunt.com)

Background/Summary: The primary goal of the Downtown Specific Plan (DSP) is to pave the way for the addition of at least 10,000 Central City housing units in the next 10 years that reflect the character, history, and diversity of Sacramento. To do this, the DSP proposes to remove barriers to housing development by streamlining the development and environmental review process. As this is done, care must be taken if the 2035 General Plan vision of Sacramento being the most livable city in America—where neighborhoods are desirable places to live and where historic and cultural resources are protected—is to be achieved.

The Preservation Commission has found that recent trends in the size and scale of alley infill projects within historic districts (see **Attachment 1**) or on Landmark parcels diminish the integrity of these historic resources, detract from historic development patterns, and exacerbate the City's affordable housing problem. It is apparent that the Preservation Commission needs to provide clear guidance to project proponents and City staff for appropriate site plan and design review of infill development in historic districts and on Landmark parcels.

Recommendation: The Infill Development Ad Hoc Committee (Ad Hoc Committee) recommends that the Preservation Commission adopt a motion recommending that the City:

- a. Expediently implement the following measures that would remain in effect until completion of (b) below –
 1. *Interim Principles for the Protection of Historic Districts and Landmarks With Respect to Infill Development within the Central City* (Interim Infill Principles) (**Attachment 2**);
 2. Clarification that the *Listed Structures Plan*, the *Preservation Area Plan*, and the *Central City Neighborhood Design Guidelines* do apply to development projects within historic districts and with respect to Landmark parcels (including **Attachment 3** amendments to the Central City Neighborhood Design Guidelines and **Attachment 4** amendments to Planning and Development Code Section 17.808.180);
- b. Complete and adopt Preservation Development Standards and individual Historic District Plans to provide long-term protection of historic and cultural resources; and

- c. Review the Planning and Development Code for consistency with preservation development standards.

In the Ad Hoc Committee's view, these actions are necessary to protect Sacramento's historic and cultural resources while facilitating infill development within historic districts and on Landmark parcels. These actions promote respectful stewardship of historic resources through preservation, rehabilitation, and maintenance while not precluding infill development necessary to meet the City's present and future needs.

Changes Based on Comments Received: At the Preservation Commission's June 21, 2017 meeting, the Ad Hoc Committee requested comments on the Interim Infill Principles along with the other above recommendations, with the objective of the Preservation Commission considering adoption of these recommendations at its July 19th meeting.

Public comments were received from the Boulevard Park Neighborhood Association, residents of the Boulevard Park, Capitol Mansions, Alkali Flat, Washington, and Marshall School neighborhoods, a Sacramento architect and developer, a realtor who specializes in Central City properties, and a former Chair of the Preservation Commission, all of whom were supportive of the general direction of the Ad Hoc Committee's recommendations. A few adjustments to the Interim Infill Principles were suggested. Application of the Interim Infill Principles was recommended to extend to areas with historic resources that are not officially designated as historic districts or Landmarks. More than one commenter expressed concerns over current development trends exacerbating Sacramento's affordable housing problem and threatening to adversely affect the integrity and value of historic districts and neighborhoods. The architect/developer warned that the size of some recently approved and proposed development projects threaten to repeat the infill development problems of the 1960s by creating out of scale structures that overwhelm their neighbors, diminishing property values and quality of life. In his experience, smaller infill units are still economically viable.

Commissioners Fuller, Abrahams, Valania, and Whitelam also provided comments and suggestions, including the need for outreach to other bodies that will be reviewing and potentially acting on the recommendations, concurrence with specific modifications to the Interim Infill Principles that had been suggested by various members of the public, extending protections to proposed historic districts, and cautioning that some of the Interim Infill Principles could force a particular style of development. The Ad Hoc Committee clarified that the Interim Infill Principles are intended to offer short-term protections for historic resources until such time as Historic District Plans and Preservation Development Standards were developed and adopted that would provide protections tailored to each historic district.

Based on comments received, the Ad Hoc Committee modified Interim Infill Principles 4, 10, 11, 14, and 21 (now Principle 20 involving alley activation) and deleted Principle 18 involving the size and scale of trim, eaves, windows, and doors. Principles 10 and 14 were changed from not allowing deviations to strongly discouraging deviations. Principle 21 retains alley activation emphasis while providing additional flexibility for the location of entrances to alley infill structures.

Together, Principles 4 and 11 create an envelope within which alley infill structures would be constructed so as to ensure their subordinate nature to primary residences on Landmark parcels and within historic districts. **Attachment 5**, prepared by local architect and developer Ron Vrillakas, provides an illustration of infill development based on these two principles that would result in an economically viable project while respecting the traditional character of the historic district or Landmark parcel. Because the depth of primary residences on these parcels vary considerably, the formerly-proposed 40-foot separation from the rear of the primary residence to the new alley infill structure would not necessarily provide adequate separation from primary residences on adjacent parcels. What is now proposed is a maximum 40-foot distance from the alley property line within which the alley infill structure could be constructed. This provides for an infill structure that is more in keeping with alley oriented carriage houses, garages, and stable buildings that formerly occupied these positions on many Central City residential parcels while allowing a somewhat larger but still subordinate structure to be built.

Policy Considerations: The recommended actions are consistent with the 2035 General Plan, which recognizes that “cities with distinctly identifiable places and history are more livable for residents and more attractive to new businesses that sustain the economy.” The 2035 General Plan sets forth the following policies to protect the City’s historic and cultural resources:

HCR 2.1.3: Consultation. The City shall consult with appropriate organizations and individuals, and shall establish a public outreach policy to minimize potential impacts to historic and cultural resources.

HCR 2.1.4: Incentives and Enforcement. The City shall develop and support regulatory (e.g. appropriate development and zoning standards), technical, and financial incentives (e.g. City, State, Federal, and private grants, loans, easements, and tax credits) and enforcement programs to promote the maintenance, rehabilitation, preservation, and interpretation of the city’s historic and cultural resources.

HCR 2.1.6: Planning. The City shall take historical and cultural resources into consideration in the development of planning studies and documents.

HCR 2.1.10: Early Project Consultation. The City shall minimize potential impacts to historic and cultural resources by consulting with property owners, land developers, and the building industry early in the development review process.

HCR 2.1.11: Compatibility with Historic Context. The City shall review proposed new development, alterations, and rehabilitation/remodels for compatibility for the surrounding historic context. The City shall pay special attention to the scale, massing, and relationship of proposed new development to surrounding historic resources.

HCR 2.1.17: Preservation Project Review. The City shall review and evaluate proposed development projects to minimize impacts on identified historic and cultural resources, including projects on Landmark parcels and parcels within Historic Districts, based on applicable adopted criteria and standards.

From the adoption of the Preservation Ordinance in 1975 through to the adoption of the 2035 General Plan in 2015, the City has demonstrated a long-term and comprehensive commitment

to identifying, protecting and encouraging the preservation of Sacramento’s historic and cultural resources. It is pertinent to note that the City has sought to preserve both historic resources (individual Landmarks and contributing resources within historic districts) and the overall context in which these resources are located. Of the City’s 32 historic districts, all but three are with in the Central City and within the purview of the Downtown Specific Plan (**Attachment 1**).

Economic Impacts: The DSP goal of adding 10,000 housing units within 10 years includes 6,000 market rate units, 2,500 workforce-affordable units, and 1,500 rapid re-housing units for homeless individuals. The Preservation Commission has received an increasing number of projects for lot subdivision/alley infill residential development characterized by large, high-priced units that are not affordable to the workforce population. The continuing approval of such projects will exacerbate ever-increasing land values. This will make it harder and harder for affordable housing to be built in the Central City without significant public investment.

The Ad Hoc Committee recommends that the City consider ways to incentivize current Landmark and historic district property owners to develop accessory units on their properties as ‘affordable-by-design’ alternatives for workforce housing. Property owners are encouraged to complete infill development projects within historic districts or on a Landmark parcel that employ design and site planning principles that appropriately respect the historic character of the City. Pending the completion of Preservation Development Standards and individual Historic District Plans, the enactment of Interim Infill Principles would be a critical first step to incentivize current property owners within historic districts and Landmark parcels to promote economic development and, at the same time, compatibility with the historic context of the project.

Sustainability Considerations: Preservation of historic and cultural resources supports environmental sustainability by reducing the need for new construction materials. Incentivizing the construction of ‘affordable-by-design’ alternatives supports social sustainability.

Rationale for Recommendation: The recommended actions promote compatibility of infill projects with the historic context in which they are located and provide developers and property owners more predictability during the site plan and design review process. The Interim Infill Principles would provide specific considerations to be addressed by first conducting a contextual analysis and then adhering to governing principles that relate to spatial relationships; height, scale and massing; visual compatibility; and alley activation. Along with the *Secretary of the Interior’s Standards for Treatment of Historic Properties*, these Interim Infill Principles would govern in the absence of individual Historic District Plans and Preservation Development Standards to provide interim long-term protection of historic and cultural resources. The Interim Infill Principles would achieve key goals of retaining the historic character of the City within historic districts and on Landmark parcels by providing clarity for both developers and Central City property owners.

The Interim Infill Principles would facilitate infill development by providing clear direction on site plan and design that respects the ability of property owners to provide additional housing

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units while preserving, rehabilitating and maintaining historic character and providing greater opportunities for affordable housing. Historic preservation and infill development are not mutually exclusive.

Historic Preservation Standards – Rehabilitation Standards of the Secretary of the Interior’s Standards for Treatment of Historic Properties (Rehabilitation Standards) have been adopted as the City to and serve as the basic governing approach for preservation review of projects potentially affecting historic resources. However, the Rehabilitation Standards lack specificity with respect to the many details of site planning and design. In the absence of Preservation Development Standards and individual Historic District Plans for most historic districts, the Interim Infill Principles, along with other planning documents that address preservation (see below), would promote compliance with the Rehabilitation Standards for proposed infill development projects.

Summary Review of Other Planning Documents – Two additional historic preservation documents that have been adopted by the City of Sacramento are the *Listed Structures Plan (Residential and Non-Residential)* adopted in 1976, which includes guidelines for the rehabilitation, alteration and relocation of listed structures, and the *Preservation Area Plan* adopted in 1978, which includes design guidelines for new construction within Preservation Areas (now called Historic Districts). The *Listed Structures Plan* and the *Preservation Area Plan* remain operative because neither has been formally rescinded by the City; this interpretation is consistent with the findings of the Preservation Director and City Counsel.

The *Central City Neighborhood Design Guidelines*, adopted by the City in 1999, provide detailed guidance for site planning and design review of development projects within residential neighborhoods of the Central City. Many of the detailed principles and guidelines within this document are consistent with the Rehabilitation Standards and their application would enhance the compatibility of infill development with historic preservation standards. However, ambiguous language within the Administration section of this document has caused some to incorrectly believe that the *Guidelines* do not apply to protection of historic resources.

The *Central City Urban Design Guidelines*, which includes the *Central City Neighborhood Design Guidelines*, was adopted by the City in 2009. The *Central City Urban Design Guidelines* note that the *Listed Structures Plan* and the *Preservation Area Plan* were being updated and incorporated into Preservation Development Standards, which were then being written. With regard to the applicability of historic preservation standards and urban design guidelines, the *Central City Urban Design Guidelines* advises that when a proposed project involving historic properties includes some element where the historic standards are silent, that it along with the City Code govern that element; but that should there be a conflict between the historic standards and the *Central City Urban Design Guidelines*, that the historic standards govern.

The Preservation Development Standards noted in the *Central City Urban Design Guidelines* refer to a document which was developed by the City’s consultant from 2004 through 2007 through a series of public workshops with input from residents and property owners, architects and developers, a project Steering Committee composed of representatives from various organizations and districts, the City’s former Design Review & Preservation Board, Preservation

Commission, and City staff. A public review draft entitled, *Residential and Neighborhood Commercial Preservation Development Standards for Rehabilitation, Adaptive Reuse, Infill and New Construction Projects involving Landmark Properties and Properties within Historic Districts* was released in November 2007 and presented to the City Council as an informational item in January 2008.

Included within Chapter 10 of this document were pilot Historic District Plans for Boulevard Park, Capitol Avenue, South Side, and Washington – with each containing a summary of the district's significant characteristics, specific district preservation and development goals, and specific district standards. The intent was for additional historic district plans to be developed and added as City resources allowed.¹ However, budgetary constraints and staff cutbacks made during the 2008 recession precluded the completion and adoption of either the Preservation Development Standards or individual Historic District Plans for most of the historic districts.

Planning and Development Code – In addition to Preservations Standards, the Planning and Development Code regulates the physical characteristics of buildings, structures, and site development. 2035 General Plan Policy HCR 2.1.11 states “the City will pay special attention to the scale, massing, and relationship of proposed new development to surrounding historic resources.” For example, the language in Planning and Development Code sections 17.208.420-440 (see **Attachment 6**) pertaining to height, floor area ratio, lot size, lot width, lot depth and setbacks in the R-3A zone should be reviewed for consistency with the 2035 General Plan.

In addition, Planning and Development Code Section 17.808.180 regarding “Site plan and design review—Decision and findings” left out reference to the following necessary findings for development projects within historic districts or involving a Landmark:

1. The design, layout, and physical characteristics of the proposed development are consistent with the general plan and any applicable specific plan or transit village plan; and
2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards or, if deviations from design guidelines or development standards are approved, the proposed development is consistent with the purpose and intent of the applicable design guidelines and development standards; and
3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards; and
4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the surrounding neighborhood; and

¹ Planning and Development Code 17.604.300 states that the Preservation Commission shall promulgate and recommend to the City Council for adoption a historic district plan for each preservation area and; that each such plan shall include a statement “to be utilized in determining the appropriateness of any development project involving a landmark, contributing resource or noncontributing resource within a historic district.”

5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged; and
6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance.

It appears that in adding required findings of consistency with the Secretary of the Interior's Standards for projects in historic districts or involving a Landmark, reference to the above six findings was overlooked. It is standard practice for Community Development Department staff to review such projects for conformity with these benchmarks. Unless the project is to demolish a Landmark or contributing resource, such findings are necessary and consistent with standard practice. In addition, relocation of a Landmark or contributing resource should also be reviewed for conformity with the Secretary of the Interior's Standards in order to provide protection for character-defining features.

Environmental Considerations: The Commission's proposed action is exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15061(b)(3) as an action that will have no significant effect on the environment and alternatively exempt under section 15262 related to feasibility and planning studies. The Preservation Commission is being asked by the Ad Hoc Committee to recommend to the City it adopt various measures related to the development of historic resources. If approved by the Commission, staff will consider the feasibility of these measures and the City Code sets forth the procedures for their consideration and adoption. If these measures move forward, environmental review will be completed before their adoption. As required by law, the City retains the sole and independent discretion as the lead agency to consider the proposed recommendations and determine whether to proceed with their implementation.

Conclusions: Based on the considerations and rationale above, the Ad Hoc Committee recommends that the Preservation Commission adopt a motion recommending that the City:

- a. Expediently implement the following measures that would remain in effect until completion of (b) below –
 1. *Interim Principles for the Protection of Historic Districts and Landmarks With Respect to Infill Development within the Central City (Interim Infill Principles) (Attachment 2)*;
 2. Clarification that the *Listed Structures Plan*, the *Preservation Area Plan*, and the *Central City Neighborhood Design Guidelines* do apply to development projects within historic districts and with respect to Landmark parcels (including **Attachment 3** amendments to the Central City Neighborhood Design Guidelines and **Attachment 4** amendments to Planning and Development Code Section 17.808.180);

- b. Complete and adopt Preservation Development Standards and individual Historic District Plans to provide long-term protection of historic and cultural resources; and
- c. Review the Planning and Development Code for consistency with preservation development standards.

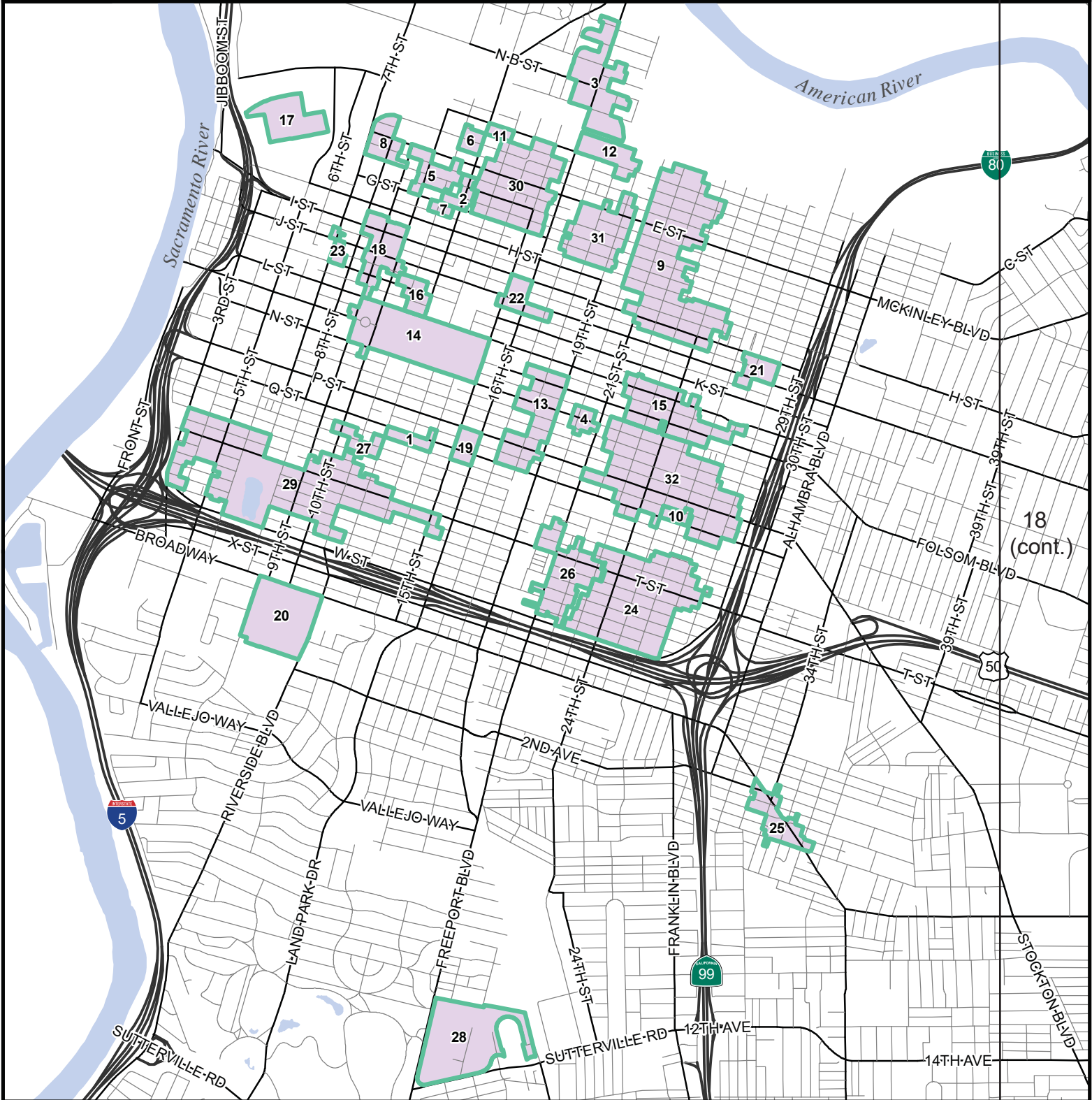
By providing predictability to developers and homeowners, the enactment of these recommendations will provide both immediate and long-term protection for historic resources that will enhance, not impede, the infill housing development objectives of the Downtown Specific Plan.

Attachments:

- Attachment 1 Historic District Map
- Attachment 2 Interim Principles for the Protection of Historic Districts and Landmarks With Respect to Infill Development within the Central City
- Attachment 3 Proposed amendments to the Central City Neighborhood Design Guidelines
- Attachment 4 Proposed amendments to Planning and Development Code Section 17.808.180, Site plan and design review—Decision and findings
- Attachment 5 Illustrations of Infill Development Based on Interim Principles 4 and 11
- Attachment 6 Planning and Development Code Sections 17.208.420-440



City of Sacramento Historic Districts July 29th, 2015



Legend

Adopted Historic Districts

0 1,500 3,000
Feet

Community Development Department | July 29, 2015
DSD_GIS\Projects\...Historic_Districts_Survey_Areas

ID	Name	ID	Name	ID	Name
1	1200-1300 "Q" Street	12	C Street Industrial	23	Merchant Street
2	12th Street Commercial	13	Capitol Avenue	24	Newton Booth
3	North 16th Street	14	Capitol	25	Oak Park
4	20th and N Streets	15	Capitol Mansions	26	Poverty Ridge
5	Alkali Flat Central	16	Cathedral Square	27	R Street
6	Alkali Flat North	17	Central Shops	28	Sacramento City College
7	Alkali Flat South	18	[Cesar Chavez Memorial] Plaza Park	29	South Side
8	Alkali Flat West	19	Fremont Park	30	Washington
9	Boulevard Park	20	Historic City Cemetery	31	Washington School
10	Bungalow Row	21	Marshall Park	32	Winn Park
11	C Street Commercial	22	Memorial Auditorium		

**Interim Principles for the Protection of Historic Districts and Landmarks
With Respect to Infill Development within the Central City
Pending adoption of Preservation Development Standards
and Historic District Plans**

PREAMBLE

The City of Sacramento’s overall preservation objectives are to identify, protect, and encourage preservation of Sacramento’s historic and cultural resources – which, once lost, can never be recovered. Sacramento protects and preserves important historic and cultural resources that serve as significant, visible reminders of the City’s social and architectural history. The City has established Historic districts where concentrations of historic buildings are located to preserve both the resources themselves and the overall historic context in which they are located. The City reviews new development, alterations, and rehabilitation/remodels in historic districts, on Landmark parcels and other potentially eligible historic resources for compatibility with the surrounding historic context.

The City’s Planning and Development Code Section 17.604.300 mandates the adoption of an individual Historic District Plan (Plan) for each preservation area and historic district. Each Plan is to contain a statement of the goals for review of development projects within the historic district, a representation of the historical development of land uses, existing land uses and any adopted plans for future land uses, and a statement of findings regarding the period of historic significance, predominant periods or styles of architecture found within the district, and describing the significant character-defining features of resources found therein (e.g., distinctive architectural characteristics, landscape features, methods of construction, and historical associations). These Plans are also to contain the standards and criteria to be utilized in determining the appropriateness of development projects within the historic district. To date, budgetary constraints and staffing shortfalls have prevented the development of Historic District Plans for most historic districts within the City of Sacramento.

The *Rehabilitation Standards* of the *Secretary of the Interior’s Standards for Treatment of Historic Properties* have been adopted by the City as its basic governing approach for the preservation of historic resources. However, the Rehabilitation Standards lack specificity with respect to the many details of site planning and design, especially in reference to new infill construction in historic districts and on Landmark parcels. Historic and cultural resources may include not only sites and structures, but also features such as infrastructure (e.g., streets, curbs, sidewalks, and alleys), signs, streetscape, landscaping and trees, open space areas, lighting, hardscape (e.g., walkways, paving), public spaces, spatial relationships and other aspects of the historic setting that are important to the overall context. Many of these features have yet to be documented in Sacramento. The Ad Hoc Committee recommends that the City adopt Historic District Plans for every historic district. These Plans, with their documented character-defining features of historic resources within the area and Preservation Development Standards, will simplify and clarify the application of the *Rehabilitation Standards* for individual projects.

The Preservation Commission’s goals are to encourage infill development while, at the same time, protect Sacramento’s historic and cultural heritage. The Preservation Commission values infill development within historic districts and on Landmark parcels because it helps to reduce sprawl and to better utilize existing infrastructure. At the same time, the Preservation Commission remains committed to respecting property owners who have preserved, rehabilitated, and maintained their historic properties.

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INTERIM INFILL DEVELOPMENT PRINCIPLES

To ensure protection for Sacramento's historic and cultural resources while at the same time encouraging infill development, the Preservation Commission hereby offers this set of principles to guide in site plan and design review for projects within historic districts and on Landmark parcels.¹ The intent of the principles is to insure that new construction be compatible with the historic district and Landmarks based on its historic context and respecting spatial relationships; height, scale and massing; and visual compatibility.

Pending the adoption of updated Preservation Development Standards and individual Historic District Plans, the following principles guide site plan and design review of infill development projects within historic districts and on Landmark parcels, along with applicable sections of the *Central City Neighborhood Design Guidelines* and the *Central City Urban Design Guidelines*. Where these principles conflict with the guidelines, these principles are intended to govern. In the case of any conflict between applicable preservation standards and these principles, preservation standards will govern. The Preservation Commission also encourages the application of these principles to parcels containing historic and cultural resources that, while not yet listed, are eligible to be listed in the National, California, and/or Sacramento registers.

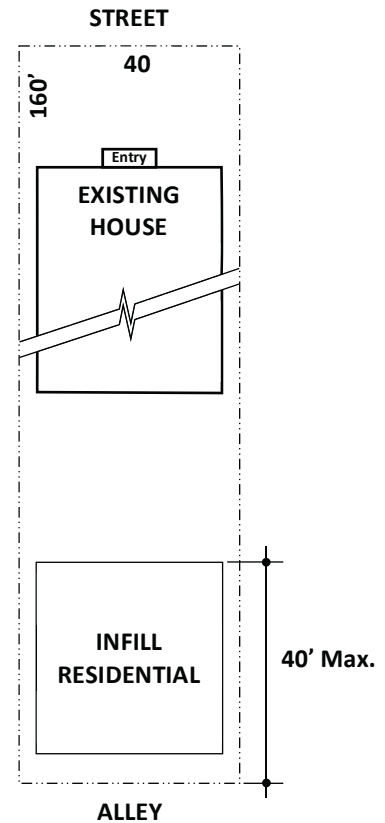
Contextual Analysis

1. For site plan and design review of infill development within a historic district or on a Landmark parcel, the context of a project is the historic district or the Landmark itself, even if a project occurs at the edge (along the boundary) within the historic district or adjacent to a non-contributing resource.
2. The design of new structures must demonstrate an understanding of the historic context and the character-defining features within the district boundaries that comprise its historic character and from which it derives its historic significance. Project proponents are to rely on the better examples of historic resources that strongly contribute to the historic district or Landmark parcel, rather than non-contributors or inappropriately altered structures.
3. When character-defining features have not yet been adequately identified and documented or reassessed within the recent past for a historic district or a Landmark parcel, the project proponent will make a good-faith effort to conduct an analysis of massing, scale, form, height, materials, finishes, and spatial relationships within the vicinity of the project and the district as a whole with which to consider and apply the principles within this document as well as applicable preservation standards and design guidelines. Analysis may require research. For example, a review of Sanborn fire insurance maps will provide valuable information regarding historic lot coverage, heights, structural materials, and spatial relationships within the vicinity of the project in a Historic district.

¹ These principles were compiled by the Infill Development Ad Hoc Committee of the Preservation Commission after completing review of other planning documents including the *Preservation Area Plan*, the *Central City Urban Design Guidelines*, the *Central City Neighborhood Design Guidelines*, and the 2007 public review draft of the *Residential and Neighborhood Commercial Preservation Development Standards for Rehabilitation, Adaptive Reuse, Infill and New Construction Projects involving Landmark Properties and Properties within Historic Districts*.

Spatial Relationships

4. Locate any new alley infill residential or commercial structure entirely within the first forty (40) feet from the alley property line of an original 40-foot by 160-foot parcel, whether the parcel is kept whole or split, in order to respect the general historic spatial relationships between street-fronting houses and alley-oriented supportive and accessory buildings, such as carriage houses or stable buildings, and to respect the privacy of neighboring existing residences. See figure to the right.
5. New construction is not to block views of, or visually distract from, the primary (front) facade of a contributing resource or Landmark in order to respect the visual pattern and orientation in which buildings relate to the street.
6. Avoid views from new construction into adjacent residential structures and adjacent private open spaces by the limited use and strategic placement of windows, balconies and roof decks and/or by the use of methods to screen or block views (e.g., trees or other vegetation) in order to respect view sheds.
7. New structures will have front setbacks consistent with that of adjoining historic structures in order to respect the visual pattern and orientation in which buildings relate to the street.
8. Side setbacks are to be compatible with existing structures in the historic district to assure spaces between buildings that respect the visual pattern, rhythm and harmony of the streetscape.
9. Maintain the traditional character of a building’s site, including the progression of spaces on a residential property, such as landscaped front, side and rear yards. These site characteristics are important and must be respected when new construction occurs.
10. Deviations are strongly discouraged on lot coverage, minimum lot size, minimum lot width, or minimum lot depth for new construction within historic districts or on Landmark parcels. If allowed, deviations are to result in a project that is more compatible with the historic district or Landmark.



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Height, Scale and Massing

11. A new structure is to be supportive and accessory to the existing historic home present on the parcel, whether the parcel is kept whole or split. The plate height of such a new structure is not to be greater than twenty (20) feet, in order to respect the historic character of the historic district and/or Landmark.
12. Subdivide the mass of a larger building into smaller “modules” that are similar in size to historic structures in the district; other subordinate “modules” may be attached to the primary structure form on the rear or secondary facades in order to respect the historic character of the historic district and/or Landmark.
13. Reduce the massing of a new structure by stepping a larger structure down in height as it approaches lower adjacent historic structures in order to diminish the impact of a new structure on a smaller adjacent historic structure.

Interim Infill Development Principles

14. Deviations are strongly discouraged on height or floor area ratios for new construction within historic districts or on Landmark parcels. If allowed, deviations are to result in a project that is more compatible with the historic district or Landmark.

Visual Compatibility

15. New construction will use compatible massing, form, materials, finishes, orientation (placement on the parcel), rooflines, and styles with those of historic resources within the historic district or Landmark parcel. This will respect the character-defining features of the Landmarks and contributing resources within the historic district, contribute to a sense of visual continuity, and maintain historic character.

In areas where the existing design tends to be strongly vertical, delicate and narrow, new construction is expected to respect that style. On the other hand, in areas where the existing design tends to be bulky and solid, new construction is expected to respect this also. This will respect the architectural style and character-defining features of the Landmarks and contributing resources within the District, contribute to a sense of visual continuity, and maintain historic character.

16. Use simplified interpretations of architectural features that are common to those of better examples of historic resources within the district in order to maintain the historic character of the district without providing a false sense of history.
17. Maintain the alignment of horizontal elements along the block.
18. Use similar fenestration pattern, form and rhythm to those of better examples of historic structures within the historic district or Landmark parcel. Design windows and doors to be of a traditional size and placement and in a similar solid-to-void relationship as historic buildings.
19. Roof decks are not to be visible from the street as they are not part of the historic character.

Alley Activation

20. New structures built on alleys will enhance the general livability, visual quality and safety of the alley by orienting fenestration, balconies and lighting on the alley. Front entrances will face the alley, unless incompatible with use.

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Proposed Amendments to the Central City Neighborhood Design Guidelines

Amend Section 2. Administration, of the Central City Neighborhood Design Guidelines as follows:

A. Areas / Buildings Subject to These Guidelines

...

3. Historic Structures and Preservation Areas / Projects Subject to These Guidelines

For properties in the ~~City's Official Sacramento~~ Register of Historic ~~Structures and in Preservation Areas and Cultural Resources~~, the preservation standards shall govern. Preservation standards adopted by the ~~Design Review and~~ Preservation ~~Board Commission~~ include:

- The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings
- Listed Structures Plans (Residential and Non-Residential)
- Preservation Area Plan

For proposed projects or portions or elements of projects where ~~no~~ preservation standards apply ~~are silent~~, these Central City Neighborhood Design Guidelines shall apply.

The following ~~Preservation Areas Historic Districts~~ are within the boundaries of these neighborhood design guidelines: West Alkali Flat, North Alkali Flat, South Alkali Flat, C Street Commercial, Washington ~~District~~, Washington School, C Street Industrial, 12th Street Commercial, Boulevard Park, Memorial Auditorium, Marshall Park, Capitol Avenue, 20th and N, ~~M Street~~ Capitol Mansions, Winn Park, Bungalow Row, Fremont Park, 1200-1300 Q Street, R Street, Southside, Newton Booth, and Poverty Ridge. Figure 2.3 identifies the Central City ~~Preservation Areas Historic Districts~~ subject to these guidelines.

...

E. Areas/Buildings Not Subject to These Guidelines

These guidelines are not applicable to the Railyards, Richards and Central Business District Special Planning Districts (see Figure 2.2). Additionally, the following ~~Preservation Areas Historic Districts~~ are not located within the area of jurisdiction of these guidelines: [Cesar Chavez Memorial] Plaza Park, Merchant Street, Cathedral Square, Central Shops, and Capitol (see Figure 2.3). Also, projects on state owned sites within the Capitol Area Plan boundary are not subject to these guidelines.

For Projects located within a Special Planning District the following guidelines apply:

- Central Business District (applicable guidelines are Sacramento Urban Design Plan, Streetscape and Architectural Guidelines, and Capitol View Protection Ordinance)
- Railyards Special Planning District (applicable guidelines included in the Railyards Specific Plan)
- Richards Boulevard Special Planning District (applicable guidelines included in the Richards Boulevard Area Plan)

For Properties in ~~Preservation Areas Historic Districts~~, and individually listed structures on the ~~City's Official Sacramento~~ Register of Historic ~~Structures and Cultural Resources~~, the applicable guidelines preservation standards are:

- Listed Structures Plans and Preservation Area Plan

Proposed Amendments to the Central City Neighborhood Design Guidelines

- The California Historical Building Code
- The Secretary of the Interior’s Standards for Rehabilitation of Historic Structures.

For proposed projects or portions or elements of projects, where ~~no~~ preservation standards ~~apply~~are silent, these Central City Neighborhood Design Guidelines shall apply.

For state office, residential and commercial projects located on state owned sites within the Capitol Area, the applicable guidelines are:

- The Capitol Area Plan (for residential and non-residential projects)
- The Capitol Park Neighborhood Design Plan (for public improvements, residential and commercial projects).

Proposed Amendments to Planning and Development Code Section 17.880.180

Title 17 PLANNING AND DEVELOPMENT CODE
Division VIII ADMINISTRATIVE MATTERS
Chapter 17.808 PERMITS AND LEGISLATIVE CHANGE REQUESTS
Article I. Site Plan and Design Review

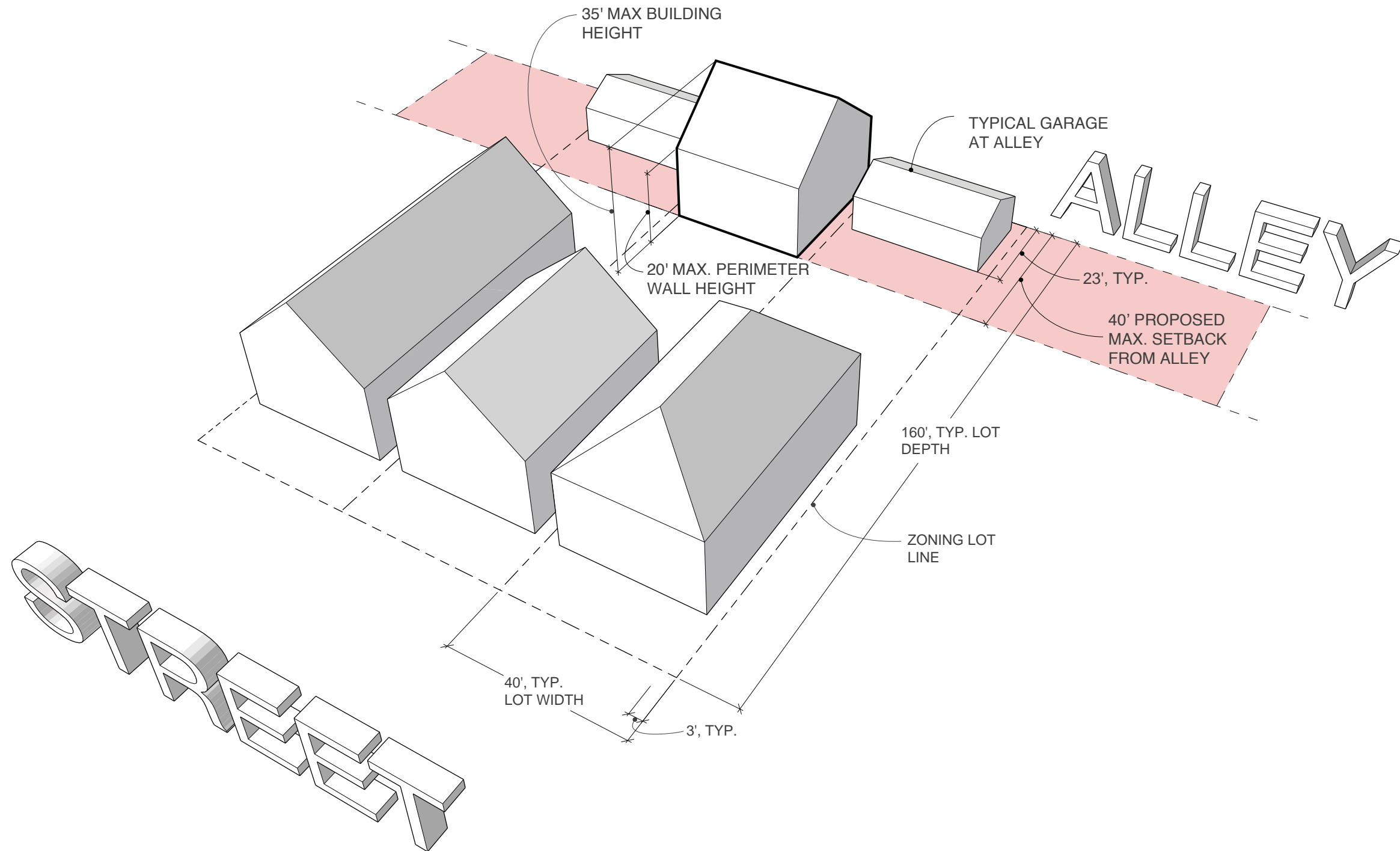
17.808.180 Site plan and design review—Decision and findings.

- A. Development projects located in a historic district or involving a landmark, including relocation. For projects located in a historic district or involving a landmark, including relocation, the decision-maker may approve an application for site plan and design review based on all of the following findings:
1. The design, layout, and physical characteristics of the proposed development are consistent with the general plan and any applicable specific plan or transit village plan; and
 2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards or, if deviations from design guidelines or development standards are approved, the proposed development is consistent with the purpose and intent of the applicable design guidelines and development standards; and
 3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards; and
 4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the surrounding neighborhood; and
 5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged; and
 6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance; and
- ~~1-7. Projects not involving the demolition or relocation of a landmark or contributing resource. For projects not involving the demolition or relocation of a landmark or contributing resource, the decision-maker may approve an application for site plan and design review based on the following findings~~Either:
- a. The project is consistent with the Secretary of Interior ~~standards~~Standards and the goals and policies of this chapter; or
 - b. The project is not fully consistent with the Secretary of Interior ~~standards~~Standards, due to economic hardship or economic infeasibility, but the project is generally consistent with, and supportive of, the goals and policies of this chapter. The applicant shall have the burden of proving economic hardship or economic infeasibility; or
 - c. The project is not fully consistent with the Secretary of Interior ~~standards~~Standards, but is consistent with and supportive of identified goals and policies of the general plan or applicable community or specific plan(s); and the project is either generally consistent with, and supportive of, the goals and policies of this chapter, or if not, the benefits of the project and furthering the identified goals and policies of the general plan or applicable community plan outweigh any impacts on achieving the goals and policies of this chapter.

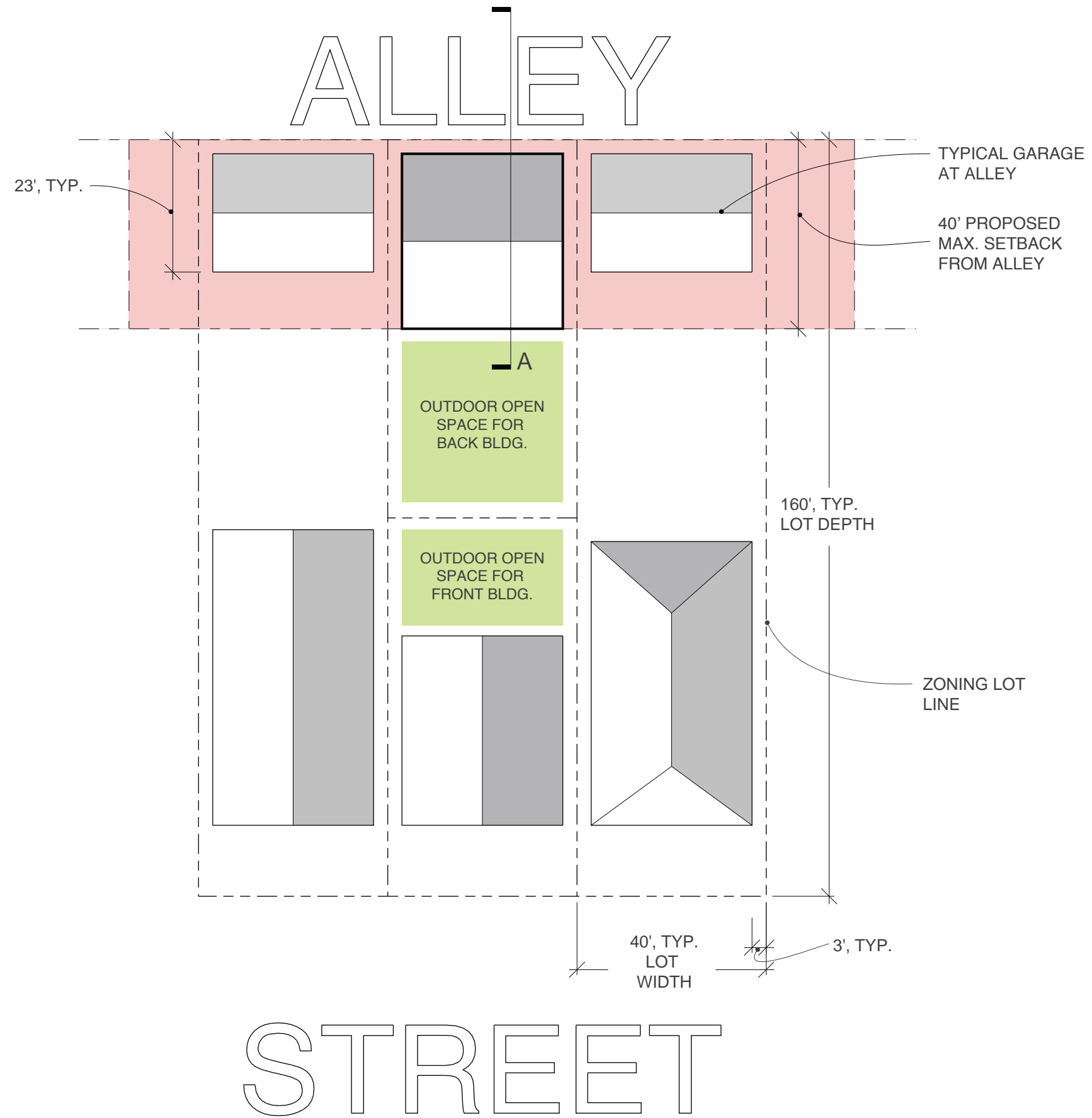
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~~2.8. Projects involving demolition or relocation of a landmark or contributing resource.~~ For projects involving the demolition or relocation of a landmark or contributing resource, ~~the decision-maker may approve an application for site plan and design review based on the following findings~~ either:

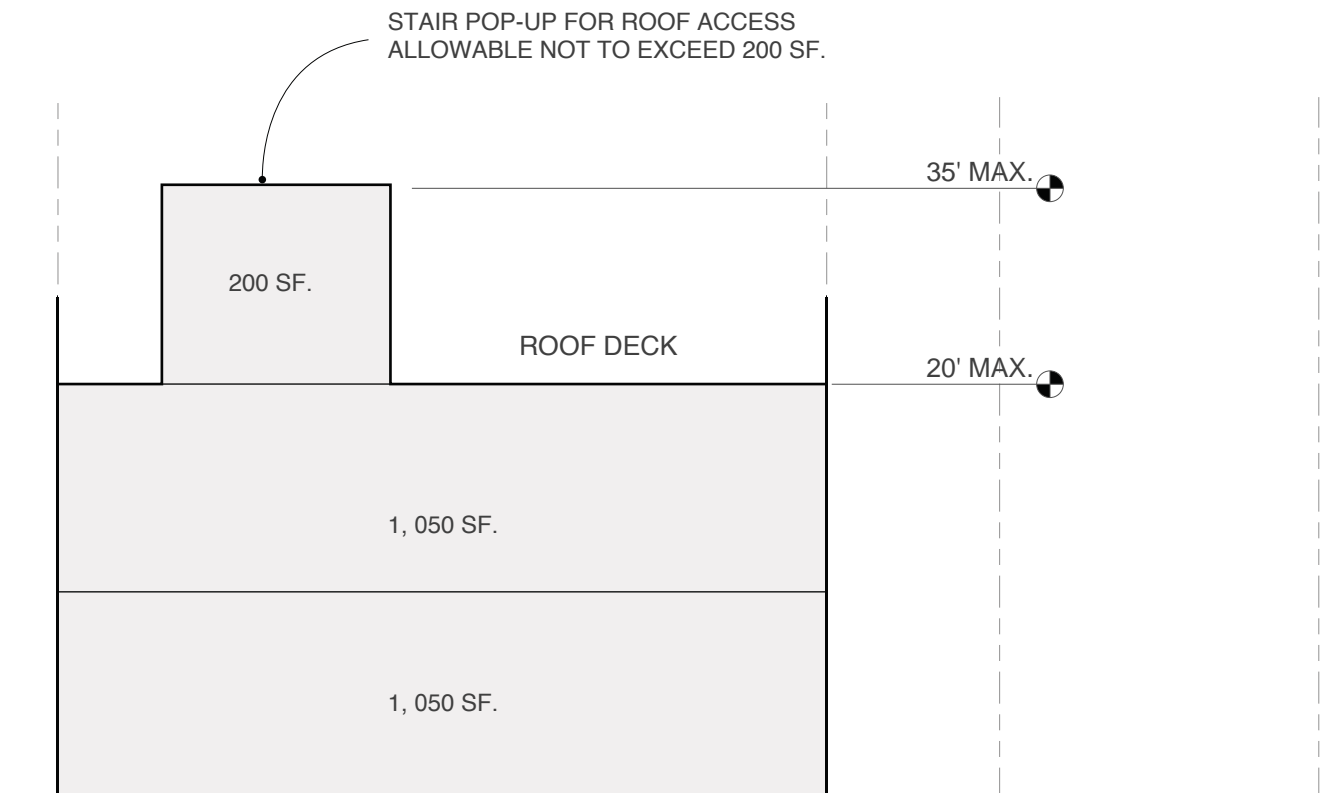
- a. Based upon sufficient evidence, including evidence provided by the applicant, the property retains no reasonable economic use, taking into account the condition of the structure, its location, the current market value, the costs of rehabilitation to meet the requirements of the building code or other city, state, or federal law; or
 - b. That the demolition or relocation of the landmark or contributing resource is necessary to proceed with a project consistent with and supportive of identified goals and policies of the general plan or applicable community or specific plan(s), and the demolition or relocation of the building or structure will not have a significant effect on the achievement of the purposes of this chapter or the potential effect is outweighed by the benefits of the new project; or
 - c. In the case of an application for a permit to relocate, that the building may be moved without destroying its historic or architectural integrity and importance; or
 - d. That the demolition or relocation of the landmark or contributing resource is necessary to protect or to promote the health, safety or welfare of the citizens of the city, including the need to eliminate or avoid blight or nuisance, and the benefits of demolition or relocation outweigh the potential effect on the achievement of the goals and policies of this chapter.
- B. Development projects not located in a historic district and not involving a landmark. For projects not located in a historic district and not involving a landmark, the decision-maker may approve an application for site plan and design review based on all of the following findings:
1. The design, layout, and physical characteristics of the proposed development are consistent with the general plan and any applicable specific plan or transit village plan; and
 2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards or, if deviations from design guidelines or development standards are approved, the proposed development is consistent with the purpose and intent of the applicable design guidelines and development standards; and
 3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards; and
 4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the surrounding neighborhood; and
 5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged; and
 6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance.
- C. The decision-maker may impose conditions as the decision-maker determines to be necessary or appropriate in order to make the required findings for approval. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)



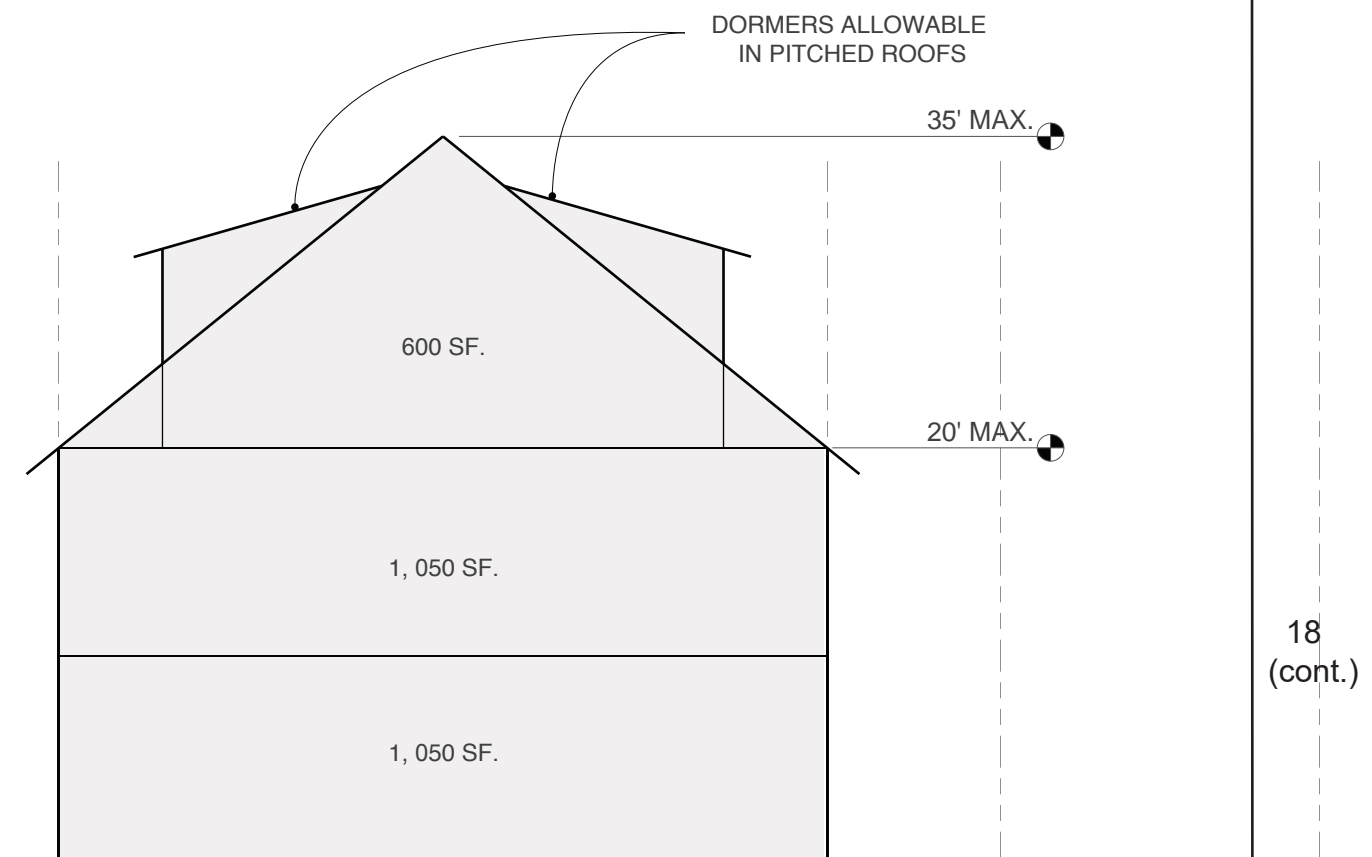
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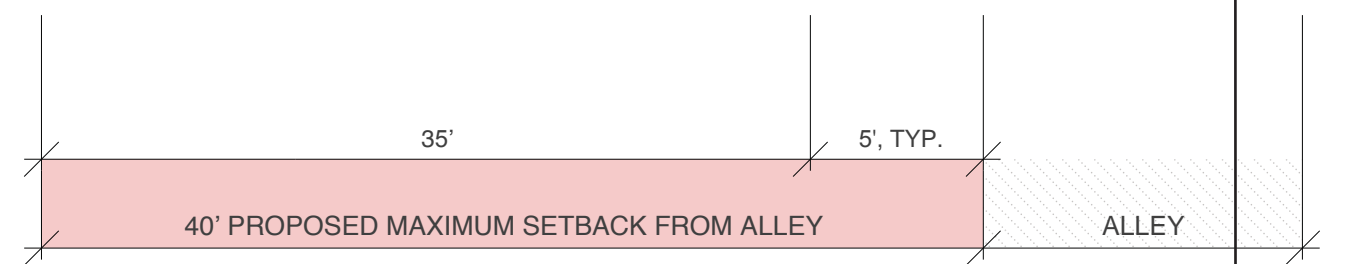
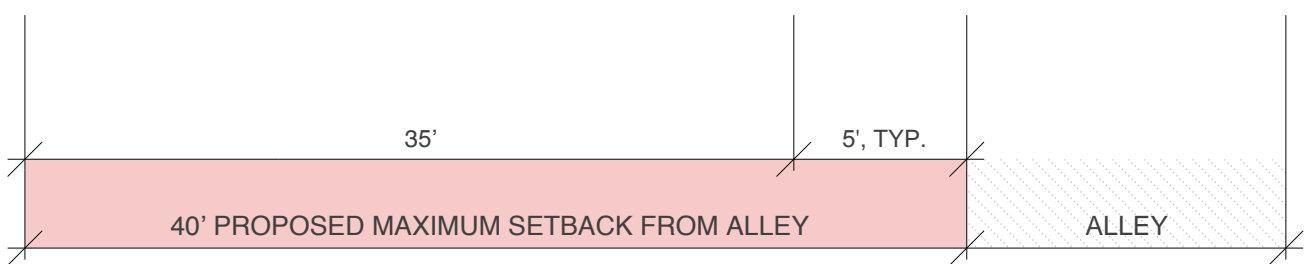
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OPTION 1 - TOTAL BLDG. AREA - 2,300 SF.



OPTION 2 - TOTAL BLDG. AREA - 2,700 SF.



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(cont.)

A Portion of the City of Sacramento Planning and Development Code

Title 17 PLANNING AND DEVELOPMENT CODE

Division II ZONING DISTRICTS AND LAND USE REGULATIONS

Chapter 17.208 MULTI-UNIT DWELLINGS

Article IV. R-3A Zone—Multi-Unit Dwelling Zone

17.208.420 R-3A zone—Height, density, lot coverage, and floor area ratios.

- A. Height. The maximum height is 35 feet.
- B. Density. The maximum density is 36 dwelling units per net acre.
- C. Lot coverage. The maximum lot coverage is 60%.
- D. Floor area ratios. The minimum and maximum floor area ratios are established in the general plan. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

17.208.430 R-3A zone—Lot size, width, and depth.

- A. Lot size. The minimum lot size is 2,000 square feet.
- B. Lot width.
 - 1. Unless paragraph 2 or 3 of this subsection applies, the minimum lot width is 20 feet.
 - 2. If the lot abuts a lot in the R-1 zone, the minimum lot width is 25 feet.
 - 3. The minimum width of corner lots is 38 feet.
- C. Lot depth.
 - 1. The minimum lot depth is 80 feet.
 - 2. The maximum lot depth is 160 feet. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

17.208.440 R-3A zone—Setbacks.

- A. Front and street side-yard setbacks.
 - 1. The minimum front and street side-yard setback for single-unit and two-unit dwellings is 3 feet.
 - 2. The minimum front and street side-yard setback for multi-unit dwellings is five feet.
 - 3. The maximum front and street side-yard setback is 25 feet.
- B. Rear-yard setback.
 - 1. Unless paragraph 2 of this subsection applies, the minimum rear-yard setback is 15 feet.
 - 2. If the rear lot line abuts a public alley, the rear-yard setback is five feet.
- C. Interior side-yard setback.
 - 1. Unless paragraph 2 of this subsection applies, there is no minimum interior side-yard setback.
 - 2. If the interior side-yard lot line abuts a lot in the R-1 or R-1B zone or a lot containing a detached single-unit dwelling, the minimum interior side-yard setback is five feet.
- D. Levee setback. A minimum 20-foot setback from the landside toe of any flood control levee is required for development less than five acres in size. A minimum 50-foot setback is required from the landside toe of any flood control levee for development five acres or greater in size. No primary or accessory structures may encroach into the levee setback. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

CIRCULAR NO. 167-E

RAILROAD ABBREVIATIONS

Abbreviation	Name of Carrier	Abbreviation	Name of Carrier
ABL	Alameda Belt Line	NWP	Northwestern Pacific
ATSF C/L	Atchison, Topeka & Santa Fe Coast Line	OT	Oakland Terminal
BBR	Bamberger	P&SR	Petaluma & Sata Rosa
CCT	Central California Traction Co.	SN	Sacramento Northern
D&RGW	Denver & Rio Grande Western R. R. Co.	SP	Southern Pacific
FR	Feather River	SB	State Belt
GN	Great Northern	ST&E	Stockton Terminal & Eastern
HT	Howard Terminal	TS	Tidewater Southern
MR	McCloud River R.R. Co.	TV	Tooele Valley
M&ET	Modesto & Empire Traction	UP	Union Pacific
NN	Nevada Northern		

EXPLANATION OF ABBREVIATIONS
(Except Railroads)

ABBREVIATION	EXPLANATION	ABBREVIATION	EXPLANATION
ALUM	Aluminum	CONSOLIDTRS	Consolidators
APPL	Appliance	CONT	Container
ARTS	Articles	CORP	Corporation
ASPH	Asphalt	CS	Cottoseed
ASSN	Association	DEHYDRAT	Dehydration or Dehydrating
AUTO	Automobile	DEL	Delivery
AVE	Avenue	DEPT	Department
BBL	Barrel or Barrels	DISTR	Distributor or Distributing
BEV	Beverage	DR	Door
BLDG	Building	ELEC	Electric or Electrical
CAL	California	ENG	Engines
CARLDG	Carloading	EQUIP	Equipment
CHEM	Chemicals	ETC	And so forth
CL	Carload	FBRBD	Fibreboard
CND	Canned	FD	Food
CO	Company		
COMP	Compound		
CONC	Concrete		

CIRCULAR NO. 167-E

EXPLANATION OF ABBREVIATIONS (Cont'd)
(Except Railroads)

ABBREVIATION	EXPLANATION	ABBREVIATION	EXPLANATION
FERT	Fertilizer	PET	Petroleum
FITG	Fittings	PHP	Packing House
FLR	Flour		Products
FRT	Freight	PLT	Plant
FURN	Furniture	PLYWD	Plywood
FWD	Forwarding or Forwarder	PREP	Prepared or Preparations
GDS	Goods	PROD	Produce
GEN	General	PRODS	Products
GOVT	Government	PTG	Printing
HH	Household	PTS	Parts
HTG	Heating	RBR	Rubber
I	Iron	REFGR	Refrigerator
I&S	Iron & Steel	SO	South
IMP	Implements	SHT	Sheet
INC	Incorporated	ST	Street
JCT	Junction	STD	Standard
JT	Joint	STGE	Storage
LBR	Lumber	STK	Stock
LDG	Loading	STK YDS	Stock Yards
LIQ	Liquor	STL	Steel
LUB	Lubricating	SUPP	Supply
MACHY	Machinery	SYS	System
MAT'L	Material	TERM	Terminal
MDSE	Merchandise	TFR	Transfer
MFG	Manufacturing	TRAC	Tractor
MISC	Miscellaneous	U.S. YDS.	Union Stock Yards
MTL	Metal	UNLDG	Unloading
NO	Number	VEG	Vegetable
PAC	Pacific	VEH	Vehicles
PPR	Paper	WALLBD	Wallboard
		WHSE	Warehouse
		WKS	Works
		YD	Yard

CIRCULAR NO. 167-E

FACILITIES	STATIONS	LOCATION	TYPE
Cranes on Western Pacific	Marysville	2nd & E	5-ton hand
	Oakland	3rd St. between Jackson & Madison	25-ton traveling electric straddle gantry
	Oroville	Coach Track	20-ton electric gantry
	Reno	Between 4th & 5th & Evans & Valley	20-ton electric
	Sacramento	Seventh & R Sts.	25-ton electric
	Salt Lake City	5th West & 3rd South	30-ton traveling electric straddle gantry
	San Francisco	Between Brannan & Bryant near 9th	30-ton traveling elec- tric straddle gantry
	Stockton	Lafayette on	10-ton electric
	San Jose	Bush St. & The Alameda	30-ton traveling electric straddle gantry
Cranes on Sacramento Northern Ry.	Oroville	Mville. Rd. Spur	10-ton hand
Track Scales on Western Pacific RR	Kerlinger, Calif. Oakland, Calif. Oroville, Calif. Portola, Calif. Reno, Nev.	Sacramento, Calif. Salt Lake City, Utah San Francisco, Calif. San Jose, Calif. Stockton, Calif. Westwood, Calif.	
Track Scales on SN Ry.	Sacramento ^{West-Sacto} (Hagg Hard) Yuba City, Calif.		

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(cont.)

CIRCULAR NO. 167-E

CARLOAD SHIPMENTS OF PERISHABLE FREIGHT CAN BE PROMPTLY AND PROPERLY HANDLED AND ICED AT THE FOLLOWING POINTS ON THE WESTERN PACIFIC RAILROAD

(Stations in station order going East)

REGULAR ICING STATIONS

Stockton
Sacramento (except shipments iced or reiced at Stockton, and all westbound traffic)

Portola

Salt Lake

EMERGENCY ICING STATIONS

San Francisco
Oakland
Hayward
San Jose
Sacramento (Shipments iced or reiced at Stockton, also all westbound traffic.)

SACRAMENTO NORTHERN RAILWAY

Yuba City Emergency Icing Station

TIDEWATER SOUTHERN RAILWAY

Modesto

CIRCULAR NO. 167-E

LIST OF RAMPS AND PLATFORMS AVAILABLE FOR LOADING AND UNLOADING
 CARLOAD FREIGHT AT STATIONS ON RAILS OF THE WESTERN PACIFIC
 (INCLUDING JOINT WP-SP TRACK ALAZON TO WESO, NEVADA)
 SACRAMENTO NORTHERN AND TIDEWATER SOUTHERN

 SACRAMENTO NORTHERN
 STATIONS

FACILITIES

Chico	Ramp, auto: side and end door unloading
Colusa	Ramp, auto: side and end door unloading
Concord	Platform, misc. freight: side door delivery
Lafayette	Platform, misc. freight: side door loading and unloading.
Marysville	Ramp, auto: side and end door unloading (Joint SN-WP)
Oakland	Platform, inclined, misc. freight: side loading and unloading.
Oroville	Ramp, auto: side door unloading
Pittsburg	Ramp, auto: end door delivery Platform; side door unloading
Sacramento	Ramp, auto: side and end door unloading.
Thermalito	Ramp, rock loading.
Walnut Creek	Ramp, auto: side door delivery.
Woodland	Ramp, auto: side door unloading.

CIRCULAR NO. 167-E

TEAM TRACKS LOCATED ON WESTERN PACIFIC RAILROAD (Cont'd)

Station	Location	Capacity
Sacramento	R St. between 4th & 6th Sts.	14 cars
	R St. between 6th & 7th Sts. (Platform)	3
	R St. between 6th & 7th Sts. (Under Crane)	3
	R St. between 12th & 13th Sts.	3
	R St. between 12th & 13th Sts. (Platform)	2
	R St. between 18th & 19th Sts.	6
	Shop Team Track	20
	Piggyback Ramps, Ft. of Perkins Way	6
Salt Lake City	We have two team tracks at Salt Lake in the joint WP-DRGW yards.	
	Wagon Track consisting of two parallel tracks running north and south just west of the old outbound freight house on 2nd South between 5th and 6th West Streets. Each track is approximately 500 feet long from clearance point to end or 11-car capacity each rail.	
	14th South Team Track is 350 feet long and has a capacity of 7 cars, located at 14th South and 2nd West Streets. Area is black-topped.	
San Francisco	9th & Brannan Sts. (Located between 8th & 9th, Bryant and Brannan.)	
	Team Track No. 1	11
	Team Track No. 2	12
	Team Track No. 3	12
	Team Track No. 4	11
	Team Track No. 5	2
	Team Track No. 6	2
	Team Track No. 7	4
	Team Track No. 8	4
	Team Track No. 9	7
	Commercial Track #1	12
	Third & Army Streets	3
	Napoleon St. Team Track	5
	Waterloo Team Track	2
	First & Brannan Sts.	
	Team Track No. 2	7
	Team Track No. 3	6
	Team Track No. 4	5
	Team Track No. 5	5
	Team Track No. 6	6
Chestnut Street - Montgomery & Embarcadero		
Team Track No. 1	2	
Team Track No. 2	4	
Team Track No. 3	9	
Team Track No. 4	8	
Team Track No. 5	6	
Team Track No. 6	7	
Team Track No. 7	6	
Davis Street - Broadway & Davis	13	

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(cont.)

CIRCULAR NO. 167-E

TEAM TRACKS LOCATED ON SACRAMENTO NORTHERN RAILWAY

Station	Location	Capacity
Chico	Depot	5 cars
Chico Airfield		12
Colusa		16
Concord		8
Del Paso		8
East Gridley		10
Elverta		2
Encinal		26
Hebron		7
Lafayette		3
Loomis		10
Live Oak		4
Lorraine		10
Lovdal		5
McAvoy		2
Marysville	Freight Yards 2nd & E Streets 6th St. & J St.	8 3
Moraga		6
Mulberry		6
North Sacramento	Bassetlaw Avenue	2
Oakland	40th & Shafter 26th & Union (Oakland Terminal)	3 6
Oroville Jct.		5
Oroville	Corner Robinson & Huntoon Sts. High & Huntoon Sts. Old Swayen Spur	3 2 10

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(cont.)

CIRCULAR NO. 167-E

TEAM TRACKS LOCATED ON SACRAMENTO NORTHERN RAILWAY (Cont'd)

<u>Station</u>	<u>Location</u>	<u>Capacity</u>
Paloro		20 cars
Pittsburg		1
Riego		9
Rio Oso		12
Sacramento	West Side of 2nd & M Sts.	6
	East Side of 2nd & M Sts.	4
	Front & X Sts.	2
	18th & C Sts.	3
Speedway		10
Sutter		6
Swanston		2
Vacaville		7
Walnut Creek		5
West Sacramento		2
Woodland	East Main Ramp End & Side Unloading	2
Yuba City	Reeves Avenue	20

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(cont.)

CIRCULAR NO. 167-E

- R -

Station	Name of Firm or Industry	Industry or Commodity Handled	On Tracks of	Capacity of Tracks in Cars
Reno (Cont'd)	Smith & Peterson	Rock & Sand	SP	4
	Stead Air Force Base (Martin)	Gasoline, Coal, Govt. Supplies		Team
	Standard Oil Company	Pet. Prods.	SP	4
	Sun-Blest Foods of Nevada	Groceries	WP	3
	Swift & Company	PHP	SP	1
	Texas Company	Pet. Prods.	SP	2
	Union Ice Company	Wood, Coal, Frozen Food Storage	SP	8
	Union Oil Company	Pet. Prods.	SP	2
	Universal Carloading Company (P. Upson)	Mdse.	SP	4
	University of Nevada	Fuel Oil, Coal	WP	2
	Upson, Pearl & Son	Warehouse	SP	3
	Vaughn Millwork Company	Lumber	WP	20
	Washoe Wood & Coal Yard	Wood, Coal	WP	5
	W. S. Watkins & Son	Lumber	SP	6
Westwarehouses	Warehouse	WP	4	
Yancey Company	Roofing	WP	1	
Rhodes	Cochran & Co.	Vegts.	WP	5
	Rhodes Whse. & Sply. Co.	Beans, Grain	WP	5
Rio Linda	Rio Linda Poultry Prods.	Grain, Feed	SN	6
	Rio Linda Lumber Co.	Lumber	SN	3
Russell Spur	Russell Land & Stock Co.	Livestock Supplies	WP-SP	1

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(cont.)

CIRCULAR NO. 167-E

SACRAMENTO (See West Sacramento)

NAME OF FIRM OR INDUSTRY	ADDRESS	INDUSTRY CR COMMODITY HANDLED	ON TRACKS OF	CAR CAP. OF TRACKS
Acme Fast Freight	1220 Front St.	Frt. Fwdrs.	SP	5
Acme Transfer & Storage	912 Fourth St.	Storage		Team
Adeline's Junk Yard	1800 Sixth St.	Junk Storage	SP	1
Alling Iron Works	2415 Fifth St.	Steel		Team
American Can Co. (Plant)	33rd & C St.	Cans, Tinfoil	SP	50
Amer. Bldg. Material Co.	2701 Stockton	Bldg. Supply	CCT	3
Armour & Company	5th & R	Meat	SP	1
Applegate Drayage Co.	North 5th St.	Gen. Whsg.	SP	4
Arata Brothers	20th & R Sts.	Groceries, etc.		Team
(See Valley Whlsle. Grocers Co.)				
Argonaut Liquor Co.	517 Eye	Liquors		Team
Arrow Lumber Co.	4414 Franklin Blvd.	Lbr., Retail		Team
Associated Metals Co.				
(Assoc. Iron & Metal)	200 Jibboom	Scrap	SP	6
Atkinson Bell Co.	801 57th	Lbr., Retail	SP	2
Beacon Distributing Co.	1401 Spear	Liquors	SP	4
Beamer Motor Co.	2900 Capital Ave.	Autos		Team
Bekins Van & Storage Co.	1800 21st St.	Gen Storage	SP	3
Bell Distributing Co.	1527 N. C. St.	Beer	SP	4
Bennetts Produce Co.	2630 5th	Prod.	SP	2
Bercut-Richards Lumber Co.	7th & No. B	Lumber	SP	5
Bercut-Richards Pkg. Co.	7th & No. B	Cd. Gds.	SP	14
Berry's Foundry	No. C & Ahern	Coke		Team
Bessey Produce Co.	2630 5th	Whsle. Prod.	SP	3
Blair Co., J. N.	1615 Thornton	Butcher Supp.	SP	5
Blake, Moffit & Towne	601 North 10th St.	Paper	SP	2
Borden's Capital Dairy	13th & S	Dairy Prod.		Team
Boyd, E. A.	Alhambra & L	Autos		Team
Bruener, John Co.	Indus. Park	Furn.	SP	2
Broili Parks Co.	2225 19th	Elec. Appl.	WP	2
Builders Supply Co.	24th & Sutterville	Building Supp.	WP	1
Burnett & Sons Mill	11th & C	Lumber	SP	4
Butter Cream Divn. of Interstate Bakeries	1009 28th St.	Flour		Team
Burton Motors, Inc.	13th & I	Autos		Team
Cain, T. E.	2416 Jay	Glass	SP	Team
Cal. Almond Growers Exch.	18th & C	Nuts	SN	7
Cal. Builders Supply	1905 19th St.	Lumber	WP	2
Cal. Mfg. Co., Inc.	1931 Front St.	Lumber		Team
Cal. State Hiway Comm.	1805 34th St.	Machinery	SP	4
Cal. State Printing Plant	Indust. Park	Paper	SP	4
Cal. State Warehouse	11th & R St.	Paper	SP	3
Cal. Packing Corp. #11	17th & C St.	Canned Goods		24
" #12	Front & P	Canned Goods	SP	16
" #15	19th & R Sts.	Canned Goods	WP	7
" #17	2401 Third St.	Canned Goods	SN	10
" Whse.	3rd & X Sts.	Lug		
Cal. Pine Box Distributors	3rd & Broadway	Box Matl.	SP	2

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(cont.)

CIRCULAR NO. 167-E

SACRAMENTO (See West Sacramento)
(Continued)

NAME OF FIRM OR INDUSTRY	ADDRESS	INDUSTRY OR COMMODITY HANDLED	ON TRACKS OF	CAR CAP. CF TRACKS
Cal. Spray Chemical Corp.	515 North 10th	Spray Mtl.	SP	
Cal. Zonolite Company	208 Jibboom	Insul.	SP	3
Cal-Hi Beverage Co.	1908 D St.	Beer-Wine	SN	2
Cameron Pontiac	1217 Del Paso Blv.	Autos		Team
Campbell Chain Co.	712 R St.	St. Chain	SP	1
Campbell Soup Co.	43rd & Franklin	Canned Goods	WP	30
Capital Chevrolet Co.	13th & K	Autos		Team
Capital City Planing Mill	1812 9th	Lumber	SP	1
Capital Lumber Co.	1831 37th	Lumber		Team
Capitol Plywood Co.	1929 X St.	Plywood	WP	3
Carlaw Bros.	10th & R	Monuments		Team
Carpenter, M. R.	907 Front St.	Plumbing	SP	1
Central Valley Tractor Co.	3028 Q St.	Farm Implts.		Team
Channel Bakers	1509 Alhambra	Bakery		Team
City Corporation Yard	34th R	Machy.	SP	6
City Filtration Plant	Amer. River Levee	Ore	SP	3
Clarke Wheeler Co.	1800 16th St.	Metal Furn.	SP	1
Cobbledick-Kibbe Glass Co.	19th & T	Glass	WP	2
Coffin Redington Co.	Indus. Park	Liquid Drugs	SP	2
Consolidated Prod. Co.	851 Richards	Feed	SP	2
Consumers Ice & Cold Stge.	(See National Ice & Cold Storage)			
Continental Chem. Co.	North Sacto.	Clng. Cmpds.	WP	8
Continental Baking Co.	North Sacto.	Flour	SP	2
Continental Can Co.	7th & No. B	Cans	SP	6
Cowell Lime & Cement Co.	509 I St.	Cement	SP	2
Crane Company	1227 Front	Plbg.-Supp.	SP	2
Crystal Creamery	1013 D	Dairy Prod.		Team
Crystal Ice & Cold Storage	1812 17th	Storage	SP	2
Dallman Supply Co.	6th & Q	Plbg. Supp.		Team
Dalton Motors, Inc.	16th & K	Autos	SP	2
Del Paso Rock Prod. Co.	3490 Fair Oaks	Rock, Sand	SP	
Deterding Company, J. R.	1818 22nd	Plbg. Supp.		Team
Diamond Match Co.	2826 Q	Lumber	SP	4
Diamond T Trucks	410 No. 16th	Trucks		Team
Dolan Building Mtls. Co.	Alhambra & P	Bldg. Supp.		Team
Dorris Lumber & Bldg. Co.	Redding Ave.	Mouldings	SP	6
Eastern Co., The	1625 Thornton	Furn.	SP	2
Economy Lumber Supply	4891 24th St.	Rd. Lumber	WP	2
Ellis Co.	1923 Stockton Bl.	Mat'l		Team
Eres Sundries Sales	119 R St.	Mis., Sundries	WP	2
Essex Lumber Co.	Swarston Road (Pencilwood)	Lumber	SN	6
Farmers Bean & Grain Co.	1801 19th St.	Wire	SP	2
Feather River Spg. Water Co.	19th & R	Water		Team
Firestone Tire & Rubber	1811 12th	Tires		Team
Flood Equipment Co.	Alhambra & V	Tractors		Team

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(cont.)

THE WESTERN PACIFIC RAILROAD COMPANY

Original Page No. 82

CIRCULAR NO. 167-E

SACRAMENTO (See West Sacramento)
(Continued)

NAME OF FIRM OR INDUSTRY	ADDRESS	INDUSTRY OR COMMODITY HANDLED	ON TRACKS OF	CAR CAP. OF TRACKS
Forsberg Brothers	1730 25th	Flooring		Team
Foster Co., The	1414 E St.	Beer & Wine		Team
Friend & Terry Lumber Co.	1920 Front	Lumber		Team
Fuller Co., W.P.	1015 R	Sash-Doors	WP	3
		Glass-Paint		
Fuller Lbr. & Supply Co. (Not within switching limits)	Polk	Lumber	CCT-SP	8
General Electric Supply	Thornton Ave.	Elec. Appl.	SP	2
General Mills (Sperry Div.)	1722 7th St.	Flour, Feed	WP	4
General Produce	16th & No. B	Produce	SP	2
Globe Transfer & Storage	Front & N	Stge.-Dray.	SP	2
Goodyear Tire & Rubber	1724 10th	Tires	WP	1
Golden State Co., Ltd.	214 19th St.	Dairy Prod.		Team
Graybar Electric Co.	1900 14th	Elec. Supply		Team
Grinnell Co. of the Pacific	615 7th	Plbg. Supp.		Team
Hale Bros.	9th & K	Misc.		Team
Half Moon Produce	2630 5th St.	Prod. Dist.	SP	1
Hamm Brewing Co.	2630 5th St.	Beer	SP	2
Harelson Feed Co.	6300 Folsom Blvd.	Feed-Grain	SP	2
Harrold, Ellsworth Co.	22nd & Broadway	Autos, Pts.		Team
Hart, F. B.	470 No. 16th	Trucks		Team
Heick & Moran	2114 20th	Plbg. Supp.	WP	3
Henderson Bros.	1501 Kay	Oil, Auto Pts.		Team
Herron Co., A. W.	215 12th	Office Equip.	SP	2
Hires Bottling Co.	1801 21st	Root Beer	SP	1
Hoffman Sales Divn.	1115 R St.	TV Sets	WP	1
Hokanson Bldg. Block (Not within switching limits)	Power Inn Rd. (Polk)	Pumice Brick	CCT	3
Home Bakers, Inc.	3226 Mtgomery Way	Flour		Team
Horrell & Son Htg. & Plbg.	2950 1st Ave.	Fuel		Team
Indep. Paper Stock Co.	1916 20th	Paper	WP	4
Industrial Tractor Sales	No. Sacto	Equip	WP	2
Inland Oil Co.	1450 Sproule	Pet. Prod.	SP	1
International Fwdg. Co.	2nd & R Sts.	Frt. Fwd.	WP	4
International Truck Co.	550 N. 16th	Trucks		Team
Jacobs, J. J.	1500 K	Autos		Team
Jewel Tea Co.	1926 W St.	Groceries	WP	1
John Drew Motors	15th & Broadway	Autos		Team
Johnson, S. T.	Front & R	Fuel, Oil	SP	1
Jones & Dart Music Co.	1018 J	Pianos		Team
Juillard Liquor Co.	404 20th St.	Liquor	WP	1
Keating, J. P. Co.	1609 E	Liquor		Team
Kraft Foods Co.	North Sacto.	Cheese & Pre- pared Foods	SN	3

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(cont.)

THE WESTERN PACIFIC RAILROAD COMPANY

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CIRCULAR NC. 167-E

SACRAMENTO (See West Sacramento)
(Continued)

NAME OF FIRM OR INDUSTRY	ADDRESS	INDUSTRY OR COMMODITY HANDLED	ON TRACKS OF	CAR CAP. OF TRACKS
Kress, S. H. Co.	818 K	Notions		Team
Lagamarsino & Sons, F.	Alhambra Blvd. & L	Seeds, Nursery	SP	Hopfen Team
Lancaster Wholesale Grocery Co.	Front & V Sts.	Groc. Whsle.	SN	3
Lawrence Warehouse	1930 Jay	Stge. Dist.	WP	6
Learner Co.	130 No. 12th	Scrap Iron	SP	4
Lennox Furnace Co.	1510 McCormick	Furn.	SP	4
Levy, A. & Zentner, J.	16th & No. B	Prod.	SP	6
Libby, McNeill & Libby	Alhambra & Stocktn.	Cd. Goods	SN-SP	30
Lockett Van & Storage Co.	911 20th St.	Various		Team
Lundstrom Motors	1631 Kay	Autos		Team
Lyon Van & Stge. Co.	1512 N St.	Various		Team
McClatchy Newspapers (Sacto. Bee)	1717 21st	Paper Strg.	SP	3
McGillivray Const. Co.	65th & Folsom	Contr.	SP	6
McKesson & Robbins, Inc.	Indust. Park	Liq. Drugs	SP	2
McKuen Moulding Co.	2810 5th	Planing Mill	SP	2
Maderite Sausage Co.	3353 2nd Ave.	PHP		Team
Markwart, H. S.	4701 24th St. Rd.	Gen. Contr.		Team
Merchants Express Corp.	216 15th St.	Various	SP	8
Merchants Shippers Assn.	3rd & R St.	Frnt. Fwdg.	WP	4
Meredith Fish Co.	2640 5th	Fish	SP	1
Meyberg Co., Leon	1730 8th St.	Appliances	WP	2
Mitchell Bros.	124 Jay	Clive Oil		Team
Montgomery Ward Co.	9th & K	Mdse.	SP	2
Murphy Meat Co.	1809 23rd	Meat		Team
Muzio Baking Co.	1708 34th St.	Flour		Team
Nat'l. Biscuit Co.	1802 9th	Crackers	SP	2
Nat'l. Carloading Corp.	1316 2nd	Mdse.	SN	3
Nat'l. Ice & Cold Stge.	9th & G	Storage	SP	12
(Consumers Ice & Cold Stge. Plant 30)				
Nat'l. Ice & Cold Stge.	2338 9th Ave.	Storage	WP	8
(Plant 31 (B))				
Nat'l. Ice & Cold Stge.	So. Sacto	Pkg. House	WP	4
(Frnt. & Veg. Pkg. Plant)				
National Steel & Equip. Co.	Ben Ali	Steel Equip.		Team
Newbert Implt Co.	1700 Jay	Implts		Team
Norbest Turkey Grwrs. Assn.	831 D	Poultry	SP	1
Norco Distributing Co.	1800 24 St.	Bldg. Matl.	SP	1
Northeast Flour Co.	20th & F	Flour	WP	4
Oak Park Lumber Co.	3526 5th Ave. (Fairgrounds)	Lumber		Team
Orchard Supply Co.	1731 17th	Farm Supp.	SP	1
Pac. Cartage & Stge. Co.	20th & E	Various	WP	4
Pacific Coast Aggregates	16th & A	Bldg. Matl.	SP	2
Pacific & Atlantic Shippers	1717 4th St.	Mdse.	WP	4

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(cont.)

THE WESTERN PACIFIC RAILROAD COMPANY

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CIRCULAR NO. 167-E

SACRAMENTO (See West Sacramento)

NAME OF FIRM OR INDUSTRY	ADDRESS	INDUSTRY OR COMMODITY HANDLED	ON TRACKS OF	CAR CAP. OF TRACKS
Pacific Flooring Supply, Inc.	1517 N. C St.	Flooring	SP	1
Pacific Fur & Wool	1031 Front	Wool	SP	1
Pacific Gas & Electric	Front & T	Gas Plant	SP	6
"	59th & R	Poles, Pipe	SP	10
Palm Iron Works	15th & S	Steel	WP	2
			SP	2
Panama Pottery Co.	4421 24th St. Rd.	Clay		Team
Perkins Grain & Milling	14th & R	Feed	SP	3
Perkins Gravel Co.	1846 37th	Paving Matl.	SP	1
Pillsbury Mills, Inc.	12th & C	Grain	SP	6
Pioneer Steel & Supply Co.	No. Sacto	Iron & Steel	SP	1
	(Not in switching limits)			
Pittsburgh-Des Moines Steel	Indust. Park	Steel	SP	2
Poultry Producers of Cent. Cal.	430 Broadway	Eggs-Feed	SP	4
Powell, J. Mat'ls. Co.	26th & R	Plaster	SP	3
Powell, Robt. Products	17th & D	Plaster		Team
Pureta Sausage Co.	324 Alhambra	PHP		Team
Quaker State Oil Refining Co.	Swanson, Calif.	Lube Oil	SN	1
Rainbow Liquor Co., Inc.	702 R St.	Liquors	SP	2
Ransome Co.	916 N. B	Gas	SP	1
Republic C/L & Dist. Co.	2nd & M St.	Frt. Fwdrs.	SN	3
Richfield Oil Co.	Baths, Calif.	Pet. Prod.	SP	3
	(Not within switching limits)			
River Lines	Front & Capitol	Riv. Trans.	WP-SN-SP	2
Rohrer Bros.	16th & N. B	Frt. & Veg.	SP	2
Rose Orchard	Mikon	Gr. Fruit	SP	8
	(Not within switching limits)			
Russill Co., J. L.	16th & No. B	Vegs.	SP	1
Sacramento Bag Co.	810 2nd	Burlap		Team
" Bee	1717 21st	Newsprint	SP	3
" Box Co.	64th & R	Lbr.	SP	15
" Cartage Co.	2nd & M	Drayage	SN	3
" Casket Co.	2318 5th	Lumber		Team
" Frosted Foods	9th & D, c/o			
	Natl. Ice	Froz. Fds.	WP	8
" Junk & Mchy.	2720 R	Junk		Team
" Mun. Utility Dist.	59th & R	Mtl. Yd.	SP	2
" Pipe Works	16th & No. B	Pipe	SP	2
" Pumice, Brick & Tile	2731 Stockton Blv.	Pumice	CCT	1
" Reduction Works	Riverside Blvd.	Tallow		Team
	(Not within switching limits) Baths			
" Stucco Prods.	27th & R	Bldg. Sply.	SP	3
" Union	1910 Capitol	Newsprint		Team
" Valley Tractor Co.	1901 Broadway	Machy.	WP	3
Safeway Produce Co.	3rd & Q	Produce	WP	4
Schwimley Motors Inc.	1510 J	Autos		Team

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(cont.)

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CIRCULAR NO. 167-E

SACRAMENTO (See West Sacramento)

NAME OF FIRM OR INDUSTRY	ADDRESS	INDUSTRY OR COMMODITY HANDLED	CN TRACKS OF	CAR CAP. CF TRACKS
Schorr, Co., B. K. (Not in switching limits)	Mikon	Gr. Fruit	SP	8
Sears Roebuck Co.	Indust. Park	Various	SP	4
Senf Drayage Co.	1208 Q	Draying		Team
Setzer Forest Prods.	2570 3rd	Shook Lbr.	SP	20
Sheldon Oil Co.	1515 65th	Asph. & Rd. Oil	SP	5
Sierra Mill & Lbr. Co.	3rd & V	Lumber	SN	1
Slakey Bros. Inc.	1400 N. C St.	Plg. Gds.	SP	2
Smith Co., F. F.	922 12th	Feed	SP	2
"	221 N. 16th	Seed	SP	4
Sperry Flour Co. (See Gen. Mills)	7th & R	Flour	WP	4
Standard Oil Co.	Front & X	Pet. Prods.	SP	3
"	34th & R	Pet. Prods.	SP	1
Star Roof Co. of Sacramento	1923 Stockton Bl.	Roofing		Team
State Fair Grounds	Fairgrounds, Cal.	State Fair	CCT	80
Steiner Lumber Co.	Fairgrounds	Lumber	CCT	10
Sterling Brands	5001 24th St.	Beer	WP	2
Stor-Dor Fwd.	3rd & R	Mdse.	WP	4
Sunland Industries	204 Jibboom	Fertilizer	SP	2
Sunland Refining Corp.	430 N. 16th	Pet. Prods.	SP	1
Sunshine Biscuits Inc.	No. Sacto	Bakery	SN	1
Superior Packing Co.	Peethill	Livestock	SN	3
Superior Packing Co.	Washington	Livestock	SP	1
Superior Sales Co.	1725 19th St.	Appliances	WP	2
Swift & Co.	806 6th	Meat	SP	2
Tay Holbrook Inc.	1801 22nd	Plg. Suppl.	SP	2
Teichert & Son, A. Inc.	1846 37th	Contr.	SP	5
"	61st & R	Contr.	SP	5
Thomson-Diggs Co.	1801 2nd	Hardware	SP	6
Tiedemann & McMorrin	22nd & Q	Groc.	SP	3
Tidewater Assoc. Oil	324 W. Broadway	Pet. Prods.	WP-SP	1
Thys Company (Not within switching limits)	Brighton, Cal.	Iron & Steel Prod.	SP	2
Triangle Produce Co.	2630 5th	Produce	SP	3
Union Iron Works	1415 Front St.	Steel	SP	2
Union Wire Rope Corp.	No. Sacto*	Wire Rope	WP	5
Union Oil Co.	Commercial & Bdwy.	Pet Prods.	SP	7
United Grocers, Ltd. (United-Bert McDowell Co.)	Indust. Park	Groceries	SP	8
U. S. Signal Depot (Not within switching limits)	Polk	Signal Mtl.	CCT-SP	20
Universal C/L & Dist. Co.		Frt. Fwdrs.	WP	4
Valley Electric Co.	18th & S	Elec. Mtl.		Team
Valley Paper Co., Inc.	10th & No. B.	Paper		Team
Valley Wholesale Groc.	20th & R	Groc.	WP	5
"	20th & R	Groc.		Team
Vogel Chevrolet Co.	1616 I	Autos		Team

* In switching limits of Sacramento

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CIRCULAR NO. 167-E

SACRAMENTO (See West Sacramento)

NAME OF FIRM OR INDUSTRY	ADDRESS	INDUSTRY OR COMMODITY HANDLED	ON TRACKS OF	CAR CAP. OF TRACKS
Volker & Co., Wm.	Indus. Park	Furn.	SP	1
Warren-Vivaldi Pontiac	16th & J	Autos		Team
Weaver Tractor Co.	19th & T	Tractors	WP	3
Western Freight Handlers	1717 4th St.	Mdse.	WP	6
Western Machinery Co.	721 N. B	Mining Mchy.	SP	2
Western Potato Distr., Inc.	1718 5th	Produce	WP	10
Western Van & Storage	108 Kay	Various	SP	3
Westinghouse Elec. Supply Co.	1730 14th	Elec. Appl.	WP	2
Woodruff, F. H. & Sons, Inc.	1331 C	Seed	SP	2
Zellerbach Paper Co.	1100 Richards Bl.	Paper	SP	12

CHAPTER 9
CULTURAL RESOURCES

CHAPTER 9 HISTORIC AND CULTURAL RESOURCES

9.0 Introduction

This chapter presents a very brief overview and description of cultural and historic resources within the R Street Implementation Area. The assessment is based on existing literature reviews and previous work. Research was conducted at the California State Library, California History Room and Government Publications sections, the Sacramento Room at the Sacramento City Central Library, Sacramento Archives and Museum Collection Center, Sacramento City Development Services Department, CADA, and on-line resources available through SAMCC, CADA and the City of Sacramento. Information gathered for the Central City Two Way conversion Study EIR, Capital Area Plan EIR, and the R Street Urban Design Plan technical studies were also examined. Field visits were conducted to identify additional historic buildings not included on current City listings, trace railroad-related features on R Street and examine the existing streetscape.

9.1 Environmental Setting

The Project Area is located within the City of Sacramento, the largest city in California’s Central Valley. The valley lies between the Sierra Nevada Mountains on the east and the North Coast Range on the west. Sacramento is situated on alluvial valley land south of the American River and east of the Sacramento River. Elevation ranges from about five feet above mean sea level along the Sacramento and American river banks to about 35 feet in the highest downtown areas. The average elevation is perhaps 15 to 20 feet above sea level.

The Project Area has always been subject to intermittent flooding. The Federal government declared the rural areas as “Swamp and Overflow” lands as early as 1853. Until reclamation occurred in the 1880s about 90 percent of the land surrounding the City of Sacramento was unusable because of swampy conditions and lack of drainage. The physical environment has been significantly altered by over 150 years of development, agriculture and use. While once the area was flat, treeless and subjected to seasonal flooding, today a system of levees, pumps and siphons has allowed for reclamation and urbanization to occur.

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9.1.1 Prehistory and Ethnography

California's prehistory has potentially as great a temporal depth as any comparable region in the Americas. At present, archaeologists have no firm information about the earliest human inhabitants of the state. The information that is available, such as the discovery of human remains on the Channel Islands, indicates that humans have been living in the state for more than 13,000 calendar years. Because of the active and changing geological and environmental conditions in the state, such truly ancient finds are extremely rare and their discovery locations cannot be predicted. Within the Great Valley, including the Sacramento region, truly ancient finds are likely to be deeply buried.

In the Sacramento Region, the first systematic study of the state's prehistoric past was undertaken by the Sacramento Junior College (SJC) in the 1920s and 1930s. SJC archaeologists were able to document a consistent picture of the regional archaeological record that extended between four and five-thousand years into the past. Beyond that time, accumulating sediment from the rivers and streams and the influence of rising sea levels have buried much of the archaeological remains that may have been present in the region. For example, artifacts thought to range in age from 7,500 to 8,000 years were recently discovered during archaeological work in downtown Sacramento at depths of 11 to 21 feet below the surface.

The late prehistoric sites in the Sacramento Region are much better known, and to a degree better studied and understood than the more remote past. However, much more is still in great need of study. One example lies in the various kinds of sites and camps that are present in the region. While large villages and tribal centers are well known and have been the focus of intense study throughout the twentieth century, smaller sites are far less studied. The reasons for their existence are poorly understood and archaeological data that could explain this are infrequently acquired. While the locations of the late prehistoric and ethnographic villages are well known, little study has been conducted on the locations of such smaller sites.

9.1.2 Ethnography

The Native Americans who occupied the project vicinity at the time of Euroamerican contact (ca. 1830s) are known as the Nisenan. They are also referred to as the Southern Maidu in some ethnographies. Ethnographers generally agree that the territory occupied by Nisenan speaking people included the drainages of the Bear, American, Yuba, and southern Feather rivers. Their permanent settlements were located to avoid flooding on terraces and ridges, and in the Sacramento Valley on mounds and natural levees along stream courses.

Their villages in the Sacramento Valley were distinguished by locations on mounds or natural levees and were composed of numbers of circular houses excavated partially into the earth and roofed with timber, mats and a covering of earth. Several tribal centers are known from the Sacramento vicinity including *Sama*, *Pusune* (*Nisipowenan*), and *Kadema*. Recently a Nisenan

site reported historically as *Sa'cum*, but unmentioned in ethnographies was indentified in downtown Sacramento near City Hall. Populations are not very well documented, however ethnographic estimates suggest from 20 to over 100 persons may have occupied the permanent villages of the valley.

The Nisenan territorial integrity came under attack with the arrival of John Sutter in 1839. Encountering hostility from the local Nisenan, Sutter relocated a Plains Miwok village to the vicinity of Sacramento and relied thereafter on the Miwok for much of the labor he required. Disease had also severely affected many of the tribes in the Sacramento Valley prior to the arrival of Sutter. It is believed that perhaps 80 percent of the valley population died in an epidemic, possibly malaria, accidentally introduced by a fur trading and trapping party from Oregon.

The subsistence practices of the Valley Nisenan relied extensively on the river and marsh resources that surrounded them. They took salmon and other anadromous fish, collected shell fish and fished the slow moving sloughs for chub and other freshwater fish. Elk were hunted and migratory water fowl were netted in the marshes, cattail and reeds collected for food and fabric. The surrounding plains and the riparian forests along the major and minor streams provided deer and antelope, as well the critically important acorn and other plant resources. Stone was available in the cobble bars of the American River but critical minerals such as obsidian had to be acquired through trade and exchanges of gifts.

9.1.3 Historical Archaeology

Sacramento's history effectively begins in 1839 with the arrival John Sutter, who founded the colony of New Helvetia on the site of the present City of Sacramento. His aspirations were rudely terminated by influx of humanity subsequent to the discovery of gold at the saw mill in Coloma. Since that time the city has continually grown and changed. Early difficulties with flooding for example lead to the in-filling of the city streets and the burial of the original Gold Rush era land surface. City growth has continued with effects gradually expanding outward. R Street, originally the route of the Sacramento Valley Railroad ran along a levee that supported the Sacramento Valley Railroad at one time. Surrounding land fill and probably some demolition by the railroad have largely removed evidence of this levee, although adjacent below-grade structures show that R Street still runs above the historic ground surface.

Historic documents mention use of the local sloughs for the disposal of waste and debris. These sloughs were filled in the later nineteenth and early twentieth centuries and the city developed above them. There is a very good potential that remains of nineteenth century debris may still be present beneath the more recent fill.

9.1.4 History

R Street is a former industrial corridor and an important route in the California railroad history (Boghosian 2006; Carol Roland 2007). In the first years of the California gold rush, freight and

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supplies were moved from the ports of San Francisco up the Sacramento River where they were unloaded and carried by freight wagons to the mining towns in the Sierra foothills. Road were poor and at times nearly impassable. Planning for a railroad from the Sacramento River to the foothills began in 1852. The line, planned with an eventual destination of Marysville, was initially constructed from Sacramento to Negro Bar (Folsom). In January, 1856, the first train of the Sacramento Valley Railroad (SVRR) left the City of Sacramento and pulled into Folsom (Carol Roland 2007). The SVRR was sold to the Central Pacific Railroad in 1865 and in 1884 this line, including R Street, became the Southern Pacific Railroad (SPRR). The tracks along R Street were kept in operation by the SPRR until 1974.

The R Street corridor had established businesses by 1885; however, it was not until 1903 that the R Street corridor developed into the City's principle industrial and warehouse district. By 1911, the *Sacramento Bee* announced that Sacramento was becoming a city of factories, and by 1914, the *Sacramento Bee* acknowledged that R Street would be developed as an industrial district (Carol Roland 2007).

9.1.4.1 Historic Local and Regional Background and Context

The following historic context for the R Street Corridor project was prepared using Sacramento cultural resource specialist Paula Boghosian for the R Street Corridor Implementation Plan project.

The City of Sacramento surveyed and platted the streets in the City in December of 1848, including the project area. The project area was some blocks from the early development in the city, which concentrated around the embarcadero on Front Street and down I and J streets. The 1854 Official Map of Sacramento which was adopted by the City Council, showed buildings along Front Street from I to R Streets. There were three buildings on Lot 4, on the northeast corner of Front and R and there was only one other building on R Street on Lot 1, at the southeast corner of 6th & R (Boghosian 2004).

After it became apparent that winter flooding would be a common problem in the city, citizens began building levees to protect the City from the waters of the American and Sacramento Rivers. After a break in one of the levees in the winter of 1852-53, the City decided to alter its levee configuration and a levee was constructed down R Street all the way to Brighton (near Sacramento State University today).

In 1854, Theodore Judah surveyed a route for the Sacramento Valley Railroad (SVRR) between Sacramento and Folsom. In 1855 the SVRR began building its rail lines on top of the R Street levee. By August 16, 1855, the first trial run was made from Front Street to 17th Street. In February 1856 the line started operation to Folsom. The SVRR was the first passenger railroad in California and continued operating even after being subsumed by the builders of the transcontinental railroad, the Central Pacific, in 1865. The Central Pacific and its successor, the

Southern Pacific, continued to run trains on the R Street tracks. Today this same alignment is used by Sacramento Regional Transit's Light Rail trains (Boghohsian 2004).

An 1857 lithograph *Birdseye View* of Sacramento showed almost no development south of the R Street levee and only very sparse growth of houses on the north side. The same type of lithograph in the 1870 directory showed that houses were then built on the south side of the levee but development along either side of R Street was still sparse and residential. Up to 1870 and beyond levees were built along the Sacramento River to the south of Sacramento. The Southern Pacific actually built most of these levees as they placed their southbound line on top of them as they built their rail lines toward Stockton. These levees were the first line of defense against flooding to the south of Sacramento. This seems to have coincided with the construction of the State Capitol Building (1863-70). From that time onward, development in Sacramento began to move eastward down I, J, K, L, M and N Streets and to the south as well. This put pressure for a new levee further to the south of R Street. By 1878 the City approved an updated plan for its levees and the main levee to protect the city from flooding from the south was the new Y Street levee (now Broadway). From this time on the R Street levee was no longer necessary (Boghohsian 2004).

The R Street levee appears to have been removed between 1888 and 1890. An 1888 picture [SAMCC 85/24/3014] shows three youths standing on the flank of the levee in front of the Carlaw Brothers granite works on the southeast corner 10th & R Streets. The berm appears to be about eight feet in height at that place. An 1890 photograph of the California Winery at 21st and R showed no berm at that place. The 1890 *Birdseye View* lithograph shows no indication of a berm, nor does the 1905 lithograph. These latter two *Birdseye View* lithographs showed that residential development continued to increase along R Street, with the houses generally clustered along the numbered streets with the house fronts facing those streets, rather than R Street. Among the earliest non-residential uses along R Street were the previously mentioned Carlaw Works, the winery and a mixed residential and grocery store building built by John Keating on the northeast corner of 11th & R.

Much of this residential development was occupied by working class Sacramentans, some of whom worked for the railroads or in other trades. Residential development appeared first along Q Street between 1885 and 1890. Among them were Portuguese families, many of whom later attended St. Elizabeth's Church at 13th and Q streets (built around 1910). Some of the existing historic residences in the project area were either owned or rented by Portuguese occupants, in a sense creating a small Portuguese community. Residential development on S Street was delayed until removal of the levee. This area was largely occupied between 1905 and 1915 and remains heavily residential to this day.

In 1910 the Western Pacific Railroad arrived in the R Street area. In 1913 the Western Pacific built their maintenance and repair shops in Curtis Park. Their tracks, in the study area, were located along the backs of the buildings on the north side of R Street, where they took over the former east-west alley between Q & R Streets from 8th Street to just east of 19th Street, where they

curved away to both the north and south between 19th and 20th Streets. The Western Pacific was a transcontinental railroad, whose main line went north up the Sacramento Valley, through the Feather River canyon, through Beckwourth Pass and on to Salt Lake City. It serviced San Francisco, Oakland and the interior cities of the Sacramento and San Joaquin valleys (Boghosian 2004).

Technological developments in transportation and electrical power between 1891 and 1923 sustained Sacramento's economic growth into the Great Depression. It was during this period that most of the existing historical buildings in the R Street corridor industrial area were built. But the new technologies not only created growth, they affected the very design of the buildings, many of them designed with rail sidings, extensive truck bays, loading docks and automotive maintenance and repair shops.

The R Street Corridor remained a busy rail corridor until after the Second World War when trucks finally replaced steamboat traffic. After the Second World War, through rail traffic on R Street ended. The railroad after that time only ran trains on the line to serve its existing customers. The post-war building boom in California included highway construction to the Sacramento area. Some businesses on R Street that were dependent upon truck transportation looked for cheaper land with better highway access. For instance, by 1952, the Wonder Bread (Perfection) bakery left its 14th & R site and moved to a new site on Highway 160.

In addition to Boghosian's history, there are other elements present in the project area concerning residential and commercial use in the neighbors surrounding the industrialized railroad corridor. Residential development along Q Street within the project occurred between 1885 and 1895. S Street developed after the R Street levee was removed, between 1900 and 1910. Today nineteenth century houses dot the landscape within the Project Area on Q and S Streets.

9.2 Affected Environment

9.2.1 Archaeology

There are no identified prehistoric or historical archaeological sites within the Proposed Project. Several archaeological resources occur near the project area. Tremaine & Associates compared historic maps for the R Street Improvement Project. An 1859 map shows swampland near the City Center. Two long fingers of dry, high ground between branches of swampland occurred in the project area, one between 9th and 12th Streets and another just east of 15th street extending to 18th Street. In other areas within the City, these areas of high ground are associated with prehistoric deposits and appear to be a favorable location for prehistoric inhabitants (Tremaine & Associates 2007).



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9.2.2 Built Environment

The proposed project passes through portions of several City of Sacramento Historic Districts (Figure 9.1). These districts were defined by the City and created under Ordinance #85-076 on July 30, 1985. A brief discussion of each district, and the historic properties within them, is presented below. In addition to these districts, other historic buildings are present throughout the Project. Information on these is provided following the district discussion.

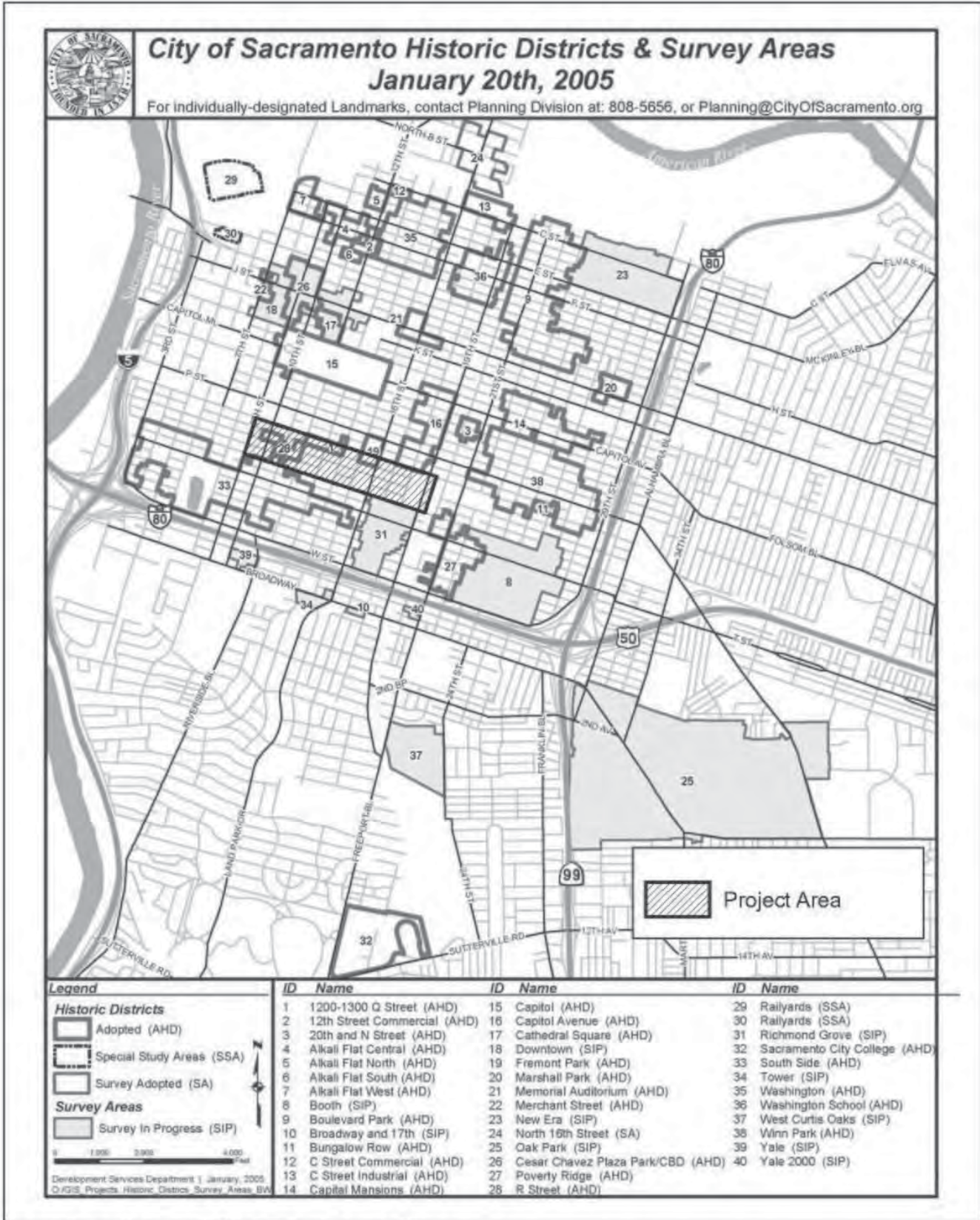
In all, there are nearly 100 historic resources contained within the Project Area. In addition, there are other buildings that are not yet 50 years old, the threshold for historical consideration under CEQA. While not included below some of these will reach the age threshold within the next five years.

The following discussion includes tables listing the historic properties in each area. As applicable, appropriate listings are given, including National Register of Historic Places, California Register of Historic Resources, State Historic Landmarks, State Points of Historic Interest, and City of Sacramento Preservation listings and registers. Resources listed at the National level are automatically included in the California Register and local registers. Resources listed at the state level are included in the City Register.

9.2.2.1 City District #1 – 1200-1300 Q Street

This historic district consists of a two-block row of modest high basement buildings fronting on Q Street. It is bound by Whitney Avenue on the south, Q Street on the north, 12th Street to the west and 14th Street on the east. The buildings date from 1885 to around 1910. Mature trees line the streets, contributing to the historic feel. Other streetscape elements include a sidewalk stamp

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Figure 9.1. R Street Historic Districts and Survey Areas

(J.J. Quale/Sac) on the corner of 12th and Q Streets at 1200 Q Street, a sign for the Acme Garage at 1208 Q, and remnants of a curbside sidewalk and hitching post base at 1330 Q Street. One cottage faces Whitney Avenue (the alley) and is a rare example of the auxiliary residential streets (now alleys) that once defined the residential pattern of nineteenth-century Sacramento. This neighborhood traditionally housed working class families.

TABLE 9-1
Historic Properties within the 1200-1300 Q Street District

Address	Status of Listing*	Estimated Date	Comments
1200 Q Street	Contributor	ca. 1900	Morgan Jones Funeral Home 1948-1960 (African American owned and operated business)
1206 Q Street	Contributor, individual local landmark	1885	
1208 Q Street	Non-contributor, unevaluated for individual listing	ca. 1910	Acme Garage
1226 Q Street	Contributor, individual local landmark	1897	
1308-10 Q Street	Contributor	ca. 1910	
1314 Q Street	Contributor, individual local landmark	ca. 1890	
1316 Q Street	Contributor, individual local landmark	1887	
1318 Q Street	Contributor, individual local landmark	1887	
1322 Q Street	Contributor, individual local landmark	1892	
1326 Q Street	Contributor	1875	Moved to this location 1885-1890
1330 Q Street	Contributor	ca. 1910	
1711 12 th Street	Contributor, individual local landmark	1887	
1712 13 th Street	Contributor, individual local landmark	1885-1890	
1714 13 th Street	Unevaluated	ca. 1890	
1711 13 th Street	Unevaluated	ca. 1890s	
1715 13 th Street	Unevaluated	ca. 1910	
1712 14 th Street	Contributor, individual local landmark	ca. 1900	
1714 14 th Street	Contributor, individual local landmark	ca. 1900	

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(cont.)

TABLE 9-1 Historic Properties within the 1200-1300 Q Street District			
Address	Status of Listing*	Estimated Date	Comments
Sidewalk Stamp	Contributor	1890s	J.J. QUALE/SAC
Curbside Walk	Contributor	1890s	1330 Q Street
Hitching Post	Contributor	1890s	Sheared off at sidewalk level, ring still visible in concrete

** Unless noted all status refers to Sacramento Register listings at a local level. Federal and state evaluations have not been completed for the district.*

9.2.2.2 City District #19 – Fremont Park Historic District

This district consists of a one-block row of high basement houses, mostly Queen Anne in style, that front on Q Street facing Fremont Park. Although many of the buildings have been modified, the gables, spindlework, spacing between houses, historic sidewalks (one stamped), curbside walks, remnant hitching posts and overlapping mature trees contribute to the cohesive feel of this small neighborhood. Two Craftsman-style apartments, built after 1910, and an Italianate house moved to the site in 1901 lend variety to the neighborhood.

TABLE 9-2 Historic Properties within Fremont Park Historic District			
Address	Status of Listing*	Estimated Date	Comments
1500 Q Street	Contributor, individual local landmark	1894	Manuel-Enos, Grocer
1504 Q Street	Contributor, individual local landmark	1895	
1501 Q Street	Unevaluated		
1512 Q Street	Contributor	1890-1895	George W. Young Residence
1518 Q Street	Contributor, individual local landmark	1912	
1522 Q Street	Contributor, individual local landmark	1894	
1526 Q Street	Contributor, individual local landmark	1880	
1700 16 th Street	Contributor, individual local landmark	1915	
1710 16 th Street	Unevaluated		
1714 16 th Street	Unevaluated		

** Unless noted all status refers to Sacramento Register listings at a local level. Federal and state evaluations have not been completed for the district.*

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(cont.)

9.2.2.3 City District #28 – R Street Historic District

The R Street corridor was developed after construction of the Southern Pacific Railroad (SPRR) at ground level in 1902. As the first railway line in the West the route of the historic railroad has always been along R Street. Thus, in the early 1900’s R Street became an industrial core of the city. According to Carol Roland (2007) and Boghosian (2004) the corridor possesses historical and architectural significance and meets criteria of the National Register and the California Register of Historic Resources. The district boundaries have been expanded by recent researchers to include an area along both sides of R Street from 8th to 18th. Recent development between 18 and 19th and S and R streets has interrupted the historic character of the district.

The R Street district has several defining elements that distinguish it from other areas in the city. One of the most obvious elements is the mainline rail tracks that exist down the center of R Street. Although covered with asphalt in some areas, the rail and associated siding tracks that accessed loading docks and buildings reflect the railroad context and history of the corridor. Without the railroad the industries that once lined the corridor would not have existed. In several intersections granite cobblestones are visible on either side of the mainline rails. These cobbles, placed for stability and for drainage, date to the placement of the SPRR line around 1902 and are contributing elements of the district. Other railroad features include braces, switches and side tracks.

The majority of the buildings are large warehouses of brick or concrete built between 1910 and 1946. In general these structures are utilitarian in nature with few architectural details. Windows are generally metal sash, multiple pane and reflect the industrial nature of the area. Double and single doors, loading bays, and simple steps with pipe rails also contribute to the character of the district. Key elements to the industrial nature of the corridor are the loading docks, built to the height of a train car or truck bed to ease loading and unloading of materials from box cars. The docks, and the sidings that run alongside, are important elements in the visual image of the corridor as an industrial district.

In addition to the tracks, docks, and large warehouses there are several other elements that are essential in capturing the industrial sense of time and place evident in the corridor. First, sidewalks and street ornamentation are lacking, as expected given the light industry that occurred within the corridor. Historic photographs indicate that trees were also a rare commodity, other than on numbered streets. The few trees that appear in historic photos are located along the edge of the right of way and may have been volunteers. Finally, curbs, gutters, parking and striping is generally missing along R Street, enhancing the emphasis of rail over automobile along this historic transportation corridor.

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(cont.)

TABLE 9-3
Historic Properties within the R Street Historic District

Address	Status of Listing*	Estimated Date	Comments
918 R Street	Potential Contributor at federal, state, local levels	1924	McClatchy Newspapers
1724 10 th Street	Potential Contributor at federal, state, local levels	1920, 1946	Goodyear Tire and Rubber Co., California Furniture
1015-1021 R Street	Potential Contributor at federal, state, local levels	1917	W. P. Fuller Building, Fox & Goose
1026 R Street	Potential Contributor at federal, state, local levels	1907-1908	U.S. Rubber and Tire Building
1108 R Street	Potential Contributor at federal, state, local levels	1914	State of California Warehouse, California Warehouse Co., CADA Warehouse
1113-1119 R Street	Potential Contributor at federal, state, local levels	1917	Piggly Wiggly Warehouse
1213 R Street	Potential Contributor at federal, state, local levels	1915	Garage
1409-1413 R Street	Potential Contributor at federal, state, local levels	1913-1914	Perfection Bread Co., Wonder Bread Co.
1421 R Street	Non contributor	1945	Auto Repair, recent remodel
1602 R Street	Potential Contributor at federal, state, local levels		Crystal Ice Co.
1700 R Street	Potential Contributor at federal, state, local levels		F. F. Smith Co.
1720 R Street	Potential Contributor at federal, state, local levels		Crystal Ice Store House
1811 10 th Street	Potential Contributor at federal, state, local levels	Ca. 1910	Krutisik's Wire Works
1724 11 th Street	Unevaluated	ca. 1905	Residence
1801 11 th Street	Potential Contributor at federal, state, local levels	ca. 1903	Rochdale Building
1811 12 th Street	Potential Contributor at federal, state, local levels	1945	Firestone Tire Warehouse
1723 12 th Street	Unevaluated		Residence
1730 13 th Street	Unevaluated	ca. 1900	Residence
1730 14 th Street	Potential Contributor at federal, state, local levels	Ca. 1920	Electric Supply Co.
1731 17 th Street	Potential Contributor at federal, state, local levels	1946	Orchard Supply Co.
1800 18 th Street	Potential Contributor at federal, state, local levels	1950	New Zealand Spring Lamb Co.

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(cont.)

TABLE 9-3 Historic Properties within the R Street Historic District			
Address	Status of Listing*	Estimated Date	Comments
Sidewalk graffiti	Potential Contributor at federal, state, local levels	1946	Three places in front of 1724 10 th Street
Southern Pacific RR mainline and sidings	Federal, state and local levels, individually eligible	1903-1950	Includes all railroad related features (rails, stone curbing)

** The R Street Corridor between 10th and 13th Streets is a proposed National Register of Historic Places district currently under review by the State Historic Preservation Office. Other buildings within the historic district are potential contributors to the overall R Street Corridor at a national, state and local level.*

9.2.2.4 City District #33 – South Side Historic District

Four residences on S Street and 11th Street are included in the South Side Historic District. The district is the largest in the City, stretching from Interstate 5 on the west to 16th Street. The area east of South Side Park represents a blend of modest and larger, more ornate homes mixed with modern infill and pre-World War II automotive-related structures. The general feeling is that of a neighborhood in flux, continually building and changing. The mature trees that line S Street are key in linking the neighborhood. Historic sidewalks, a curbside walkway and a hitching post base are located in front of 1917 S Street and add to the historic character of that portion of the district within the Project Area.

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TABLE 9-4 Historic Properties within the South Side Historic District			
Address	Status of Listing*	Estimated Date	Comments
1017 S Street	Unevaluated		
1019 S Street	Sacramento Register, South Side Historic District, contributor		
1025 S Street	Sacramento Register, South Side Historic District, contributor		
1820 11 th Street	Unevaluated	On 1895 SB; ca. 1890s	
1823 11 th Street	Unevaluated	On 1915 SB; ca. 1900s	

** Unless noted all status refers to Sacramento Register listings at a local level. Federal and state evaluations have not been completed for the district.*

9.2.2.5 Non-District Resources

In addition to the four formally adopted districts there are numerous other historic properties within the Project Area that are not included in a designated district. The majority of these resources have not been evaluated to date. For the purposes of this study properties over 50 years of age are considered historic properties under CEQA until they have been evaluated as not significant.

Address	Status of Listing*	Estimated Date	Comments
1000 Q Street	Unevaluated		
1101 S Street	Unevaluated	ca. 1940	
1131 S Street	Unevaluated	ca. 1946	GE W Ho
1211 S Street	Unevaluated	ca. 1900	
1219/21 S Street	Unevaluated	ca. late 1940s	
1235 S Street	Unevaluated	ca. late 1940s	
1414 Q Street	Unevaluated	ca. 1930s	
1415 S Street	Unevaluated		
1417 ½ S Street	Unevaluated		
1417 S Street	Unevaluated		
1420 Q Street	Unevaluated		
1611 S Street	Unevaluated	ca. 1905	
1630 Q Street	Unevaluated	ca. 1930s	
1700 18 th Street	Unevaluated	ca. 1910	
1703 18 th Street	Unevaluated	ca. 1910	
1703 19 th Street	Unevaluated		
1706 11 th Street	Unevaluated		
1709 ½ S Street	Unevaluated		Auto Repair
1709 16 th Street	Unevaluated	Late 1940s	
1710 18 th Street	Unevaluated	ca. 1910	
1713 10 th Street	Unevaluated		
1714 17 th Street	Unevaluated	ca. 1910	
1714 18 th Street	Unevaluated	ca. 1910	
1715 10 th Street	Unevaluated	ca. 1950s	
1715 S Street	Unevaluated	ca. 1910	
1720 Q Street	Unevaluated	ca. 1910	
1733 S Street	Unevaluated	ca. 1910s	Auto Repair/Alta Plating
1800 Q Street	Unevaluated	ca. 1940s	
1805 10 th Street	Unevaluated		
1808 Q Street	Unevaluated	ca. late 1940s	
1809 19 th Street	Unevaluated		Moved to site between 1915 and 1951

TABLE 9-5			
Other Historic Properties within the Project Area			
Address	Status of Listing*	Estimated Date	Comments
1816 15 th Street	Unevaluated		
1815 10 th Street	Unevaluated	ca. 1950s	Chan Bakery
1818 15 th Street	Unevaluated		
1820 15 th Street	Unevaluated		
1831 12 th Street	California Point of Historic Interest, Sacramento Register Individual Landmark		St. Elizabeth's Church
1831 16 th Street	Unevaluated	ca. late 1960s	
1901 S Street	Unevaluated	ca. 1920s	
1913 S Street		ca. 1921	
1910 Q Street		ca. 1910	Machine Shop

9.3 Regulatory Setting

A number of federal and state laws and implementing regulations address cultural resources, including prehistoric, historic, ethnographic and traditional properties. Federal regulations come in to force when a project that may have a significant environmental effect is either initiated by a federal agency or is funded in whole or in part with funds from a federal source. State regulations come into effect whenever a significant change in the use or architecture of an area may have an effect on environmental resources of public importance.

9.3.1 Federal Regulations

Two key federal laws address and protect environmental resources including historic resources. These laws are the National Environmental Policy Act (NEPA) of 1969 and the National Historic Preservation Act (NHPA) of 1966 as amended. Under NHPA Section 106 and the implementing regulations of 36 CFR 800, the proponents of a federal project – that is one initiated or funded through a federal agency – must evaluate the effects of a project upon cultural resources. In order to do this, federal regulations require that known and potential cultural resources within the project's Area of Potential Effects (APE) must be identified. These resources must then be evaluated under the criteria of the National Register of Historic Places (NRHP) and a determination made regarding whether the resources satisfy the criteria for significance and integrity. Final determinations of NRHP eligibility are made by the State Historic Preservation Officer (SHPO) in consultation with the lead federal agency. The potential effects of the project upon any eligible or potentially eligible resource must be then examined. If these effects are determined to negative, then procedures to mitigate the effects must be implemented.

Another key federal law, the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 comes into effect where an archaeological or ethnographic resource in which Native American burials is known to, or may exist, and will, or may be affected by the project. Under 36 CFR 800 a concerted effort must be made to contact Native Americans knowledgeable about the traditional history and potential sacred lands and sites within the project APE. If Native American graves or resources are identified within the project APE, then consultation and mitigation steps must be undertaken to preserve, protect or mitigate the project's effects upon the resource. Typically a memorandum of agreement between the interested Native American parties and the lead agency will delineate the procedures to be followed if burials are encountered.

9.3.2 State Regulations

The principle state law that protects important historic resources is the California Environmental Quality Act (CEQA) of 1970 as amended. CEQA is codified in sections 21000 & seq. of the Public Resources Code of the State of California, while the implementing guide lines are found in CCR Title 14, Chapter 3, sections 15000 through 15387. CEQA requires state and local agencies tasked with planning or permitting projects to consider the environmental effects that such projects may have upon important resources. CEQA recognizes both archaeological resources

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(Section 21083.9) and historic resources (Section 21084.1) as potentially important resources and project planners have the options of evaluating and mitigating important resources or of avoiding resources and there by imposing no effects upon the resource. Under CEQA resources that may not be significant or eligible if evaluated under the criteria of the CRHR for identifying important resources may be avoided by the project planners, saving the costs of additional research, evaluation and investigation of the property. Alternatively, if a property cannot be avoided, the property must be evaluated, and if determined eligible under CRHR criteria, the project's effects upon the property must be mitigated. Integrity is addressed under the Natural Resources Code (CCR Title 14, Division 3, Chapter 11.5, Section 4852 (c)) and effectively reiterates NRHP standards for integrity, but is less stringent permitting for example relocated structures to retain eligibility for CRHR status.

California state law also includes parallel regulations to NAGPRA within the Public Resources Code (Sections 5097.993-5097.994) and Healthy and Safety Code (Section 7050.5). Resources and human remains must be considered as part of the environmental review process. PRC Section 5097.993 exempts projects that are undertaken in compliance the requirements of CEQA or NEPA.

California General Plan law requires local governments to prepare a general plan for the future development of the region for which the government is responsible. The law sets out what elements are required, and what elements are optional in a general plan. Common optional elements included in general plans economic, historical resource preservation, recreation, and community design. Although, optional, an element included in a general plan carries the same legal force as a required element. With the passage of SB-18 of 2004, the state guidelines for general plans now include tribal consultation guide lines. These new guidelines require Native American consultation during the development or modification of general or specific plans. Final guidelines for Native American consultation were accepted in November 2005 and are now in force.

9.3.4 City Regulations

Title 17, Ch. 17.134 of the Sacramento City Code provides for the identification and protection of significant historic resources in the City of Sacramento. The City Council designates by ordinance structures and historic districts for listing in the Sacramento Register of Historic and Cultural Resources (Register). This Register classifies individually-listed properties into "Landmark" structures. Section 17.134.170 of the City Code identifies the specific criteria to be used for the identification of Landmark structures and historic districts and for the designation and listing of properties in the Sacramento Register. Approval by the Preservation Commission and the Preservation Director of applications affecting individually listed structures and contributing resources in historic districts are based on compliance with the Listed Structures and Preservation Area Plans and the Secretary of the Interior's Standards for the Treatment of Historic Properties. Approval is required prior to issuance of a building permit. Historic

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structures listed in the Sacramento Register must be reviewed under the provisions of the State Historical Building Code.

Title 17 of the Sacramento City Code states that its highest priority is to encourage restoration and sensitive rehabilitation of listed structures. Restoration or rehabilitation of listed structures in the Sacramento Register entitles the development to all benefits provided in the Incentive Zone established under Section 2.3 of the Urban design Plan. These benefits include, but are not limited to, one-meeting planning review and priority building permit processing. Eligible projects may also receive public financial assistance. Secondly, an alternative design solution to demolition of a listed structure is to encourage harmonious incorporation into an existing listed structure into the design of a new development. A project that incorporates this design approach will also be eligible for the same Incentive Zone benefits found in Section 2.3 of the Urban Design Plan.

Under Title 17, Ch. 15.134 of the City Code, the City has also established a preservation program to protect and maintain the character of architecturally, historically and culturally significant structures and sites within the City of Sacramento. New development is directed toward achieving compatible new construction that enhances existing historic values rather than diminishing them. The values of identified Historic Districts and significant historic buildings are to be protected as significant resources for the general welfare of the public.

Section 17.134.430 of the City Code specifically regulates the demolition or relocation of buildings or structures that are at least 50 years old and provides for Sacramento Register nomination review. If a permit is south to demolish or relocate a building or structure that was constructed at least 50 years prior to the date of application, and that building or structure is not currently on (or the subject of) a pending nomination, has not been nominated for placement on the Sacramento Register or reviewed pursuant to Section 17.134 within the past three years, the permit application must be referred to the City’s Preservation Director to allow the Director to make a preliminary determination whether the structure should be nominated for placement on the Sacramento Register.

9.3.5 City of Sacramento Preservation Element

In April 2000, the City of Sacramento adopted a Preservation Element in its General Plan. The goal of the Preservation Element is “to retain and celebrate Sacramento’s heritage and recognize its importance to the City’s unique character, identity, economy and quality of life.” The element is divided into six major goals, each with many policies to achieve the stated goal. Applicable goals include:

- Goal A: To establish and maintain a comprehensive citywide preservation program,
- Goal B: To protect and preserve important historic and cultural resources that serve as significant, visible reminders of the city’s social and architectural history,

- Goal D: to foster public awareness and appreciation of the City’s heritage and its historic and cultural resources, and
- Goal E. To identify and protect archeological resources that enriches our understanding of the early Sacramento area.

9.4 Thresholds of Significance

The California Environmental Quality Act (CEQA) Guidelines Appendix G identifies examples of a significant effect on historic or cultural resources and states that a project will normally have a significant effect if it will:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
- Disturb any human remains, including those interred outside of formal cemeteries.

Section 15064.5 defines a significant adverse effect to include any activity which would: (1) Create a substantially adverse change in the significance of an historical resource including physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired; and/or (2) alter or materially impair the significance of a historical resource.

Section 15064.5 of the CEQA Guidelines defines significant historic resources to include:

(1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4850 et seq.).

(2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant.

(3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record including the following: (A) Is associated

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with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; (B) Is associated with the lives of persons important in our past; (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or (D) Has yielded, or may be likely to yield, information important in prehistory or history.

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

9.5 Project Impacts and Mitigation Measures

IMPACT 9.1: Impacts to Archeological Resources

PP Proposed Project

The proposed project includes several projects which may require trenching, excavation or subsurface soil disturbance which could affect buried archeological resources. For example, street improvements, water lines, or transit improvements may require trenching and excavation. Since the R Street corridor and the Central City in general, are considered to be sensitive areas for cultural resources, ground disturbance as a result of these activities could constitute a *significant impact*.

AA No Project Alternative

The No Project Alternative would not change the existing environment and therefore, *no impact* is anticipated.

MITIGATION MEASURE 9.1: Impacts to Archeological Resources

1. An archaeological monitor shall be retained on-site during subsurface excavations below the current road base between 9th and 12th Streets and just east of 15th street extending to 18th Street. These areas were historically high ground and are sensitive for prehistoric remains. The archaeological monitor shall be authorized to stop work and investigate any subsurface historic or cultural materials that are exposed by the excavation. In the event cultural or potentially cultural materials are encountered during excavation activities work shall cease within 100 feet of the find until an archaeologist can assess the significance of the find. If the find is

prehistoric in nature the Native American Heritage Commission (NAHC) shall be consulted. Tribal representatives as referred by the NAHC shall be included in the consultation process. If necessary, further mitigation measures may be developed and implemented by the qualified archaeologist and the tribal representative.

2. If human or potentially human remains are found, the work shall cease immediately and the County Coroner contacted without hesitation. The Coroner will notify the NAHC if the remains are determined to be Native American and the NAHC will notify the person or tribe believed to be the most likely descendant (CEQA Section 15064.5, Health and Safety Code Section 7050.5, Public Resources Code Section 5097.94 and 5097.98). An archaeologist and the tribal representative will work with the contractor to develop a program for re-interment of the human remains and any associated artifacts. No additional work shall occur in the immediate vicinity of the find until appropriate actions have been carried out.

Implementation of this mitigation measure would reduce impacts to a *less-than-significant level*.

IMPACT 9.2: Construction Period Impacts to Historic or Architecturally Significant Structures

PP Proposed Project

The proposed project recommends infrastructure and transit improvements in the R Street Corridor. R Street transects or is adjacent to several historic districts which include listed or potentially eligible historic structures. Construction vibration and other activities could adversely affect these structures. This is a *potentially significant impact* which can be reduced to a less-than-significant level with mitigation measures.

AA No Project Alternative

The No Project Alternative would not change the existing environment and therefore, *no impact* is anticipated.

MITIGATION MEASURE 9.2: Construction Period Impacts to Historically or Architecturally Significant Structures

The following mitigation measure is recommended for CADA sponsored infrastructure and transit improvements in the R Street project area.



1. All equipment used during improvements shall be located a safe distance from historically significant buildings so any equipment arms or attachments cannot reach the building. Buffering materials shall be used as necessary (ex: hay bales stacked three rows high along the faces of the buildings to a height of six feet to protect the buildings from the equipment operations), when construction is with 10 feet of a building.
2. A hand-held hydraulic jack hammer shall be used to break existing concrete into pieces within three feet of building faces. The broken concrete shall then be removed by hand. The building face shall be protected by a foam board, generally used for insulation that is a minimum of one-inch thick.
3. Small ride-on machinery shall be used to compact the ground within five feet of building faces. Hay bales shall be stacked three rows high along the faces of the buildings to a height of six feet. A vibrator plate tamper shall be used to compact material within five feet of the building face. The building face shall be protected with a minimal one-inch-thick foam board.
4. In some areas new concrete walkways will be constructed against the existing buildings and loading docks. The walkways shall be separated from existing structures by a 0.5-inch fiber expansion joint. The existing building faces and loading docks shall be protected with plastic sheeting to prevent concrete from splattering onto the existing fabric.

Implementation of this mitigation measure would reduce impacts to a *less-than-significant level*.

IMPACT 9.3: Impacts to R Street Corridor Historic Districts from Housing Projects

PP Proposed Project

As part of the R Street Corridor Implementation Plan, CADA plans to secure financial and technical assistance for a number of housing projects in the R Street Project Area. These include adaptive reuse of historic warehouses, replacement housing and affordable housing development projects. CADA may provide funding or develop and own new housing or housing in rehabilitated buildings. In addition, private developers are in the process of preparing adaptive reuse plans for some of the historically significant buildings (i.e., Crystal Ice Plant) for housing, parking and commercial stores.

Redevelopment activities could result in the demolition or moving of existing structures or the significant alteration of a historic structure over the life of a redevelopment plan. Section 17.134.430 of the City Code regulates the demolition of structures that are at least fifty years of age. The City's Preservation officer must make a preliminary determination on any buildings that

are over fifty years old as to whether the structure is eligible for consideration by the Preservation Commission and the City Council for placement on the Sacramento Register. If structures are eligible or determined eligible then the protections of Article VI of Section 17.134 apply. New construction, infilling, demolition and/or adaptive reuse could result in *significant impacts* to the R Street Corridor’s industrial setting and to eligible historic structures.

AA No Project Alternative

The No Project Alternative would not change the existing environment and therefore, *no impact* is anticipated.

MITIGATION MEASURE 9.3: Impacts to Historic Districts from Housing Projects. The following mitigation measures should be employed for housing projects¹ in the R Street Project Area for which CADA is a sponsor or participant:

1. As part of any Owner Participation Agreement (OPA), Disposition and Development Agreement (DDA) or CADA sponsored project that could affect any structure or feature over 50 years of age that has not yet been evaluated by the City’s Preservation Director, the buildings shall first be evaluated for listing in the California Register of Historic Places and the Sacramento Register. This evaluation shall occur through the preparation of State of California DPR 523 forms for each building, photo media documentation and thorough standard CEQA evaluation.
2. If rehabilitation or all or portions of the structure are possible, adaptive reuse and rehabilitation plans of existing historic structures shall be designed to retain the maximum amount of historic fabric. All rehabilitation of historic structures shall be conducted in light of Secretary of Interior’s Standards for Treatment of Historic Properties to ensure that treatments will maintain the authenticity and integrity of the structure and the district. Plans shall be approved by the City’s Preservation Director and Preservation Commission.
3. If demolition of any portion of a historic structure cannot be avoided, the feature or building shall be recorded to HABS/HAER standards prior to removal. Copies of the HABS/HAER documentation shall be filed with the City Preservation Director, Sacramento Archives and Museum Collection Center, the North Central Information Center at Sacramento State University and the Sacramento Room at the Central Branch of the Sacramento County Library.

¹ Applies to projects which file for City entitlements after certification of this EIR and does not retroactively apply to projects which have received approval prior to certification of this EIR.

4. New construction shall be designed to reflect and blend with the industrial nature of the R Street Corridor. Design guidelines found in the R Street Urban Design Plan shall be implemented in new or rehabilitated construction projects as determined by the Design Review Board. Projects located within an historic district shall also be reviewed by the Preservation Commission.

Implementation of these mitigation measures would reduce impacts to but may not reduce impacts to a less-than-significant level insofar as the feasibility of retention and rehabilitation of all historic structures must be evaluated on a case by case basis, and rehabilitation may not be feasible in all cases. The above mitigation measures will reduce the potential magnitude of impacts but, it may not be feasible to reduce all potential impacts to a less-than significant level. Therefore, the even with mitigation measures a residual *unavoidable* impact may occur.

IMPACT 9.4: Impacts to Historic Railroad Features

PP Proposed Project

Within the R Street right-of-way there are a number of railroad related features include tracking, spurs, cobble and brick work which remains from the historic railroad activities in the area. There RSAIP proposes four phases of R Street Streetscape improvements² and water line improvements are proposed. These improvements include some roadway reconstruction to accommodate vehicle access and parking, drainage improvement and streetscape enhancement (benches, sidewalks, lighting, shade awnings, etc.) which could adversely affect features of the earlier railroad history of R Street. This is considered a potentially *significant* impact.

AA No Project Alternative

The No Project Alternative would not change the existing environment and therefore, *no impact* is anticipated.

MITIGATION MEASURE 9.4: Impacts to Railroad, Siding and Related Features

The following mitigation measure is recommended for CADA sponsored infrastructure and transit improvements in the R Street project area.

1. Prior to construction of any streetscape improvements in the roadway of the R Street Corridor between 9th and 19th Street, a field study by a qualified historian or historical archaeologist shall be completed to record and document

² Phase I of the improvements, between 10th and 13th streets, is funded and a separate environmental document is being prepared for that project.



in both document and photo media any exposed elements of the rail line. Documentation shall follow, to the extent possible, procedures outlined by the National Park Service for a Historic American Building Survey/Historic American Engineering Record (HABS/HAER) report or equivalent.

2. To the maximum extent possible, any tracking and contributing features such as cobblestones or brick lining shall be left in situ. If presently covered with asphalt, railing shall be exposed. Uncovered rail shall be left exposed to maintain the transportation feel of the corridor. Distorted tracks that pose a hazard to drivers and pedestrians shall be replaced with existing or new rails from available stock.
3. If realignment of tracks is necessary for drainage, ADA compliance or other reasons, care shall be taken to maintain the sense of continuity from block to block in the rails. Reinforcement of the base of the existing main tracks with adjustments to alignment or elevation shall be completed only when necessary. The mainline tracks shall be moved no more than two vertical inches or six horizontal inches. The siding tracks shall be moved no more than six vertical inches or 12 horizontal inches.
4. If retaining the rail or sidings in situ is not feasible during construction, the rail and features shall be removed and set aside in the least damaging way. The contributing features, including tracks, siding, bricks, cobblestone or metal braces shall be carefully removed and cataloged under the supervision and oversight of a qualified historian or historical archaeologist and shall be restored to the street segment in the general alignment in which originally found. Damaged rails or cobbles shall be replaced in kind.
5. During construction or excavation of the street bed in the R Street Corridor, a qualified historian or historical archaeologist shall be present to monitor and identify any subsurface features unearthed. Work shall stop in the immediate vicinity of the find for recovery of significant features. Any features shall be cataloged and stored in accordance with Mitigation Measures 9.1.

Implementation of Mitigation Measure 9.4(a) would reduce the severity of impacts. However, because the precise design of street improvements is not available for many sections of the infrastructure improvements, implementation of the above mitigation measures cannot be guaranteed to be feasible. For example in some cases, railroad tracking and spurs may need to be removed in order to accommodate underground utilities and drainage improvements. The mitigation measures above would reduce impacts, however, even with these mitigation measures it is possible that some historic railroad resources could be altered during construction. For these reasons, the mitigation measure is recommended, but may not reduce impacts to a less-than-significant level, and therefore, some residual impact may remain. The residual effects would be *unavoidable*.

IMPACT 9.5: Impacts to Historic Character of R Street

PP Proposed Project

Four phases of R Street Streetscape improvements are proposed. These improvements include some roadway reconstruction to accommodate vehicle access and parking, drainage improvement and streetscape enhancement (benches, sidewalks, lighting, shade awnings, etc.). Phase I of the improvements, between 10th and 13th streets, is funded and a separate environmental document is being prepared for that project.

The Urban Design Guidelines for the R Street Corridor note that the streetscape has several key elements that contribute to the history of the corridor, including the railroad tracks and sidings, cobblestone or brick work, and loading docks. Subsequent work for the R Street Improvement Phase I project has also identified lack of sidewalks, treeless landscape, absence of formal road striping and contributing elements to the character of the historic district. Additional characteristics include the mass of the warehouses, prevalence of industrial sash windows, and large awnings.

The Urban Design Guidelines for the R Street Corridor note that the streetscape has several key elements that contribute to the history of the corridor, including the railroad tracks and sidings, cobblestone or brick work, and loading docks. Subsequent work for the R Street Improvement Phase I project has also identified lack of sidewalks, treeless landscape, absence of formal road striping and contributing elements to the character of the historic district. Additional characteristics include the mass of the warehouses, prevalence of industrial sash windows, and large awnings. Adding sidewalks, curbs, parking, benches, awnings and lighting and changing the tracks could cause a substantial change to the industrial feel of the existing streetscape and would be considered a significant impact. This impact could be reduced to a less than significant level with the implementation of the following mitigation measures. The measures are intended to allow for project design implementation while retaining the historic industrial character of the district and maintaining the railroad related features. Because of the unique and historic streetscape and character, substantial change without sensitive design to the R Street Corridor streetscape could result in *significant impacts*.

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(cont.)

MITIGATION MEASURE 9.5: Impacts to Historic Character of R Street Corridor

The following mitigation measure is recommended for CADA sponsored infrastructure and transit improvements in the R Street project area.

1. All new concrete walkways shall be designed and installed for minimal impact to the visual industrial feel of the corridor. Curb height shall be limited to four inches. Walkways shall vary in width to accommodate existing loading docks but shall generally be 10 feet wide wherever adequate right-of-way is available.
2. Concrete bulb-outs shall be limited to numbered streets. If the use of concrete bulb-outs in the R Street corridor is unavoidable, the size shall be minimal (protruding four feet into R Street). A single yellow truncated warning tile, three feet long by six feet wide, shall be used on each bulb out or curb near the edge of the street.
3. If new street lighting is installed such lighting should reflect the industrial nature of the R Street corridor. Lighting shall be positioned at the edge of the street or back of the walk and shall be non-decorative and utilitarian in design.
4. Shade canopies or awnings shall be selected to reflect the industrial feel of the corridor, using historic photographs or existing awnings on buildings within the district as examples of kind. Street furniture (benches) shall also be minimized in number and selected to reflect the industrial feel of the corridor.
5. Street striping shall be minimal, restricted to marking of stop signs at intersections. Street paint shall not be used on or across tracks. Crosswalk markings shall be limited to numbered streets.

Implementation of Mitigation Measure 9.4(b) would reduce impacts to the industrial character of R Street to a *less-than-significant* level.

IMPACT 9.6: Cumulative Impacts to Historical and Cultural Resources

Sacramento has been inhabited by prehistoric and historic people for thousands of years. Over time, human occupation in the area has left behind remnants of past activities. Cumulative development and landscape improvements in the City could result in the damage, destruction or loss of known and unknown archaeological resources. In addition, historic resources could also be significantly altered or destroyed by new construction and improvements. Removal,

19
(cont.)

destruction or significant alteration of design, fabric or location would destroy the value of a resource and could be a significant impact. Changes in the streetscape of districts, including Fremont Park, 1200-1300 Q Street, South Side, and R Street could also occur in a gradual manner by the removal of trees, historic sidewalks and curbside walkways, or infilling in a non-sensitive manner. While damage, destruction or ill-planned rehabilitation could be mitigated on a project-by-project basis, the cumulative loss of historic structures, street features, and archaeological sites or the gradual infilling of vacant lots in a way that changes the historic feel and setting of a neighborhood would contribute to a region-wide impact.

Proper planning and appropriate mitigation can assist in capturing and preserving knowledge of such resources and can provide opportunities for increasing our understanding of past environmental conditions and cultures through archaeological studies of sites and preservation of artifacts and materials. Sensitive design of new construction and rehabilitation of historic structures can help minimize the loss of fabric, setting and feel of historic neighborhoods and districts. Federal, State and local laws are in place that protect these resources and provide guidelines for careful rehabilitation of historic structures. The State Historic Building Code is designed for rehabilitation of historic buildings. Proper implementation of Mitigation Measures (above) could reduce the project's contribution to *cumulative impacts to a less-than-significance level*.

Letter O3 **William Burg, Preservation Sacramento**
Response **November 7, 2017**

- O3-1 The comment refers readers to the commenting organizations attached comments. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O3-2 The comment advises that the commenting organization has prepared Comments O3-3 through O3-19 for the City's consideration. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O3-3 The comment is a summary of Comments O3-4 through O3-19. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O3-4 Please see the discussion of mitigation measures in Master Response 2.
- O3-5 Please see the discussion of the R Street Historic District in Master Response 2.
- O3-6 Please see the discussion of the R Street Historic District in Master Response 2.
- O3-7 Please see the discussion of the R Street Historic District in Master Response 2.
- O3-8 Please see Master Response 2 under Identification/Evaluation of Historic Resources on Opportunity Sites.
- O3-9 This comment notes that Mid-Century Modern resources on Opportunity Sites should be compared to the Mid-Century Modern context statement. The Mid-Century Modern context statement was not available at the time the technical reports were prepared for the CCSP. The City agrees that the Mid-Century Modern context statement will be a valuable resource moving forward with future evaluations of resources that fit within that period of significance.
- O3-10 Please see Master Response 2 under R Street Historic District.
- O3-11 Please see Master Response 2. The identification of existing historic resources and evaluation of potential resources was focused on the Opportunity Sites. This effort was not intended to be a city-wide survey.
- O3-12 This comment expresses concern regarding the review process for projects that have the potential to impact historic resources. Please see Master Response 2 under Identification/Evaluation of Historic Resources on Opportunity Sites. City Code section 17.604.100 sets forth the responsibilities of the Preservation Commission, Preservation Director and Preservation staff. Any changes to this process that are

currently being considered by the City are not included in the CCSP and are not being analyzed by the CCSP EIR.

- O3-13 Please see Master Response 1 regarding changes to the maximum allowable floor area ratios.
- O3-14 Please see Master Response 1 regarding changes to building height limits and transition zones.
- O3-15 This comment addresses height limits on adjoining zone districts. Please see Master Response 1 regarding height limits and transitional zones.
- O3-16 Please see Master Response 1 regarding changes to building height limits and transition zones.
- O3-17 This comment is an attachment to the comment letter which shows a map of adopted historic districts in and around the CCSP area.
- O3-18 This comment is an attachment to the comment letter which provides the Preservation Commission Report dated July 19, 2017 and includes the Preservation Commission's Interim Principles for Infill Development. Please see Master Response 2 regarding the Preservation Commission's Interim Principles for Infill Development.
- O3-19 This comment is an attachment to the comment letter and consists of the Cultural Resources chapter of the R Street Area Implementation Plan EIR. This is not a comment on the CCSP EIR and no response is required.



November 7, 2017

Scott Johnson, Associate Planner
City of Sacramento
Community Development Department, Environmental Planning Services
300 Richards Blvd.
Sacramento, CA 95811

Subject: Notice of Availability (NOA) of draft Environmental Impact Report for the Downtown Specific Plan

Dear Mr. Johnson,

The Downtown Sacramento Partnership appreciates the opportunity to provide comments on the draft Environmental Impact Report for the Downtown Specific Plan.

As the state's oldest Property-Based Improvement District (PBID) comprised of nearly 600 property and business owners encompassing the 66 blocks of downtown Sacramento from 16th Street to Old Sacramento, Downtown Partnership is eager to see greater coordinated efforts to revitalize, activate and support residential growth in our central city.

We appreciate this plan would facilitate preferred growth in downtown Sacramento. This anticipated growth would be facilitated in part by the establishment of the Downtown Special Planning District (SPD) which provides updates to policies to allow for an intensification of development in the central city by expanding allowable heights and densities in specified zones. The proposed plan reflects consistency with the growth projections in the 2035 General Plan and the SACOG Metropolitan Transportation Plan/Sustainable Communities Strategy.

We are pleased to support this plan as part of the City's efforts to bring much-needed housing stock back to downtown. This is an important component in building a vibrant urban core that will substantially benefit the entire City of Sacramento. We look forward to seeing this plan move forward.

Sincerely,

Michael Ault
Executive Director
Downtown Sacramento Partnership

Cc: Councilmember Steve Hansen, District 4
Howard Chan, City Manager, City of Sacramento
Ryan DeVore, Community Development Department, City of Sacramento
Greg Sandlund, Senior Planner, City of Sacramento

1

Letter O4 **Michael Ault, Sacramento Downtown Partnership**
Response **November 7, 2017**

- O4-1 The comment is in support of the CCSP. The comment does not address the analysis or conclusions of the Draft EIR. The Comment is noted and will be conveyed to the City Council for its consideration.



Post Office Box 1526 • Sacramento, CA 95812 • (916) 444-0022

Date: November 8, 2017

To: Scott Johnson, Community Development Department, City of Sacramento

From: John Deeter, Co-chair, Transportation, Air Quality & Climate Change Committee

Re: Comments on the Sacramento Downtown Specific Plan

ECOS appreciates the opportunity to provide comments on the Downtown Specific Plan (DTSP). We applaud the City of Sacramento’s efforts to encourage infill development, which is critical to meeting our regional climate goals. Infill development and the strategies outlined here in regards to our right of way improvement will be a large step in making our city friendlier to transportation alternatives besides the automobile.

1

1. Parklets – LU.3.5

An explicit goal of the DTSP is to discourage the use of the private automobile as a means of transportation in order to promote a more livable environment. LU.3.5 currently reads: “Parklets. Encourage the development of parklets and other living green spaces that support local businesses and public gathering while balancing pedestrian, bicycle, and vehicular use of the public right-of-way.”

2

We are afraid this policy could be overly restrictive in its implementation. “Balance” could be interpreted in the future in a way which would limit the implementation of parklets by preserving an unnecessary amount of space for vehicular use. Parklets will encourage, not discourage, cycling and walking within the public right of way, so there is no need to “balance” with these uses. We encourage the following wording instead:

“Parklets. Encourage the development of parklets and other living green spaces *within the public right of way* that support local businesses and public gathering.”

2. Connectivity – LU.9.5.

The proposed policy reads:

“Connectivity. Maximize multi-modal transit, pedestrian, bicycle and vehicular connectivity to and along the riverfront”

While we support the continued expansion of development in areas along the Riverfront District and their associated infrastructure, we would caution against the wording of this statement which seems to suggest maximizing the vehicular use to the Riverfront. We believe the riverfront itself should encourage active transportation that limits noise and pollution and creates a peaceful and inviting atmosphere for walking and cycling. We also think vehicular connectivity will be provided to the area without unnecessarily encouraging it. We would encourage the following wording:

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“Connectivity. Maximize active transportation in areas directly adjacent to the Sacramento Riverfront. Encourage right of way connectivity to the Riverfront Planning Area from existing rightway on the adjacent side of I-5.”

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(cont.)

3. River Resource and Access – LU.9.9

The proposed policy reads: “River Resource and Access. Promote use of the Sacramento River as a recreational resource, including enhanced river access and launching areas for watercraft.” While we support the continued access and use of the river, we feel a boat launch could be an inappropriate use along the riverfront, especially if utilized by motor vehicles to launch gas powered craft. It would punctuate the important and continuous waterfront. A launch could be both noisy and polluting, and accessible launches are already located nearby. We encourage revised wording that specifies launching should only be for non motorized boats at a facility here (such as Kayaks and Canoes).

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4. Policy M.3.2

The DTSP states that the intent is to “offer a wide variety of mobility choices that prioritize non-vehicular travel and promote alternative to the automobile, as well as increase connectivity between land uses, alleviate congestion, and improve public health.”

Policy M.3.2 states “Balanced Network. Reduce the number of lanes dedicated to automobiles in order to regain right-of-way for other modes to balance the network.”

Since the DTSP includes the adjoining downtown highways, this policy statement should be revised to clarify that it applies to both Downtown Streets and adjacent highways. The expansion of highways negatively affects the health of residents and the livability of neighborhoods. While the City of Sacramento may not have jurisdiction over the highways, it can discourage their expansions.

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5. Implementing action M-5

The bicycle network improvements are erroneously referred to Figure 3.9-2 rather than Figure 3.9-1.

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6. Roadway Network section 3.9.4

This section correctly states that the posted speed within the DTSP as 30 mph or less. Consistent with the City’s Vision Zero plan and the information presented herein, we would encourage a policy recommendation to continue to look for opportunities to lower speed limits Downtown, including a blanket recommendation of 25 miles an hour for all streets and 20 miles per hour for all residential streets. This has been implemented in other cities (such as Seattle). Limiting the speeds of vehicles can greatly increase the attractiveness and comfort of active transportation adjacent to vehicles. This is especially important as Grid 3.0 is implemented and streets are modified.

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Letter O5 John Deeter, Environmental Council of Sacramento (ECOS)
Response November 8, 2017

- O5-1 The comment acknowledges the opportunity for the organization to provide comment and provides support for the CCSP. This comment, while noted, does not require modifications to the EIR's analysis or conclusions of significance.
- O5-2 The comment provides suggested revisions to Policy LU 3.5 of the CCSP. The City does not intend to change the language of Policy LU 3.5. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O5-3 The comment provides suggested revisions to Policy LU 9.5 of the CCSP. The City does not intend to change the language of Policy LU 9.5. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O5-4 The comment provides suggested revisions to Policy LU 3.2 of the CCSP. The City does not intend to change the language of Policy LU 3.2. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O5-5 The commenter references CCSP Policy M.3.2, which states "Balanced Network. Reduce the number of lanes dedicated to automobiles in order to regain right-of-way for other modes to balance the network." Since the CCSP includes the adjoining highways, the commenter requests that Policy M.3.2 be revised to clarify that it includes local streets and highways. The commenter recognizes that the City of Sacramento does not have jurisdiction over the highways, but requests that the City discourage highway expansion.
- This comment does not pertain to any specific analysis or conclusions contained in the Draft EIR. The request would require a policy revision to include State highways in CCSP Policy M.3.2. This comment will be forwarded to City decision makers for consideration.
- O5-6 The commenter correctly states that the bicycle network improvements under Implementing Action M-5 are referenced incorrectly in the CCSP as Figure 3.9-2 rather than Figure 3.9-1. The text has been edited to correctly reference the bicycle network improvements as Figure 3.9-1. Please see the CCSP.
- O5-7 The commenter affirms that the posted speed limit within the CCSP area is 30 mph or less, as stated in the CCSP. The commenter requests that the CCSP provide a policy recommendation to lower the blanket speed limit to 25 mph for all streets and to 20 mph for residential streets. The commenter identifies precedence for this speed limit in other cities, such as Seattle, and states that this policy would be consistent with

other policies in the CCSP and the City's Vision Zero plan, both of which aim to improve bicyclist safety and comfort.

This comment does not pertain to any specific analysis or conclusions contained in the Draft EIR. State policies documented in the California Manual for Setting Speed Limits (2014) prevent the City from implementing blanket reductions in posted speed limits. This comment will be forwarded to City decision makers for consideration.



Date: November 8, 2017

To: Scott Johnson, Community Development Department, City of Sacramento

From: Kevin Dumler, Co-Chair of House Sacramento

Re: Comments on the Sacramento Downtown Specific Plan

House Sacramento is a group of neighborhood residents concerned about a lack of housing supply and its impact on housing affordability for the region. House Sacramento appreciates the opportunity to provide comments on the Downtown Specific Plan (DTSP) and the associated Draft Environmental Impact Report (DEIR) for the City of Sacramento.

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The Sacramento region is suffering from a shortage of new units, particularly those in close proximity to job centers and affordable to working class residents. The Downtown Specific Plan represents a great opportunity to add housing where it is needed most. Downtown Sacramento and the Greater Sacramento Region is far from full, but only if we create an inclusive vision that allows projects and new development to move forward. As a result of the housing crisis, community groups are forming across the country to support infill development, including our own. In a constrained market, increasing supply will lower prices for everyone. We support housing and infill development because it will make us a healthier and more sustainable city. The City's efforts with the Downtown Specific Plan demonstrate their support of these ideals, and their commitments should be applauded.

2

We are well aware that there is local opposition to the DTSP. Many residents, understandably, fear change in their own backyards - they tend to like where they live. This culture of exclusion, however, benefits existing wealthy households at the expense of those with the least means. Community pressures and exclusionary zoning are contributing to the current housing crisis by limiting supply. This is driving rents and home prices to an unaffordable level for many households. We strongly support and endorse the policies in this plan that enable additional housing Downtown.

We ask that the following be considered before finalizing the DTSP and the associated DTSP EIR:

1. Expansion of J Street District

The J Street District between the 16th Street District and 28th Street district represents an excellent opportunity to add housing and commercial uses downtown and likely an area where substantial development and revitalization proposed or anticipated to occur. It is summarized within the DTSP as “predominately low and mid-rise commercial, office, medical, retail, and restaurant uses along one of Downtown’s busiest streets.” We feel this description also applies to properties facing K and L Streets. We would encourage the same north and south boundaries for the J Street District as the titled “JKL District” (with the exception of the districts already defined including Lavender Heights, The Handle District, and The 21st Street District).

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2. Protecting Existing Market Rate Affordable Units

Great emphasis has been placed on new “affordable by design” units and inclusionary affordable units. While these efforts are supported and important, there is no mention of protecting the existing market rate affordable units – namely, our aging and bland market rate units. As made clear in the economic analysis conducted by BAE, almost all new units will be luxury units rented to wealthy, upper middle class residents who earn far above the median income. While we support adding housing at all income levels, we feel additional protections are needed to discourage flipping of units by landlords from poor renters to wealthy renters. These protections need to be carefully implemented to ensure we do not discourage people from maintaining and investing in their properties. Since almost all new units will be for wealthy renters, we urge the city to consider measures that would limit the absorption of existing market rate units affordable to median income and below residents by wealthier individuals. These efforts should be coupled with additional rights and protections that provide predictability and stability for renters. We caution against policies within the DTSP that encourage renovation and could be used to justify the displacement of lower income individuals.

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These expanded policies should be integrated with Downtown Housing Goal H.4 which seeks to minimize the displacement of low income residents.

3. Progressively Affordable Inclusionary Zoning

A major source of city funding for affordable units comes from the city’s Housing Impact Fee. In an effort to encourage density, these fees exclude high density multi-unit dwellings from a fee amount. Since the DTSP will accelerate the development of this type, we urge the city to re-evaluate the fee structure at this time prior to the adoption of the DTSP. Specifically, we would encourage the city to consider a progressive approach to the fee structure that exempt (or

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minimize the fee for) units that would be affordable to the median income at the market rate level, but consider progressively higher fees on progressively luxurious units.

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(cont.)

4. Public Restrooms – LU.3.3

The proposed policy reads “Street Furnishings and Amenities. Incorporate a variety of quality street furnishings and amenities, including restrooms, to create an attractive and comfortable environment for people to congregate.” We think this should be clarified that restrooms should be both *free and public* so they can be used by residents who are unable to afford them. We also would encourage a policy that explicitly bans so called “hostile architecture” in which public spaces are designed to discourage the use of public spaces by individuals experiencing homelessness.

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We suggest the following “Street Furnishings and Amenities. Incorporate a variety of quality street furnishings and amenities, including *free, public* restrooms, to create an attractive and comfortable environment for people *of all means* to congregate. *Architecture designed to explicitly limit a furnishings use for sleeping or resting will not be permitted.*”

5. Publicly Accessible Private Open Space – LU.3.8

Public open space that is privately owned needs to be well known and its use encouraged. We support stronger wording to encourage public use of privately owned open space.

The policy currently reads:

“Publicly Accessible Private Open Space. Encourage signage of publicly accessible private open space that informs when private open space is also available to the public.”

We support the following wording:

“Publicly Accessible Private Open Space. *Require signage and design* of publicly accessible private open space that informs *the public* when private open space is publically accessible.”

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6. Established Neighborhoods – LU.8.2

This policy reads:

“Established Neighborhoods. Preserve and protect established neighborhoods by providing appropriate transitions in building bulk, form, and intensity for uses adjoining these neighborhoods.”

We fear this policy may be used to limit development in existing Downtown Neighborhoods as a means of protecting so called “neighborhood character.” While our existing neighborhoods are very important and deserve certain amounts of protection, we should not unnecessarily limit development that contrasts with existing and historic structures. Varied uses and intensities should be the norm across all of the DTSP plan area. The proposal for Floor Area

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Ratio (FAR) in the DTSP is both tepid and unnecessary, and we would highly discourage its use. We would also encourage the wording be revised to the following:
“Established Neighborhoods. Consider the context of the existing neighborhood when locating and selecting building bulk, form, and intensity for future development.”

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(cont.)

7. Moderate-income Housing (H.2.4)

Additional policies and clarification are needed to determine how the city will support the development of moderate-income housing. Currently, only a very small amount of future housing is projected for this group (0.2%) so it is clear that merely “encouraging” it will not be sufficient. This policy should be coupled with reduced regulations and fees for moderate income housing that would not be applied to above moderate-income units. This could include reduced requirements on architectural exteriors and aesthetics, such as building façade materials and required improvements along the public right of way. This exemptions should be clearly stated within the DTSP and not vague, otherwise they are unlikely to be utilized.

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8. Relocation Services (H.4.2)

The costs associated with gentrification should not be borne by existing residents, especially those with the least means. The existing wording does not offer enough protections for those displaced by new development. The current policy reads:
“Relocation Services. Support relocation services, including counseling, locating replacement housing, and moving expenses when displacement occurs.” We believe relocation services and moving expenses should be *required* and provided by the developer or an appropriate local agency. This plan bends over backwards to protect single family homeowners, but does little to protect renters of little means.

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9. Condominium Conversions (H.4.4)

Since so few new units are expected to be affordable at the market rate level, we highly discourage the conversion of any market rate units to condominiums at any time. The current policy reads:
“Condominium Conversions. Discourage the conversion of Class B and C apartments into condominiums when the apartment vacancy rate is below five percent.” The qualifier of *below five percent* is both poorly defined and unnecessary. It is possible for a short term increase at 5%, when the overall trend is less than 5%. Additionally, this vacancy rate includes luxury properties and is not limited to Class B and C Properties. With the development of so many Class A properties, it is possible that the overall vacancy rate could exceed 5% when the Class B and C rate hovers at essentially nothing. Less than a 5% vacancy is a crisis for renters, and a higher vacancy rate is welcomed. We believe this qualifier should be removed and conversions should be exceptional in nature.

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Conclusion

The DTSP represents exactly what we need to encourage as a region to combat our housing crisis: infill development that is compatible with surrounding land uses in a walkable and bikeable environment. It will also enable more residents to call this great city home and give them an opportunity to grow and succeed alongside us. Future residents will be valuable members of the community and we look forward to welcoming them as our neighbors.

12

Letter O6 Kevin Dumler, House Sacramento
Response November 8, 2017

- O6-1 The comment acknowledges the opportunity for the organization to provide comment and provides support for the CCSP. This comment, while noted, does not require modifications to the Draft EIR’s analysis or conclusions of significance.
- O6-2 The comment describes the housing shortage in the Sacramento region and the role of the CCSP in promoting housing development. The comment also advises on potential causes for the housing shortage in the CCSP planning area and provides the commenting organizations support for the CCSP. This comment, while noted, does not require modifications to the EIR’s analysis or conclusions of significance.
- O6-3 The comment recommends that the City expand the J Street District to include properties facing K and L streets, and that the district’s title be revised to the “JKL District.” The City has not conducted outreach for expansion of the J Street District at this time and is unable to implement the change as part of the CCSP. The comment is noted and the City will consider reevaluation of district boundaries in the future. The comment, while noted, does not require modifications to the Draft EIR’s analysis or conclusions of significance.
- O6-4 The comment expresses the commenting organization’s concern that additional protections are needed to discourage flipping of units from affordable housing to market rate housing. The CCSP contains policies that achieve this purpose, which can be found in the Housing Element of the CCSP. See CCSP Policies H 4.3 and H 4.1. The comment, while noted, does not require modifications to the Draft EIR’s analysis or conclusions of significance.
- O6-5 The comment suggests that the City implement an alternative fee structure for the City’s Housing Impact Fee. City staff has committed to reviewing these fees in 2019 and will consider a fee restructure at that time. The comment, while noted, does not require modifications to the Draft EIR’s analysis or conclusions of significance.
- O6-6 The comment provides suggested revisions to Policy LU 3.3 of the CCSP. The City does not intend to change the language of Policy LU 3.3. This comment, while noted, does not require modification to the EIR’s analysis or conclusions of significance.
- O6-7 The comment provides suggested revisions to Policy LU 3.8 of the CCSP. The City does not intend to change the language of Policy LU 3.8. This comment, while noted, does not require modification to the EIR’s analysis or conclusions of significance.

- O6-8 The comment provides suggested revisions to Policy LU 8.2 of the CCSP. The City does not intend to change the language of Policy LU 8.2. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O6-9 The comment provides suggested revisions to Policy H 2.4 of the CCSP. The City does not intend to change the language of Policy H 2.4. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O6-10 The comment provides suggested revisions to Policy H 4.2 of the CCSP. The City does not intend to change the language of Policy H 4.2. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O6-11 CCSP Policy H 4.4 was revised to remove the vacancy rate qualifier that appeared in the previous version of the Plan. The policy now reads, "H.4.4. Condominium Conversions. Discourage the conversion of Class B and C apartments into condominiums."
- O6-12 The comment provides support for the CCSP. This comment, while noted, does not require modifications to the EIR's analysis or conclusions of significance.

From: [Preservation Sacramento](#)
To: [Scott Johnson](#)
Subject: Fwd: Public Comment Regarding Downtown Specific Plan EIR from Preservation Sacramento
Date: Wednesday, November 8, 2017 2:47:08 PM
Attachments: [Downtown Specific Plan EIR Public Comment Preservation Sacramento.pdf](#)
[Ad Hoc Committee 2.1 MB .pdf](#)
[WP Circular 167E.pdf](#)
[9 R Street Historic-and-Cultural-Resources.pdf](#)

Mr. Johnson,

Please find attached public comment regarding the Downtown Specific Plan Environmental Impact Report, on behalf of the Board of Directors of Preservation Sacramento. The additional attached documents are referred to in the comment letter regarding responses to elements of the Downtown Specific Plan. Please acknowledge receipt of this email.

1

November 7, 2017

Scott Johnson, Associate Planner
Community Development Department
300 Richards Boulevard, Third Floor
Sacramento, CA 95811

RE: Public Comment regarding the Downtown Specific Plan EIR

The Board of Preservation Sacramento wishes to identify the following items as potential areas of concern regarding the Environmental Impact Report for the Downtown Specific Plan. Each item is addressed in detail on the following pages, including recommended strategies for mitigation, providing further analysis, or otherwise addressing potential negative impacts on historic properties and districts.

1. The EIR lacks mitigation measures for historic properties and districts, despite identified potential impacts to historic properties.
2. Evaluation of potential additional contributors to R Street historic district is flawed due to consultant's misinterpretation of Criterion A and Sacramento Register historic contexts.
3. Evaluation of eligible "opportunity site" historic properties is limited and incomplete, including multiple potentially eligible properties that are mislabeled or ignored.
4. Evaluation of eastern portion of R Street fails to evaluate the properties in context of the eastern R Street corridor; a separate R Street historic district appears to exist in this area but was not analyzed by consultant, presumably due to city instructions to only evaluate as individual properties.
5. Historic landmarks and districts in commercial corridors: Many individually listed historic landmarks and historic districts are located in the "corridor" areas identified in the Downtown Specific Plan, and no map showing the location of individual landmarks was provided in the Downtown Specific Plan materials.
6. Devolution of historic preservation decisions from Preservation Commission to director or staff level limits public opportunity for notification, comment, and appeal. Inappropriate assignment of final authority for decisions affecting historic properties to Planning & Design Commission means decisions are made by a city board without subject matter expertise.
7. Proposed language to limit maximum deviation of Floor Area Ratio to 20% in cases of significant community benefit is not part of the Plan, despite its earlier inclusion, and frequent mention in the EIR and public presentations. Without maximum deviation limit, it is impossible to calculate cumulative impact of multiple projects or conform to required policy elements regarding clear and consistent development standards, including required density and intensity standards.
8. Changes to height limits in C2 zones are moderated by required setbacks where C2 zones meet R1/R1A or R2/R2A zones, but not where C2 zones meet R3/R3A or R4 zones. Many historic districts, and most of Midtown, are zoned R3/R3A, *because they are adjacent to C2 zones.*

1. **Lack of mitigation measures for historic properties and districts, despite identified potential impacts to historic properties. (EIR, Page S-39, 4.4-3):** The EIR mentions potential negative and unavoidable effects to historic districts, but includes no recommended mitigation measures for those effects. The proposed DSP could cause a substantial adverse change in the significance of a historical resource (per Page S-40, 4.4-5: New construction in proposed DSP area, in combination with other cumulative development within Sacramento County and the City downtown core, could contribute to the cumulative loss or alteration of historic built resources.) We consider both of these impacts potentially significant and thus require mitigation measures. Below are a list of mitigation measures we recommend for adoption in these areas, adapted from the *Preservation Toolkit* document sent to city staff in August 2017:

* Comprehensively survey the eastern portion of R Street (20th Street to 29th Street) for potential eligibility as a historic district, separate from the existing R Street historic district context, in order to proactively identify eligible historic resources along the R Street corridor. The EIR evaluation did not include assessment for a potential district.

* As part of the 20 year span of the General Plan, continue to update historic district surveys within the Plan area and survey areas within the Plan area for potential historic resources and historic districts. The long-term result will be clearer identification of historic resources and reduced need for evaluation of potentially historic sites, as updated surveys proactively identify ineligible properties.

* Implement the 2007 agreement between Code Enforcement department and Preservation Director diverting 50% of code enforcement lien monies collected to the Historic Places Grant program, a matching grant intended to provide funds to restore and repair eligible historic buildings.

* Create a special mitigation fund for historic resources based on fines and fees collected when unavoidable impacts to historic resources occur, such as those that resulted when excavation of underground sidewalk structures on K Street were required in 2010. These funds can be used to repair and restore historic properties and historic features in the plan area, via existing programs like the Historic Places Grant.

* Adopt the Preservation Commission's interim guidelines regarding infill in historic districts as part of the city's Planning and Development Code, as an interim means to address alley infill until subsequent guidelines specific to historic districts can be implemented.

* Reevaluate the survey of R Street for a potential new historic district east of 20th Street, and reevaluate and expand the historic context of the R Street corridor to include a later period of significance, recognizing use of the R Street corridor via railroads and trucks through the 1960s.

* Add required setbacks/height limits in C2 zones adjacent to R3/R3A zoned properties within the Downtown Specific Plan boundaries.

2. **Evaluation of potential additional contributors to R Street historic district is flawed due to consultant’s misinterpretation of National Register Criterion A, California Register Criterion 1, Sacramento Register Criterion I, and Sacramento Register historic contexts.** Consultant’s analysis suggests that city is ignoring industrial historic context despite R Street’s historic role as an industrial corridor. (EIR Appendix E, Cultural Resources Data, Cultural Resources Survey and Inventory Report. DPR 523 Forms)

*The overly strict evaluation criteria, due to the project’s constrained scope of work, resulted in a report that found *no* new properties eligible for inclusion in the Sacramento Register or the R Street Historic District that were not already listed historic properties, including the finding that the eastern half of the Perfection Bakery building (a listed Sacramento landmark) *is not* eligible to be part of the R Street historic district, while the western half of the same building (also an individual landmark and physically attached to each other) *is* eligible for inclusion in the R Street historic district, with no explanation given for the discrepancy.

* The consultant incorrectly cites National Register Criterion A. According to National Register Bulletin 15, *How to Apply the National Register Criteria for Evaluation*, Page 12, Criterion A, Events, reads: “A property can be associated with either (or both) of two types of events: A specific event marking an important moment in American pre-history or history, and, a pattern of events or a historic trend that made a significant contribution of a community, a State, or the nation.” The evaluator incorrectly describes this criterion on DPR forms (e.g., Page 2 of 3 of evaluation of 1800 24th Street) as: “Criterion 1/A recognizes properties associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States. The property *must also* (emphasis added) have an important association with the event or historic trends—mere association with historic events or historic events or trends is not enough to qualify.” This implication that a property must be significant with broad patterns *and* specific events, rather than being associated with broad patterns *or* specific events, is an overly strict interpretation of Criterion A.

* Similarly, California Register Criterion 1 does not require association with specific events at all: per California Code of Regulations 4852(b)(1), Criterion 1 is defined as a property that “is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.”

* The City of Sacramento’s landmark eligibility criteria also does not require association with both broad patterns and specific events; Landmark Eligibility Criteria 17.604.210(A) lists Sacramento Register Criterion I as “It is associated with events that have made a significant contribution to the broad patterns of the history of the city, the region, the state or the nation.” Per the consultant’s admission of their instructions regarding this survey, properties were not surveyed for eligibility as contributors to a historic district.

* In testimony to the Preservation Commission on October 18, 2017, consultant Amber Grady of ESA reported that they were given a very detailed scope by City of Sacramento staff, and directed strictly to use the existing context statements. This restriction led the consultant to use an unnecessarily narrow period of significance and criteria for evaluation, excluding potentially eligible resources. Consultant also reported that they believe there is a larger industrial district on R Street, but it did not fit within the narrow parameters provided by the City of Sacramento. This recommendation is located in the cultural resources survey provided by ESA but not included in the EIR appendices. This suggests that the evaluation of potential historic properties that may be affected by this project on R Street is incomplete and requires reevaluation for eligibility as resources under CEQA without the restriction on examining other contexts.

***This concern could be addressed by adding a mitigation measure requiring a redone survey of the properties in the R Street historic district without limiting the analysis to currently listed historic contexts. It is not necessary to write an entire citywide historic context to evaluate potential historic properties on R Street in order to carry out this measure.**

3. **Evaluation of eligible “opportunity site” historic properties is limited and incomplete, including multiple potentially eligible properties that are mislabeled or ignored.** (EIR Appendix E, Cultural Resources Data, Opportunity Sites Table.) The examples below demonstrate errors in procedure and evaluation resulting from incorrect interpretation of National Register criteria, exclusion from consideration due to instructions to ignore properties not eligible under 2035 General Plan historic contexts, or otherwise incorrectly evaluated by the consultant team. It is not a comprehensive list.

* Consolidated Electrical Distributors, 1800 24th Street, had a railroad spur located along R Street serving the building directly, and its occupant in the mid-1950s (Valley Paper Co.) was listed as a railroad customer served by team track in Western Pacific Railroad’s Circular No. 167-E (a document listing industries served by Western Pacific, Southern Pacific, Sacramento Northern, and Central California Traction railroads, via direct spur or team track in Sacramento, circa 1955)—document attached.

* Fischer Tile & Marble, 1800 23rd Street: As with CED above, this property utilizes the incorrect interpretation of National Register Criterion A and California Register Criterion 1 mentioned above.

* 1730 14th Street is identified as having a railroad spur on Quill Alley, disconnected from the R Street railroad line. However, the DPR form does not explain that Western Pacific Railroad’s railroad line ran along Quill Alley, and as an industry directly served by rail, is eligible within the historic context of railroading in Sacramento.

* 915 R Street is identified as associated with “Goodwill Tire & Rubber”; incorrectly labeled, the name of the company is Goodyear. See comments below re Goodyear Tire & Rubber.

* Goodyear Tire & Rubber, 925 R Street/1724 10th Street was served by the adjacent railroad and built within the R Street Historic District’s period of significance. The consultant considered it ineligible because the property was not directly associated with product development or manufacturing, which took place elsewhere, but does not evaluate the property within its local context on R Street, specifically within the R Street Historic District’s established historic context, which considers the transition from railroads to trucks, *running on rubber wheels such as those supplied by this warehouse*, to be a significant event ending the district’s initial period of significance.

*** This concern could be addressed via mitigation measures re-surveying the properties along the eastern portion of R Street and other industrial properties between Q and S Streets as potential contributors to either the R Street historic district or a new eastern R Street historic district with a separate context.**

*** Other eligible Mid-century Modern resources on opportunity sites should be compared to the pending Mid-century Modern Survey of Sacramento for evaluation as historic resources within the established Mid-century Modern historic context generated as part of that survey document, and other eligible criteria.**



4. **Evaluation of eastern portion of R Street fails to evaluate the properties in context of the eastern R Street corridor;** a separate R Street historic district appears to exist in this area but was not analyzed by consultant, presumably due to city instructions to only evaluate as individual properties.

* The consultant did not evaluate R Street for potential historic districts, despite the fact that the regulatory framework of the Environmental Impact Report considers properties potentially eligible for inclusion as historic districts to be historic properties. Thus, the evaluation of cultural resources, limited (per consultant’s scope of work) to evaluation as individually eligible properties, is legally insufficient.

***This concern could be addressed by adding a mitigation measure re-surveying the properties in the eastern portion of R Street for potential eligibility as a historic district with a period of significance extending through the 1960s and the end of freight railroad service, adding the context of distribution by truck and team track (in addition to direct railroad service) as part of the industrial district’s statement of significance.**

5. **Historic landmarks and districts in commercial corridors:** Many individually listed historic landmarks and historic districts are located in the “corridor” areas identified in the Downtown Specific Plan, and no map showing the location of individual landmarks was provided in the Downtown Specific Plan materials.

*** This concern could be addressed by adding a mitigation measure requiring updating and revision of central city historic property surveys as a DSP goal in the area of historic preservation.**

6. **Devolution of historic preservation decisions from Preservation Commission to director or staff level** limits public opportunity for notification, comment, and appeal. Inappropriate assignment of final authority for decisions affecting historic properties to Planning & Design Commission, with Preservation Commission providing only an advisory role, means decisions are made by a city board without subject matter expertise.

***This issue could be addressed via a mitigation measure requiring the adoption of interim historic district design guidelines immediately, and adopting the Preservation Commission’s recommendations regarding their concerns about revisions to the Planning and Development Code as presented to the Preservation Commission and Planning & Design Commission in October 2017.**

Attachment: Preservation Commission Ad-Hoc Committee Letter regarding Amending Section 145.156.020 and Various Provisions of Title 17 of the Sacramento City Code Relating to Planning and Development (M17-016)

7. **Proposed language to limit maximum deviation of Floor Area Ratio to 20% in cases of significant community benefit** was removed from the Plan at some point between October 12 and 19, 2017, despite its mention in EIR (Page 3-27) and public presentations (October 9, 2017 at City Hall, Station 5, Urban Design, Land Use & Preservation.) Without maximum deviation limit, it is impossible to calculate cumulative impact of multiple projects or conform to required policy elements regarding clear and consistent development standards. Without this limit, it is impossible to determine if a property is substantially consistent with its land use and urban form designation.

The Draft EIR specifies an amendment to 2035 General Plan land use policy 1.1.10, Exceeding Floor Area Ratio (FAR), clarifying the policy regarding FAR to allow permitted FAR to be exceeded by 20 percent if the project provides a significant community benefit, replacing the current policy as interpreted, which has no maximum limit for FAR. This item was also presented at the October 9, 2017 community meeting at City Hall, as an element of the Downtown Specific Plan, as part of Station 5. It was also presented to the City's Planning and Design Commission on October 12 as part of the staff report in which this 20% limit on exceeding FAR was described as a General Plan FAR clarification and benefit of the Downtown Specific Plan. On October 18, city planner Greg Sandlund informed the Preservation Commission that this was being removed from the Downtown Specific Plan objectives and would be deferred until the city's 2040 General Plan update, a process that could take several years.

If there is no maximum limit on FAR deviation, and thus no upper limit on potential development, it is impossible to calculate cumulative impact of multiple projects within the Downtown Specific Plan. The DSP's policy element, LU 5.1, specifies "Maintain clear and consistent development standards and design guidelines." If there is no numeric limit on FAR deviation, this standard is impossible to implement, and the EIR cannot achieve one of its required purposes, to calculate and estimate cumulative impacts of projects within the Downtown Specific Plan area. It is thus also inconsistent with the City of Sacramento's 2035 General Plan EIR. Policy Element LU 5.1 is internally inconsistent; the city cannot provide clear and consistent development standards that are also unlimited in their flexibility.

LU.5.1 Consistent Standards and Guidelines: Maintain clear and consistent development standards and design guidelines that are user friendly, remove barriers for Downtown projects, and provide adequate flexibility to react to changing market opportunities. (Downtown Specific Plan, Page 39)

Standard conditions of approval for projects in the DSP area, which the draft EIR states addresses all potential impacts, does not include the maximum FAR if there is no way to ensure a maximum FAR for projects within the DSP boundary, so there are no consistent standards for cumulative impact of downtown projects. This means the EIR is out of compliance with government code regarding density and intensity standards.

*** This issue could be addressed by including the maximum Floor Area Ratio deviation bonus of 20% in the Downtown Specific Plan, amending the 2035 General Plan to reflect this maximum FAR deviation, instead of deferring revision until the 2040 General Plan update, and adding this language to the ordinance that will be adopted by the City Council regarding the Downtown Specific Plan.**



8. Changes to height limits in C2 zones are moderated by reduced height limits where C2 zones meet R1/R1A or R2/R2A zones, but not where C2 zones meet R3/R3A zones. Many historic districts, and in fact most of Midtown, are zoned R3A.

* Given the proposed increase of height in C2 zoned areas from 65 to 85 feet, or higher with deviations, the issue of interface between residential neighborhoods is important. The city clearly prioritizes this by proposing the reduced heights for R1 and R2 zones adjacent to commercial zones, but R3 zones are excluded.

* Sacramento’s residential districts and historic districts include a mixture of R1, R2 and R3 land use categories, with R3 being the most predominant. In most cases the built environment in all three zones includes a mixture of single-family homes, duplexes and multiplexes, and small apartment buildings, generally ranging from 1-3 stories. Some areas zoned R1 (single family or duplexes) include multi-story, multi-unit apartment complexes, while some areas zoned R3 (multi-family) include solely single-family, one-story homes (such as the Bungalow Row historic district.) Based on past central city plans, zoning decisions between R1, R2 and R3 were based on proximity to commercially zoned areas, not intensity of built environment. Thus, the R3 zones are generally closest to commercial zones. They at greatest risk when adjacent to commercial zones, but would lack the protections of R1 and R2 zones, which are generally farther from commercially zoned areas.

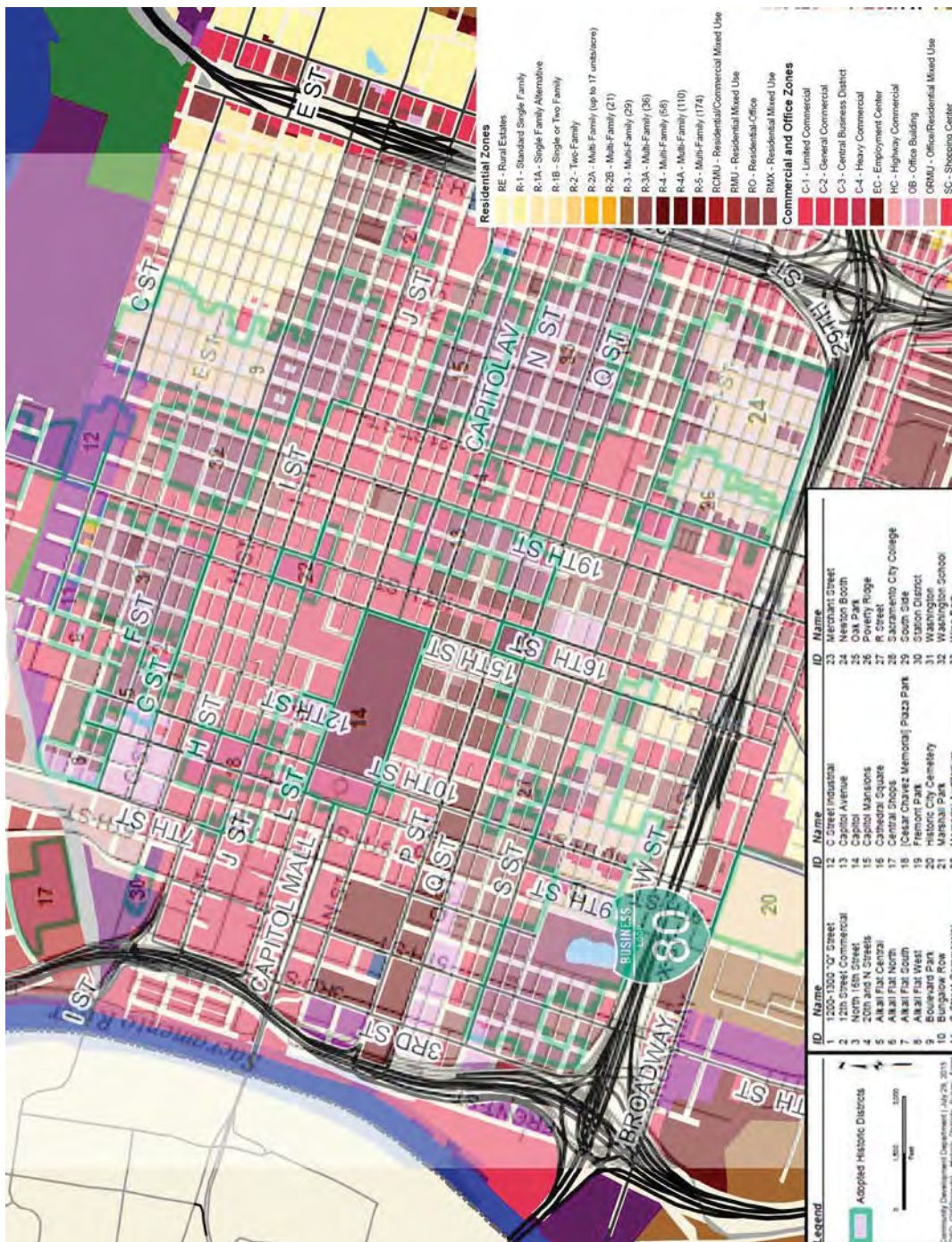
* Historic districts mostly or entirely R3A zoned within the DSP boundary include all three Alkali Flat historic districts, Mansion Flat, Capitol Avenue, Capitol Mansions, Winn Park, Bungalow Row, 1200-1300 Q Street, 20th & N Street, Fremont Park, Marshall Park, Washington and Washington School, and portions of Boulevard Park, Southside Park, Poverty Ridge, and Newton Booth historic districts. Hundreds of individual landmarks are also located in R3A zones. While restricting these height limits to R3A zoned properties in historic districts, there is so much overlap that applying the same rules to R3 as R1/R2 is logistically much simpler—see map on next page to see historic districts overlaid with zoning.

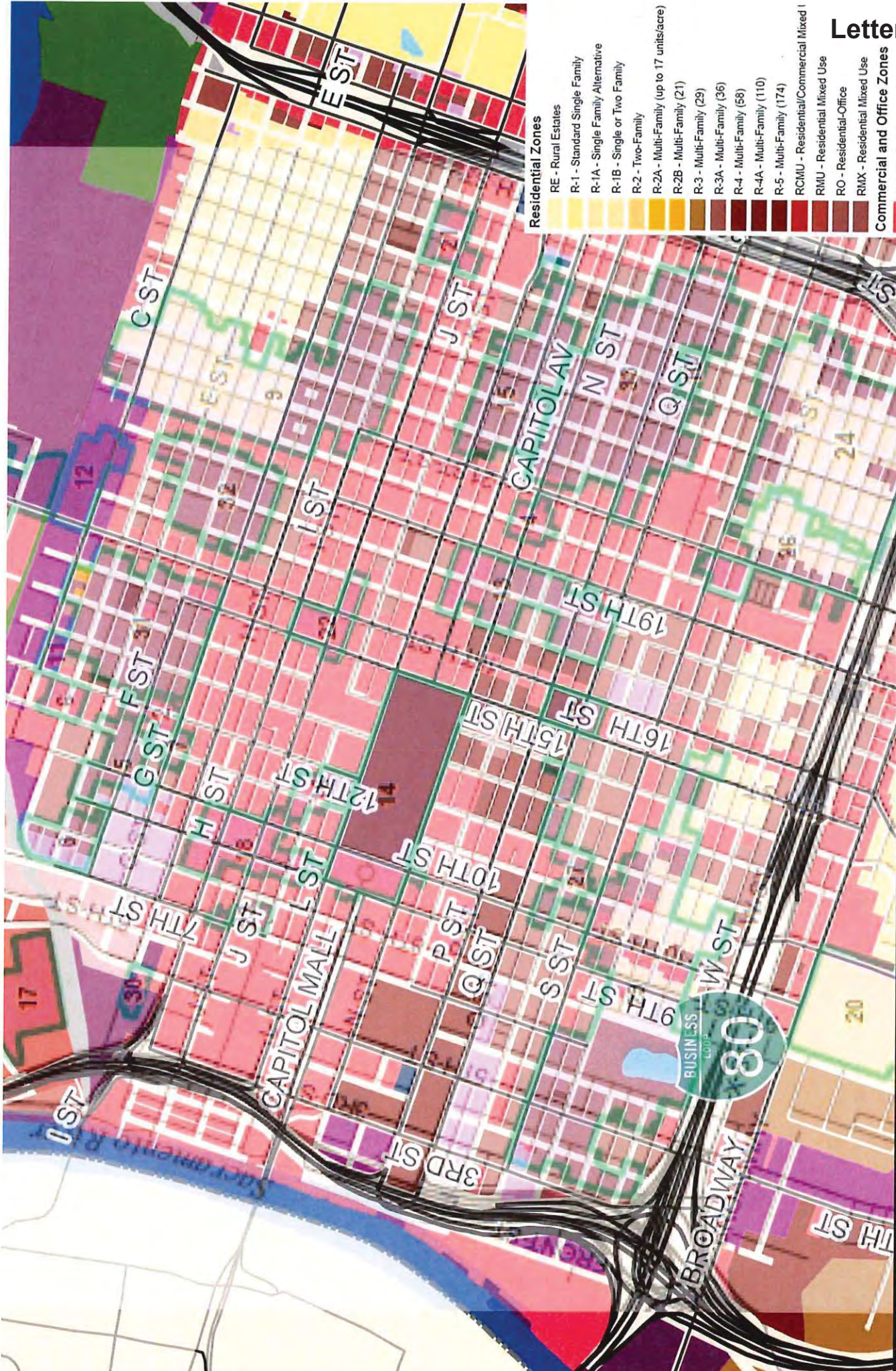
***This issue can be addressed by providing the same transition zones in R3/R3A properties as provided for R1 and R2 zones. Adding this change also meets the DSP’s LU 8.2 regarding transitional heights.**

We appreciate this opportunity to provide review and comment, and wish to thank City of Sacramento planner Greg Sandlund for providing prompt feedback regarding the Downtown Specific Plan.

Garret Root, president, Preservation Sacramento Board of Directors

Attachment: Diagram showing overlay of historic district boundaries (green lines) with R-1/R-2 zones (yellow) and R-3A zones (brown) adjacent to C-2 zones (red) within Downtown Specific Plan boundary. Many of Sacramento's historic districts contain R-3A zoned properties.





Letter O7

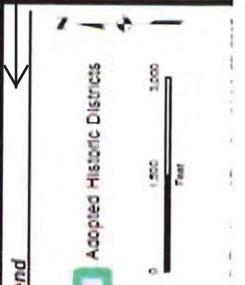
Residential Zones

- RE - Rural Estates
- R-1 - Standard Single Family
- R-1A - Single Family Alternative
- R-1B - Single or Two Family
- R-2 - Two-Family
- R-2A - Multi-Family (up to 17 units/acre)
- R-2B - Multi-Family (21)
- R-3 - Multi-Family (29)
- R-3A - Multi-Family (36)
- R-4 - Multi-Family (58)
- R-4A - Multi-Family (110)
- R-5 - Multi-Family (174)
- RCMU - Residential/Commercial Mixed Use I
- RMU - Residential Mixed Use
- RO - Residential-Office
- RMX - Residential Mixed Use
- Commercial and Office Zones

- C-1 - Limited Commercial
- C-2 - General Commercial
- C-3 - Central Business District
- C-4 - Heavy Commercial
- EC - Employment Center
- HC - Highway Commercial
- OB - Office Building
- ORMU - Office/Residential Mixed Use

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ID	Name	ID	Name
1	1200-1300 "O" Street	23	Merchant Street
2	12th Street Commercial	24	Newton Booth
3	North 15th Street	25	Oak Park
4	20th and N Streets	26	Poverty Ridge
5	Alkali Flat Central	27	R Street
6	Alkali Flat North	28	Sacramento City College
7	Alkali Flat South	29	South Side
8	Boulevard Park	30	Station District
9	Historic City Cemetery	31	Washington
10	Historic City Cemetery	32	Washington





Report to
PRESERVATION COMMISSION
City of Sacramento
915 I Street, Sacramento, CA 95814-2671
www. CityofSacramento.org

5

July 19, 2017

Members of the Preservation Commission:

Subject: Follow-up Discussion of Adhoc Committee Recommendations to the Commission Concerning Infill Development Within Historic Districts

Location/Council District: Citywide

Recommendation: Review and offer comment. If the Commission deems it appropriate in may request staff to return with proposals incorporating the Adhoc Committee's recommendations for formal recommendation and action. If it is the wish of the Commission to make such a recommendation, pursuant to CEQA Guidelines Section 15262, the report, in this case, constitutes a feasibility or planning study for possible future actions which the Commission has not approved or adopted and is exempt from CEQA review.

Contact: Carson Anderson, Preservation Director (916) 808-8259

Discussion: Based upon feedback from the City's legal counsel and Planning staff, the Commission's adhoc committee on infill development within historic districts has provided a revised, updated version of the "Interim Principles for the Protection of Historic Districts with Respect to Infill Development Within the Central City" (attached). These supersede the version provided as part of the Commission's June 21st packet and that was referenced as part of the Chair's Power Point overview.

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Although there continue to be some concerns about specific principles under consideration (e.g., setback details, disallowing deviations during the interim period) there is substantial staff agreement and buy-in with the overwhelming majority of the principles and an understanding of the need for guidance until such time as historic district-specific historic preservation plans are crafted and in place.


CARSON ANDERSON
Preservation Director

INFILL DEVELOPMENT AD HOC COMMITTEE REPORT

July 19, 2017

To: Members of the Preservation Commission

Subject: Interim Principles for the Protection of Historic Districts and Landmarks
With Respect to Infill Development within the Central City

Council District: Downtown and Midtown Sacramento / City Council District 4

Recommendation: Adopt Ad Hoc Committee Recommendation

Contact: Infill Development Ad Hoc Committee of the Preservation Commission –
Jon Marshack (jon.marshack@att.net), Jacqueline Whitelam
(jackiewhitelam@gmail.com), and Chad Moffett (chad.moffett@meadhunt.com)

Background/Summary: The primary goal of the Downtown Specific Plan (DSP) is to pave the way for the addition of at least 10,000 Central City housing units in the next 10 years that reflect the character, history, and diversity of Sacramento. To do this, the DSP proposes to remove barriers to housing development by streamlining the development and environmental review process. As this is done, care must be taken if the 2035 General Plan vision of Sacramento being the most livable city in America—where neighborhoods are desirable places to live and where historic and cultural resources are protected—is to be achieved.

The Preservation Commission has found that recent trends in the size and scale of alley infill projects within historic districts (see **Attachment 1**) or on Landmark parcels diminish the integrity of these historic resources, detract from historic development patterns, and exacerbate the City’s affordable housing problem. It is apparent that the Preservation Commission needs to provide clear guidance to project proponents and City staff for appropriate site plan and design review of infill development in historic districts and on Landmark parcels.

Recommendation: The Infill Development Ad Hoc Committee (Ad Hoc Committee) recommends that the Preservation Commission adopt a motion recommending that the City:

- a. Expediently implement the following measures that would remain in effect until completion of (b) below –
 - 1. *Interim Principles for the Protection of Historic Districts and Landmarks With Respect to Infill Development within the Central City* (Interim Infill Principles) (**Attachment 2**);
 - 2. Clarification that the *Listed Structures Plan*, the *Preservation Area Plan*, and the *Central City Neighborhood Design Guidelines* do apply to development projects within historic districts and with respect to Landmark parcels (including **Attachment 3** amendments to the Central City Neighborhood Design Guidelines and **Attachment 4** amendments to Planning and Development Code Section 17.808.180);
- b. Complete and adopt Preservation Development Standards and individual Historic District Plans to provide long-term protection of historic and cultural resources; and

- c. Review the Planning and Development Code for consistency with preservation development standards.

In the Ad Hoc Committee’s view, these actions are necessary to protect Sacramento’s historic and cultural resources while facilitating infill development within historic districts and on Landmark parcels. These actions promote respectful stewardship of historic resources through preservation, rehabilitation, and maintenance while not precluding infill development necessary to meet the City’s present and future needs.

Changes Based on Comments Received: At the Preservation Commission’s June 21, 2017 meeting, the Ad Hoc Committee requested comments on the Interim Infill Principles along with the other above recommendations, with the objective of the Preservation Commission considering adoption of these recommendations at its July 19th meeting.

Public comments were received from the Boulevard Park Neighborhood Association, residents of the Boulevard Park, Capitol Mansions, Alkali Flat, Washington, and Marshall School neighborhoods, a Sacramento architect and developer, a realtor who specializes in Central City properties, and a former Chair of the Preservation Commission, all of whom were supportive of the general direction of the Ad Hoc Committee’s recommendations. A few adjustments to the Interim Infill Principles were suggested. Application of the Interim Infill Principles was recommended to extend to areas with historic resources that are not officially designated as historic districts or Landmarks. More than one commenter expressed concerns over current development trends exacerbating Sacramento’s affordable housing problem and threatening to adversely affect the integrity and value of historic districts and neighborhoods. The architect/developer warned that the size of some recently approved and proposed development projects threaten to repeat the infill development problems of the 1960s by creating out of scale structures that overwhelm their neighbors, diminishing property values and quality of life. In his experience, smaller infill units are still economically viable.

Commissioners Fuller, Abrahams, Valania, and Whitelam also provided comments and suggestions, including the need for outreach to other bodies that will be reviewing and potentially acting on the recommendations, concurrence with specific modifications to the Interim Infill Principles that had been suggested by various members of the public, extending protections to proposed historic districts, and cautioning that some of the Interim Infill Principles could force a particular style of development. The Ad Hoc Committee clarified that the Interim Infill Principles are intended to offer short-term protections for historic resources until such time as Historic District Plans and Preservation Development Standards were developed and adopted that would provide protections tailored to each historic district.

Based on comments received, the Ad Hoc Committee modified Interim Infill Principles 4, 10, 11, 14, and 21 (now Principle 20 involving alley activation) and deleted Principle 18 involving the size and scale of trim, eaves, windows, and doors. Principles 10 and 14 were changed from not allowing deviations to strongly discouraging deviations. Principle 21 retains alley activation emphasis while providing additional flexibility for the location of entrances to alley infill structures.



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Together, Principles 4 and 11 create an envelope within which alley infill structures would be constructed so as to ensure their subordinate nature to primary residences on Landmark parcels and within historic districts. **Attachment 5**, prepared by local architect and developer Ron Vrillakas, provides an illustration of infill development based on these two principles that would result in an economically viable project while respecting the traditional character of the historic district or Landmark parcel. Because the depth of primary residences on these parcels vary considerably, the formerly-proposed 40-foot separation from the rear of the primary residence to the new alley infill structure would not necessarily provide adequate separation from primary residences on adjacent parcels. What is now proposed is a maximum 40-foot distance from the alley property line within which the alley infill structure could be constructed. This provides for an infill structure that is more in keeping with alley oriented carriage houses, garages, and stable buildings that formerly occupied these positions on many Central City residential parcels while allowing a somewhat larger but still subordinate structure to be built.

Policy Considerations: The recommended actions are consistent with the 2035 General Plan, which recognizes that “cities with distinctly identifiable places and history are more livable for residents and more attractive to new businesses that sustain the economy.” The 2035 General Plan sets forth the following policies to protect the City’s historic and cultural resources:

HCR 2.1.3: Consultation. The City shall consult with appropriate organizations and individuals, and shall establish a public outreach policy to minimize potential impacts to historic and cultural resources.

HCR 2.1.4: Incentives and Enforcement. The City shall develop and support regulatory (e.g. appropriate development and zoning standards), technical, and financial incentives (e.g. City, State, Federal, and private grants, loans, easements, and tax credits) and enforcement programs to promote the maintenance, rehabilitation, preservation, and interpretation of the city’s historic and cultural resources.

HCR 2.1.6: Planning. The City shall take historical and cultural resources into consideration in the development of planning studies and documents.

HCR 2.1.10: Early Project Consultation. The City shall minimize potential impacts to historic and cultural resources by consulting with property owners, land developers, and the building industry early in the development review process.

HCR 2.1.11: Compatibility with Historic Context. The City shall review proposed new development, alterations, and rehabilitation/remodels for compatibility for the surrounding historic context. The City shall pay special attention to the scale, massing, and relationship of proposed new development to surrounding historic resources.

HCR 2.1.17: Preservation Project Review. The City shall review and evaluate proposed development projects to minimize impacts on identified historic and cultural resources, including projects on Landmark parcels and parcels within Historic Districts, based on applicable adopted criteria and standards.

From the adoption of the Preservation Ordinance in 1975 through to the adoption of the 2035 General Plan in 2015, the City has demonstrated a long-term and comprehensive commitment

to identifying, protecting and encouraging the preservation of Sacramento’s historic and cultural resources. It is pertinent to note that the City has sought to preserve both historic resources (individual Landmarks and contributing resources within historic districts) and the overall context in which these resources are located. Of the City’s 32 historic districts, all but three are with in the Central City and within the purview of the Downtown Specific Plan (**Attachment 1**).

Economic Impacts: The DSP goal of adding 10,000 housing units within 10 years includes 6,000 market rate units, 2,500 workforce-affordable units, and 1,500 rapid re-housing units for homeless individuals. The Preservation Commission has received an increasing number of projects for lot subdivision/alley infill residential development characterized by large, high-priced units that are not affordable to the workforce population. The continuing approval of such projects will exacerbate ever-increasing land values. This will make it harder and harder for affordable housing to be built in the Central City without significant public investment.

The Ad Hoc Committee recommends that the City consider ways to incentivize current Landmark and historic district property owners to develop accessory units on their properties as ‘affordable-by-design’ alternatives for workforce housing. Property owners are encouraged to complete infill development projects within historic districts or on a Landmark parcel that employ design and site planning principles that appropriately respect the historic character of the City. Pending the completion of Preservation Development Standards and individual Historic District Plans, the enactment of Interim Infill Principles would be a critical first step to incentivize current property owners within historic districts and Landmark parcels to promote economic development and, at the same time, compatibility with the historic context of the project.

Sustainability Considerations: Preservation of historic and cultural resources supports environmental sustainability by reducing the need for new construction materials. Incentivizing the construction of ‘affordable-by-design’ alternatives supports social sustainability.

Rationale for Recommendation: The recommended actions promote compatibility of infill projects with the historic context in which they are located and provide developers and property owners more predictability during the site plan and design review process. The Interim Infill Principles would provide specific considerations to be addressed by first conducting a contextual analysis and then adhering to governing principles that relate to spatial relationships; height, scale and massing; visual compatibility; and alley activation. Along with the *Secretary of the Interior’s Standards for Treatment of Historic Properties*, these Interim Infill Principles would govern in the absence of individual Historic District Plans and Preservation Development Standards to provide interim long-term protection of historic and cultural resources. The Interim Infill Principles would achieve key goals of retaining the historic character of the City within historic districts and on Landmark parcels by providing clarity for both developers and Central City property owners.

The Interim Infill Principles would facilitate infill development by providing clear direction on site plan and design that respects the ability of property owners to provide additional housing



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units while preserving, rehabilitating and maintaining historic character and providing greater opportunities for affordable housing. Historic preservation and infill development are not mutually exclusive.

Historic Preservation Standards – Rehabilitation Standards of the Secretary of the Interior’s Standards for Treatment of Historic Properties (Rehabilitation Standards) have been adopted as the City to and serve as the basic governing approach for preservation review of projects potentially affecting historic resources. However, the Rehabilitation Standards lack specificity with respect to the many details of site planning and design. In the absence of Preservation Development Standards and individual Historic District Plans for most historic districts, the Interim Infill Principles, along with other planning documents that address preservation (see below), would promote compliance with the Rehabilitation Standards for proposed infill development projects.

Summary Review of Other Planning Documents – Two additional historic preservation documents that have been adopted by the City of Sacramento are the *Listed Structures Plan (Residential and Non-Residential)* adopted in 1976, which includes guidelines for the rehabilitation, alteration and relocation of listed structures, and the *Preservation Area Plan* adopted in 1978, which includes design guidelines for new construction within Preservation Areas (now called Historic Districts). The *Listed Structures Plan* and the *Preservation Area Plan* remain operative because neither has been formally rescinded by the City; this interpretation is consistent with the findings of the Preservation Director and City Counsel.

The *Central City Neighborhood Design Guidelines*, adopted by the City in 1999, provide detailed guidance for site planning and design review of development projects within residential neighborhoods of the Central City. Many of the detailed principles and guidelines within this document are consistent with the Rehabilitation Standards and their application would enhance the compatibility of infill development with historic preservation standards. However, ambiguous language within the Administration section of this document has caused some to incorrectly believe that the *Guidelines* do not apply to protection of historic resources.

The *Central City Urban Design Guidelines*, which includes the *Central City Neighborhood Design Guidelines*, was adopted by the City in 2009. The *Central City Urban Design Guidelines* note that the *Listed Structures Plan* and the *Preservation Area Plan* were being updated and incorporated into Preservation Development Standards, which were then being written. With regard to the applicability of historic preservation standards and urban design guidelines, the *Central City Urban Design Guidelines* advises that when a proposed project involving historic properties includes some element where the historic standards are silent, that it along with the City Code govern that element; but that should there be a conflict between the historic standards and the *Central City Urban Design Guidelines*, that the historic standards govern.

The Preservation Development Standards noted in the *Central City Urban Design Guidelines* refer to a document which was developed by the City’s consultant from 2004 through 2007 through a series of public workshops with input from residents and property owners, architects and developers, a project Steering Committee composed of representatives from various organizations and districts, the City’s former Design Review & Preservation Board, Preservation

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Commission, and City staff. A public review draft entitled, *Residential and Neighborhood Commercial Preservation Development Standards for Rehabilitation, Adaptive Reuse, Infill and New Construction Projects involving Landmark Properties and Properties within Historic Districts* was released in November 2007 and presented to the City Council as an informational item in January 2008.

Included within Chapter 10 of this document were pilot Historic District Plans for Boulevard Park, Capitol Avenue, South Side, and Washington – with each containing a summary of the district's significant characteristics, specific district preservation and development goals, and specific district standards. The intent was for additional historic district plans to be developed and added as City resources allowed.¹ However, budgetary constraints and staff cutbacks made during the 2008 recession precluded the completion and adoption of either the Preservation Development Standards or individual Historic District Plans for most of the historic districts.

Planning and Development Code – In addition to Preservations Standards, the Planning and Development Code regulates the physical characteristics of buildings, structures, and site development. 2035 General Plan Policy HCR 2.1.11 states “the City will pay special attention to the scale, massing, and relationship of proposed new development to surrounding historic resources.” For example, the language in Planning and Development Code sections 17.208.420-440 (see **Attachment 6**) pertaining to height, floor area ratio, lot size, lot width, lot depth and setbacks in the R-3A zone should be reviewed for consistency with the 2035 General Plan.

In addition, Planning and Development Code Section 17.808.180 regarding “Site plan and design review—Decision and findings” left out reference to the following necessary findings for development projects within historic districts or involving a Landmark:

1. The design, layout, and physical characteristics of the proposed development are consistent with the general plan and any applicable specific plan or transit village plan; and
2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards or, if deviations from design guidelines or development standards are approved, the proposed development is consistent with the purpose and intent of the applicable design guidelines and development standards; and
3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards; and
4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the surrounding neighborhood; and

¹ Planning and Development Code 17.604.300 states that the Preservation Commission shall promulgate and recommend to the City Council for adoption a historic district plan for each preservation area and; that each such plan shall include a statement “to be utilized in determining the appropriateness of any development project involving a landmark, contributing resource or noncontributing resource within a historic district.”

5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged; and
6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance.

It appears that in adding required findings of consistency with the Secretary of the Interior’s Standards for projects in historic districts or involving a Landmark, reference to the above six findings was overlooked. It is standard practice for Community Development Department staff to review such projects for conformity with these benchmarks. Unless the project is to demolish a Landmark or contributing resource, such findings are necessary and consistent with standard practice. In addition, relocation of a Landmark or contributing resource should also be reviewed for conformity with the Secretary of the Interior’s Standards in order to provide protection for character-defining features.

Environmental Considerations: The Commission’s proposed action is exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15061(b)(3) as an action that will have no significant effect on the environment and alternatively exempt under section 15262 related to feasibility and planning studies. The Preservation Commission is being asked by the Ad Hoc Committee to recommend to the City it adopt various measures related to the development of historic resources. If approved by the Commission, staff will consider the feasibility of these measures and the City Code sets forth the procedures for their consideration and adoption. If these measures move forward, environmental review will be completed before their adoption. As required by law, the City retains the sole and independent discretion as the lead agency to consider the proposed recommendations and determine whether to proceed with their implementation.

Conclusions: Based on the considerations and rationale above, the Ad Hoc Committee recommends that the Preservation Commission adopt a motion recommending that the City:

- a. Expediently implement the following measures that would remain in effect until completion of (b) below –
 1. *Interim Principles for the Protection of Historic Districts and Landmarks With Respect to Infill Development within the Central City (Interim Infill Principles) (Attachment 2)*;
 2. Clarification that the *Listed Structures Plan*, the *Preservation Area Plan*, and the *Central City Neighborhood Design Guidelines* do apply to development projects within historic districts and with respect to Landmark parcels (including **Attachment 3** amendments to the Central City Neighborhood Design Guidelines and **Attachment 4** amendments to Planning and Development Code Section 17.808.180);

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- b. Complete and adopt Preservation Development Standards and individual Historic District Plans to provide long-term protection of historic and cultural resources; and
- c. Review the Planning and Development Code for consistency with preservation development standards.

By providing predictability to developers and homeowners, the enactment of these recommendations will provide both immediate and long-term protection for historic resources that will enhance, not impede, the infill housing development objectives of the Downtown Specific Plan.

Attachments:

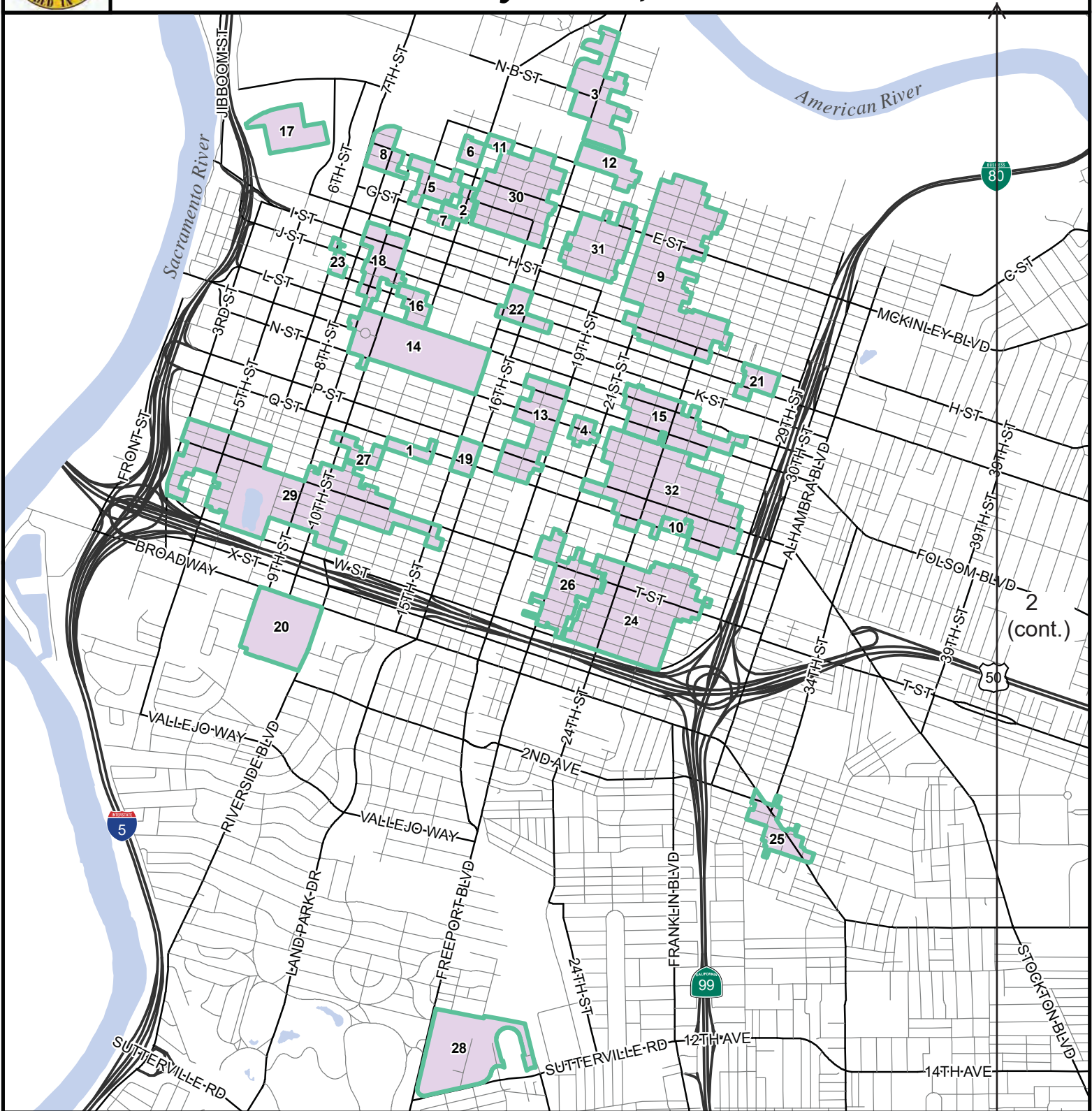
- Attachment 1 Historic District Map
- Attachment 2 Interim Principles for the Protection of Historic Districts and Landmarks With Respect to Infill Development within the Central City
- Attachment 3 Proposed amendments to the Central City Neighborhood Design Guidelines
- Attachment 4 Proposed amendments to Planning and Development Code Section 17.808.180, Site plan and design review—Decision and findings
- Attachment 5 Illustrations of Infill Development Based on Interim Principles 4 and 11
- Attachment 6 Planning and Development Code Sections 17.208.420-440

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City of Sacramento Historic Districts

July 29th, 2015



Legend

Adopted Historic Districts

0 1,500 3,000
Feet

Community Development Department | July 29, 2015
DSD_GIS\Projects\...Historic_Districts_Survey_Areas

ID	Name	ID	Name	ID	Name
1	1200-1300 "Q" Street	12	C Street Industrial	23	Merchant Street
2	12th Street Commercial	13	Capitol Avenue	24	Newton Booth
3	North 16th Street	14	Capitol	25	Oak Park
4	20th and N Streets	15	Capitol Mansions	26	Poverty Ridge
5	Alkali Flat Central	16	Cathedral Square	27	R Street
6	Alkali Flat North	17	Central Shops	28	Sacramento City College
7	Alkali Flat South	18	[Cesar Chavez Memorial] Plaza Park	29	South Side
8	Alkali Flat West	19	Fremont Park	30	Washington
9	Boulevard Park	20	Historic City Cemetery	31	Washington School
10	Bungalow Row	21	Marshall Park	32	Winn Park
11	C Street Commercial	22	Memorial Auditorium		

**Interim Principles for the Protection of Historic Districts and Landmarks
With Respect to Infill Development within the Central City
Pending adoption of Preservation Development Standards
and Historic District Plans**

PREAMBLE

The City of Sacramento’s overall preservation objectives are to identify, protect, and encourage preservation of Sacramento’s historic and cultural resources – which, once lost, can never be recovered. Sacramento protects and preserves important historic and cultural resources that serve as significant, visible reminders of the City’s social and architectural history. The City has established Historic districts where concentrations of historic buildings are located to preserve both the resources themselves and the overall historic context in which they are located. The City reviews new development, alterations, and rehabilitation/remodels in historic districts, on Landmark parcels and other potentially eligible historic resources for compatibility with the surrounding historic context.

The City’s Planning and Development Code Section 17.604.300 mandates the adoption of an individual Historic District Plan (Plan) for each preservation area and historic district. Each Plan is to contain a statement of the goals for review of development projects within the historic district, a representation of the historical development of land uses, existing land uses and any adopted plans for future land uses, and a statement of findings regarding the period of historic significance, predominant periods or styles of architecture found within the district, and describing the significant character-defining features of resources found therein (e.g., distinctive architectural characteristics, landscape features, methods of construction, and historical associations). These Plans are also to contain the standards and criteria to be utilized in determining the appropriateness of development projects within the historic district. To date, budgetary constraints and staffing shortfalls have prevented the development of Historic District Plans for most historic districts within the City of Sacramento.

The *Rehabilitation Standards of the Secretary of the Interior’s Standards for Treatment of Historic Properties* have been adopted by the City as its basic governing approach for the preservation of historic resources. However, the Rehabilitation Standards lack specificity with respect to the many details of site planning and design, especially in reference to new infill construction in historic districts and on Landmark parcels. Historic and cultural resources may include not only sites and structures, but also features such as infrastructure (e.g., streets, curbs, sidewalks, and alleys), signs, streetscape, landscaping and trees, open space areas, lighting, hardscape (e.g., walkways, paving), public spaces, spatial relationships and other aspects of the historic setting that are important to the overall context. Many of these features have yet to be documented in Sacramento. The Ad Hoc Committee recommends that the City adopt Historic District Plans for every historic district. These Plans, with their documented character-defining features of historic resources within the area and Preservation Development Standards, will simplify and clarify the application of the *Rehabilitation Standards* for individual projects.

The Preservation Commission’s goals are to encourage infill development while, at the same time, protect Sacramento’s historic and cultural heritage. The Preservation Commission values infill development within historic districts and on Landmark parcels because it helps to reduce sprawl and to better utilize existing infrastructure. At the same time, the Preservation Commission remains committed to respecting property owners who have preserved, rehabilitated, and maintained their historic properties.



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INTERIM INFILL DEVELOPMENT PRINCIPLES

To ensure protection for Sacramento's historic and cultural resources while at the same time encouraging infill development, the Preservation Commission hereby offers this set of principles to guide in site plan and design review for projects within historic districts and on Landmark parcels.¹ The intent of the principles is to insure that new construction be compatible with the historic district and Landmarks based on its historic context and respecting spatial relationships; height, scale and massing; and visual compatibility.

Pending the adoption of updated Preservation Development Standards and individual Historic District Plans, the following principles guide site plan and design review of infill development projects within historic districts and on Landmark parcels, along with applicable sections of the *Central City Neighborhood Design Guidelines* and the *Central City Urban Design Guidelines*. Where these principles conflict with the guidelines, these principles are intended to govern. In the case of any conflict between applicable preservation standards and these principles, preservation standards will govern. The Preservation Commission also encourages the application of these principles to parcels containing historic and cultural resources that, while not yet listed, are eligible to be listed in the National, California, and/or Sacramento registers.

Contextual Analysis

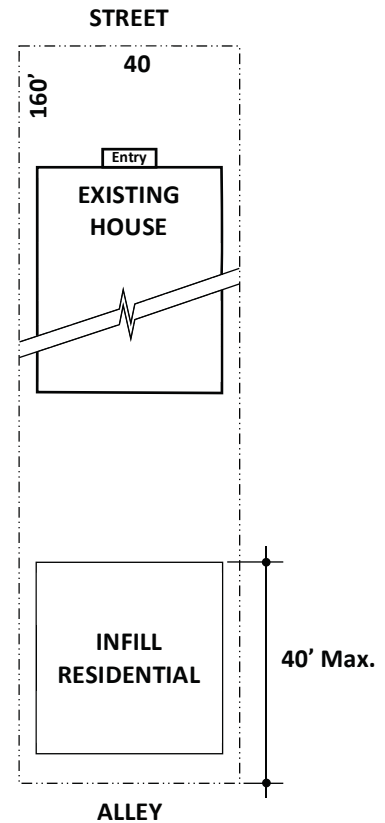
1. For site plan and design review of infill development within a historic district or on a Landmark parcel, the context of a project is the historic district or the Landmark itself, even if a project occurs at the edge (along the boundary) within the historic district or adjacent to a non-contributing resource.
2. The design of new structures must demonstrate an understanding of the historic context and the character-defining features within the district boundaries that comprise its historic character and from which it derives its historic significance. Project proponents are to rely on the better examples of historic resources that strongly contribute to the historic district or Landmark parcel, rather than non-contributors or inappropriately altered structures.
3. When character-defining features have not yet been adequately identified and documented or reassessed within the recent past for a historic district or a Landmark parcel, the project proponent will make a good-faith effort to conduct an analysis of massing, scale, form, height, materials, finishes, and spatial relationships within the vicinity of the project and the district as a whole with which to consider and apply the principles within this document as well as applicable preservation standards and design guidelines. Analysis may require research. For example, a review of Sanborn fire insurance maps will provide valuable information regarding historic lot coverage, heights, structural materials, and spatial relationships within the vicinity of the project in a Historic district.

¹ These principles were compiled by the Infill Development Ad Hoc Committee of the Preservation Commission after completing review of other planning documents including the *Preservation Area Plan*, the *Central City Urban Design Guidelines*, the *Central City Neighborhood Design Guidelines*, and the 2007 public review draft of the *Residential and Neighborhood Commercial Preservation Development Standards for Rehabilitation, Adaptive Reuse, Infill and New Construction Projects involving Landmark Properties and Properties within Historic Districts*.



Spatial Relationships

4. Locate any new alley infill residential or commercial structure entirely within the first forty (40) feet from the alley property line of an original 40-foot by 160-foot parcel, whether the parcel is kept whole or split, in order to respect the general historic spatial relationships between street-fronting houses and alley-oriented supportive and accessory buildings, such as carriage houses or stable buildings, and to respect the privacy of neighboring existing residences. See figure to the right.
5. New construction is not to block views of, or visually distract from, the primary (front) facade of a contributing resource or Landmark in order to respect the visual pattern and orientation in which buildings relate to the street.
6. Avoid views from new construction into adjacent residential structures and adjacent private open spaces by the limited use and strategic placement of windows, balconies and roof decks and/or by the use of methods to screen or block views (e.g., trees or other vegetation) in order to respect view sheds.
7. New structures will have front setbacks consistent with that of adjoining historic structures in order to respect the visual pattern and orientation in which buildings relate to the street.
8. Side setbacks are to be compatible with existing structures in the historic district to assure spaces between buildings that respect the visual pattern, rhythm and harmony of the streetscape.
9. Maintain the traditional character of a building’s site, including the progression of spaces on a residential property, such as landscaped front, side and rear yards. These site characteristics are important and must be respected when new construction occurs.
10. Deviations are strongly discouraged on lot coverage, minimum lot size, minimum lot width, or minimum lot depth for new construction within historic districts or on Landmark parcels. If allowed, deviations are to result in a project that is more compatible with the historic district or Landmark.



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Height, Scale and Massing

11. A new structure is to be supportive and accessory to the existing historic home present on the parcel, whether the parcel is kept whole or split. The plate height of such a new structure is not to be greater than twenty (20) feet, in order to respect the historic character of the historic district and/or Landmark.
12. Subdivide the mass of a larger building into smaller “modules” that are similar in size to historic structures in the district; other subordinate “modules” may be attached to the primary structure form on the rear or secondary facades in order to respect the historic character of the historic district and/or Landmark.
13. Reduce the massing of a new structure by stepping a larger structure down in height as it approaches lower adjacent historic structures in order to diminish the impact of a new structure on a smaller adjacent historic structure.

Interim Infill Development Principles

- 14. Deviations are strongly discouraged on height or floor area ratios for new construction within historic districts or on Landmark parcels. If allowed, deviations are to result in a project that is more compatible with the historic district or Landmark.

Visual Compatibility

- 15. New construction will use compatible massing, form, materials, finishes, orientation (placement on the parcel), rooflines, and styles with those of historic resources within the historic district or Landmark parcel. This will respect the character-defining features of the Landmarks and contributing resources within the historic district, contribute to a sense of visual continuity, and maintain historic character.

In areas where the existing design tends to be strongly vertical, delicate and narrow, new construction is expected to respect that style. On the other hand, in areas where the existing design tends to be bulky and solid, new construction is expected to respect this also. This will respect the architectural style and character-defining features of the Landmarks and contributing resources within the District, contribute to a sense of visual continuity, and maintain historic character.

- 16. Use simplified interpretations of architectural features that are common to those of better examples of historic resources within the district in order to maintain the historic character of the district without providing a false sense of history.
- 17. Maintain the alignment of horizontal elements along the block.
- 18. Use similar fenestration pattern, form and rhythm to those of better examples of historic structures within the historic district or Landmark parcel. Design windows and doors to be of a traditional size and placement and in a similar solid-to-void relationship as historic buildings.
- 19. Roof decks are not to be visible from the street as they are not part of the historic character.

Alley Activation

- 20. New structures built on alleys will enhance the general livability, visual quality and safety of the alley by orienting fenestration, balconies and lighting on the alley. Front entrances will face the alley, unless incompatible with use.



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Proposed Amendments to the Central City Neighborhood Design Guidelines

Amend Section 2. Administration, of the Central City Neighborhood Design Guidelines as follows:

A. Areas / Buildings Subject to These Guidelines

...

3. Historic Structures and Preservation Areas / Projects Subject to These Guidelines

For properties in the ~~City's Official Sacramento~~ Register of Historic ~~Structures and in Preservation Areas and Cultural Resources~~, the preservation standards shall govern. Preservation standards adopted by the ~~Design Review and Preservation Board Commission~~ include:

- The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings
- Listed Structures Plans (Residential and Non-Residential)
- Preservation Area Plan

For proposed projects or portions or elements of projects where ~~no~~ preservation standards apply ~~are silent~~, these Central City Neighborhood Design Guidelines shall apply.

The following ~~Preservation Areas Historic Districts~~ are within the boundaries of these neighborhood design guidelines: West Alkali Flat, North Alkali Flat, South Alkali Flat, C Street Commercial, Washington ~~District~~, Washington School, C Street Industrial, 12th Street Commercial, Boulevard Park, Memorial Auditorium, Marshall Park, Capitol Avenue, 20th and N, ~~M Street~~ Capitol Mansions, Winn Park, Bungalow Row, Fremont Park, 1200-1300 Q Street, R Street, Southside, Newton Booth, and Poverty Ridge. Figure 2.3 identifies the Central City ~~Preservation Areas Historic Districts~~ subject to these guidelines.

...

E. Areas/Buildings Not Subject to These Guidelines

These guidelines are not applicable to the Railyards, Richards and Central Business District Special Planning Districts (see Figure 2.2). Additionally, the following ~~Preservation Areas Historic Districts~~ are not located within the area of jurisdiction of these guidelines: [Cesar Chavez Memorial] Plaza Park, Merchant Street, Cathedral Square, Central Shops, and Capitol (see Figure 2.3). Also, projects on state owned sites within the Capitol Area Plan boundary are not subject to these guidelines.

For Projects located within a Special Planning District the following guidelines apply:

- Central Business District (applicable guidelines are Sacramento Urban Design Plan, Streetscape and Architectural Guidelines, and Capitol View Protection Ordinance)
- Railyards Special Planning District (applicable guidelines included in the Railyards Specific Plan)
- Richards Boulevard Special Planning District (applicable guidelines included in the Richards Boulevard Area Plan)

For Properties in ~~Preservation Areas Historic Districts~~, and individually listed structures on the ~~City's Official Sacramento~~ Register of Historic ~~Structures and Cultural Resources~~, the applicable guidelines preservation standards are:

- Listed Structures Plans and Preservation Area Plan

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Proposed Amendments to the Central City Neighborhood Design Guidelines

- The California Historical Building Code
- The Secretary of the Interior’s Standards for Rehabilitation of Historic Structures.

For proposed projects or portions or elements of projects, where ~~no~~ preservation standards ~~apply~~are silent, these Central City Neighborhood Design Guidelines shall apply.

For state office, residential and commercial projects located on state owned sites within the Capitol Area, the applicable guidelines are:

- The Capitol Area Plan (for residential and non-residential projects)
- The Capitol Park Neighborhood Design Plan (for public improvements, residential and commercial projects).



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Proposed Amendments to Planning and Development Code Section 17.880.180

Title 17 PLANNING AND DEVELOPMENT CODE
Division VIII ADMINISTRATIVE MATTERS
Chapter 17.808 PERMITS AND LEGISLATIVE CHANGE REQUESTS
Article I. Site Plan and Design Review

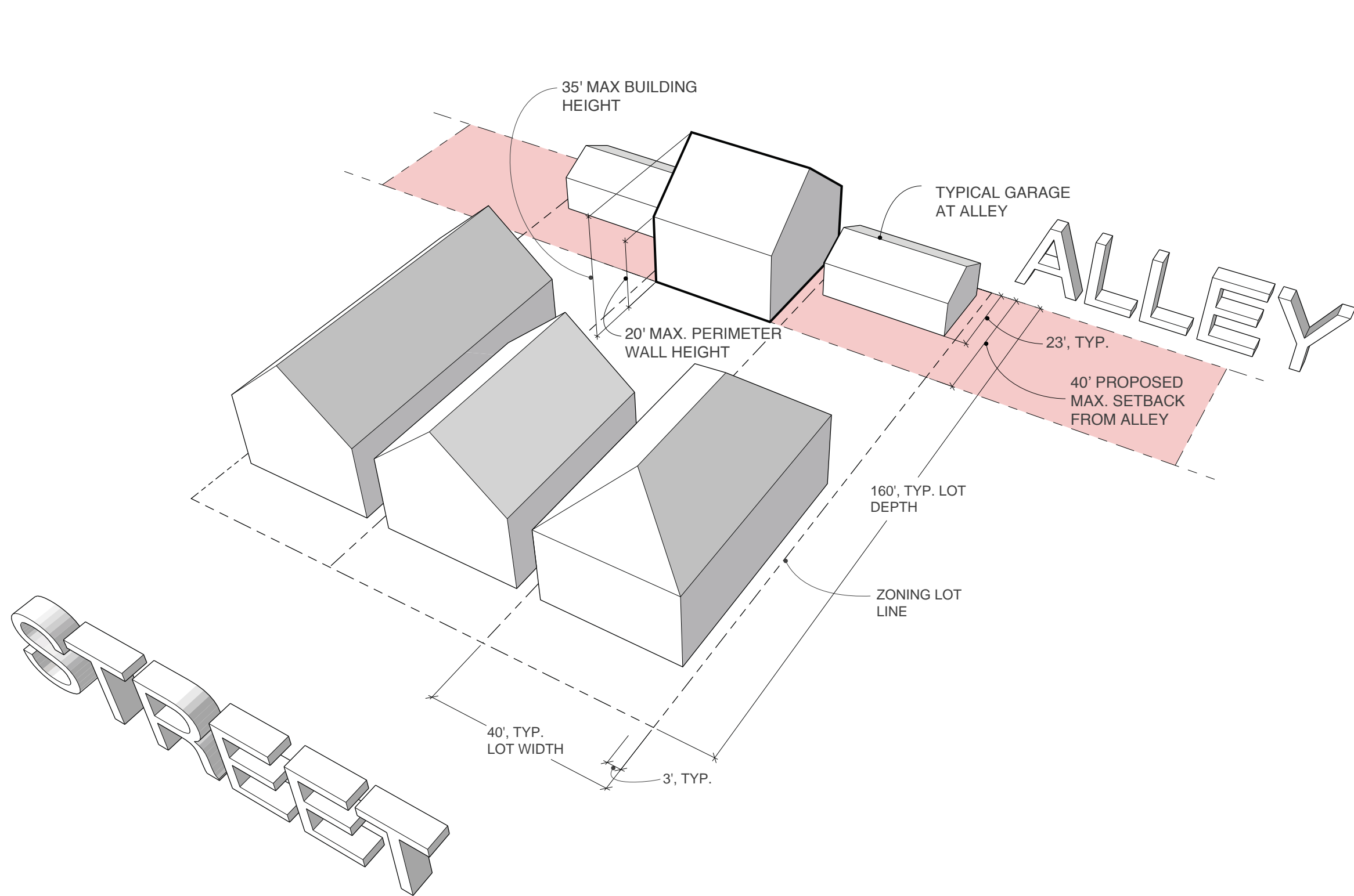
17.808.180 Site plan and design review—Decision and findings.

- A. Development projects located in a historic district or involving a landmark, including relocation. For projects located in a historic district or involving a landmark, including relocation, the decision-maker may approve an application for site plan and design review based on all of the following findings:
1. The design, layout, and physical characteristics of the proposed development are consistent with the general plan and any applicable specific plan or transit village plan; and
 2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards or, if deviations from design guidelines or development standards are approved, the proposed development is consistent with the purpose and intent of the applicable design guidelines and development standards; and
 3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards; and
 4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the surrounding neighborhood; and
 5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged; and
 6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance; and
- ~~1-7. Projects not involving the demolition or relocation of a landmark or contributing resource. For projects not involving the demolition or relocation of a landmark or contributing resource, the decision-maker may approve an application for site plan and design review based on the following findings~~Either:
- a. The project is consistent with the Secretary of Interior ~~standards~~Standards and the goals and policies of this chapter; or
 - b. The project is not fully consistent with the Secretary of Interior ~~standards~~Standards, due to economic hardship or economic infeasibility, but the project is generally consistent with, and supportive of, the goals and policies of this chapter. The applicant shall have the burden of proving economic hardship or economic infeasibility; or
 - c. The project is not fully consistent with the Secretary of Interior ~~standards~~Standards, but is consistent with and supportive of identified goals and policies of the general plan or applicable community or specific plan(s); and the project is either generally consistent with, and supportive of, the goals and policies of this chapter, or if not, the benefits of the project and furthering the identified goals and policies of the general plan or applicable community plan outweigh any impacts on achieving the goals and policies of this chapter.

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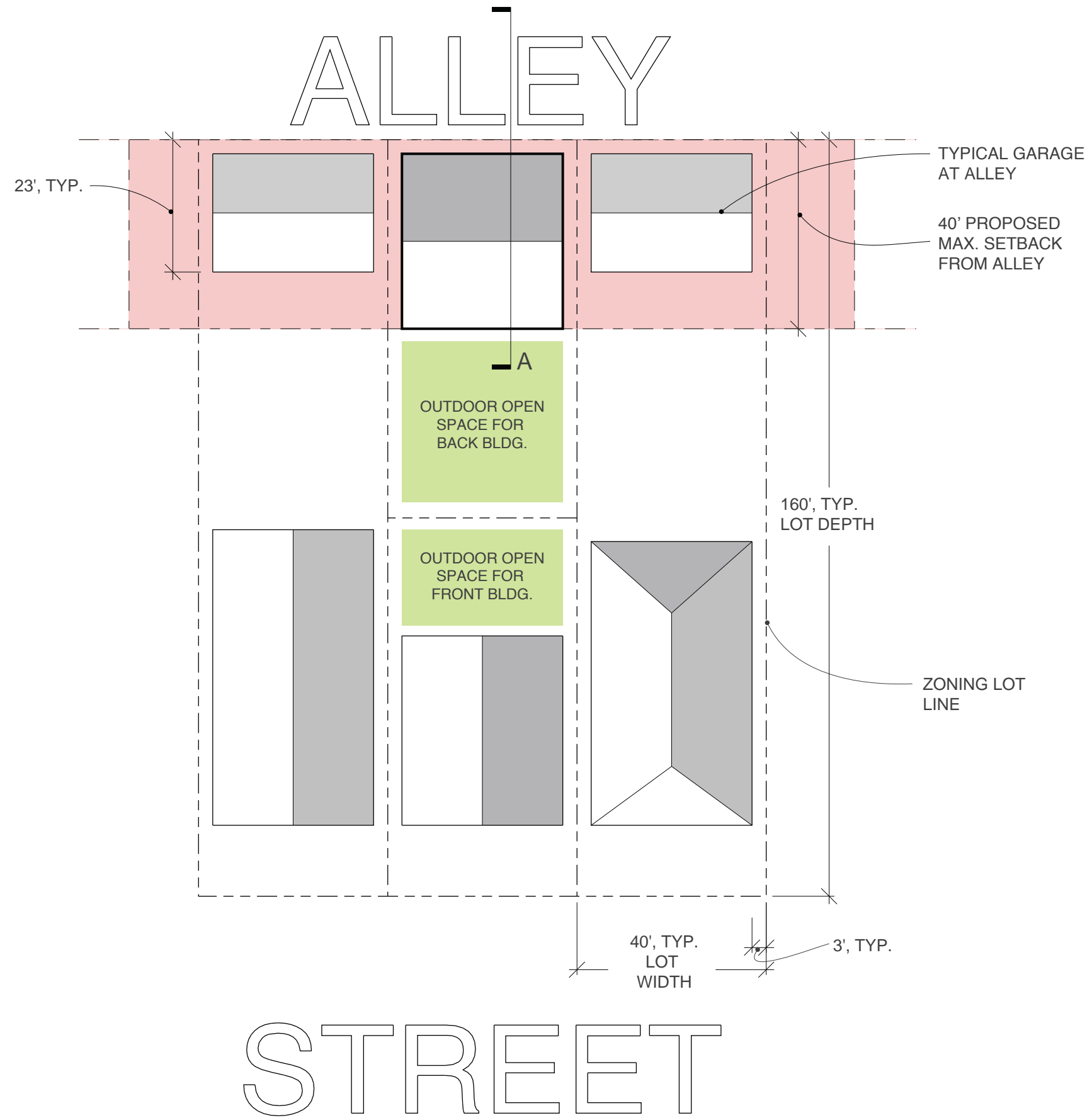
~~2.8. Projects involving demolition or relocation of a landmark or contributing resource.~~ For projects involving the demolition or relocation of a landmark or contributing resource, ~~the decision-maker may approve an application for site plan and design review based on the following findings~~ either:

- a. Based upon sufficient evidence, including evidence provided by the applicant, the property retains no reasonable economic use, taking into account the condition of the structure, its location, the current market value, the costs of rehabilitation to meet the requirements of the building code or other city, state, or federal law; or
 - b. That the demolition or relocation of the landmark or contributing resource is necessary to proceed with a project consistent with and supportive of identified goals and policies of the general plan or applicable community or specific plan(s), and the demolition or relocation of the building or structure will not have a significant effect on the achievement of the purposes of this chapter or the potential effect is outweighed by the benefits of the new project; or
 - c. In the case of an application for a permit to relocate, that the building may be moved without destroying its historic or architectural integrity and importance; or
 - d. That the demolition or relocation of the landmark or contributing resource is necessary to protect or to promote the health, safety or welfare of the citizens of the city, including the need to eliminate or avoid blight or nuisance, and the benefits of demolition or relocation outweigh the potential effect on the achievement of the goals and policies of this chapter.
- B. Development projects not located in a historic district and not involving a landmark. For projects not located in a historic district and not involving a landmark, the decision-maker may approve an application for site plan and design review based on all of the following findings:
1. The design, layout, and physical characteristics of the proposed development are consistent with the general plan and any applicable specific plan or transit village plan; and
 2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards or, if deviations from design guidelines or development standards are approved, the proposed development is consistent with the purpose and intent of the applicable design guidelines and development standards; and
 3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards; and
 4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the surrounding neighborhood; and
 5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged; and
 6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance.
- C. The decision-maker may impose conditions as the decision-maker determines to be necessary or appropriate in order to make the required findings for approval. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

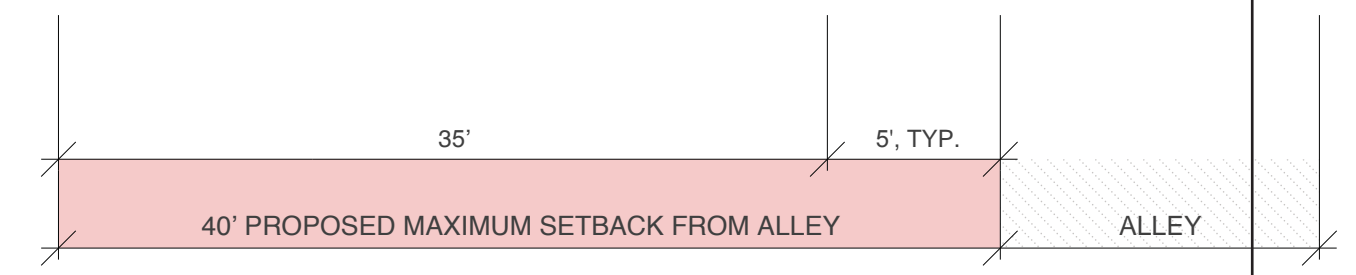
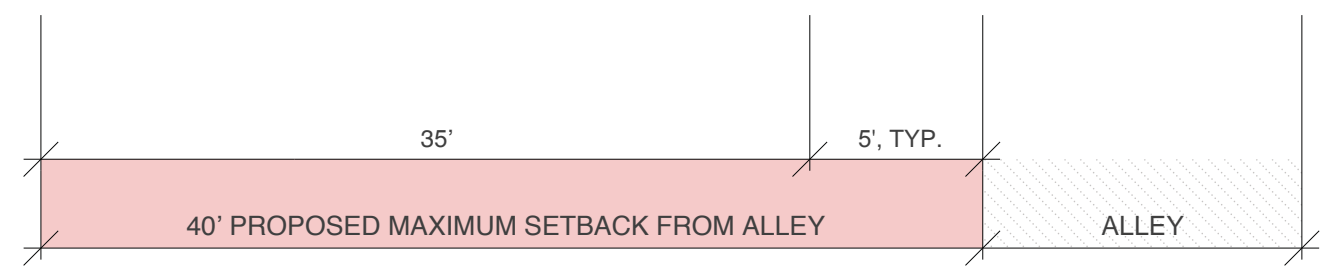
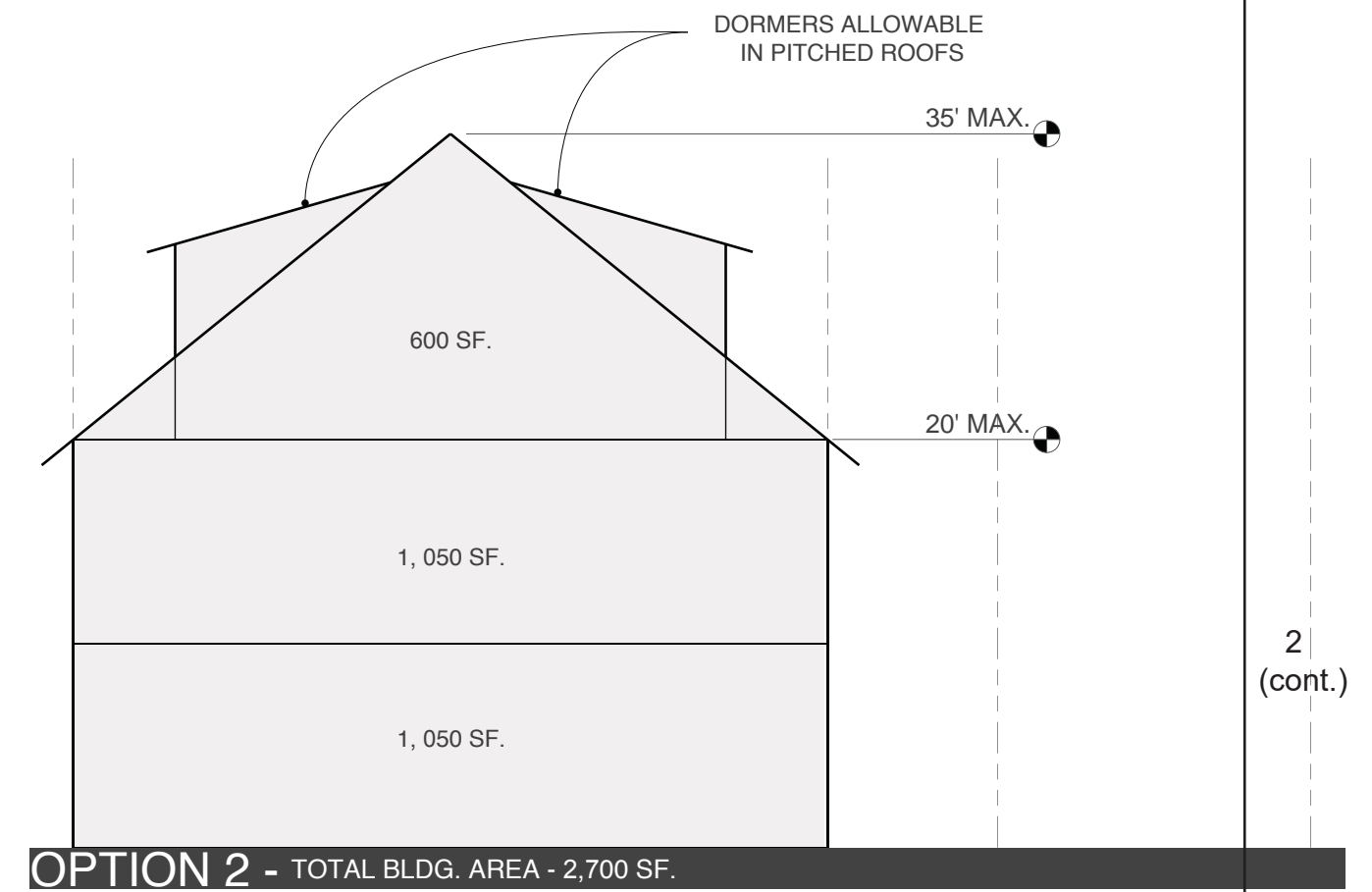
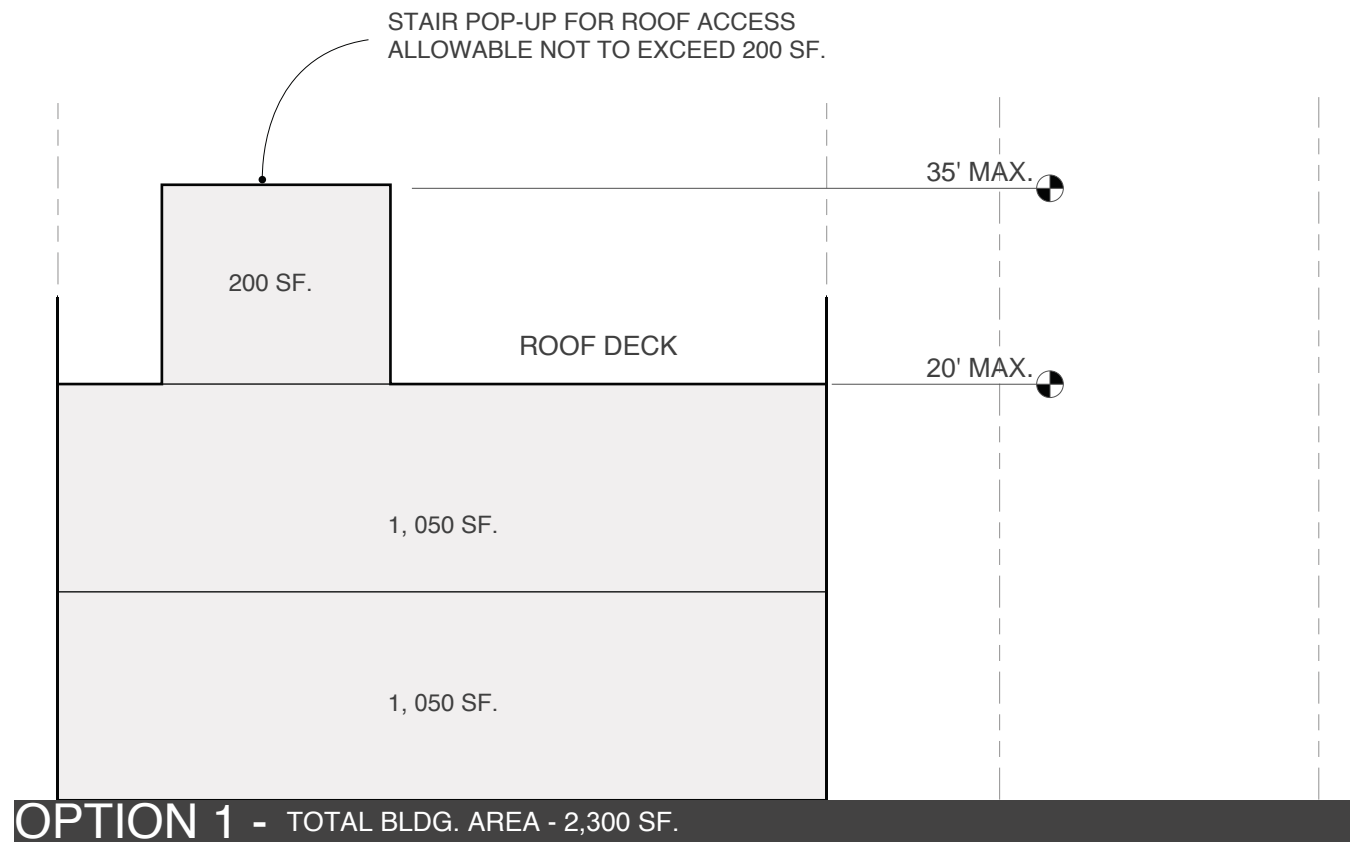


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ATTACHMENT 5



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A Portion of the City of Sacramento Planning and Development Code

Title 17 PLANNING AND DEVELOPMENT CODE

Division II ZONING DISTRICTS AND LAND USE REGULATIONS

Chapter 17.208 MULTI-UNIT DWELLINGS

Article IV. R-3A Zone—Multi-Unit Dwelling Zone

17.208.420 R-3A zone—Height, density, lot coverage, and floor area ratios.

- A. Height. The maximum height is 35 feet.
- B. Density. The maximum density is 36 dwelling units per net acre.
- C. Lot coverage. The maximum lot coverage is 60%.
- D. Floor area ratios. The minimum and maximum floor area ratios are established in the general plan. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

17.208.430 R-3A zone—Lot size, width, and depth.

- A. Lot size. The minimum lot size is 2,000 square feet.
- B. Lot width.
 - 1. Unless paragraph 2 or 3 of this subsection applies, the minimum lot width is 20 feet.
 - 2. If the lot abuts a lot in the R-1 zone, the minimum lot width is 25 feet.
 - 3. The minimum width of corner lots is 38 feet.
- C. Lot depth.
 - 1. The minimum lot depth is 80 feet.
 - 2. The maximum lot depth is 160 feet. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

17.208.440 R-3A zone—Setbacks.

- A. Front and street side-yard setbacks.
 - 1. The minimum front and street side-yard setback for single-unit and two-unit dwellings is 3 feet.
 - 2. The minimum front and street side-yard setback for multi-unit dwellings is five feet.
 - 3. The maximum front and street side-yard setback is 25 feet.
- B. Rear-yard setback.
 - 1. Unless paragraph 2 of this subsection applies, the minimum rear-yard setback is 15 feet.
 - 2. If the rear lot line abuts a public alley, the rear-yard setback is five feet.
- C. Interior side-yard setback.
 - 1. Unless paragraph 2 of this subsection applies, there is no minimum interior side-yard setback.
 - 2. If the interior side-yard lot line abuts a lot in the R-1 or R-1B zone or a lot containing a detached single-unit dwelling, the minimum interior side-yard setback is five feet.
- D. Levee setback. A minimum 20-foot setback from the landside toe of any flood control levee is required for development less than five acres in size. A minimum 50-foot setback is required from the landside toe of any flood control levee for development five acres or greater in size. No primary or accessory structures may encroach into the levee setback. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

CIRCULAR NO. 167-E

RAILROAD ABBREVIATIONS

Abbreviation	Name of Carrier	Abbreviation	Name of Carrier
ABL	Alameda Belt Line	NWP	Northwestern Pacific
ATSF C/L	Atchison, Topeka & Santa Fe Coast Line	OT	Oakland Terminal
BBR	Bamberger	P&SR	Petaluma & Sata Rosa
CCT	Central California Traction Co.	SN	Sacramento Northern
D&RGW	Denver & Rio Grande Western R. R. Co.	SP	Southern Pacific
FR	Feather River	SB	State Belt
GN	Great Northern	ST&E	Stockton Terminal & Eastern
HT	Howard Terminal	TS	Tidewater Southern
MR	McCloud River R.R. Co.	TV	Tooele Valley
M&ET	Modesto & Empire Traction	UP	Union Pacific
NN	Nevada Northern		

**EXPLANATION OF ABBREVIATIONS
(Except Railroads)**

ABBREVIATION	EXPLANATION	ABBREVIATION	EXPLANATION
ALUM	Aluminum	CONSOLIDTRS	Consolidaters
APPL	Appliance	CONT	Container
ARTS	Articles	CORP	Corporation
ASPH	Asphalt	CS	Cottonseed
ASSN	Association	DEHYDRAT	Dehydration or Dehydrating
AUTO	Automobile	DEL	Delivery
AVE	Avenue	DEPT	Department
BBL	Barrel or Barrels	DISTR	Distributor or Distributing
BEV	Beverage	DR	Door
BLDG	Building	ELEC	Electric or Electrical
CAL	California	ENG	Engines
CARLDG	Carloading	EQUIP	Equipment
CHEM	Chemicals	ETC	And so forth
CL	Carload	FBRBD	Fibreboard
CND	Canned	FD	Food
CO	Company		
COMP	Compound		
CONC	Concrete		

CIRCULAR NO. 167-E

EXPLANATION OF ABBREVIATIONS (Cont'd)
(Except Railroads)

ABBREVIATION	EXPLANATION	ABBREVIATION	EXPLANATION
FERT	Fertilizer	PET	Petroleum
FITTG	Fittings	PHP	Packing House
FLR	Flour		Products
FRT	Freight	PLT	Plant
FURN	Furniture	PLYWD	Plywood
FWD	Forwarding or Forwarder	PREP	Prepared or Preparations
GDS	Goods	PROD	Produce
GEN	General	PRODS	Products
GOVT	Government	PTG	Printing
HH	Household	PTS	Parts
HTG	Heating	RBR	Rubber
I	Iron	REFGR	Refrigerator
I&S	Iron & Steel	SO	South
IMP	Implements	SHT	Sheet
INC	Incorporated	ST	Street
JCT	Junction	STD	Standard
JT	Joint	STGE	Storage
LBR	Lumber	STK	Stock
LDG	Loading	STK YDS	Stock Yards
LIQ	Liquor	STL	Steel
LUB	Lubricating	SUPP	Supply
MACHY	Machinery	SYS	System
MAT'L	Material	TERM	Terminal
MDSE	Merchandise	TRF	Transfer
MFG	Manufacturing	TRAC	Tractor
MISC	Miscellaneous	U.S. YDS.	Union Stock Yards
MTL	Metal	UNLDG	Unloading
NO	Number	VEG	Vegetable
PAC	Pacific	VEH	Vehicles
PPR	Paper	WALLBD	Wallboard
		WHSE	Warehouse
		WKS	Works
		YD	Yard

CIRCULAR NO. 167-E

FACILITIES	STATIONS	LOCATION	TYPE
Cranes on Western Pacific	Marysville	2nd & E	5-ton hand
	Oakland	3rd St. between Jackson & Madison	25-ton traveling electric straddle gantry
	Oroville	Coach Track	20-ton electric gantry
	Reno	Between 4th & 5th & Evans & Valley	20-ton electric
	Sacramento	Seventh & R Sts.	25-ton electric
	Salt Lake City	5th West & 3rd South	30-ton traveling electric straddle gantry
	San Francisco	Between Brannan & Bryant near 9th	30-ton traveling electric straddle gantry
	Stockton	Lafayette Union	10-ton electric
	San Jose	Bush St. & The Alameda	30-ton traveling electric straddle gantry
Cranes on Sacramento Northern Ry.	Oroville	Mville. Rd. Spur	10-ton hand
Track Scales on Western Pacific RR	Kerlinger, Calif. Oakland, Calif. Oroville, Calif. Portola, Calif. Reno, Nev.	Sacramento, Calif. Salt Lake City, Utah San Francisco, Calif. San Jose, Calif. Stockton, Calif. Westwood, Calif.	
Track Scales on SN Ry.	Sacramento ^{West-Sacto} (Hagg Yard) Yuba City, Calif.		

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(cont.)

CIRCULAR NO. 167-E

CARLOAD SHIPMENTS OF PERISHABLE FREIGHT CAN
BE PROMPTLY AND PROPERLY HANDLED AND ICED
AT THE FOLLOWING POINTS ON THE WESTERN PACIFIC
RAILROAD

(Stations in station order going East)

REGULAR ICING STATIONS

Stockton
Sacramento (except shipments iced or reiced at
Stockton, and all westbound traffic)

Portola

Salt Lake

EMERGENCY ICING STATIONS

San Francisco
Oakland
Hayward
San Jose
Sacramento (Shipments iced or reiced at Stockton, also
all westbound traffic.)

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(cont.)

SACRAMENTO NORTHERN RAILWAY

Yuba City Emergency Icing Station

TIDEWATER SOUTHERN RAILWAY

Modesto

CIRCULAR NO. 167-E

LIST OF RAMPS AND PLATFORMS AVAILABLE FOR LOADING AND UNLOADING
CARLOAD FREIGHT AT STATIONS ON RAILS OF THE WESTERN PACIFIC
(INCLUDING JOINT WP-SP TRACK ALAZON TO WESO, NEVADA)
SACRAMENTO NORTHERN AND TIDEWATER SOUTHERN

SACRAMENTO NORTHERN
STATIONS

FACILITIES

Chico	Ramp, auto: side and end door unloading
Colusa	Ramp, auto: side and end door unloading
Concord	Platform, misc. freight: side door delivery
Lafayette	Platform, misc. freight: side door loading and unloading.
Marysville	Ramp, auto: side and end door unloading (Joint SN-WP)
Oakland	Platform, inclined, misc. freight: side loading and unloading.
Oroville	Ramp, auto: side door unloading
Pittsburg	Ramp, auto: end door delivery Platform; side door unloading
Sacramento	Ramp, auto: side and end door unloading.
Thermalito	Ramp, rock loading.
Walnut Creek	Ramp, auto: side door delivery.
Woodland	Ramp, auto: side door unloading.

CIRCULAR NO. 167-E

TEAM TRACKS LOCATED ON WESTERN PACIFIC RAILROAD (Cont'd)

Station	Location	Capacity
Sacramento	R St. between 4th & 6th Sts.	14 cars
	R St. between 6th & 7th Sts. (Platform)	3
	R St. between 6th & 7th Sts. (Under Crane)	3
	R St. between 12th & 13th Sts.	3
	R St. between 12th & 13th Sts. (Platform)	2
	R St. between 18th & 19th Sts.	6
	Shop Team Track	20
	Piggyback Ramps, Ft. of Perkins Way	6
Salt Lake City	We have two team tracks at Salt Lake in the joint WP-DRGW yards.	
	Wagon Track consisting of two parallel tracks running north and south just west of the old outbound freight house on 2nd South between 5th and 6th West Streets. Each track is approximately 500 feet long from clearance point to end or 11-car capacity each rail.	
	14th South Team Track is 350 feet long and has a capacity of 7 cars, located at 14th South and 2nd West Streets. Area is black-topped.	
San Francisco	9th & Brannan Sts. (Located between 8th & 9th, Bryant and Brannan.)	
	Team Track No. 1	11
	Team Track No. 2	12
	Team Track No. 3	12
	Team Track No. 4	11
	Team Track No. 5	2
	Team Track No. 6	2
	Team Track No. 7	4
	Team Track No. 8	4
	Team Track No. 9	7
	Commercial Track #1	12
	Third & Army Streets	3
	Napoleon St. Team Track	5
	Waterloo Team Track	2
	First & Brannan Sts.	
	Team Track No. 2	7
	Team Track No. 3	6
	Team Track No. 4	5
	Team Track No. 5	5
	Team Track No. 6	6
	Chestnut Street - Montgomery & Embarcadero	
	Team Track No. 1	2
Team Track No. 2	4	
Team Track No. 3	9	
Team Track No. 4	8	
Team Track No. 5	6	
Team Track No. 6	7	
Team Track No. 7	6	
Davis Street - Broadway & Davis	13	

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(cont.)

CIRCULAR NO. 167-E

TEAM TRACKS LOCATED ON SACRAMENTO NORTHERN RAILWAY

Station	Location	Capacity
Chico	Depot	5 cars
Chico Airfield		12
Colusa		16
Concord		8
Del Paso		8
East Gridley		10
Elverta		2
Encinal		26
Hebron		7
Lafayette		3
Live Oak		10
Live Oak		4
Lorraine		10
Lovdal		5
McAvoy		2
Marysville	Freight Yards 2nd & E Streets 6th St. & J St.	8 3
Moraga		6
Mulberry		6
North Sacramento	Bassetlaw Avenue	2
Oakland	40th & Shafter 26th & Union (Oakland Terminal)	3 6
Oroville Jct.		5
Oroville	Corner Robinson & Huntoon Sts. High & Huntoon Sts. Old Swayen Spur	3 2 10

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(cont.)

CIRCULAR NO. 167-E

TEAM TRACKS LOCATED ON SACRAMENTO NORTHERN RAILWAY (Cont'd)

Station	Location	Capacity
Paloro		20 cars
Pittsburg		1
Riego		9
Rio Oso		12
Sacramento	West Side of 2nd & M Sts.	6
	East Side of 2nd & M Sts.	4
	Front & X Sts.	2
	18th & C Sts.	3
Speedway		10
Sutter		6
Swanston		2
Vacaville		7
Walnut Creek		5
West Sacramento		2
Woodland	East Main Ramp End & Side Unloading	2
Yuba City	Reeves Avenue	20

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(cont.)

CIRCULAR NO. 167-E

- R -

Station	Name of Firm or Industry	Industry or Commodity Handled	On Tracks of	Capacity of Tracks in Cars
Reno (Cont'd)	Smith & Peterson	Rock & Sand	SP	4
	Stead Air Force Base (Martin)	Gasoline, Coal, Govt. Supplies		Team
	Standard Oil Company	Pet. Prods.	SP	4
	Sun-Blest Foods of Nevada	Groceries	WP	3
	Swift & Company	PHP	SP	1
	Texas Company	Pet. Prods.	SP	2
	Union Ice Company	Wood, Coal, Frozen Food Storage	SP	8
	Union Oil Company	Pet. Prods.	SP	2
	Universal Carloading Company (P. Upson)	Mdse.	SP	4
	University of Nevada	Fuel Oil, Coal	WP	2
	Upson, Pearl & Son	Warehouse	SP	3
	Vaughn Millwork Company	Lumber	WP	20
	Washoe Wood & Coal Yard	Wood, Coal	WP	5
	W. S. Watkins & Son	Lumber	SP	6
Westwarehouses	Warehouse	WP	4	
Yancey Company	Roofing	WP	1	
Rhodes	Cochran & Co.	Vegts.	WP	5
	Rhodes Whse. & Sply. Co.	Beans, Grain	WP	5
Rio Linda	Rio Linda Poultry Prods.	Grain, Feed	SN	6
	Rio Linda Lumber Co.	Lumber	SN	3
Russell Spur	Russell Land & Stock Co.	Livestock Supplies	WP-SP	1

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(cont.)

CIRCULAR NO. 167-E

SACRAMENTO (See West Sacramento)

NAME OF FIRM OR INDUSTRY	ADDRESS	INDUSTRY CR COMMODITY HANDLED	ON TRACKS OF	CAR CAP. OF TRACKS
Acme Fast Freight	1220 Front St.	Frt. Fwdrs.	SP	5
Acme Transfer & Storage	912 Fourth St.	Storage	SP	Team
Adeline's Junk Yard	1800 Sixth St.	Junk Storage	SP	1
Alling Iron Works	2415 Fifth St.	Steel	SP	Team
American Can Co. (Plant)	33rd & C St.	Cans, Tinplate	SP	50
Amer. Bldg. Material Co.	2701 Stockton	Bldg. Supply	CCT	3
Armour & Company	5th & R	Meat	SP	1
Applegate Drayage Co.	North 5th St.	Gen. Whsg.	SP	4
Arata Brothers (See Valley Whlsle. Grocers Co.)	20th & R Sts.	Groceries, etc.	SP	Team
Argonaut Liquor Co.	517 Eye	Liquors	SP	Team
Arrow Lumber Co.	4414 Franklin Blvd.	Lbr., Retail	SP	Team
Associated Metals Co. (Assoc. Iron & Metal)	200 Jibboom	Scrap	SP	6
Atkinson Bell Co.	801 57th	Lbr., Retail	SP	2
Beacon Distributing Co.	1401 Spear	Liquors	SP	4
Beamer Motor Co.	2900 Capital Ave.	Autos	SP	Team
Bekins Van & Storage Co.	1800 21st St.	Gen Storage	SP	3
Bell Distributing Co.	1527 N. C. St.	Beer	SP	4
Bennetts Produce Co.	2630 5th	Prod.	SP	2
Bercut-Richards Lumber Co.	7th & No. B	Lumber	SP	5
Bercut-Richards Pkg. Co.	7th & No. B	Cd. Gds.	SP	14
Berry's Foundry	No. C & Ahern	Coke	SP	Team
Bessey Produce Co.	2630 5th	Whsle. Prod.	SP	3
Blair Co., J. N.	1615 Thornton	Butcher Supp.	SP	5
Blake, Moffit & Towne	601 North 10th St.	Paper	SP	2
Borden's Capital Dairy	13th & S	Dairy Prod.	SP	Team
Boyd, E. A.	Alhambra & L	Autos	SP	Team
Bruener, John Co.	Indus. Park	Furn.	SP	2
Broili Parks Co.	2225 19th	Elec. Appl.	WP	2
Builders Supply Co.	24th & Sutterville	Building Supp.	WP	1
Burnett & Sons Mill	11th & C	Lumber	SP	4
Butter Cream Divn. of Interstate Bakeries	1009 28th St.	Flour	SP	Team
Burton Motors, Inc.	13th & I	Autos	SP	Team
Cain, T. E.	2416 Jay	Glass	SP	Team
Cal. Almond Growers Exch.	18th & C	Nuts	SN	7
Cal. Builders Supply	1905 19th St.	Lumber	WP	2
Cal. Mfg. Co., Inc.	1931 Front St.	Lumber	SP	Team
Cal. State Hiway Comm.	1805 34th St.	Machinery	SP	4
Cal. State Printing Plant	Indust. Park	Paper	SP	4
Cal. State Warehouse	11th & R St.	Paper	SP	3
Cal. Packing Corp. #11	17th & C St.	Canned Goods	SP	24
" #12	Front & P	Canned Goods	SP	16
" #15	19th & R Sts.	Canned Goods	WP	7
" #17	2401 Third St.	Canned Goods	SN	10
" Whse.	3rd & X Sts.	Lug	SP	2
Cal. Pine Box Distributors	3rd & Broadway	Box Matl.	SP	2

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(cont.)

CIRCULAR NO. 167-E

SACRAMENTO (See West Sacramento)
(Continued)

NAME OF FIRM OR INDUSTRY	ADDRESS	INDUSTRY OR COMMODITY HANDLED	ON TRACKS OF	CAR CAP. CF TRACKS
Cal. Spray Chemical Corp.	515 North 10th	Spray Mtl.	SP	
Cal. Zonolite Company	208 Jibboom	Insul.	SP	3
Cal-Hi Beverage Co.	1908 D St.	Beer-Wine	SN	2
Cameron Pontiac	1217 Del Paso Blv.	Autos		Team
Campbell Chain Co.	712 R St.	St. Chain	SP	1
Campbell Soup Co.	43rd & Franklin	Canned Goods	WP	30
Capital Chevrolet Co.	13th & K	Autos		Team
Capital City Planing Mill	1812 9th	Lumber	SP	1
Capital Lumber Co.	1831 37th	Lumber		Team
Capitol Plywood Co.	1929 X St.	Plywood	WP	3
Carlaw Bros.	10th & R	Monuments		Team
Carpenter, M. R.	907 Front St.	Plumbing	SP	1
Central Valley Tractor Co.	3028 Q St.	Farm Implts.		Team
Channel Bakers	1509 Alhambra	Bakery		Team
City Corporation Yard	34th R	Machy.	SP	6
City Filtration Plant	Amer. River Levee	Ore	SP	3
Clarke Wheeler Co.	1800 16th St.	Metal Furn.	SP	1
Cobbledick-Kibbe Glass Co.	19th & T	Glass	WP	2
Coffin Redington Co.	Indus. Park	Liquid Drugs	SP	2
Consolidated Prod. Co.	851 Richards	Feed	SP	2
Consumers Ice & Cold Stge.	(See National	Ice & Cold Storage)		
Continental Chem. Co.	North Sacto.	Clng. Cmpds.	WP	8
Continental Baking Co.	North Sacto.	Flour	SP	2
Continental Can Co.	7th & Nc. B	Cans	SP	6
Cowell Lime & Cement Co.	509 I St.	Cement	SP	2
Crane Company	1227 Front	Plbg.-Supp.	SP	2
Crystal Creamery	1013 D	Dairy Prod.		Team
Crystal Ice & Cold Storage	1812 17th	Storage	SP	2
Dallman Supply Co.	6th & Q	Plbg. Supp.		Team
Dalton Motors, Inc.	16th & K	Autos	SP	2
Del Paso Rock Prod. Co.	3490 Fair Oaks	Rock, Sand	SP	
Deterding Company, J. R.	1818 22nd	Plbg. Supp.		Team
Diamond Match Co.	2826 Q	Lumber	SP	4
Diamond T Trucks	410 No. 16th	Trucks		Team
Dolan Building Mtls. Co.	Alhambra & P	Bldg. Supp.		Team
Dorris Lumber & Bldg. Co.	Redding Ave.	Mouldings	SP	6
Eastern Co., The	1625 Thornton	Furn.	SP	2
Economy Lumber Supply	4891 24th St.	Rd. Lumber	WP	2
Ellis Co.	1923 Stockton Bl.	Mat'l		Team
Eres Sundries Sales	119 R St.	Mis., Sundries	WP	2
Essex Lumber Co.	Swarston Road (Fencilwood)	Lumber	SN	6
Farmers Bean & Grain Co.	1801 19th St.	Wire	SP	2
Feather River Spg. Water Co.	19th & R	Water		Team
Firestone Tire & Rubber	1811 12th	Tires		Team
Flood Equipment Co.	Alhambra & V	Tractors		Team

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(cont.)

THE WESTERN PACIFIC RAILROAD COMPANY

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SACRAMENTO (See West Sacramento)
(Continued)

NAME OF FIRM OR INDUSTRY	ADDRESS	INDUSTRY OR COMMODITY HANDLED	ON TRACKS OF	CAR CAP. OF TRACKS
Forsberg Brothers	1730 25th	Flooring		Team
Foster Co., The	1414 E St.	Beer & Wine		Team
Friend & Terry Lumber Co.	1920 Front	Lumber		Team
Fuller Co., W.P.	1015 R	Sash-Doors	WP	3
		Glass-Paint		
Fuller Lbr. & Supply Co. (Not within switching limits)	Polk	Lumber	CCT-SP	8
General Electric Supply	Thornton Ave.	Elec. Appl.	SP	2
General Mills (Sperry Div.)	1722 7th St.	Flour, Feed	WP	4
General Produce	16th & No. B	Produce	SP	2
Globe Transfer & Storage	Front & N	Stge.-Dray.	SP	2
Goodyear Tire & Rubber	1724 10th	Tires	WP	1
Golden State Co., Ltd.	214 19th St.	Dairy Prod.		Team
Graybar Electric Co.	1900 14th	Elec. Supply		Team
Grinnell Co. of the Pacific	615 7th	Plbg. Supp.		Team
Hale Bros.	9th & K	Misc.		Team
Half Moon Produce	2630 5th St.	Prod. Dist.	SP	1
Hamm Brewing Co.	2630 5th St.	Beer	SP	2
Harelson Feed Co.	6300 Folsom Blvd.	Feed-Grain	SP	2
Harrold, Ellsworth Co.	22nd & Broadway	Autos, Pts.		Team
Hart, F. B.	470 No. 16th	Trucks		Team
Heick & Moran	2114 20th	Plbg. Supp.	WP	3
Henderson Bros.	1501 Kay	Oil, Auto Pts.		Team
Herron Co., A. W.	215 12th	Office Equip.	SP	2
Hires Bottling Co.	1801 21st	Root Beer	SP	1
Hoffman Sales Divn.	1115 R St.	TV Sets	WP	1
Hokanson Bldg. Block (Not within switching limits)	Power Inn Rd. (Polk)	Pumice Brick	CCT	3
Home Bakers, Inc.	3226 Mtgomery Way	Flour		Team
Horrell & Son Htg. & Plbg.	2950 1st Ave.	Fuel		Team
Indep. Paper Stock Co.	1916 20th	Paper	WP	4
Industrial Tractor Sales	No. Sacto	Equip	WP	2
Inland Oil Co.	1450 Sproule	Pet. Prod.	SP	1
International Fwdg. Co.	2nd & R Sts.	Frts. Fwd.	WP	4
International Truck Co.	550 N. 16th	Trucks		Team
Jacobs, J. J.	1500 K	Autos		Team
Jewel Tea Co.	1926 W St.	Groceries	WP	1
John Drew Motors	15th & Broadway	Autos		Team
Johnson, S. T.	Front & R	Fuel, Oil	SP	1
Jones & Dart Music Co.	1018 J	Pianos		Team
Juillard Liquor Co.	404 20th St.	Liquor	WP	1
Keating, J. P. Co.	1609 E	Liquor		Team
Kraft Foods Co.	North Sacto.	Cheese & Pre- pared Foods	SN	3

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(cont.)

THE WESTERN PACIFIC RAILROAD COMPANY

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SACRAMENTO (See West Sacramento)
(Continued)

NAME OF FIRM OR INDUSTRY	ADDRESS	INDUSTRY OR COMMODITY HANDLED	ON TRACKS OF	CAR CAP. OF TRACKS
Kress, S. H. Co.	818 K	Notions		Team
Lagomarsino & Sons, F.	Alhambra Blvd. & L	Seeds, Nursery	SP	Hopfen Team
Lancaster Wholesale Grocery Co.	Front & V Sts.	Groc. Whsle.	SN	8
Lawrence Warehouse	1930 Jay	Stge. Dist.	WP	6
Learner Co.	130 No. 12th	Scrap Iron	SP	4
Lennox Furnace Co.	1510 McCormick	Furn.	SP	4
Levy, A. & Zentner, J.	16th & No. B	Prod.	SP	6
Libby, McNeill & Libby	Alhambra & Stocktn.	Cd. Goods	SN-SP	30
Lockett Van & Storage Co.	911 20th St.	Various		Team
Lundstrom Motors	1631 Kay	Autos		Team
Lyon Van & Stge. Co.	1512 N St.	Various		Team
McClatchy Newspapers (Sacto. Bee)	1717 21st	Paper Strg.	SP	3
McGillivray Const. Co.	65th & Folsom	Contr.	SP	6
McKesson & Robbins, Inc.	Indust. Park	Liq. Drugs	SP	2
McKuen Moulding Co.	2810 5th	Planing Mill	SP	2
Maderite Sausage Co.	3353 2nd Ave.	PHP		Team
Markwart, H. S.	4701 24th St. Rd.	Gen. Contr.		Team
Merchants Express Corp.	216 15th St.	Various	SP	8
Merchants Shippers Assn.	3rd & R St.	Frnt. Fwdg.	WP	4
Meredith Fish Co.	2640 5th	Fish	SP	1
Meyberg Co., Leon	1730 8th St.	Appliances	WP	2
Mitchell Bros.	124 Jay	Olive Oil		Team
Montgomery Ward Co.	9th & K	Mdse.	SP	2
Murphy Meat Co.	1809 23rd	Meat		Team
Muzio Baking Co.	1708 34th St.	Flour		Team
Nat'l. Biscuit Co.	1802 9th	Crackers	SP	2
Nat'l. Carloading Corp.	1316 2nd	Mdse.	SN	3
Nat'l. Ice & Cold Stge.	9th & C	Storage	SP	12
(Consumers Ice & Cold Stge. Plant 30)				
Nat'l. Ice & Cold Stge.	2338 9th Ave.	Storage	WP	8
(Plant 31 (B))				
Nat'l. Ice & Cold Stge.	So. Sacto	Pkg. House	WP	4
(Frnt. & Veg. Pkg. Plant)				
National Steel & Equip. Co.	Ben Ali	Steel Equip.		Team
Newbert Implt Co.	1700 Jay	Implts		Team
Norbest Turkey Grwrs. Assn.	831 D	Poultry	SP	1
Norco Distributing Co.	1800 24 St.	Bldg. Matl.	SP	1
Northeast Flour Co.	20th & F	Flour	WP	4
Oak Park Lumber Co.	3526 5th Ave. (Fairgrounds)	Lumber		Team
Orchard Supply Co.	1731 17th	Farm Supp.	SP	1
Pac. Cartage & Stge. Co.	20th & E	Various	WP	4
Pacific Coast Aggregates	16th & A	Bldg. Matl.	SP	2
Pacific & Atlantic Shippers	1717 4th St.	Mdse.	WP	4

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(cont.)

THE WESTERN PACIFIC RAILROAD COMPANY

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CIRCULAR NO. 167-E

SACRAMENTO (See West Sacramento)

NAME OF FIRM OR INDUSTRY	ADDRESS	INDUSTRY OR COMMODITY HANDLED	ON TRACKS OF	CAR CAP. OF TRACKS
Pacific Flooring Supply, Inc.	1517 N. C St.	Flooring	SP	1
Pacific Fur & Wool	1031 Front	Wool	SP	1
Pacific Gas & Electric	Front & T	Gas Plant	SP	6
"	59th & R	Poles, Pipe	SP	10
Palm Iron Works	15th & S	Steel	WP	2
			SP	2
Panama Pottery Co.	4421 24th St. Rd.	Clay		Team
Perkins Grain & Milling	14th & R	Feed	SP	3
Perkins Gravel Co.	1846 37th	Paving Matl.	SP	1
Pillsbury Mills, Inc.	12th & C	Grain	SP	6
Pioneer Steel & Supply Co.	No. Sacto	Iron & Steel	SP	1
(Not in switching limits)				
Pittsburgh-Des Moines Steel	Indust. Park	Steel	SP	2
Poultry Producers of Cent. Cal.	430 Broadway	Eggs-Feed	SP	4
Powell, J. Mat'ls. Co.	26th & R	Plaster	SP	3
Powell, Robt. Products	17th & D	Plaster		Team
Pureta Sausage Co.	324 Alhambra	PHP		Team
Quaker State Oil Refining Co.	Swanson, Calif.	Lube Oil	SN	1
Rainbow Liquor Co., Inc.	702 R St.	Liquors	SP	2
Ransome Co.	916 N. B	Gas	SP	1
Republic C/L & Dist. Co.	2nd & M St.	Frt. Fwdrs.	SN	3
Richfield Oil Co.	Baths, Calif.	Pet. Prod.	SP	3
(Not within switching limits)				
River Lines	Front & Capitol	Riv. Trans.	WP-SN-SP	2
Rohrer Bros.	16th & N. B	Frt. & Veg.	SP	2
Rose Orchard	Mikon	Gr. Fruit	SP	8
(Not within switching limits)				
Russill Co., J. L.	16th & No. B	Vegs.	SP	1
Sacramento Bag Co.	810 2nd	Burlap		Team
" Bee	1717 21st	Newsprint	SP	3
" Box Co.	64th & R	Lbr.	SP	15
" Cartage Co.	2nd & M	Drayage	SN	3
" Casket Co.	2318 5th	Lumber		Team
" Frosted Foods	9th & D, c/o			
	Natl. Ice	Froz. Fds.	WP	8
" Junk & Mchy.	2720 R	Junk		Team
" Mun. Utility Dist.	59th & R	Mtl. Yd.	SP	2
" Pipe Works	16th & No. B	Pipe	SP	2
" Pumice, Brick & Tile	2731 Stockton Blv.	Pumice	CCT	1
" Reduction Works	Riverside Blvd.	Tallow		Team
(Not within switching limits) Baths				
" Stucco Prods.	27th & R	Bldg. Sply.	SP	3
" Union	1910 Capitol	Newsprint		Team
" Valley Tractor Co.	1901 Broadway	Machy.	WP	3
Safeway Produce Co.	3rd & Q	Produce	WP	4
Schwimley Motors Inc.	1510 J	Autos		Team

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(cont.)

THE WESTERN PACIFIC RAILROAD COMPANY

Original Page No. 85

CIRCULAR NO. 167-E

SACRAMENTO (See West Sacramento)

NAME OF FIRM OR INDUSTRY	ADDRESS	INDUSTRY OR COMMODITY HANDLED	CN TRACKS OF	CAR CAP. CF TRACKS
Schorr, Co., B. K. (Not in switching limits)	Mikon	Gr. Fruit	SP	8
Sears Roebuck Co.	Indust. Park	Various	SP	4
Senf Drayage Co.	1208 Q	Draying		Team
Setzer Forest Prods.	2570 3rd	Shook Lbr.	SP	20
Sheldon Oil Co.	1515 65th	Asph. & Rd. Oil	SP	5
Sierra Mill & Lbr. Co.	3rd & V	Lumber	SN	1
Slakey Bros. Inc.	1400 N. C St.	Plg. Gds.	SP	2
Smith Co., F. F.	922 12th	Feed	SP	2
"	221 N. 16th	Seed	SP	4
Sperry Flour Co. (See Gen. Mills)	7th & R	Flour	WP	4
Standard Oil Co.	Front & X	Pet. Prods.	SP	3
"	34th & R	Pet. Prods.	SP	1
Star Roof Co. of Sacramento	1923 Stockton Bl.	Roofing		Team
State Fair Grounds	Fairgrounds, Cal.	State Fair	CCT	80
Steiner Lumber Co.	Fairgrounds	Lumber	CCT	10
Sterling Brands	5001 24th St.	Beer	WP	2
Stor-Dor Fwd.	3rd & R	Mdse.	WP	4
Sunland Industries	204 Jibboom	Fertilizer	SP	2
Sunland Refining Corp.	430 N. 16th	Pet. Prods.	SP	1
Sunshine Biscuits Inc.	No. Sacto	Bakery	SN	1
Superior Packing Co.	Peethill	Livestock	SN	3
Superior Packing Co.	Washington	Livestock	SP	1
Superior Sales Co.	1725 19th St.	Appliances	WP	2
Swift & Co.	806 6th	Meat	SP	2
Tay Holbrook Inc.	1801 22nd	Plg. Suppl.	SP	2
Teichert & Son, A. Inc.	1846 37th	Contr.	SP	5
"	61st & R	Contr.	SP	5
Thomson-Diggs Co.	1801 2nd	Hardware	SP	6
Tiedemann & McMorrان	22nd & Q	Groc.	SP	3
Tidewater Assoc. Oil	324 W. Broadway	Pet. Prods.	WP-SP	1
Thys Company (Not within switching limits)	Brighton, Cal.	Iron & Steel Prod.	SP	2
Triangle Produce Co.	2630 5th	Produce	SP	3
Union Iron Works	1415 Front St.	Steel	SP	2
Union Wire Rope Corp.	No. Sacto*	Wire Rope	WP	5
Union Oil Co.	Commercial & Bdwy.	Pet Prods.	SP	7
United Grocers, Ltd. (United-Bert McDowell Co.)	Indust. Park	Groceries	SP	8
U. S. Signal Depot (Not within switching limits)	Polk	Signal Mtl.	CCT-SP	20
Universal C/L & Dist. Co.		Frt. Fwdrs.	WP	4
Valley Electric Co.	18th & S	Elec. Mtl.		Team
Valley Paper Co., Inc.	10th & No. B.	Paper		Team
Valley Wholesale Groc.	20th & R	Groc.	WP	5
"	20th & R	Groc.		Team
Vogel Chevrolet Co.	1616 I	Autos		Team

* In switching limits of Sacramento

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(cont.)

THE WESTERN PACIFIC RAILROAD COMPANY

Original Page No. 86

CIRCULAR NO. 167-E

SACRAMENTO (See West Sacramento)

NAME OF FIRM OR INDUSTRY	ADDRESS	INDUSTRY OR COMMODITY HANDLED	ON TRACKS OF	CAR CAP. OF TRACKS
Volker & Co., Wm.	Indus. Park	Furn.	SP	1
Warren-Vivaldi Pontiac	16th & J	Autos		Team
Weaver Tractor Co.	19th & T	Tractors	WP	3
Western Freight Handlers	1717 4th St.	Mdse.	WP	6
Western Machinery Co.	721 N. B	Mining Mchy.	SP	2
Western Potato Distr., Inc.	1718 5th	Produce	WP	10
Western Van & Storage	108 Kay	Various	SP	3
Westinghouse Elec. Supply Co.	1730 14th	Elec. Appl.	WP	2
Woodruff, F. H. & Sons, Inc.	1331 C	Seed	SP	2
Zellerbach Paper Co.	1100 Richards Bl.	Paper	SP	12

CHAPTER 9
CULTURAL RESOURCES

CHAPTER 9 HISTORIC AND CULTURAL RESOURCES

9.0 Introduction

This chapter presents a very brief overview and description of cultural and historic resources within the R Street Implementation Area. The assessment is based on existing literature reviews and previous work. Research was conducted at the California State Library, California History Room and Government Publications sections, the Sacramento Room at the Sacramento City Central Library, Sacramento Archives and Museum Collection Center, Sacramento City Development Services Department, CADA, and on-line resources available through SAMCC, CADA and the City of Sacramento. Information gathered for the Central City Two Way conversion Study EIR, Capital Area Plan EIR, and the R Street Urban Design Plan technical studies were also examined. Field visits were conducted to identify additional historic buildings not included on current City listings, trace railroad-related features on R Street and examine the existing streetscape.

9.1 Environmental Setting

The Project Area is located within the City of Sacramento, the largest city in California’s Central Valley. The valley lies between the Sierra Nevada Mountains on the east and the North Coast Range on the west. Sacramento is situated on alluvial valley land south of the American River and east of the Sacramento River. Elevation ranges from about five feet above mean sea level along the Sacramento and American river banks to about 35 feet in the highest downtown areas. The average elevation is perhaps 15 to 20 feet above sea level.

The Project Area has always been subject to intermittent flooding. The Federal government declared the rural areas as “Swamp and Overflow” lands as early as 1853. Until reclamation occurred in the 1880s about 90 percent of the land surrounding the City of Sacramento was unusable because of swampy conditions and lack of drainage. The physical environment has been significantly altered by over 150 years of development, agriculture and use. While once the area was flat, treeless and subjected to seasonal flooding, today a system of levees, pumps and siphons has allowed for reclamation and urbanization to occur.

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9.1.1 Prehistory and Ethnography

California's prehistory has potentially as great a temporal depth as any comparable region in the Americas. At present, archaeologists have no firm information about the earliest human inhabitants of the state. The information that is available, such as the discovery of human remains on the Channel Islands, indicates that humans have been living in the state for more than 13,000 calendar years. Because of the active and changing geological and environmental conditions in the state, such truly ancient finds are extremely rare and their discovery locations cannot be predicted. Within the Great Valley, including the Sacramento region, truly ancient finds are likely to be deeply buried.

In the Sacramento Region, the first systematic study of the state's prehistoric past was undertaken by the Sacramento Junior College (SJC) in the 1920s and 1930s. SJC archaeologists were able to document a consistent picture of the regional archaeological record that extended between four and five-thousand years into the past. Beyond that time, accumulating sediment from the rivers and streams and the influence of rising sea levels have buried much of the archaeological remains that may have been present in the region. For example, artifacts thought to range in age from 7,500 to 8,000 years were recently discovered during archaeological work in downtown Sacramento at depths of 11 to 21 feet below the surface.

The late prehistoric sites in the Sacramento Region are much better known, and to a degree better studied and understood than the more remote past. However, much more is still in great need of study. One example lies in the various kinds of sites and camps that are present in the region. While large villages and tribal centers are well known and have been the focus of intense study throughout the twentieth century, smaller sites are far less studied. The reasons for their existence are poorly understood and archaeological data that could explain this are infrequently acquired. While the locations of the late prehistoric and ethnographic villages are well known, little study has been conducted on the locations of such smaller sites.

9.1.2 Ethnography

The Native Americans who occupied the project vicinity at the time of Euroamerican contact (ca. 1830s) are known as the Nisenan. They are also referred to as the Southern Maidu in some ethnographies. Ethnographers generally agree that the territory occupied by Nisenan speaking people included the drainages of the Bear, American, Yuba, and southern Feather rivers. Their permanent settlements were located to avoid flooding on terraces and ridges, and in the Sacramento Valley on mounds and natural levees along stream courses.

Their villages in the Sacramento Valley were distinguished by locations on mounds or natural levees and were composed of numbers of circular houses excavated partially into the earth and roofed with timber, mats and a covering of earth. Several tribal centers are known from the Sacramento vicinity including *Sama*, *Pusune (Nisipowenan)*, and *Kadema*. Recently a Nisenan



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site reported historically as *Sa'cum*, but unmentioned in ethnographies was indentified in downtown Sacramento near City Hall. Populations are not very well documented, however ethnographic estimates suggest from 20 to over 100 persons may have occupied the permanent villages of the valley.

The Nisenan territorial integrity came under attack with the arrival of John Sutter in 1839. Encountering hostility from the local Nisenan, Sutter relocated a Plains Miwok village to the vicinity of Sacramento and relied thereafter on the Miwok for much of the labor he required. Disease had also severely affected many of the tribes in the Sacramento Valley prior to the arrival of Sutter. It is believed that perhaps 80 percent of the valley population died in an epidemic, possibly malaria, accidentally introduced by a fur trading and trapping party from Oregon.

The subsistence practices of the Valley Nisenan relied extensively on the river and marsh resources that surrounded them. They took salmon and other anadromous fish, collected shell fish and fished the slow moving sloughs for chub and other freshwater fish. Elk were hunted and migratory water fowl were netted in the marshes, cattail and reeds collected for food and fabric. The surrounding plains and the riparian forests along the major and minor streams provided deer and antelope, as well the critically important acorn and other plant resources. Stone was available in the cobble bars of the American River but critical minerals such as obsidian had to be acquired through trade and exchanges of gifts.

9.1.3 Historical Archaeology

Sacramento's history effectively begins in 1839 with the arrival John Sutter, who founded the colony of New Helvetia on the site of the present City of Sacramento. His aspirations were rudely terminated by influx of humanity subsequent to the discovery of gold at the saw mill in Coloma. Since that time the city has continually grown and changed. Early difficulties with flooding for example lead to the in-filling of the city streets and the burial of the original Gold Rush era land surface. City growth has continued with effects gradually expanding outward. R Street, originally the route of the Sacramento Valley Railroad ran along a levee that supported the Sacramento Valley Railroad at one time. Surrounding land fill and probably some demolition by the railroad have largely removed evidence of this levee, although adjacent below-grade structures show that R Street still runs above the historic ground surface.

Historic documents mention use of the local sloughs for the disposal of waste and debris. These sloughs were filled in the later nineteenth and early twentieth centuries and the city developed above them. There is a very good potential that remains of nineteenth century debris may still be present beneath the more recent fill.

9.1.4 History

R Street is a former industrial corridor and an important route in the California railroad history (Boghosian 2006; Carol Roland 2007). In the first years of the California gold rush, freight and



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supplies were moved from the ports of San Francisco up the Sacramento River where they were unloaded and carried by freight wagons to the mining towns in the Sierra foothills. Road were poor and at times nearly impassable. Planning for a railroad from the Sacramento River to the foothills began in 1852. The line, planned with an eventual destination of Marysville, was initially constructed from Sacramento to Negro Bar (Folsom). In January, 1856, the first train of the Sacramento Valley Railroad (SVRR) left the City of Sacramento and pulled into Folsom (Carol Roland 2007). The SVRR was sold to the Central Pacific Railroad in 1865 and in 1884 this line, including R Street, became the Southern Pacific Railroad (SPRR). The tracks along R Street were kept in operation by the SPRR until 1974.

The R Street corridor had established businesses by 1885; however, it was not until 1903 that the R Street corridor developed into the City's principle industrial and warehouse district. By 1911, the *Sacramento Bee* announced that Sacramento was becoming a city of factories, and by 1914, the *Sacramento Bee* acknowledged that R Street would be developed as an industrial district (Carol Roland 2007).

9.1.4.1 Historic Local and Regional Background and Context

The following historic context for the R Street Corridor project was prepared using Sacramento cultural resource specialist Paula Boghosian for the R Street Corridor Implementation Plan project.

The City of Sacramento surveyed and platted the streets in the City in December of 1848, including the project area. The project area was some blocks from the early development in the city, which concentrated around the embarcadero on Front Street and down I and J streets. The 1854 Official Map of Sacramento which was adopted by the City Council, showed buildings along Front Street from I to R Streets. There were three buildings on Lot 4, on the northeast corner of Front and R and there was only one other building on R Street on Lot 1, at the southeast corner of 6th & R (Boghosian 2004).

After it became apparent that winter flooding would be a common problem in the city, citizens began building levees to protect the City from the waters of the American and Sacramento Rivers. After a break in one of the levees in the winter of 1852-53, the City decided to alter its levee configuration and a levee was constructed down R Street all the way to Brighton (near Sacramento State University today).

In 1854, Theodore Judah surveyed a route for the Sacramento Valley Railroad (SVRR) between Sacramento and Folsom. In 1855 the SVRR began building its rail lines on top of the R Street levee. By August 16, 1855, the first trial run was made from Front Street to 17th Street. In February 1856 the line started operation to Folsom. The SVRR was the first passenger railroad in California and continued operating even after being subsumed by the builders of the transcontinental railroad, the Central Pacific, in 1865. The Central Pacific and its successor, the



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Southern Pacific, continued to run trains on the R Street tracks. Today this same alignment is used by Sacramento Regional Transit’s Light Rail trains (Boghohsian 2004).

An 1857 lithograph Birdseye View of Sacramento showed almost no development south of the R Street levee and only very sparse growth of houses on the north side. The same type of lithograph in the 1870 directory showed that houses were then built on the south side of the levee but development along either side of R Street was still sparse and residential. Up to 1870 and beyond levees were built along the Sacramento River to the south of Sacramento. The Southern Pacific actually built most of these levees as they placed their southbound line on top of them as they built their rail lines toward Stockton. These levees were the first line of defense against flooding to the south of Sacramento. This seems to have coincided with the construction of the State Capitol Building (1863-70). From that time onward, development in Sacramento began to move eastward down I, J, K, L, M and N Streets and to the south as well. This put pressure for a new levee further to the south of R Street. By 1878 the City approved an updated plan for its levees and the main levee to protect the city from flooding from the south was the new Y Street levee (now Broadway). From this time on the R Street levee was no longer necessary (Boghohsian 2004).

The R Street levee appears to have been removed between 1888 and 1890. An 1888 picture [SAMCC 85/24/3014] shows three youths standing on the flank of the levee in front of the Carlaw Brothers granite works on the southeast corner 10th & R Streets. The berm appears to be about eight feet in height at that place. An 1890 photograph of the California Winery at 21st and R showed no berm at that place. The 1890 *Birdseye View* lithograph shows no indication of a berm, nor does the 1905 lithograph. These latter two *Birdseye View* lithographs showed that residential development continued to increase along R Street, with the houses generally clustered along the numbered streets with the house fronts facing those streets, rather than R Street. Among the earliest non-residential uses along R Street were the previously mentioned Carlaw Works, the winery and a mixed residential and grocery store building built by John Keating on the northeast corner of 11th & R.

Much of this residential development was occupied by working class Sacramentans, some of whom worked for the railroads or in other trades. Residential development appeared first along Q Street between 1885 and 1890. Among them were Portuguese families, many of whom later attended St. Elizabeth’s Church at 13th and Q streets (built around 1910). Some of the existing historic residences in the project area were either owned or rented by Portuguese occupants, in a sense creating a small Portuguese community. Residential development on S Street was delayed until removal of the levee. This area was largely occupied between 1905 and 1915 and remains heavily residential to this day.

In 1910 the Western Pacific Railroad arrived in the R Street area. In 1913 the Western Pacific built their maintenance and repair shops in Curtis Park. Their tracks, in the study area, were located along the backs of the buildings on the north side of R Street, where they took over the former east-west alley between Q & R Streets from 8th Street to just east of 19th Street, where they

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curved away to both the north and south between 19th and 20th Streets. The Western Pacific was a transcontinental railroad, whose main line went north up the Sacramento Valley, through the Feather River canyon, through Beckwourth Pass and on to Salt Lake City. It serviced San Francisco, Oakland and the interior cities of the Sacramento and San Joaquin valleys (Boghosian 2004).

Technological developments in transportation and electrical power between 1891 and 1923 sustained Sacramento's economic growth into the Great Depression. It was during this period that most of the existing historical buildings in the R Street corridor industrial area were built. But the new technologies not only created growth, they affected the very design of the buildings, many of them designed with rail sidings, extensive truck bays, loading docks and automotive maintenance and repair shops.

The R Street Corridor remained a busy rail corridor until after the Second World War when trucks finally replaced steamboat traffic. After the Second World War, through rail traffic on R Street ended. The railroad after that time only ran trains on the line to serve its existing customers. The post-war building boom in California included highway construction to the Sacramento area. Some businesses on R Street that were dependent upon truck transportation looked for cheaper land with better highway access. For instance, by 1952, the Wonder Bread (Perfection) bakery left its 14th & R site and moved to a new site on Highway 160.

In addition to Boghosian's history, there are other elements present in the project area concerning residential and commercial use in the neighbors surrounding the industrialized railroad corridor. Residential development along Q Street within the project occurred between 1885 and 1895. S Street developed after the R Street levee was removed, between 1900 and 1910. Today nineteenth century houses dot the landscape within the Project Area on Q and S Streets.

9.2 Affected Environment

9.2.1 Archaeology

There are no identified prehistoric or historical archaeological sites within the Proposed Project. Several archaeological resources occur near the project area. Tremaine & Associates compared historic maps for the R Street Improvement Project. An 1859 map shows swampland near the City Center. Two long fingers of dry, high ground between branches of swampland occurred in the project area, one between 9th and 12th Streets and another just east of 15th street extending to 18th Street. In other areas within the City, these areas of high ground are associated with prehistoric deposits and appear to be a favorable location for prehistoric inhabitants (Tremaine & Associates 2007).



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9.2.2 Built Environment

The proposed project passes through portions of several City of Sacramento Historic Districts (Figure 9.1). These districts were defined by the City and created under Ordinance #85-076 on July 30, 1985. A brief discussion of each district, and the historic properties within them, is presented below. In addition to these districts, other historic buildings are present throughout the Project. Information on these is provided following the district discussion.

In all, there are nearly 100 historic resources contained within the Project Area. In addition, there are other buildings that are not yet 50 years old, the threshold for historical consideration under CEQA. While not included below some of these will reach the age threshold within the next five years.

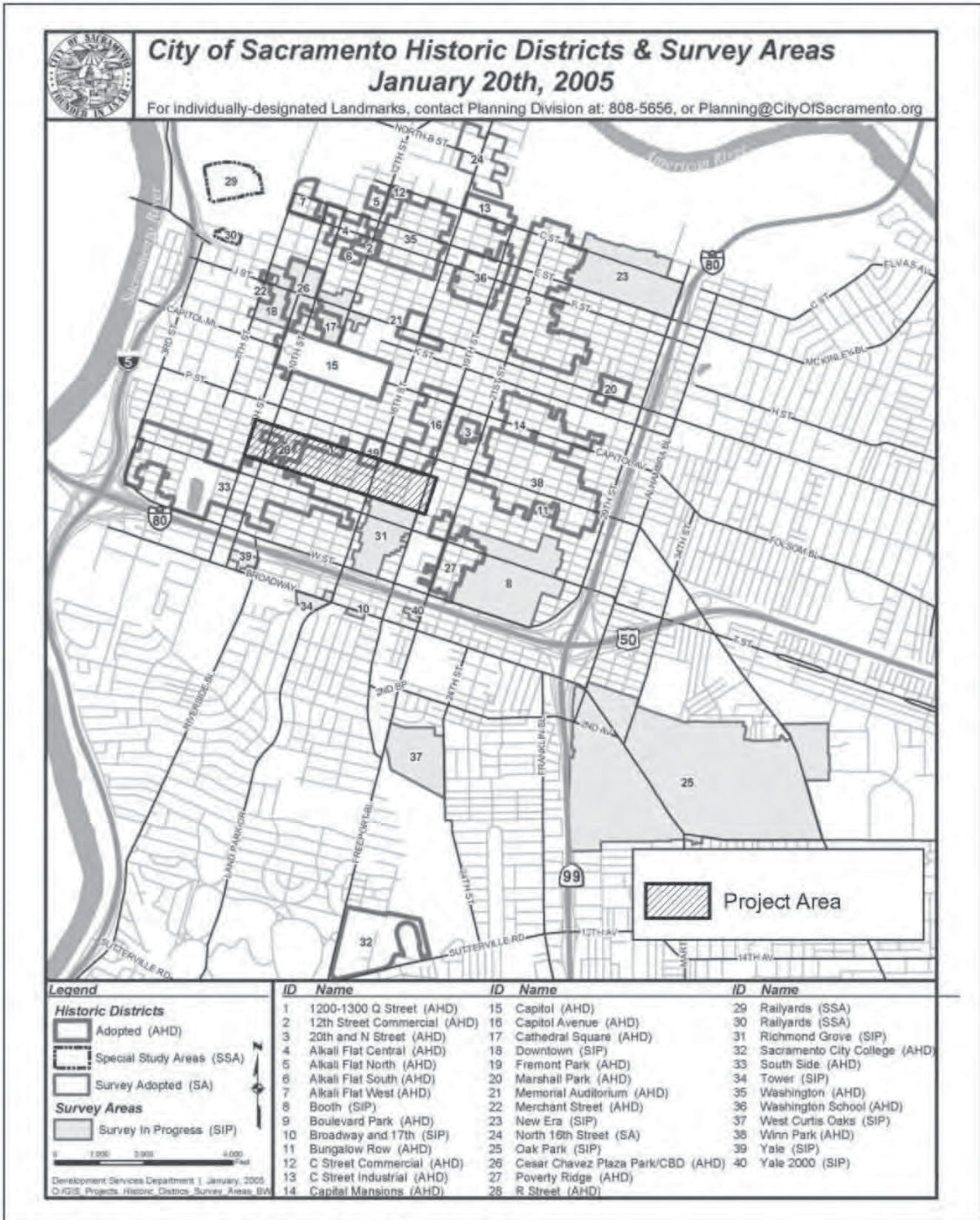
The following discussion includes tables listing the historic properties in each area. As applicable, appropriate listings are given, including National Register of Historic Places, California Register of Historic Resources, State Historic Landmarks, State Points of Historic Interest, and City of Sacramento Preservation listings and registers. Resources listed at the National level are automatically included in the California Register and local registers. Resources listed at the state level are included in the City Register.

9.2.2.1 City District #1 – 1200-1300 Q Street

This historic district consists of a two-block row of modest high basement buildings fronting on Q Street. It is bound by Whitney Avenue on the south, Q Street on the north, 12th Street to the west and 14th Street on the east. The buildings date from 1885 to around 1910. Mature trees line the streets, contributing to the historic feel. Other streetscape elements include a sidewalk stamp



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Figure 9.1. R Street Historic Districts and Survey Areas

(J.J. Quale/Sac) on the corner of 12th and Q Streets at 1200 Q Street, a sign for the Acme Garage at 1208 Q, and remnants of a curbside sidewalk and hitching post base at 1330 Q Street. One cottage faces Whitney Avenue (the alley) and is a rare example of the auxiliary residential streets (now alleys) that once defined the residential pattern of nineteenth-century Sacramento. This neighborhood traditionally housed working class families.

TABLE 9-1
Historic Properties within the 1200-1300 Q Street District

Address	Status of Listing*	Estimated Date	Comments
1200 Q Street	Contributor	ca. 1900	Morgan Jones Funeral Home 1948-1960 (African American owned and operated business)
1206 Q Street	Contributor, individual local landmark	1885	
1208 Q Street	Non-contributor, unevaluated for individual listing	ca. 1910	Acme Garage
1226 Q Street	Contributor, individual local landmark	1897	
1308-10 Q Street	Contributor	ca. 1910	
1314 Q Street	Contributor, individual local landmark	ca. 1890	
1316 Q Street	Contributor, individual local landmark	1887	
1318 Q Street	Contributor, individual local landmark	1887	
1322 Q Street	Contributor, individual local landmark	1892	
1326 Q Street	Contributor	1875	Moved to this location 1885-1890
1330 Q Street	Contributor	ca. 1910	
1711 12 th Street	Contributor, individual local landmark	1887	
1712 13 th Street	Contributor, individual local landmark	1885-1890	
1714 13 th Street	Unevaluated	ca. 1890	
1711 13 th Street	Unevaluated	ca. 1890s	
1715 13 th Street	Unevaluated	ca. 1910	
1712 14 th Street	Contributor, individual local landmark	ca. 1900	
1714 14 th Street	Contributor, individual local landmark	ca. 1900	

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TABLE 9-1 Historic Properties within the 1200-1300 Q Street District			
Address	Status of Listing*	Estimated Date	Comments
Sidewalk Stamp	Contributor	1890s	J.J. QUALE/SAC
Curbside Walk	Contributor	1890s	1330 Q Street
Hitching Post	Contributor	1890s	Sheared off at sidewalk level, ring still visible in concrete

** Unless noted all status refers to Sacramento Register listings at a local level. Federal and state evaluations have not been completed for the district.*

9.2.2.2 City District #19 – Fremont Park Historic District

This district consists of a one-block row of high basement houses, mostly Queen Anne in style, that front on Q Street facing Fremont Park. Although many of the buildings have been modified, the gables, spindlework, spacing between houses, historic sidewalks (one stamped), curbside walks, remnant hitching posts and overlapping mature trees contribute to the cohesive feel of this small neighborhood. Two Craftsman-style apartments, built after 1910, and an Italianate house moved to the site in 1901 lend variety to the neighborhood.

TABLE 9-2 Historic Properties within Fremont Park Historic District			
Address	Status of Listing*	Estimated Date	Comments
1500 Q Street	Contributor, individual local landmark	1894	Manuel-Enos, Grocer
1504 Q Street	Contributor, individual local landmark	1895	
1501 Q Street	Unevaluated		
1512 Q Street	Contributor	1890-1895	George W. Young Residence
1518 Q Street	Contributor, individual local landmark	1912	
1522 Q Street	Contributor, individual local landmark	1894	
1526 Q Street	Contributor, individual local landmark	1880	
1700 16 th Street	Contributor, individual local landmark	1915	
1710 16 th Street	Unevaluated		
1714 16 th Street	Unevaluated		

** Unless noted all status refers to Sacramento Register listings at a local level. Federal and state evaluations have not been completed for the district.*



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9.2.2.3 City District #28 – R Street Historic District

The R Street corridor was developed after construction of the Southern Pacific Railroad (SPRR) at ground level in 1902. As the first railway line in the West the route of the historic railroad has always been along R Street. Thus, in the early 1900's R Street became an industrial core of the city. According to Carol Roland (2007) and Boghosian (2004) the corridor possesses historical and architectural significance and meets criteria of the National Register and the California Register of Historic Resources. The district boundaries have been expanded by recent researchers to include an area along both sides of R Street from 8th to 18th. Recent development between 18 and 19th and S and R streets has interrupted the historic character of the district.

The R Street district has several defining elements that distinguish it from other areas in the city. One of the most obvious elements is the mainline rail tracks that exist down the center of R Street. Although covered with asphalt in some areas, the rail and associated siding tracks that accessed loading docks and buildings reflect the railroad context and history of the corridor. Without the railroad the industries that once lined the corridor would not have existed. In several intersections granite cobblestones are visible on either side of the mainline rails. These cobbles, placed for stability and for drainage, date to the placement of the SPRR line around 1902 and are contributing elements of the district. Other railroad features include braces, switches and side tracks.

The majority of the buildings are large warehouses of brick or concrete built between 1910 and 1946. In general these structures are utilitarian in nature with few architectural details. Windows are generally metal sash, multiple pane and reflect the industrial nature of the area. Double and single doors, loading bays, and simple steps with pipe rails also contribute to the character of the district. Key elements to the industrial nature of the corridor are the loading docks, built to the height of a train car or truck bed to ease loading and unloading of materials from box cars. The docks, and the sidings that run alongside, are important elements in the visual image of the corridor as an industrial district.

In addition to the tracks, docks, and large warehouses there are several other elements that are essential in capturing the industrial sense of time and place evident in the corridor. First, sidewalks and street ornamentation are lacking, as expected given the light industry that occurred within the corridor. Historic photographs indicate that trees were also a rare commodity, other than on numbered streets. The few trees that appear in historic photos are located along the edge of the right of way and may have been volunteers. Finally, curbs, gutters, parking and striping is generally missing along R Street, enhancing the emphasis of rail over automobile along this historic transportation corridor.



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Address	Status of Listing*	Estimated Date	Comments
918 R Street	Potential Contributor at federal, state, local levels	1924	McClatchy Newspapers
1724 10 th Street	Potential Contributor at federal, state, local levels	1920, 1946	Goodyear Tire and Rubber Co., California Furniture
1015-1021 R Street	Potential Contributor at federal, state, local levels	1917	W. P. Fuller Building, Fox & Goose
1026 R Street	Potential Contributor at federal, state, local levels	1907-1908	U.S. Rubber and Tire Building
1108 R Street	Potential Contributor at federal, state, local levels	1914	State of California Warehouse, California Warehouse Co., CADA Warehouse
1113-1119 R Street	Potential Contributor at federal, state, local levels	1917	Piggly Wiggly Warehouse
1213 R Street	Potential Contributor at federal, state, local levels	1915	Garage
1409-1413 R Street	Potential Contributor at federal, state, local levels	1913-1914	Perfection Bread Co., Wonder Bread Co.
1421 R Street	Non contributor	1945	Auto Repair, recent remodel
1602 R Street	Potential Contributor at federal, state, local levels		Crystal Ice Co.
1700 R Street	Potential Contributor at federal, state, local levels		F. F. Smith Co.
1720 R Street	Potential Contributor at federal, state, local levels		Crystal Ice Store House
1811 10 th Street	Potential Contributor at federal, state, local levels	Ca. 1910	Krutisik's Wire Works
1724 11 th Street	Unevaluated	ca. 1905	Residence
1801 11 th Street	Potential Contributor at federal, state, local levels	ca. 1903	Rochdale Building
1811 12 th Street	Potential Contributor at federal, state, local levels	1945	Firestone Tire Warehouse
1723 12 th Street	Unevaluated		Residence
1730 13 th Street	Unevaluated	ca. 1900	Residence
1730 14 th Street	Potential Contributor at federal, state, local levels	Ca. 1920	Electric Supply Co.
1731 17 th Street	Potential Contributor at federal, state, local levels	1946	Orchard Supply Co.
1800 18 th Street	Potential Contributor at federal, state, local levels	1950	New Zealand Spring Lamb Co.

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(cont.)

TABLE 9-3 Historic Properties within the R Street Historic District			
Address	Status of Listing*	Estimated Date	Comments
Sidewalk graffiti	Potential Contributor at federal, state, local levels	1946	Three places in front of 1724 10 th Street
Southern Pacific RR mainline and sidings	Federal, state and local levels, individually eligible	1903-1950	Includes all railroad related features (rails, stone curbing)

** The R Street Corridor between 10th and 13th Streets is a proposed National Register of Historic Places district currently under review by the State Historic Preservation Office. Other buildings within the historic district are potential contributors to the overall R Street Corridor at a national, state and local level.*

9.2.2.4 City District #33 – South Side Historic District

Four residences on S Street and 11th Street are included in the South Side Historic District. The district is the largest in the City, stretching from Interstate 5 on the west to 16th Street. The area east of South Side Park represents a blend of modest and larger, more ornate homes mixed with modern infill and pre-World War II automotive-related structures. The general feeling is that of a neighborhood in flux, continually building and changing. The mature trees that line S Street are key in linking the neighborhood. Historic sidewalks, a curbside walkway and a hitching post base are located in front of 1917 S Street and add to the historic character of that portion of the district within the Project Area.

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(cont.)

TABLE 9-4 Historic Properties within the South Side Historic District			
Address	Status of Listing*	Estimated Date	Comments
1017 S Street	Unevaluated		
1019 S Street	Sacramento Register, South Side Historic District, contributor		
1025 S Street	Sacramento Register, South Side Historic District, contributor		
1820 11 th Street	Unevaluated	On 1895 SB; ca. 1890s	
1823 11 th Street	Unevaluated	On 1915 SB; ca. 1900s	

** Unless noted all status refers to Sacramento Register listings at a local level. Federal and state evaluations have not been completed for the district.*

9.2.2.5 Non-District Resources

In addition to the four formally adopted districts there are numerous other historic properties within the Project Area that are not included in a designated district. The majority of these resources have not been evaluated to date. For the purposes of this study properties over 50 years of age are considered historic properties under CEQA until they have been evaluated as not significant.

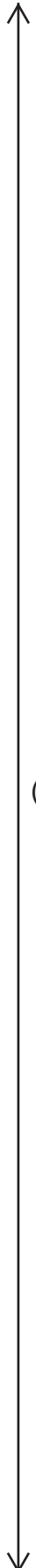
TABLE 9-5
Other Historic Properties within the Project Area

Address	Status of Listing*	Estimated Date	Comments
1000 Q Street	Unevaluated		
1101 S Street	Unevaluated	ca. 1940	
1131 S Street	Unevaluated	ca. 1946	GE W Ho
1211 S Street	Unevaluated	ca. 1900	
1219/21 S Street	Unevaluated	ca. late 1940s	
1235 S Street	Unevaluated	ca. late 1940s	
1414 Q Street	Unevaluated	ca. 1930s	
1415 S Street	Unevaluated		
1417 ½ S Street	Unevaluated		
1417 S Street	Unevaluated		
1420 Q Street	Unevaluated		
1611 S Street	Unevaluated	ca. 1905	
1630 Q Street	Unevaluated	ca. 1930s	
1700 18 th Street	Unevaluated	ca. 1910	
1703 18 th Street	Unevaluated	ca. 1910	
1703 19 th Street	Unevaluated		
1706 11 th Street	Unevaluated		
1709 ½ S Street	Unevaluated		Auto Repair
1709 16 th Street	Unevaluated	Late 1940s	
1710 18 th Street	Unevaluated	ca. 1910	
1713 10 th Street	Unevaluated		
1714 17 th Street	Unevaluated	ca. 1910	
1714 18 th Street	Unevaluated	ca. 1910	
1715 10 th Street	Unevaluated	ca. 1950s	
1715 S Street	Unevaluated	ca. 1910	
1720 Q Street	Unevaluated	ca. 1910	
1733 S Street	Unevaluated	ca. 1910s	Auto Repair/Alta Plating
1800 Q Street	Unevaluated	ca. 1940s	
1805 10 th Street	Unevaluated		
1808 Q Street	Unevaluated	ca. late 1940s	
1809 19 th Street	Unevaluated		Moved to site between 1915 and 1951

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(cont.)

TABLE 9-5
Other Historic Properties within the Project Area

Address	Status of Listing*	Estimated Date	Comments
1816 15 th Street	Unevaluated		
1815 10 th Street	Unevaluated	ca. 1950s	Chan Bakery
1818 15 th Street	Unevaluated		
1820 15 th Street	Unevaluated		
1831 12 th Street	California Point of Historic Interest, Sacramento Register Individual Landmark		St. Elizabeth's Church
1831 16 th Street	Unevaluated	ca. late 1960s	
1901 S Street	Unevaluated	ca. 1920s	
1913 S Street		ca. 1921	
1910 Q Street		ca. 1910	Machine Shop



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9.3 Regulatory Setting

A number of federal and state laws and implementing regulations address cultural resources, including prehistoric, historic, ethnographic and traditional properties. Federal regulations come in to force when a project that may have a significant environmental effect is either initiated by a federal agency or is funded in whole or in part with funds from a federal source. State regulations come into effect whenever a significant change in the use or architecture of an area may have an effect on environmental resources of public importance.

9.3.1 Federal Regulations

Two key federal laws address and protect environmental resources including historic resources. These laws are the National Environmental Policy Act (NEPA) of 1969 and the National Historic Preservation Act (NHPA) of 1966 as amended. Under NHPA Section 106 and the implementing regulations of 36 CFR 800, the proponents of a federal project – that is one initiated or funded through a federal agency – must evaluate the effects of a project upon cultural resources. In order to do this, federal regulations require that known and potential cultural resources within the project's Area of Potential Effects (APE) must be identified. These resources must then be evaluated under the criteria of the National Register of Historic Places (NRHP) and a determination made regarding whether the resources satisfy the criteria for significance and integrity. Final determinations of NRHP eligibility are made by the State Historic Preservation Officer (SHPO) in consultation with the lead federal agency. The potential effects of the project upon any eligible or potentially eligible resource must be then examined. If these effects are determined to negative, then procedures to mitigate the effects must be implemented.

Another key federal law, the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 comes into effect where an archaeological or ethnographic resource in which Native American burials is known to, or may exist, and will, or may be affected by the project. Under 36 CFR 800 a concerted effort must be made to contact Native Americans knowledgeable about the traditional history and potential sacred lands and sites within the project APE. If Native American graves or resources are identified within the project APE, then consultation and mitigation steps must be undertaken to preserve, protect or mitigate the project's effects upon the resource. Typically a memorandum of agreement between the interested Native American parties and the lead agency will delineate the procedures to be followed if burials are encountered.

9.3.2 State Regulations

The principle state law that protects important historic resources is the California Environmental Quality Act (CEQA) of 1970 as amended. CEQA is codified in sections 21000 & seq. of the Public Resources Code of the State of California, while the implementing guide lines are found in CCR Title 14, Chapter 3, sections 15000 through 15387. CEQA requires state and local agencies tasked with planning or permitting projects to consider the environmental effects that such projects may have upon important resources. CEQA recognizes both archaeological resources



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(Section 21083.9) and historic resources (Section 21084.1) as potentially important resources and project planners have the options of evaluating and mitigating important resources or of avoiding resources and there by imposing no effects upon the resource. Under CEQA resources that may not be significant or eligible if evaluated under the criteria of the CRHR for identifying important resources may be avoided by the project planners, saving the costs of additional research, evaluation and investigation of the property. Alternatively, if a property cannot be avoided, the property must be evaluated, and if determined eligible under CRHR criteria, the project's effects upon the property must be mitigated. Integrity is addressed under the Natural Resources Code (CCR Title 14, Division 3, Chapter 11.5, Section 4852 (c)) and effectively reiterates NRHP standards for integrity, but is less stringent permitting for example relocated structures to retain eligibility for CRHR status.

California state law also includes parallel regulations to NAGPRA within the Public Resources Code (Sections 5097.993-5097.994) and Healthy and Safety Code (Section 7050.5). Resources and human remains must be considered as part of the environmental review process. PRC Section 5097.993 exempts projects that are undertaken in compliance the requirements of CEQA or NEPA.

California General Plan law requires local governments to prepare a general plan for the future development of the region for which the government is responsible. The law sets out what elements are required, and what elements are optional in a general plan. Common optional elements included in general plans economic, historical resource preservation, recreation, and community design. Although, optional, an element included in a general plan carries the same legal force as a required element. With the passage of SB-18 of 2004, the state guidelines for general plans now include tribal consultation guide lines. These new guidelines require Native American consultation during the development or modification of general or specific plans. Final guidelines for Native American consultation were accepted in November 2005 and are now in force.

9.3.4 City Regulations

Title 17, Ch. 17.134 of the Sacramento City Code provides for the identification and protection of significant historic resources in the City of Sacramento. The City Council designates by ordinance structures and historic districts for listing in the Sacramento Register of Historic and Cultural Resources (Register). This Register classifies individually-listed properties into "Landmark" structures. Section 17.134.170 of the City Code identifies the specific criteria to be used for the identification of Landmark structures and historic districts and for the designation and listing of properties in the Sacramento Register. Approval by the Preservation Commission and the Preservation Director of applications affecting individually listed structures and contributing resources in historic districts are based on compliance with the Listed Structures and Preservation Area Plans and the Secretary of the Interior's Standards for the Treatment of Historic Properties. Approval is required prior to issuance of a building permit. Historic



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structures listed in the Sacramento Register must be reviewed under the provisions of the State Historical Building Code.

Title 17 of the Sacramento City Code states that its highest priority is to encourage restoration and sensitive rehabilitation of listed structures. Restoration or rehabilitation of listed structures in the Sacramento Register entitles the development to all benefits provided in the Incentive Zone established under Section 2.3 of the Urban design Plan. These benefits include, but are not limited to, one-meeting planning review and priority building permit processing. Eligible projects may also receive public financial assistance. Secondly, an alternative design solution to demolition of a listed structure is to encourage harmonious incorporation into an existing listed structure into the design of a new development. A project that incorporates this design approach will also be eligible for the same Incentive Zone benefits found in Section 2.3 of the Urban Design Plan.

Under Title 17, Ch. 15.134 of the City Code, the City has also established a preservation program to protect and maintain the character of architecturally, historically and culturally significant structures and sites within the City of Sacramento. New development is directed toward achieving compatible new construction that enhances existing historic values rather than diminishing them. The values of identified Historic Districts and significant historic buildings are to be protected as significant resources for the general welfare of the public.

Section 17.134.430 of the City Code specifically regulates the demolition or relocation of buildings or structures that are at least 50 years old and provides for Sacramento Register nomination review. If a permit is south to demolish or relocate a building or structure that was constructed at least 50 years prior to the date of application, and that building or structure is not currently on (or the subject of) a pending nomination, has not been nominated for placement on the Sacramento Register or reviewed pursuant to Section 17.134 within the past three years, the permit application must be referred to the City’s Preservation Director to allow the Director to make a preliminary determination whether the structure should be nominated for placement on the Sacramento Register.

9.3.5 City of Sacramento Preservation Element

In April 2000, the City of Sacramento adopted a Preservation Element in its General Plan. The goal of the Preservation Element is “to retain and celebrate Sacramento’s heritage and recognize its importance to the City’s unique character, identity, economy and quality of life.” The element is divided into six major goals, each with many policies to achieve the stated goal. Applicable goals include:

- Goal A: To establish and maintain a comprehensive citywide preservation program,
- Goal B: To protect and preserve important historic and cultural resources that serve as significant, visible reminders of the city’s social and architectural history,



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- Goal D: to foster public awareness and appreciation of the City’s heritage and its historic and cultural resources, and
- Goal E. To identify and protect archeological resources that enriches our understanding of the early Sacramento area.

9.4 Thresholds of Significance

The California Environmental Quality Act (CEQA) Guidelines Appendix G identifies examples of a significant effect on historic or cultural resources and states that a project will normally have a significant effect if it will:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
- Disturb any human remains, including those interred outside of formal cemeteries.

Section 15064.5 defines a significant adverse effect to include any activity which would: (1) Create a substantially adverse change in the significance of an historical resource including physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired; and/or (2) alter or materially impair the significance of a historical resource.

Section 15064.5 of the CEQA Guidelines defines significant historic resources to include:

(1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4850 et seq.).

(2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant.

(3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record including the following: (A) Is associated



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with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; (B) Is associated with the lives of persons important in our past; (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or (D) Has yielded, or may be likely to yield, information important in prehistory or history.

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

9.5 Project Impacts and Mitigation Measures

IMPACT 9.1: Impacts to Archeological Resources

PP Proposed Project

The proposed project includes several projects which may require trenching, excavation or subsurface soil disturbance which could affect buried archeological resources. For example, street improvements, water lines, or transit improvements may require trenching and excavation. Since the R Street corridor and the Central City in general, are considered to be sensitive areas for cultural resources, ground disturbance as a result of these activities could constitute a *significant impact*.

AA No Project Alternative

The No Project Alternative would not change the existing environment and therefore, *no impact* is anticipated.

MITIGATION MEASURE 9.1: Impacts to Archeological Resources

1. An archaeological monitor shall be retained on-site during subsurface excavations below the current road base between 9th and 12th Streets and just east of 15th street extending to 18th Street. These areas were historically high ground and are sensitive for prehistoric remains. The archaeological monitor shall be authorized to stop work and investigate any subsurface historic or cultural materials that are exposed by the excavation. In the event cultural or potentially cultural materials are encountered during excavation activities work shall cease within 100 feet of the find until an archaeologist can assess the significance of the find. If the find is



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prehistoric in nature the Native American Heritage Commission (NAHC) shall be consulted. Tribal representatives as referred by the NAHC shall be included in the consultation process. If necessary, further mitigation measures may be developed and implemented by the qualified archaeologist and the tribal representative.

2. If human or potentially human remains are found, the work shall cease immediately and the County Coroner contacted without hesitation. The Coroner will notify the NAHC if the remains are determined to be Native American and the NAHC will notify the person or tribe believed to be the most likely descendant (CEQA Section 15064.5, Health and Safety Code Section 7050.5, Public Resources Code Section 5097.94 and 5097.98). An archaeologist and the tribal representative will work with the contractor to develop a program for re-interment of the human remains and any associated artifacts. No additional work shall occur in the immediate vicinity of the find until appropriate actions have been carried out.

Implementation of this mitigation measure would reduce impacts to a *less-than-significant level*.

IMPACT 9.2: Construction Period Impacts to Historic or Architecturally Significant Structures

PP Proposed Project

The proposed project recommends infrastructure and transit improvements in the R Street Corridor. R Street transects or is adjacent to several historic districts which include listed or potentially eligible historic structures. Construction vibration and other activities could adversely affect these structures. This is a *potentially significant impact* which can be reduced to a less-than-significant level with mitigation measures.

AA No Project Alternative

The No Project Alternative would not change the existing environment and therefore, *no impact* is anticipated.

MITIGATION MEASURE 9.2: Construction Period Impacts to Historically or Architecturally Significant Structures

The following mitigation measure is recommended for CADA sponsored infrastructure and transit improvements in the R Street project area.



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1. All equipment used during improvements shall be located a safe distance from historically significant buildings so any equipment arms or attachments cannot reach the building. Buffering materials shall be used as necessary (ex: hay bales stacked three rows high along the faces of the buildings to a height of six feet to protect the buildings from the equipment operations), when construction is with 10 feet of a building.
2. A hand-held hydraulic jack hammer shall be used to break existing concrete into pieces within three feet of building faces. The broken concrete shall then be removed by hand. The building face shall be protected by a foam board, generally used for insulation that is a minimum of one-inch thick.
3. Small ride-on machinery shall be used to compact the ground within five feet of building faces. Hay bales shall be stacked three rows high along the faces of the buildings to a height of six feet. A vibrator plate tamper shall be used to compact material within five feet of the building face. The building face shall be protected with a minimal one-inch-thick foam board.
4. In some areas new concrete walkways will be constructed against the existing buildings and loading docks. The walkways shall be separated from existing structures by a 0.5-inch fiber expansion joint. The existing building faces and loading docks shall be protected with plastic sheeting to prevent concrete from splattering onto the existing fabric.

Implementation of this mitigation measure would reduce impacts to a *less-than-significant level*.

IMPACT 9.3: Impacts to R Street Corridor Historic Districts from Housing Projects

PP Proposed Project

As part of the R Street Corridor Implementation Plan, CADA plans to secure financial and technical assistance for a number of housing projects in the R Street Project Area. These include adaptive reuse of historic warehouses, replacement housing and affordable housing development projects. CADA may provide funding or develop and own new housing or housing in rehabilitated buildings. In addition, private developers are in the process of preparing adaptive reuse plans for some of the historically significant buildings (i.e., Crystal Ice Plant) for housing, parking and commercial stores.

Redevelopment activities could result in the demolition or moving of existing structures or the significant alteration of a historic structure over the life of a redevelopment plan. Section 17.134.430 of the City Code regulates the demolition of structures that are at least fifty years of age. The City’s Preservation officer must make a preliminary determination on any buildings that

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are over fifty years old as to whether the structure is eligible for consideration by the Preservation Commission and the City Council for placement on the Sacramento Register. If structures are eligible or determined eligible then the protections of Article VI of Section 17.134 apply. New construction, infilling, demolition and/or adaptive reuse could result in *significant impacts* to the R Street Corridor’s industrial setting and to eligible historic structures.

AA No Project Alternative

The No Project Alternative would not change the existing environment and therefore, *no impact* is anticipated.

MITIGATION MEASURE 9.3: Impacts to Historic Districts from Housing Projects. The following mitigation measures should be employed for housing projects¹ in the R Street Project Area for which CADA is a sponsor or participant:

1. As part of any Owner Participation Agreement (OPA), Disposition and Development Agreement (DDA) or CADA sponsored project that could affect any structure or feature over 50 years of age that has not yet been evaluated by the City’s Preservation Director, the buildings shall first be evaluated for listing in the California Register of Historic Places and the Sacramento Register. This evaluation shall occur through the preparation of State of California DPR 523 forms for each building, photo media documentation and thorough standard CEQA evaluation.
2. If rehabilitation or all or portions of the structure are possible, adaptive reuse and rehabilitation plans of existing historic structures shall be designed to retain the maximum amount of historic fabric. All rehabilitation of historic structures shall be conducted in light of Secretary of Interior’s Standards for Treatment of Historic Properties to ensure that treatments will maintain the authenticity and integrity of the structure and the district. Plans shall be approved by the City’s Preservation Director and Preservation Commission.
3. If demolition of any portion of a historic structure cannot be avoided, the feature or building shall be recorded to HABS/HAER standards prior to removal. Copies of the HABS/HAER documentation shall be filed with the City Preservation Director, Sacramento Archives and Museum Collection Center, the North Central Information Center at Sacramento State University and the Sacramento Room at the Central Branch of the Sacramento County Library.

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¹ Applies to projects which file for City entitlements after certification of this EIR and does not retroactively apply to projects which have received approval prior to certification of this EIR.

4. New construction shall be designed to reflect and blend with the industrial nature of the R Street Corridor. Design guidelines found in the R Street Urban Design Plan shall be implemented in new or rehabilitated construction projects as determined by the Design Review Board. Projects located within an historic district shall also be reviewed by the Preservation Commission.

Implementation of these mitigation measures would reduce impacts to but may not reduce impacts to a less-than-significant level insofar as the feasibility of retention and rehabilitation of all historic structures must be evaluated on a case by case basis, and rehabilitation may not be feasible in all cases. The above mitigation measures will reduce the potential magnitude of impacts but, it may not be feasible to reduce all potential impacts to a less-than significant level. Therefore, the even with mitigation measures a residual *unavoidable* impact may occur.

IMPACT 9.4: Impacts to Historic Railroad Features

PP Proposed Project

Within the R Street right-of-way there are a number of railroad related features include tracking, spurs, cobble and brick work which remains from the historic railroad activities in the area. There RSAIP proposes four phases of R Street Streetscape improvements² and water line improvements are proposed. These improvements include some roadway reconstruction to accommodate vehicle access and parking, drainage improvement and streetscape enhancement (benches, sidewalks, lighting, shade awnings, etc.) which could adversely affect features of the earlier railroad history of R Street. This is considered a potentially *significant* impact.

AA No Project Alternative

The No Project Alternative would not change the existing environment and therefore, *no impact* is anticipated.

MITIGATION MEASURE 9.4: Impacts to Railroad, Siding and Related Features

The following mitigation measure is recommended for CADA sponsored infrastructure and transit improvements in the R Street project area.

1. Prior to construction of any streetscape improvements in the roadway of the R Street Corridor between 9th and 19th Street, a field study by a qualified historian or historical archaeologist shall be completed to record and document

² Phase I of the improvements, between 10th and 13th streets, is funded and a separate environmental document is being prepared for that project.



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in both document and photo media any exposed elements of the rail line. Documentation shall follow, to the extent possible, procedures outlined by the National Park Service for a Historic American Building Survey/Historic American Engineering Record (HABS/HAER) report or equivalent.

2. To the maximum extent possible, any tracking and contributing features such as cobblestones or brick lining shall be left in situ. If presently covered with asphalt, railing shall be exposed. Uncovered rail shall be left exposed to maintain the transportation feel of the corridor. Distorted tracks that pose a hazard to drivers and pedestrians shall be replaced with existing or new rails from available stock.
3. If realignment of tracks is necessary for drainage, ADA compliance or other reasons, care shall be taken to maintain the sense of continuity from block to block in the rails. Reinforcement of the base of the existing main tracks with adjustments to alignment or elevation shall be completed only when necessary. The mainline tracks shall be moved no more than two vertical inches or six horizontal inches. The siding tracks shall be moved no more than six vertical inches or 12 horizontal inches.
4. If retaining the rail or sidings in situ is not feasible during construction, the rail and features shall be removed and set aside in the least damaging way. The contributing features, including tracks, siding, bricks, cobblestone or metal braces shall be carefully removed and cataloged under the supervision and oversight of a qualified historian or historical archaeologist and shall be restored to the street segment in the general alignment in which originally found. Damaged rails or cobbles shall be replaced in kind.
5. During construction or excavation of the street bed in the R Street Corridor, a qualified historian or historical archaeologist shall be present to monitor and identify any subsurface features unearthed. Work shall stop in the immediate vicinity of the find for recovery of significant features. Any features shall be cataloged and stored in accordance with Mitigation Measures 9.1.

Implementation of Mitigation Measure 9.4(a) would reduce the severity of impacts. However, because the precise design of street improvements is not available for many sections of the infrastructure improvements, implementation of the above mitigation measures cannot be guaranteed to be feasible. For example in some cases, railroad tracking and spurs may need to be removed in order to accommodate underground utilities and drainage improvements. The mitigation measures above would reduce impacts, however, even with these mitigation measures it is possible that some historic railroad resources could be altered during construction. For these reasons, the mitigation measure is recommended, but may not reduce impacts to a less-than-significant level, and therefore, some residual impact may remain. The residual effects would be *unavoidable*.

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IMPACT 9.5: Impacts to Historic Character of R Street

PP Proposed Project

Four phases of R Street Streetscape improvements are proposed. These improvements include some roadway reconstruction to accommodate vehicle access and parking, drainage improvement and streetscape enhancement (benches, sidewalks, lighting, shade awnings, etc.). Phase I of the improvements, between 10th and 13th streets, is funded and a separate environmental document is being prepared for that project.

The Urban Design Guidelines for the R Street Corridor note that the streetscape has several key elements that contribute to the history of the corridor, including the railroad tracks and sidings, cobblestone or brick work, and loading docks. Subsequent work for the R Street Improvement Phase I project has also identified lack of sidewalks, treeless landscape, absence of formal road striping and contributing elements to the character of the historic district. Additional characteristics include the mass of the warehouses, prevalence of industrial sash windows, and large awnings.

The Urban Design Guidelines for the R Street Corridor note that the streetscape has several key elements that contribute to the history of the corridor, including the railroad tracks and sidings, cobblestone or brick work, and loading docks. Subsequent work for the R Street Improvement Phase I project has also identified lack of sidewalks, treeless landscape, absence of formal road striping and contributing elements to the character of the historic district. Additional characteristics include the mass of the warehouses, prevalence of industrial sash windows, and large awnings. Adding sidewalks, curbs, parking, benches, awnings and lighting and changing the tracks could cause a substantial change to the industrial feel of the existing streetscape and would be considered a significant impact. This impact could be reduced to a less than significant level with the implementation of the following mitigation measures. The measures are intended to allow for project design implementation while retaining the historic industrial character of the district and maintaining the railroad related features. Because of the unique and historic streetscape and character, substantial change without sensitive design to the R Street Corridor streetscape could result in *significant impacts*.



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MITIGATION MEASURE 9.5: Impacts to Historic Character of R Street Corridor

The following mitigation measure is recommended for CADA sponsored infrastructure and transit improvements in the R Street project area.

1. All new concrete walkways shall be designed and installed for minimal impact to the visual industrial feel of the corridor. Curb height shall be limited to four inches. Walkways shall vary in width to accommodate existing loading docks but shall generally be 10 feet wide wherever adequate right-of-way is available.
2. Concrete bulb-outs shall be limited to numbered streets. If the use of concrete bulb-outs in the R Street corridor is unavoidable, the size shall be minimal (protruding four feet into R Street). A single yellow truncated warning tile, three feet long by six feet wide, shall be used on each bulb out or curb near the edge of the street.
3. If new street lighting is installed such lighting should reflect the industrial nature of the R Street corridor. Lighting shall be positioned at the edge of the street or back of the walk and shall be non-decorative and utilitarian in design.
4. Shade canopies or awnings shall be selected to reflect the industrial feel of the corridor, using historic photographs or existing awnings on buildings within the district as examples of kind. Street furniture (benches) shall also be minimized in number and selected to reflect the industrial feel of the corridor.
5. Street striping shall be minimal, restricted to marking of stop signs at intersections. Street paint shall not be used on or across tracks. Crosswalk markings shall be limited to numbered streets.

Implementation of Mitigation Measure 9.4(b) would reduce impacts to the industrial character of R Street to a *less-than-significant* level.

IMPACT 9.6: Cumulative Impacts to Historical and Cultural Resources

Sacramento has been inhabited by prehistoric and historic people for thousands of years. Over time, human occupation in the area has left behind remnants of past activities. Cumulative development and landscape improvements in the City could result in the damage, destruction or loss of known and unknown archaeological resources. In addition, historic resources could also be significantly altered or destroyed by new construction and improvements. Removal,



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destruction or significant alteration of design, fabric or location would destroy the value of a resource and could be a significant impact. Changes in the streetscape of districts, including Fremont Park, 1200-1300 Q Street, South Side, and R Street could also occur in a gradual manner by the removal of trees, historic sidewalks and curbside walkways, or infilling in a non-sensitive manner. While damage, destruction or ill-planned rehabilitation could be mitigated on a project-by-project basis, the cumulative loss of historic structures, street features, and archaeological sites or the gradual infilling of vacant lots in a way that changes the historic feel and setting of a neighborhood would contribute to a region-wide impact.

Proper planning and appropriate mitigation can assist in capturing and preserving knowledge of such resources and can provide opportunities for increasing our understanding of past environmental conditions and cultures through archaeological studies of sites and preservation of artifacts and materials. Sensitive design of new construction and rehabilitation of historic structures can help minimize the loss of fabric, setting and feel of historic neighborhoods and districts. Federal, State and local laws are in place that protect these resources and provide guidelines for careful rehabilitation of historic structures. The State Historic Building Code is designed for rehabilitation of historic buildings. Proper implementation of Mitigation Measures (above) could reduce the project's contribution to *cumulative impacts to a less-than-significance level*.

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Letter O7 William Burg, Preservation Sacramento
Response November 8, 2017

- O7-1 The comment refers readers to the commenting organizations attached comments. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O7-2 This comment is identical to previous comments submitted by Preservation Sacramento. Please see Responses to Comments O3-2 through O3-19.

November 8, 2017

Scott Johnson, Associate Planner
Community Development Department
300 Richards Boulevard, Third Floor
Sacramento, CA 95811

RE: Public Comment regarding the Downtown Specific Plan EIR

The Executive Committee of Sacramentans for Fair Planning has identified the following items as areas of concern regarding the Environmental Impact Report for the Downtown Specific Plan. Each item is addressed on the following pages, including recommendations and mitigation strategies, and/or changes to the Downtown Specific Plan and its governing ordinance.

1. Proposed language to limit maximum deviation of Floor Area Ratio (FAR) to 20% in cases of significant community benefit is not part of the Plan or Draft Ordinance, despite its earlier inclusion, and frequent mention in the EIR and public presentations to residents and developers. Without a maximum deviation limit, it is impossible to calculate the cumulative impact of multiple projects or conform to required Land Use Policy elements regarding clear and consistent development standards, including density and intensity standards required by the Government Code. 1
2. Changes to height limits in C2/RMX/OB zones are moderated by required setbacks and transitional height limits where these zones meet R1/R1A or R2/R2A zones, but not where C2/RMX/OB zones meet R3/R3A or R4 zones. Most central city residential neighborhoods, are zoned R3/R3A, a designation given to them because they were adjacent to commercial zones, not because there is a difference in building intensity or height limits. Thus, R3A zones should receive the same transition protection as R1 and R2 zones. 2
3. Devolution of historic preservation decisions from the Preservation Commission to planning staff limits public input and notification and comment and appeal processes. This policy also removes subject matter expertise from decision-making authority. 3
4. Rezone of all Central City Properties was done without sufficient notice to property owners and incorrect statements by staff saying there is no change based on re-zoning to the SPD designation. Changing the definitions of many central city zones (density, FAR, height) is a *de facto* rezoning. Staff claims that residential areas would not be rezoned are factually incorrect, as indicated by central city wide mailings informing residents of rezoning. 4
5. Completing central city street lighting was identified as a priority of the Downtown Specific Plan. The utilities portion of the Plan and Draft EIR needs to include a comprehensive plan to finish lighting all streets in the DSP Plan area, including unlit residential areas. 5
6. The last page of the draft Ordinance (Exhibit D) shows erroneous 75' heights allowed along S Street at 22nd Street. 6

1) Proposed language to limit maximum deviation of Floor Area Ratio (FAR) to 20% in cases of significant community benefit was removed from the Plan at some point between October 12 and 19, 2017, despite its numerous mentions from March through October in various public outreach documents and conversations with city staff. For example, it is in the Draft EIR (Page 3-27), public presentations (October 9, 2017 at City Hall, Station 5, Urban Design, Land Use & Preservation), Page 7 of 995 of the 10/12/17 Planning Commission Staff Report, and Page 60 of 69 of the Stakeholder Meeting document dated March 29, 2017.

Draft EIR Page 3-27 states: "With implementation of the DSP, the 2035 General Plan would be amended to facilitate development that includes modifications to floor-area ratio (FAR) standards. The general plan would be amended to offer additional language that clarifies the way in which open space can be factored into calculation of the FAR. General Plan Policy LU 1.1.10 would similarly be modified to allow new development to exceed the required FAR by no more than 20 percent if it is determined that the project provides a significant community benefit."

Station 5, Urban Design, Land Use & Preservation presented at the Community Open house at City Hall in October 2017 states a Key Initiative is to "Amend the General Plan to allow developments to exceed Floor Area Ratios by a maximum percentage if it provides a significant community benefit."

Page 7 of 995 of the 10/12/17 Planning Commission Staff Report under the heading of Plan Benefits states "General Plan FAR Clarification – A project may exceed the FAR threshold by a maximum of 20% if a community benefit is provided. Max FAR's to be reevaluated in next General Plan update."

Page 60 of 69 of a Stakeholder Meeting presentation from March 2017 states a key policy initiative is to "allow projects to exceed FAR by a maximum percent" and "Consider minor increases to maximum FAR."

This 20% FAR maximum language is in the Draft EIR but not in the DSP Plan document or the Draft Ordinance. The Draft EIR was not presented to the Planning Commission at the October 12 meeting.

Without a maximum deviation limit, it is impossible to calculate cumulative impact of multiple projects or conform to required policy elements regarding clear and consistent development standards. Without this limit, it is impossible to determine if a property is substantially consistent with its land use and urban form designation. Page 2-11 and 2-12 of the Draft EIR and (Page 33 and 34 of the DSP Plan Documents) contain a table showing FAR and DUA by land use category. Only the Draft EIR also contains the Deviation maximum language. The deviation language is not in the DSP Plan Document and neither the table or deviation language is in the Draft Ordinance, thus making any FAR limit unenforceable and thus inconsistent with the Draft EIR.

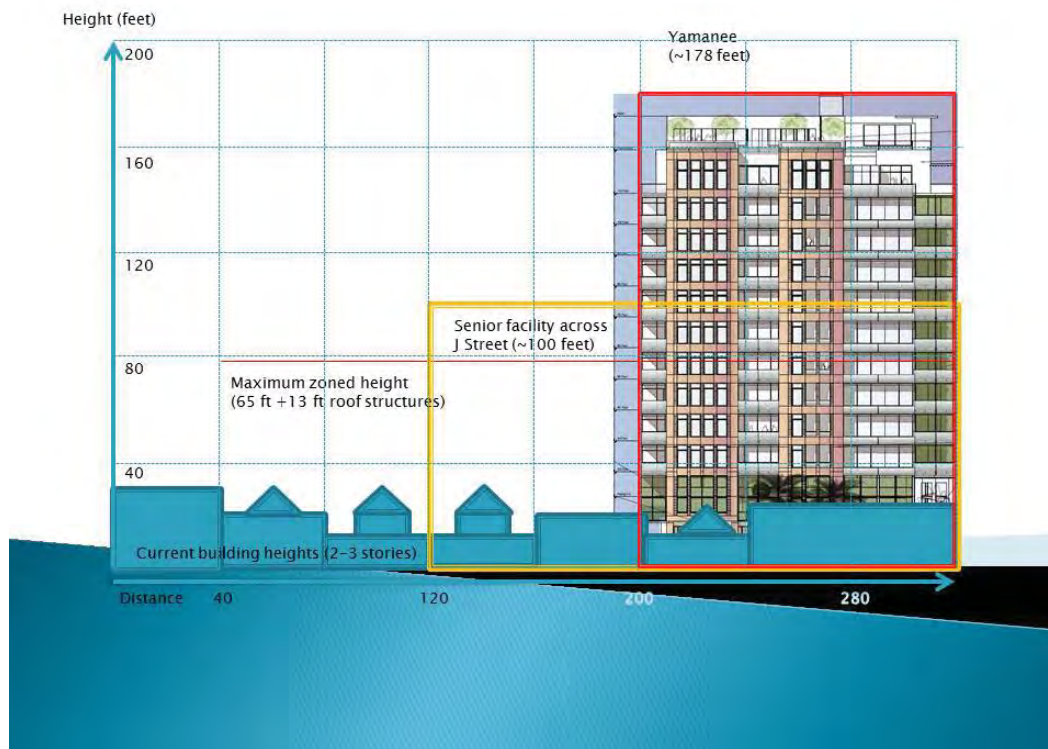


Figure 1: Example of deviation exceeding 20%; in this case, 250% deviation approval resulted in staff approval of a building disproportionately out of scale with General Plan land use category, height, FAR, and density maximums.

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The Draft EIR specifies an amendment to 2035 General Plan land use policy 1.1.10, Exceeding Floor Area Ratio (FAR), clarifying the policy regarding FAR to allow permitted FAR to be exceeded by 20 percent if the project provides a significant community benefit, replacing the current policy as interpreted, which has no maximum limit for FAR. Note that Significant Community Benefit remains undefined in the General Plan and totally arbitrary at the discretion of staff. This deviation limit has been presented to the community several times as noted above, including the Planning and Preservation Commissions. On October 12, City Planner Greg Sandlund informed the Planning Commission that this 20% FAR limitation was being removed from consideration and deferred to the next General Plan update, despite the presence of the 20% limitation being presented in Planning Commission packets as a benefit of the Downtown Specific Plan. On October 19, Sandlund also informed Preservation Commission that the 20% deviation limit was being removed from the Downtown Specific Plan objectives and would be deferred until the city's 2040 General Plan update, a process that could take several years.

This leaves a huge loophole and risk to the city by not having clear or consistent standards related to Floor Area Ratio and no definition of Community Benefit. If there is no maximum limit on FAR deviation, and thus no upper limit on potential development, it is impossible to calculate cumulative impact of multiple projects within the Downtown Specific Plan area. It is then also impossible to determine required population intensity and density standards required by the Government Code.

DSP policy element LU 5.1. specifies, *LU.5.1 Consistent Standards and Guidelines: Maintain clear and consistent development standards and design guidelines that are user friendly, remove barriers for*

Downtown projects, and provide adequate flexibility to react to changing market opportunities. (Downtown Specific Plan, Page 39). If there is no numeric limit on FAR deviation, this standard is impossible to implement, and the EIR cannot achieve one of its required purposes, to calculate and estimate cumulative impacts of projects within the Downtown Specific Plan area. **Policy Element L.U. 5.1 is internally inconsistent with the City of Sacramento's 2035 General Plan and illegal; the city cannot simultaneously have clear and consistent development standards and unlimited flexibility.**

"Uniformly Applied Development Standards" Contained in Appendix C of the Draft EIR for projects in the DSP area, which the draft EIR states addresses all potential impacts, does not include the maximum FAR, but does state "demonstrate consistency with the City's Climate Action Plan Consistency Checklist through: substantial consistency with the land use and urban form designations, allowable FAR and/ or density standards in the 2035 General Plan." If there is no way to ensure a maximum FAR for projects within the DSP boundary, there are no consistent standards (density standards) for cumulative impact of downtown projects. This means the Draft EIR is out of compliance with the Government Code regarding density and intensity standards.

Page 2 of the draft Ordinance states "*4. Facilitate Infill redevelopment by allowing a broad mix of uses and flexible development standards.*" This is the opposite of what the DSP Plan document and developer stakeholder feedback says, stating that consistent standards are needed, and the city's own document that says the inconsistency opens the city to risk of litigation. The Ordinance must remove the language "**Flexible Development Standards.**" The DSP Plan document also says there is consistency in design standards because they have included Uniformly Applied Development Standards (in Appendix C of Draft EIR) and yet there is no FAR maximum applied to the conditions of approval as was stated in the Draft EIR.

To ensure consistent development standards that match the density and intensity standards laid out in the Draft EIR, and ensure cumulative environmental impacts can be determined, this issue can be addressed easily by including the maximum Floor Area Ratio deviation bonus of 20% in the Downtown Specific Plan, amend the 2035 General Plan to reflect this maximum FAR deviation, and include the deviation maximum language the Ordinance that will be adopted by the City Council. This ensures the FAR standards are consistent and enforceable. And the word "flexibility" must be removed from L.U. 5.1. and "Flexible Development Standards" must be removed from the Ordinance.

2) Changes to height limits in C2 zones from 65' to 85', and similar changes in RMX and OB zones, are moderated in the current Zoning Code and proposed Draft Ordinance by reduced height limits where C2, RMX and OB zones meet R1/R1A or R2/R2A zones, but not where these zones meet R3/R3A zones. Given the proposed increase of height in C2 zoned areas from 65 to 85 feet, or higher and with no enforceable limit on FAR deviations, the issue of interface between residential neighborhoods is very important. The city clearly prioritizes this by proposing the reduced heights for R1 and R2 zones adjacent to commercial zones, but R3 zones are excluded.

EIR, Page S-39, 4.4-3: states *“The proposed DSP could cause a substantial adverse change in the significance of a historical resource. Page S-40, 4.4-5: New construction in proposed DSP area, in combination with other cumulative development within Sacramento County and the City downtown core, could contribute to the cumulative loss or alteration of historic built resources.”* These impacts are potentially significant and require mitigation.

The central city’s residential districts, including most historic districts, include a mixture of R1, R2, R3 and R4 zoning categories, with R3 being the most common. The built environment in all three zones includes a mixture of single-family homes, duplexes and multiplexes, and small apartment buildings, from 1-3 stories. Some R1 zones (single family or duplexes) include multi-story, multi-unit apartment complexes, while some R3 zones (multi-family) include single-family, one-story homes. Based on past central city plans, zoning decisions between R1, R2 and R3 were based on proximity to commercially zoned areas, not intensity of built environment. Thus, the R3 zones are at greatest risk as they are primarily adjacent to commercial zones, but lack the protections of R1 and R2 zones, generally farther from C2/RMX/OB zones. Some R1/R2 zoned properties are adjacent to C2/RMX/OB zones, but interface with R3 zones is far more common, and part of the original justification for creation of the R3 zones in the 1990 Central City Comprehensive Plan, still reflected in the proposed DSP.

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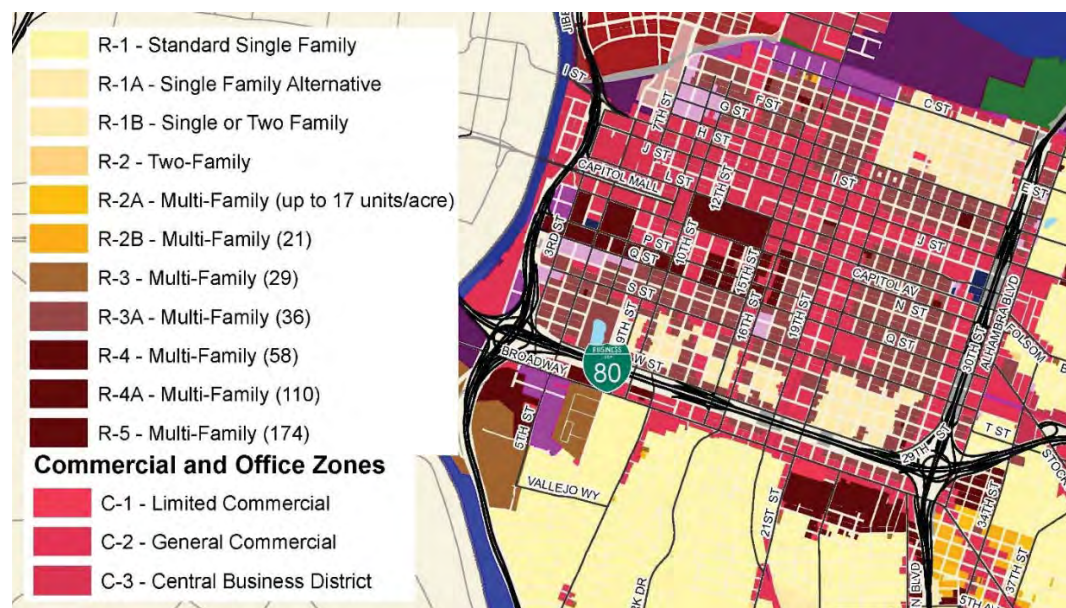


Figure 2: Map showing central city zoning. Note that R1/2 zones are generally farther from C2 commercial zones; R3/R3A generally adjacent.



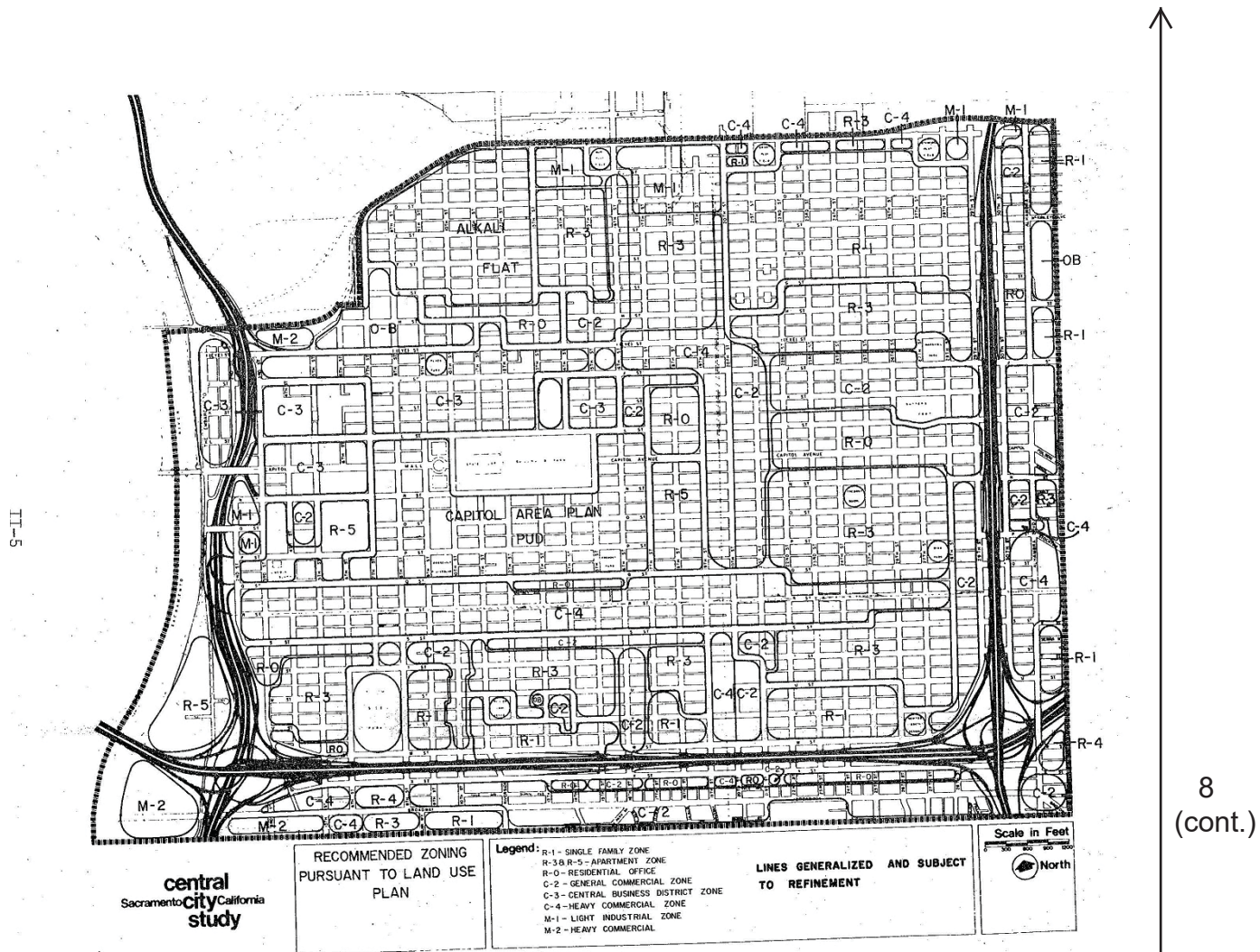


Figure 3: Zoning map from 1990 Central City Comprehensive Plan shows original R1/R3 divisions, based primarily on proximity to commercial zones, not height/intensity of built environment.

Put simply, the primary difference between neighborhoods zoned R1/R2 and those zoned R3A is not the built environment, which includes a similar, eclectic mixture of single-family and multi-family in all three zones. The functional difference between R1/R2 and R3 is proximity to commercial corridors, not density of built environment—which implies that measures intended to provide height transitions between commercial and residential neighborhoods are *more* important in R3 zones (mostly adjacent to commercial) than R1-R2 zones (mostly adjacent to other residential zones)—see Figure 2 and 3 above.



Figure 4: Google Street View of 2621 D Street. Zoned R1A, containing two story apartment buildings of approximately 60-80 units/acre. R1A zoning calls for a maximum density of 8 units/acre, single family homes or duplexes.

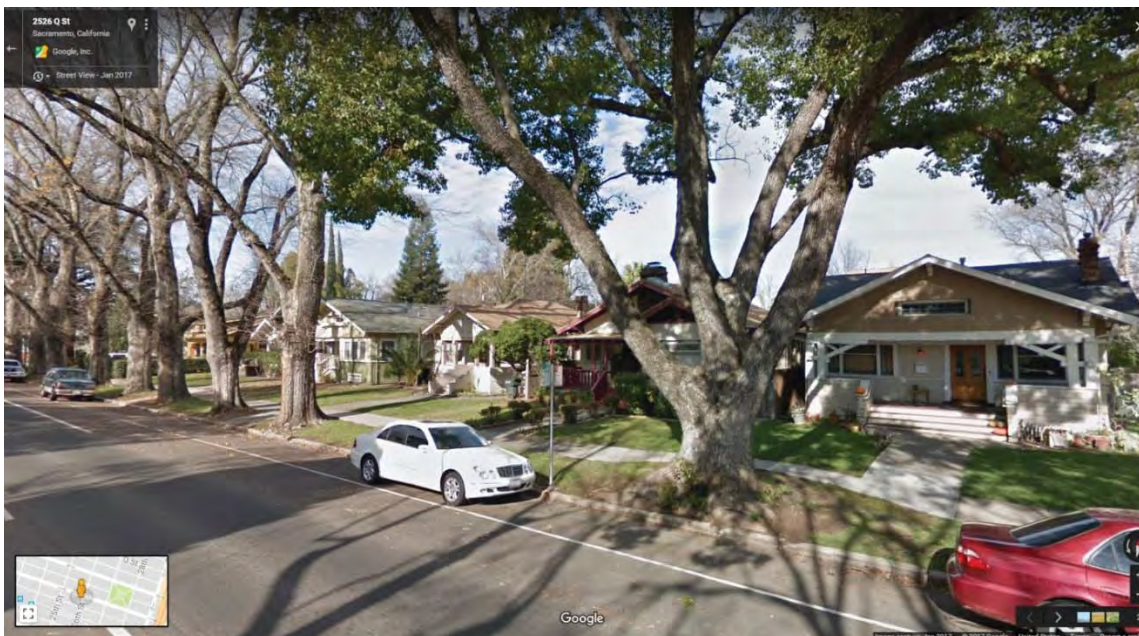


Figure 5: Google Street View of Bungalow Row Historic District, 2526 Q Street. Zoned R3A, contains only one-story, single-family homes, 7-14 DUA. R3A calls for 36 units/acre maximum.

Figures 3 and 4 show that R1 zoned areas can contain multi-family/multi-unit properties, while R3 zones can contain single-family homes; the built environment is eclectic but similar across both zoning types. Physical inspection of these neighborhoods demonstrates that R3A zoned areas are no more densely built than R1 zones in most instances.



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Draft Ordinance language on page 8 of 15 that states *“The maximum height of any building or structure, or portion of a building or structure, within 39 feet of an R1, R1B, or R2 Zone is 45 feet. The maximum height of any building or structure, or portion of a building or structure, within 40-79 feet of an R-1, R-1B, or R2 zone is 55 feet.”* The Ordinance MUST be amended to add R3 and R3A zoned properties, which, like R1 and R2, have a height limit of 35’, to the residential zones that require maximum height restrictions when adjacent to commercially zoned properties, including C2/RMX/OB zones. This also functions as a mitigation measure to protect historic districts and all midtown residential areas, and as implementation of L.U. 8.2 that states *“Established Neighborhoods. Preserve and protect established neighborhoods by providing appropriate transitions in building bulk, form, and intensity for uses adjoining these neighborhoods.”*

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This issue can be addressed easily by providing the same transition height language for C2/RMX/OB properties adjacent to R3/R3A zoned properties as provided for R1 and R2 zones. Adding this change also meets the DSP’s LU 8.2 regarding transitional heights.

3) Devolution of historic preservation decisions from Preservation Commission to director or staff level limits public opportunity for notification, comment, and appeal. This is the inappropriate assignment of final authority for decisions affecting historic properties to Planning & Design Commission, with Preservation Commission providing only an advisory role. This means preservation decisions related to historic properties or new development in historic districts are made by a city board without subject matter expertise.

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This issue could be addressed via a mitigation measure requiring the adoption of the Interim Historic District Design Guidelines approved by the Preservation Commission in September 2017 immediately, into Site Plan and Design Review processes and adding these interim design guidelines as part of the revised Central City Neighborhood Design Guidelines. And, adopt the Preservation Commission’s recommendations regarding their concerns about revisions to the Planning and Development Code as presented to the Preservation Commission and Planning & Design Commission in October 2017. The City Council must reverse this decision by the Planning Commission until Infill Standards for Historic Districts (which the Preservation Commission is currently working on) are enacted by Ordinance and added to the Planning and Development Code.

Attachment: Preservation Commission Ad-Hoc Committee Letter regarding Amending Section 145.156.020 and Various Provisions of Title 17 of the Sacramento City Code Relating to Planning and Development (M17-016)

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4) Rezone of all central city properties, without sufficient notice to property owners, and stating there is no change or impact based on re-zoning to the SPD is an incorrect statement by staff. All properties within the DSP boundaries were rezoned to include the DSP Special Planning District designation. Can the city rezone a property without Council action? Letters were sent to property owners in early October, with only a one week notice ahead of the 10/12/17 Planning Commission meeting (which was only advisory). Residents were told by city staff at the October community open house and at the Oct 12, Planning Commission meeting, that the Plan and rezoning of property would have no impact on our properties. However, raising the height limits in

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C2 zones and other non-residential zones means adjoining property owners can now substantially increase the intensity of uses on their property. The lack of transitional height and no FAR standards most certainly does have an impact as commercial/RMX/OB property next to R3 and R3A lots can now be 8-9 stories instead of 6 stories. The expectation of what neighboring properties can do with their property has changed significantly. The concept of zoning uniformity is now in question as is due process for similarly situated properties next to commercial zones. There are not transitional heights for R3 and R3A as C2/RMX/OB heights are increasing – thus less buffer for R3A areas, as they are excluded from the transitional height language in the EIR and Ordinance. This gives the appearance that the city is trying to change the land use and urban form of the central city without going through the formal rezoning and General Plan development processes; changes to height and density of individual zoning categories become a *de facto* zoning change.

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This can be easily solved by including R3 and R3A zoned properties in the Transitional Height Requirement currently afforded R1 and R2 properties in the DSP boundary, AND adopting the maximum FAR deviation language currently in the Draft EIR into the Draft Ordinance. Without this addition of transitional height language and FAR deviation limits, the statement by staff to residents and the Planning Commission on 10/12/17 that there is no impact to our properties is FALSE.

5) Utilities - At the October open house for community members, staff was specifically asked if the city planned to finish streetlights in residential areas. We were told “YES we plan to finish lighting all of Midtown.” Unfortunately the streetlight map included in the DSP Plan document clearly shows huge swaths of the Northeast and Southeast corners of the Central City still in the dark.

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The City must include all currently unlit residential areas in its streetlight map and include a comprehensive lighting plan to complete lighting all residential districts in the Draft EIR and Plan document.

6) The last page of the draft Ordinance (Exhibit D) shows 75’ heights allowed, along S Street at 22nd Street. A Planning Commissioner pointed this out at their meeting on 10/12/17. The heights along S Street at 75’ are likely listed in error. City staff said they would research this. Even if they’re not incorrect, and part of the original R Street Plan, these height limits make no sense in this location and need to be changed from 75 feet to 45 feet.

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The properties along S Street near 22nd street currently shown as allowed for 75 feet need to be changed to 45 feet. This is also consistent with transitional height language for R3A properties adjacent to C2 properties.

Thank you for the opportunity to comment on the Downtown Specific Plan Environmental Impact Report. A reply email indicating receipt of this document is requested.

**William Burg
Sacramentans for Fair Planning, Executive Committee**

Letter O8 William Burg, Sacramentans for Fair Planning
Response November 8, 2017

- O8-1 Please see Master Response 1 regarding changes to the maximum allowable floor area ratios.
- O8-2 Please see Master Response 1 regarding changes to building height limits and transition zones.
- O8-3 This comment expresses concern regarding the review process for projects that have the potential to impact historic resources. Please see Master Response 2 under Identification/Evaluation of Historic Resources on Opportunity Sites. City Code section 17.604.100 sets forth the responsibilities of the Preservation Commission, Preservation Director and Preservation staff. Any changes to this process that are currently being considered by the City are not included in the CCSP and are not being analyzed by the CCSP EIR
- O8-4 The Draft EIR evaluates the potential environmental effects related to implementation of the Central City SPD. The comment is noted and will be conveyed to the City Council for its consideration.
- O8-5 The comment suggests that the City modify the CCSP to expand proposed street lighting to include lighting in all areas of the CCSP planning area, including residential areas. As described in the CCSP and in Chapter 2, of the Draft EIR, Project Description, the City has identified needed street lighting in two large, older, predominantly residential areas of the CCSP. These two areas include portions of Alkali Flat, Mansion Flats, New Era Park, Boulevard Park, Marshall School, Midtown, Southside Park, Richmond Grove, Poverty Ridge, and Newton Booth. The proposed lighting in these areas is ornamental style street lights. The above areas are part of the lighting plan, included in the CCSP, however the CCSP does not limit the development of additional lighting throughout the CCSP planning area.

The City has dedicated funding from Lighting Landscaping and Maintenance Districts (LLMDs) and the City's General Fund for the maintenance of existing street lights. New lights or improvements to the existing lights, however, are typically from grant funds, private funds, public-private partnerships or assessment districts.

As an example, developers of projects in the CCSP area are typically required, as part of plan review, to improve the street lights along the street frontage of their project using ornamental style street lights. Those lights are only installed on the development side of the street and not across the street, and not on the adjacent blocks.

For some larger development projects, the City has required street lighting improvements in other areas of the CCSP area, outside of the vicinity of the proposed development projects. The City has recently completed several street lighting projects within the CCSP area, including the Entertainment and Sports Center project, the Central City project, the Capitol Mall project, and several projects for the Handle District (a subset of the Mid-Town Association). The Riverfront Reconnection project and the R Street Market Place Phase 2 project are expected to be completed in 2017. The R Street Market Place Phase 3 project is anticipated to be completed in 2018. The City anticipates that future development projects will provide additional opportunities for offsite street lighting improvements throughout the CCSP area.

The areas selected for street lighting improvements were considered in addition to anticipated street lighting improvements from development projects, as described above. This comment, while noted, does not require modifications to the EIR's analysis or conclusions of significance.

- O8-6 The comment refers to the Central City Special Planning District text and exhibits and is not a comment on the CCSP EIR. Please see Master Response 1 regarding changes to building height limits and transition zones.
- O8-7 Please see Master Response 1 regarding changes to the maximum allowable floor area ratios.
- O8-8 Please see Master Response 1 regarding changes to building height limits and transition zones.
- O8-9 Please see Master Response 1 regarding changes to building height limits and transition zones.
- O8-10 The comment refers to an attachment to the comment letter. No further response is required.
- O8-11 The Draft EIR evaluates the potential environmental effects related to implementation of the Central City SPD. The comment is noted and will be conveyed to the City Council for its consideration.
- O8-12 Please see Response to Comment O8-5.
- O8-13 The comment refers to the Central City Special Planning District text and exhibits and is not a comment on the CCSP EIR. Please see Master Response 1 regarding changes to building height limits and transition zones.



November 8, 2017

Scott Johnson, Associate Planner
Community Development Department
City of Sacramento
300 Richards Boulevard, Third Floor
Sacramento, CA 95811
Email: srjohnson@cityofsacramento.org

Subject: Draft Environmental Impact Report (DEIR) for the Downtown Specific Plan (DSP)

Dear Mr. Johnson:

Thank you for the opportunity to comment on the subject DEIR. We strongly support the City's Downtown Housing Initiative and its goals of increasing density, quality, diversity, and affordability of downtown residential living. We have participated as a stakeholder in the development of the DSP and submitted a comment letter regarding the Notice of Preparation (NOP) for this DEIR in March 2017.

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The transportation network proposed by the DSP has many roadway improvements that will directly or indirectly improve bicycle access within DSP area. For example, the many lane reductions and two-way conversions listed on pages 2-38 and 2-44 of the DEIR's project description will all provide space for installing bike lanes, either buffered or not, in some important areas for bicycle access. We heartily support these improvements to the roadway network.

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As part of the DEIR's impact analysis for transportation and circulation, the DEIR states that "impacts to bicycle facilities are considered significant if the proposed plan would:

- Adversely affect existing or planned bicycle facilities or
- Fail to adequately provide access by bicycle."

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We agree with the conclusion of the DEIR analysis that the DSP does not adversely affect existing or planned bicycle facilities. We strenuously disagree, however, that the DSP provides adequate access by bicycle. That is, we believe that the DSP fails to adequately provide bicycle access to some areas destinations and that this failure constitutes a significant impact of the project.

The DEIR does not conduct any analysis of how well the DSP provides bicycle access. It simply argues, instead, that the DSP does not remove existing bikeways or preclude future installations of bikeways and, therefore, does not fail to provide access (see page 4.12-64). Unfortunately, not "removing" and not "precluding" bikeways is not the same as adequately providing access by bicycle.

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The DSP is to implement the policies of the City's 2035 General Plan, as for example, this policy from the Mobility Element:

M 5.1.3 Continuous Bikeway Network. The City shall provide a continuous bikeway network consisting of bike-friendly facilities connecting residential neighborhoods with key destinations and activity centers (e.g., transit facilities, shopping areas, education institutions, employment centers).

Our NOP comment letter identified three types of destinations in the DSP area to which safe and comfortable bicycle access is needed:

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- The opportunity sites for near-term residential development under the Downtown Housing Initiative;
- Employment centers, transit hubs, civic amenities, shopping districts, and entertainment venues; and
- The gateways to the DSP area from surrounding neighborhoods.

In our NOP comment letter, we requested that the DEIR analyze the extent to which bicyclists could travel to and between these destinations on continuous low-stress bikeways. We find no evidence in the DEIR that this analysis was done. Instead we find a very general statement in the DEIR’s project description that the DSP’s bicycle network “would involve re-striping existing roadways to fill gaps in the existing bicycle travel network and provide a more complete system along the Sacramento and American Rivers . . . establishing a more complete low-stress bicycle network” (see DEIR page 2-46).

The DEIR’s description of the existing conditions of the bicycle system states “bicyclist comfort analysis completed as part of Grid 3.0 reveals that several of these streets [in the DSP area] do not provide for a high level of bicyclist comfort. This is especially apparent for bicycle facilities that cross underneath the Capital City Freeway and US-50. This lack of high-comfort facilities limits utility amongst the majority of bicyclists who are not willing to tolerate low-comfort bikeways.” The quoted statement is both accurate and appropriate.

The DSP proposes to install several Class III bike routes (listed on page 4.12-38 of the DEIR) but this designation entails simply posting signage for shared use of travel lanes with vehicles. Three of the locations of this designation are through the gateways under the freeways at 26th Street, H Street, and N Street; all of these locations have high-speed and high-volume traffic because they are associated with freeway entrances and exists. They are clearly not appropriate locations for shared lane use; appropriate bikeways through these gateways should provide separation and protection from vehicles (i.e., either Class II Enhanced or Class IV bikeways).

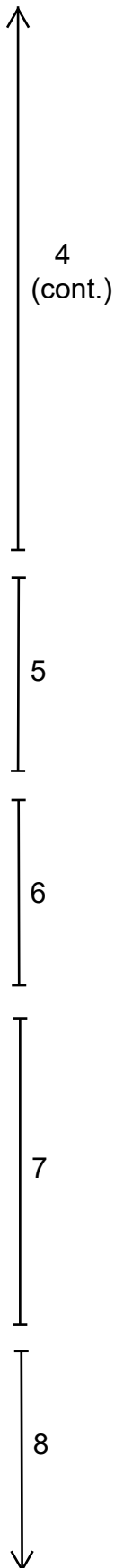
As part of the Pedestrian Network, the DSP proposes a series of “Connector street enhancement projects,” consisting of new sidewalks and intersection crossing treatments “to mitigate the barrier that freeways . . . present” (see page 4.12-39 of the DEIR). Six of these pedestrian improvements are at locations of important bicycling gateways: 5th Street, Riverside Boulevard/11th Street, 24th Street, Capitol Avenue/Folsom Boulevard, H Street, and North 16th Street. Yet none of these six locations is proposed for improving the comfort for bicycle access to the DSP area. We hereby request that each of these six pedestrian projects be designed to improve biking comfort as well as pedestrian comfort.

The gateway along North 16th Street from C Street to Richards Boulevard is particularly critical because there are no alternative biking routes over or under railroad berm and none are not proposed within four blocks in either direction. We request that this pedestrian improvement project be designed to also provide comfortable bicycle access to the businesses and destinations along North 16th Street, an appropriate application of the City’s Complete Streets goal and this General Plan policy:

M 4.2.1 Accommodate All Users. The City shall ensure that all new roadway projects and any reconstruction projects designate sufficient travel space for all users including bicyclists, pedestrians, transit riders, and motorists except where pedestrians and bicyclists are prohibited by law from using a given facility.

The most important destinations in the DSP are located in the northwest quadrant of the downtown Grid, north of N Street and west of 15th Street, including the Sacramento Valley Station, State Capitol, Golden 1 Center and the Railyards. These destinations are likely to be sought out by visitors to Sacramento who will use the new regional bike share system due to launch next spring.

The DSP does not propose any improvements to reduce the stress of continuous bicycling access to or between these destinations. Buffered bike lanes proposed for 9th and 10th streets partially improve



connections to the Capitol but do not provide continuous low-stress bikeways between the destinations.

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Similarly, the DSP fails to propose continuous low-stress bikeways to accommodate westbound or eastbound traffic immediately north of N Street and west of 15th Street, a significant deficiency given the high levels of bike usage in Midtown and the demand for bike access to the high concentration of popular destinations west of 15th Street along I, J and L streets: the Convention Center, Community Center Theater and Memorial Auditorium; Hyatt Regency, Sheraton, Citizen and Holiday Inn Sacramento-Capitol Plaza hotels; State Capitol, City Hall, Sacramento County Administration Building and Robert T. Matsui United States Courthouse; Golden 1 Center, Downtown Commons, and Old Sacramento; new Kaiser Medical Center, Main Library, Sacramento Valley Station and the Railyards. Low-traffic-stress access along these streets is critical not only to the functionality and success of the new bike share system, but also for office and service workers who travel by bike to jobs in this part of downtown Sacramento.

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Finally, the DSP proposes to convert 5th Street between Broadway and the Station to two-way vehicle traffic with bike lanes in both directions; these bike lanes should be buffered or protected as 5th Street will continue to be a high-volume, high-traffic route for vehicles. Improvements are particularly needed to support safe and convenient travel by low-income northwest Land Park residents who rely on bikes as essential transportation.

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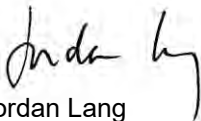
Because the DSP does not provide continuous low-stress bicycle access to important destinations and gateways of the DSP area, we conclude that it will cause significant adverse impact to bicycling. Therefore, we request that the City's approval of the DSP also require these mitigation measures:

1. The DSP will upgrade proposed bikeway improvements through the important gateways under the freeways at 26th Street, H Street, and N Street to buffered or protected bike lanes because of the high-speed and high-volume vehicle traffic associated with nearby freeway exits.
2. The DSP will expand the designs for proposed "connector street enhancement projects" at the gateways at 5th St, Riverside Blvd/11th St, 24th St., Capitol Ave/Folsom Blvd, H St., and North 16th St to also provide low-stress bicycling access through these important gateways.
3. The DSP will develop a specific plan for continuous low-stress bikeways to and between the key downtown destinations (i.e., Sacramento Valley Station, the downtown arena, and the Capitol) from all directions.

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SABA works to ensure that bicycling is safe, convenient, and desirable for everyday transportation. Bicycling is the healthiest, cleanest, cheapest, quietest, most energy efficient, and least congesting form of transportation.

Thank you for considering our comments.
Sincerely,



Jordan Lang
Project Analyst

CC: Joseph Hurley, Sacramento Air Quality Management District (jhurley@airquality.org)

Jennifer Donlon Wyant, Sacramento Active Transportation Program Specialist
(jdonlonwyant@cityofsacramento.org)

Letter O9 Response **Jordan Lang, Sacramento Area Bicycle Advocates (SABA)**
 November 8, 2017

- O9-1 The comment advises that the commenting organizations has provided comment during the NOP process for the CCSP and acknowledges the opportunity to comment on the CCSP Draft EIR. This comment, while noted, does not require modifications to the EIR’s analysis or conclusions of significance.
- O9-2 The comment describes the commenting organization’s support for improvements to the transportation network, provided in the CCSP. This comment, while noted, does not require modification to the EIR’s analysis or conclusions of significance.
- O9-3 The commenter identifies the significance criteria for bicycle facilities in the CCSP. The commenter agrees that the CCSP does not adversely affect existing or planned bicycle facilities but feels that the CCSP fails to provide adequate access by bicycle, which would constitute a significant impact. The commenter states that the Draft EIR does not analyze how well the CCSP provides bicycle access and cannot conclude the impact as less than significant. The commenter also references Policy M.5.1.3 Continuous Bikeway Network from the City’s 2035 General Plan, which states that “the City shall provide a continuous bikeway network consisting of bike-friendly facilities connecting residential neighborhoods with key destinations and activity centers (e.g., transit facilities, shopping areas, education institutions, employment centers).”

On page 4.12-35, the Draft EIR qualifies impacts to bicycle facilities as significant should the CCSP either:

- Adversely affect existing or planned bicycle facilities; or
- Fail to adequately provide for access by bicycle.

The CCSP Draft EIR documents proposed improvements to bicycle facilities within the Plan area on pages 4.12-38 to 4.12-40. As stated on page 4.12-38, “The proposed plan includes a variety of investments intended to improve access by bicycle...” and proceeds to list individual improvements, which include Class I bike paths, Class II bike lanes, Class II Enhanced facilities (buffered bike lanes), Class III bike routes, and Class IV separated bikeways. The Draft EIR continues on page 4.12-38 with stating, “These investments are intended to increase Central City accessibility for bicyclists by closing gaps in the existing system and by enhancing facilities to create a Low Stress Bicycle Network.” The improvements are also displayed in Figure 4.12-9. As stated on page 4.12-36 of the Draft EIR, the CCSP proposes 188 blocks of additional on-street bike lanes, an increase of 55 percent over existing conditions, in addition to improvements to existing bike lanes (to improve safety and reduce bicyclist stress).

The specific improvements to the transportation network included in the CCSP were evaluated as part of Grid 3.0 (adopted by City Council on August 16, 2016) after a thorough analysis and outreach process. As described on page 4.12-35 of the Draft EIR, Grid 3.0, “was shaped by significant input from community stakeholders, who identified overarching themes and objectives, provided input on modal priorities for blocks within the Grid, and provided input on potential network enhancements.” Analysis conducted as part of the CCSP Draft EIR and Grid 3.0 included a bicycle stress analysis and use of the SACSIM travel demand forecasting model (described on page 4.12-42 of the Draft EIR), which includes a mode split component that accounts for travel via transit, bicycle, and walking, in addition to automobile.

The analysis conducted as part of Grid 3.0, and incorporated into Chapter 6 (Project Alternatives) of the Draft EIR evaluated multiple transportation network options that included varying levels of modifications to roadways, including the coverage of bicycle facilities. As noted on pages 6-7 through 6-9 of the Draft EIR, the City considered two transportation network alternatives that included fewer modifications to the existing roadway system relative to the CCSP network (“Transportation Network Option A Alternative” and “Transportation Network Option B Alternative”), but ultimately dismissed these alternatives from further evaluation in part because they would have preserved a higher level of automobile capacity within the study area resulting in less space for expanding the on-street network of bikeways.

The Draft EIR also evaluated an alternative (“Transportation Network Option C Alternative”) that included additional on-street bicycle facilities beyond those included in the proposed CCSP. Implementation of these additional bicycle facilities would require a higher number of vehicle lane reductions. As documented on page 6-21 of the Draft EIR, “the additional lane reductions would substantially increase vehicular delay and queuing in a manner that is inconsistent with General Plan Policy M 1.2.2,” and modeling indicated that this alternative would increase congested VMT (LOS F) by approximately 40 percent over existing conditions. Therefore, this alternative would result in more severe impacts to the transportation system than the proposed CCSP (Draft EIR p. 6-23).

The goals and policies of Grid 3.0 and the CCSP reflect a layered network approach to identifying transportation network improvements. As described in Response to Comment A9-1, the layered network approach applies a holistic method to improving the transportation system for all modes. The CCSP does not attempt to prioritize bicycle travel on every street within the Plan area, but rather to identify select corridors to improve bicycle connectivity and accessibility while balancing bicycle accessibility against accessibility for other travel modes.

Based on the analysis described above and conducted as part of Grid 3.0 and the CCSP Draft EIR, Impact 4.12-7 and Impact 4.12-14 on pages 4.12-66 and 4.12-83,

respectively, conclude that impacts to bicycle facilities are determined to be less than significant and less than cumulatively considerable based on the aforementioned significance criteria. The CCSP would result in substantially higher levels of bicycle facilities relative to existing conditions, and would improve multiple existing bicycle facilities, representing a substantial increase in bicycle access within the study area. The commenter fails to provide evidence that the resulting level of bicycle access is in any way “inadequate.”

- O9-4 The comment identifies three types of destinations within the CCSP area where safe and comfortable bicycle access is needed. The comment also requests that the EIR analyze the extent to which bicyclists could travel to and between destinations on continuous low-stress bikeways. The commenter expresses concern that the Draft EIR does not adequately analyze the low-stress bicycle network.

Refer to Response to Comment O9-3 for a description of analysis relating to bicycle accessibility within the Plan area. As described in Response to Comment O9-3, Grid 3.0 completed a bicycle stress analysis to develop a Low Stress Bicycle Network, which served as the basis for the specific improvements to the bicycle network that were included in the CCSP.

- O9-5 The commenter states that the location of Class III bike routes proposed at the freeway underpasses on 26th Street, H Street, and N Street are inappropriate for shared lane use because of high traffic volumes. The commenter states that appropriate bikeways through these gateways should provide separation and protection from vehicles (i.e., either Class II Enhanced or Class IV bikeways).

This comment does not pertain to the adequacy or accuracy of the analysis used in the Draft EIR. Refer to Response to Comment O9-3 for a description of analysis relating to bicycle accessibility within the Plan area. As described in Response to Comment O9-3, the CCSP incorporates the proposed bicycle network developed as part of Grid 3.0. Although this network provides connections to all neighborhoods within the Central City, it is not intended to provide dedicated bicycle facilities on every roadway. In the case of the specific roadways listed in the comment, parallel existing or planned bicycle facilities for exclusive bicycle use (i.e., Class II, Class II Enhanced, or Class IV) are located on 24th Street, J Street, L Street, and P Street, all of which are located within two blocks from the Class III facilities referenced in the comment.

- O9-6 The commenter references improvements to pedestrian comfort at six “Connector Street Enhancements Projects” at 5th Street, Riverside Boulevard/11th Street, 24th Street, Capitol Avenue/Folsom Boulevard, H Street, and North 16th Street. The commenter requests that the design of the six projects include improvements to biking comfort as well as pedestrian comfort.

This comment does not pertain to the adequacy or accuracy of the analysis used in the Draft EIR. Refer to Response to Comment O9-3 for a description of analysis relating to bicycle accessibility within the Plan area. As described in Response to Comment O9-3, the CCSP incorporates the proposed bicycle network developed as part of Grid 3.0. Although this network provides connections to all neighborhoods within the Central City, it is not intended to provide dedicated bicycle facilities on every roadway.

Many locations for the proposed “Connector Street Enhancement Projects” have existing bike lanes. Additionally, the CCSP proposes bike lanes at some locations for “Connector Street Enhancement Projects,” including the 5th Street two-way conversion that proposes bike lanes in both directions. Refer to CCSP Draft EIR Figure 4.12-9 for locations of proposed bicycle network improvements. Although “Connector Street Enhancement Projects” are primarily intended to improve the environment for pedestrians, these enhancements (e.g., public art, improved lighting, intersection crossing treatments, etc.) would also improve the environment for bicyclists, and would not result in the removal of any existing bicycle facilities. Refer to page 160 of the CCSP for an example cross section of a “Connector Street Enhancement Project” that includes a protected bikeway.

- O9-7 The commenter states that North 16th Street from C Street to Richards Boulevard is particularly critical for bicycle network improvements because there are no alternative biking routes across the UPRR tracks within four blocks in either direction. The commenter requests that the “Connector Street Enhancement Project” on North 16th Street include comfortable bicycle access consistent with the City’s General Plan Policy M.4.2.1. Accommodate All Users.

This comment does not pertain to any specific analysis or conclusions contained in the Draft EIR. Refer to Response to Comment O9-3 for a description of the layered network approach utilized by the CCSP. As described in Response to Comment O9-3, the layered network approach applies a holistic method of improving the transportation system for all modes. The CCSP does not attempt to prioritize bicycle travel on every street within the Plan area, but rather identify select corridors to improve bicycle connectivity and accessibility. It should also be noted that the CCSP proposes a protected bikeway on North 12th Street four blocks west of North 16th Street and the existing Sacramento Northern Class I Trail is located parallel to the UPRR tracks 3.5 blocks east of North 16th Street.

- O9-8 The commenter states that the CCSP does not propose improvements to reduce the stress of continuous bicycling access to or between destinations in the northwest quadrant of the Grid, including the Sacramento Valley Station, State Capitol, Golden 1 Center, and the Railyards. The commenter states that the buffered bike lanes

proposed for 9th and 10th Streets partially improve connections to the Capitol but do not provide continuous low-stress bikeways to all destinations.

This comment does not pertain to any specific analysis or conclusions contained in the Draft EIR. Refer to Response to Comment O9-3 for a description of analysis relating to bicycle accessibility within the Plan area. As described in Response to Comment O9-3, Grid 3.0 completed a bicycle stress analysis to develop a Low Stress Bicycle Network, which served as the basis for the specific improvements to the bicycle network that were included in the CCSP. Further, the CCSP proposes a two-way conversion on 5th Street with on-street bike lanes in both directions, upgraded bicycle facilities on Capitol Mall, and new bidirectional bike lanes on N Street, in addition to bicycle improvements on 9th and 10th Streets referenced in the comment.

- O9-9 The commenter states that the CCSP does not propose continuous low-stress east/west bikeways north of N Street and west of 15th Street, and these connections are critical for providing low-stress bicycle access to the attractions in the northwestern portion of the Grid.

This comment does not pertain to any specific analysis or conclusions contained in the Draft EIR. Refer to Response to Comment O9-3 for a description of analysis relating to bicycle accessibility within the Plan area. As described in Response to Comment O9-3, Grid 3.0 completed a bicycle stress analysis to develop a Low Stress Bicycle Network, which served as the basis for the specific improvements to the bicycle network that were included in the CCSP.

Refer to Response to Comment O9-8 for a description of proposed bicycle improvements in the northwest quadrant of the Plan area. As described in Response to Comment O9-8, the CCSP proposes various new and improved bike lanes in this area.

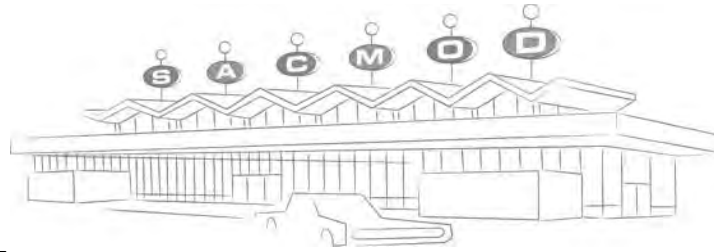
- O9-10 The commenter correctly states that the CCSP proposes to convert 5th Street between Broadway and the Sacramento Valley Station to two-way vehicle traffic with Class II bike lanes in both directions. The commenter recommends the proposed Class II bike lanes be replaced with buffered or protected bike lanes due to traffic volumes on 5th Street and to support safe and convenient travel for the low-income residents of Northwest Land Park.

This comment does not pertain to any specific analysis or conclusions contained in the Draft EIR. Refer to Response to Comment O9-3 for a description of analysis relating to bicycle accessibility within the Plan area. As described in Response to Comment O9-3, Grid 3.0 completed a bicycle stress analysis to develop a Low Street Bicycle Network, which served as the basis for the specific improvements to the bicycle network that were included in the CCSP.

O9-11 The commenter concludes that the CCSP will cause significant adverse impacts to bicycling because it does not provide continuous low-stress bicycle access to important destinations or gateways in the Plan area. The commenter recommends mitigation measures that include:

1. Proposing buffered or protected bikeways at “Connector Street Enhancement Projects” including the freeway underpasses at 26th Street, H Street, and N Street;
2. Expanding the design of “Connector Street Enhancement Projects” at 5th Street, Riverside Boulevard/11th Street, 24th Street, Capitol Avenue/Folsom Boulevard, H Street, and North 16th Street to also provide low-street bicycling access; and
3. Developing a specific plan for continuous low-stress bikeways between key downtown destinations.

This comment does not pertain to the adequacy or accuracy of the analysis used in the Draft EIR. Refer to Responses to Comments O9-3, O9-5, O9-6, and O9-8. No further response is required.



November 8, 2017

Submitted by e-mail

Scott Johnson, Associate Planner
City of Sacramento Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811-0218
E-mail: srjohnson@cityofsacramento.org

Re: Draft Environmental Impact Report for the Downtown Specific Plan

Dear Mr. Johnson:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Downtown Specific Plan (DSP). SacMod is a 501(c)(3) non-profit organization founded in 2010; we are dedicated to preserving modern art, architecture, and design in the Sacramento region. We do this by conducting home tours, bike tours, walking tours, film screenings, preservation campaigns, publications, and educating the public about modernism.

1

SacMod applauds several goals listed in the DSP, such as: acknowledging the need for more affordable housing; attempting to address the need for improvement of our city’s infrastructure (utility, transportation, and street); identifying the importance of our city’s trees; and incorporating more public art into the cityscape.

But, we are concerned for historic resources at “opportunity sites.” We disagree that the DSP EIR process acts as the final arbiter for CEQA clearance for all properties located on “opportunity sites.” The historical evaluations of these properties are incomplete and inadequate. So, the DSP DEIR lacks substantial evidence necessary to determine the significant impacts to historical resources.

2

SacMod also disagrees with the City’s decision to streamline CEQA decision-making processes in the DSP DEIR. Better results can be achieved when development projects go beyond in-house staff-level review. Proposed development projects can provide better community benefits when the community is actively involved and allowed to meaningfully participate in the process.

3

A 501(c)(3) non-profit organization dedicated to promoting, preserving and protecting modern art, architecture and design in the Sacramento region.

Gretchen Steinberg 4910 South Land Park Drive, Sacramento, CA 95822
gretchen@SacMod.org
SacMod.org

We also disagree with a one-size-fits-all “standard mitigation for all projects.” This approach cannot ensure the needs and concerns of our community are properly addressed.

4

Another shortcoming with the DSP DEIR is the proposed lowered open space requirements for housing. These proposed practices could result in dull, hulking, monolithic structures that will have significant, negative, citywide impacts on livability and aesthetics, particularly to historic districts and nearby residences.

5

DSP DEIR Does Not Acknowledge Recently Identified Mid-Century Modern Historic Resources

SacMod submitted a response to the Notice of Preparation for the Downtown Specific Plan on March 17, 2017. After reviewing the DSP DEIR, it does not appear that our previous comments and questions have been sufficiently addressed.

6

In particular, we are concerned that historic resources have not been sufficiently reviewed during the DSP EIR process. Many “opportunity sites” include Mid-Century Modern and Streamline Moderne historic resources that have not been adequately evaluated.

Earlier this year, SacMod collaborated with the City of Sacramento’s Community Development Department, the California Office of Historic Preservation, architectural historians from GEI Consultants, Inc. and Mead & Hunt, and a dedicated group of volunteers to produce the “Mid-Century Modern in the City of Sacramento Historic Context Statement and Survey Results” (hereafter MCM Context/Survey).

The MCM Context/Survey was completed at the end of September 2017. It is the City’s first attempt to identify and define the different key features, characteristics, and types of Mid-Century Modern (MCM) places built within city limits between 1940 and 1970. The MCM Context/Survey highlighted specific examples of MCM throughout the City in an effort to promote understanding of MCM resources, with the goal of educating and informing future evaluations and identification of additional historic resources.

7

Of note, several properties on “opportunity sites” listed in the DSP DEIR were also identified as notable or eligible for listing as historic resources in the MCM Context/Survey. The DSP EIR needs to acknowledge and include the findings of historical significance identified in the MCM Context/Survey.

Some properties located on “opportunity sites” were not explicitly identified in the MCM Context/Survey but nonetheless exhibit key features and characteristics consistent with MCM — and therefore warrant further evaluation.

Insufficient historical evaluation can cause significant and negative impacts on MCM resources located on “opportunity sites.” We believe the opportunity sites listed below require further intensive evaluation.

Opportunity Site #115:

Gordon D. Schaber Sacramento County Courthouse and Plaza
720 9th Street
Date Completed: 1965
Architect/Designer: Starks, Jozens & Nacht
Landscape Consultants: Sasaki, Walker & Associates
“Proteus” bronze and copper fountain: Aristides Demetrios

Consultants for the MCM Context/Survey conducted an intensive historical evaluation and determined that: “The County Courthouse appears to meet NRHP Criterion C, CRHR Criterion 3, and the Sacramento Register Criteria iii and iv within the context of architecture. The County Courthouse is an important example in Sacramento of the Brutalist style of architecture and represents the work of master architects Starks, Jozens & Nacht. The period of significance is 1965, the year the County Courthouse was completed.” SacMod further asserts that NRHP Criterion A, CRHR Criterion 1, and the Sacramento Register Criterion i also apply for the entire site.

Opportunity Site #45:

Former Fort Sutter Savings & Loan Association
2200 J Street
Date Completed: 1953
Architect/Designer: Rickey & Brooks

This former bank was identified by SacMod in the MCM Context/Survey as an outstanding example of MCM architecture. It exhibits the key features and characteristics consistent with Commercial Modern style and has retained a high degree of integrity. It is our understanding that a DPR form for this building dated around 2015 may already be on file in the office of City of Sacramento's Preservation Director, and identifies it as being eligible for listing as a historic resource.

Opportunity Site #60:

10

Former Pacific Greyhound Lines Terminal
(Historic postcard image via SacMod's ephemera collection.)

701 / 703 / 715 L Street

Date Completed: 1937 (expanded and remodeled in 1947)

Architect: W.D. Peugh

According to Sacramento Heritage, Inc., "The Greyhound Station is one of the city's best examples of the Streamline Moderne style, with its rounded corner, curved canopy, and ribbon windows on the upper level. This popular style of the 1930s and 1940s was meant to express movement and speed, and the building matched the styling of the company's buses during that period."

For more information and photos, please refer to Sacramento Heritage, Inc.'s Flickr set online: https://www.flickr.com/photos/sac_heritage/albums/72157606517443070

Opportunity Site #22:



Former Fuller Paint Store and Pole Installation/ Sculpture

1608 Q Street

Date Completed: 1964

Building built by Ericsson Construction

Designer of pole installation/ Sculpture: Richard Hastings

This property was identified by SacMod in the MCM Context/ Survey as a notable example of MCM. The building exhibits key features and characteristics consistent with Commercial Modern style and has retained a high degree of integrity.

11

The pole installation/sculpture consists of 81 poles in 32 hues set in a 9 x 9 grid at the corner of 16th and Q streets. Originally all 81 poles were a different color. It has long been misattributed to Saul Bass; Bass only commissioned and approved a 12-inch model. The sculpture was designed by USC-trained Hastings who was working for Herb Rosenthal & Associates. These poles had been originally designed by Hastings for the 1964 World Fair but had not been used for that project.

Opportunity Site #7:

Former Sumitomo Bank
(Historic image via Center for Sacramento History's Sacramento Bee Photo Morgue.)

1331 Broadway

Date Completed: 1966

Architects: Mitsuru Tada and Apaydin, Angell & Lockwood

This former bank was identified by SacMod in the MCM Context/Survey as an outstanding example of MCM bank architecture. It has the key features and characteristics consistent with New Formalism and has retained a high degree of integrity.

It was also featured as a Point of Interest for SacMod's 2013 Sacramento Mid-Century Modern Home Tour: "The striking geometric grilles on this bank serve multiple purposes: they provide a decorative element, privacy, and shade. Note also the use of stone aggregate in the tilt-up concrete slab walls, a popular mid-20th century building technique. Sumitomo Bank hired Berkeley architects Mitsuru Tada along with the firm of Apaydin, Angell & Lockwood to create this design. In 1972, Mitsuru Tada & Associates designed the Japanese American Building (Hokka Nichi Bei Kai) on Sutter Street in Japantown, San Francisco."

SacMod notes that the other properties located within "opportunity site #7" at 1309 and 1313 Broadway also exhibit features and characteristics consistent with MCM and warrant further evaluation.

12

Opportunity Site #3:



Former Crocker
Citizen's National
Bank

2121 Broadway

Date Completed:
1965

Architects:
Barovetto and
Thomas

This former bank
has key features
and
characteristics
consistent with
New Formalism
and has retained a
high degree of
integrity.

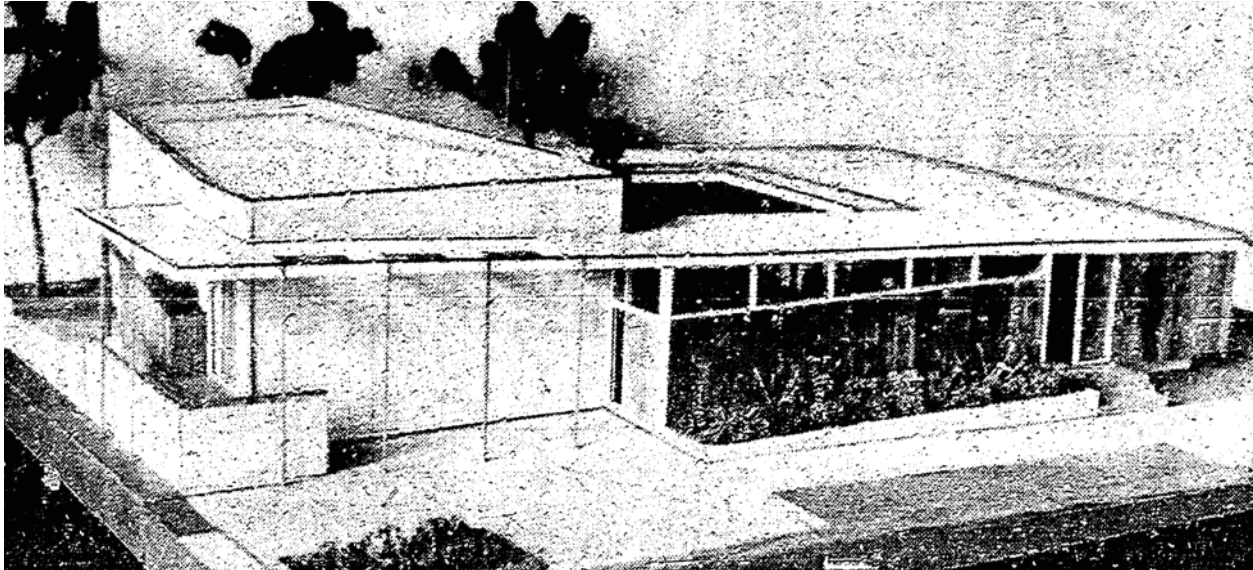
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(Historic image via Center for Sacramento History's Sacramento Bee Photo Morgue.)

Of note, consultants for the MCM Context/Survey determined another bank located at 4701 Freeport Boulevard — by the same modern master architects (Barovetto & Thomas) in the same style (New Formalism) — “appears to meet NRHP/CRHR Criterion C/3, and the Sacramento Register Criteria iii.”

Opportunity Site #18

2131 Q Street (incorrectly identified as “2123 Q Street” in DSP DEIR)
 (1957 by Dunbar Beck and Robert King; 1972 by Cox, Liske, Lionakis & Beaumont)



(Historic sketch via Sacramento Bee, December 4, 1956)

Former McClatchy Newspapers, McClatchy Broadcasting Company, and Sacramento Bee “Katherine Kitchen” home economics building that housed two kitchens, office space, and an auditorium for demonstrations. This building exhibits key features and characteristics consistent with MCM, has a high degree of integrity, and warrants further evaluation.

Dunbar Beck was a nationally known painter and designer. According to the Sacramento Bee, February 23, 1986:

Dunbar Beck was one of our own. He helped design the plant in which this newspaper is edited and published; he was active in the Sacramento Civic Theater, now the Sacramento Theater Company, from the time of its founding in 1942, and created the sets for many of its productions; he was a man deeply interested in the architecture and aesthetic enhancement of this community.

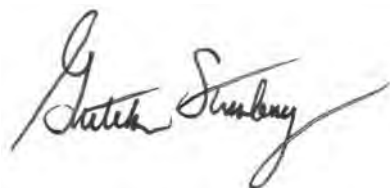
Dunbar Beck's work extended far beyond Sacramento. Having studied at Yale and the American Academy in Rome, he taught art at Yale, Columbia and Cooper Union, and worked on mosaics and murals for Rockefeller Center and the New York World's Fair. His paintings and portraits have appeared in shows around the country. One of them hangs in the Smith College art museum; another, commissioned by Steinway and Sons, adorns a grand piano that Steinway donated to the White House during the Roosevelt administration.

14

Please note that while we have identified various opportunity sites that include historic resources, SacMod would support development projects that include skillful and innovative adaptive reuse. Creative reuse of yesterday's buildings is a great way to address the needs we have today, such as affordable housing and walkable neighborhoods.

15

Respectfully submitted,



Gretchen Steinberg, President, SacMod

Letter O10 Gretchen Steinberg, Sacramento Modern (SacMod)
Response November 8, 2017

- O10-1 The comment describes the commenting organization, activities performed by the organization, and its support of the CCSP. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O10-2 Please see Master Response 2 under Identification/Evaluation of Historic Resources on Opportunity Sites.
- O10-3 The comment advises that the commenting organization is in opposition to the CEQA Streamlining described in the CCSP EIR.

The City, in accordance with Sections 21159.21, 21159.23, and 21159.24 of CEQA Guidelines, proposes to streamline the review of projects that are consistent with the City's General Plan, and the CCSP. The legislation authorizes streamlining of projects is intended, in part, to avoid redundant CEQA review of projects. There are other means by which the public may provide feedback on proposed design elements of proposed projects, including planning and design review. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.

- O10-4 The comment advises that the commenting organization does not agree with the applicability of specific mitigation measures to reduce impacts from the wide range of projects that may be developed pursuant to the CCSP. The mitigation measures provided in the CCSP EIR are prescriptive to impacts that may occur for projects that would be developed consistent with the General Plan and the CCSP. As described in the analysis contained in the Draft EIR, some impacts would be significant and unavoidable, even with the implementation of mitigation measures provided in the Draft EIR. This comment, while noted, does not require modification of mitigation measures provided in the Draft EIR, analysis, or conclusions of significance.
- O10-5 Contrary to the comment, neither the CCSP nor CCSP EIR lower the amount of parkland required to be dedicated for residential or nonresidential uses. Sacramento City Code Section 17.512.020 (enacted through Ordinance Ord. 2017-0009) requires 1.75 acres of parkland per 1,000 population within the Central City Community Plan Area and 3.5 acres of parkland per 1,000 population within the remainder of the city. The CCSP area is within the Central City Community Plan Area, and therefore used a service threshold consistent with City Code.
- O10-6 Please see Master Response 2. The identification of existing historic resources and evaluation of potential resources was focused on the Opportunity Sites. This effort was not intended to be a city-wide survey. Additionally, the Mid-Century Modern

context statement was not available at the time the technical reports were prepared for the CCSP. The City agrees that the Mid-Century Modern context statement will be a valuable resource moving forward with future evaluations of resources that fit within that period of significance.

- O10-7 Please see Response to Comment O10-6.
- O10-8 The comments provide information on various buildings in the CCSP area. The comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O10-9 The comments provide information on various buildings in the CCSP area. The comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O10-10 The comments provide information on various buildings in the CCSP area. The comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O10-11 The comments provide information on various buildings in the CCSP area. The comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O10-12 The comments provide information on various buildings in the CCSP area. The comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O10-13 The comments provide information on various buildings in the CCSP area. The comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O10-14 The comments provide information on various buildings in the CCSP area. The comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- O10-15 The comments provide information on various buildings in the CCSP area. The comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.

11/8/2017

VIA EMAIL

Scott Johnson, Associate Planner
City of Sacramento, Community Development Department
Environmental Planning Services
300 Richards Boulevard, Third Floor
Sacramento, CA 95811

RE: Draft Environmental Impact Report for the Downtown Specific Plan

Dear Mr. Johnson:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Downtown Specific Plan (DSP). The enhancement and addition of pedestrian facilities in the Central City will help to create a more walkable city. Bicycle, transit and vehicular infrastructure changes, along with the pedestrian facilities, will result in a more multi-modal downtown.

1

The DEIR *Pedestrian Network Improvements* section lists “Pedestrian-scale street lighting” (p 4.12-39) as an investment by the DSP to improve access by pedestrians in the Central City. The DSP also proposes adding ornamental street lights throughout the plan area, with locations identified on Figures 2-20 through 2-23.

2

A policy/action for Travelway Character Goals in the 2006 *Pedestrian Master Plan* is to “Provide pedestrian-scale lighting standards for all street categories,” and it states that 14-foot light standards at all corners of residential and collector street intersections would increase visibility of pedestrians. The DEIR (p 2-38) states that the predominantly residential Northeast DSP Street Light Area and the Southeast DSP Street Light Area need street lighting, but the associated figures indicate new lights are proposed for very few locations. Throughout the DSP area, pedestrians would benefit from better visibility at night provided by pedestrian scale lighting at corners, but it may be especially important in the residential areas where illumination from less numerous 28-foot street lights and other sources is lower.

The discussion of *Impact 4.12.12: The proposed DSP, in combination with other cumulative development, could impact pedestrian facilities* observes that providing additional pedestrian connections “would result in a higher level of pedestrian connectivity between neighborhoods, further encouraging the use of sidewalks...” (p 3.12-78). With this greater pedestrian use of sidewalks, there will be more people crossing street intersections at night. If pedestrians are not easily seen by drivers, there will be more collisions because of the increased pedestrian activity or there will be fewer pedestrians because they do not feel safe in dark intersections.



Just as the City’s General Plan policy M.1.2.3 requires evaluation of discretionary projects for potential impacts to traffic safety (p 4.12.26), the DEIR should evaluate the DSP for potential safety impacts to pedestrians created by inadequate illumination of intersection crosswalks.

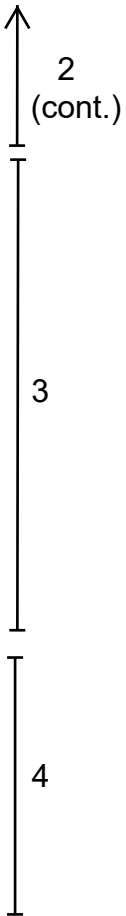
Locations for new and enhanced facilities are shown in Figure 2-25 *Preferred Pedestrian Network* (p 2-45), more accurately called Preferred Pedestrian Investments, and Figure 2-26 *Preferred Bicycle Network* (p 2-48). Six locations for pedestrian Connector Street Enhancement projects that are intended to better connect the DSP area to surrounding neighborhoods are viewed by bicycle advocates as important gateways for bicycle travel. However, these locations (5th Street, Riverside Boulevard/11th Street, 24th Street, Capitol Avenue/Folsom Boulevard, H Street and North 16th Street) are not proposed to receive needed bicycle improvements.

The pedestrian environment on sidewalks and street crossings is less safe for pedestrians when bicyclists on high-stress streets feel safer using the pedestrian space inappropriately. The DEIR should evaluate the safety impacts to pedestrians at the six locations mentioned above and at any other locations where there’s a bicycle travel demand that isn’t fulfilled with adequate facilities.

WALKSacramento is working to support increased physical activity such as walking and bicycling in local neighborhoods as well as helping to create community environments that support walking and bicycling. The benefits include improved physical fitness, less motor vehicle traffic congestion, better air quality, and a stronger sense of cohesion and safety in local neighborhoods.

Thank you for your consideration of these comments and recommendations.

Sincerely,
Chris Holm
Project Manager



Letter O11 Chris Holm, WALKSacramento
Response November 8, 2017

O11-1 The comment acknowledges the opportunity to comment on the CCSP Draft EIR and describes the commenting organizations support for the enhancements to transportation facilities, provided in the CCSP. This comment, while noted, does not require modifications to the EIR’s analysis or conclusions of significance.

O11-2 The commenter states that the pedestrian-scale street lighting proposed by the CCSP is inconsistent with the 2006 Pedestrian Master Plan, which includes a policy/action to provide 14-foot light standards at all corners of residential and collector street intersections. The commenter states that increased 14-foot pedestrian scale lighting is especially beneficial in areas with less numerous 28-foot lights, and that the CCSP lighting plan proposes new lights at few locations.

The commenter also references Impact 4.12.12, which states, “The proposed DSP [CCSP], in combination with other development, could impact pedestrian facilities.” The commenter states that increased development and pedestrian activity in the cumulative scenario will lead to increased pedestrian crossings at night, which can lead to more collisions and reduced safety. The commenter states that the Draft EIR should evaluate safety impacts associated with inadequate lighting.

This comment does not pertain to the adequacy or accuracy of the analysis used in the Draft EIR. Note that pedestrian improvements proposed by the CCSP include area-wide improvements to pedestrian-scale street lighting, as described on page 4.12-41 of the Draft EIR. Page 4.12-62 describes consistency between the proposed improvements to pedestrian facilities as part of the CCSP and the City’s Pedestrian Master Plan (2006), and states, “The proposed plan also proposes similar improvements in areas identified by the [City’s] *Pedestrian Master Plan* as Sidewalk Candidate Project Areas.” Based on the significance criteria documented on page 4.12-35 of the Draft EIR, Impact 4.12-5 and Impact 4.12-12 of the Draft EIR are determined to be less than significant and less than cumulative considerable, respectively.

O11-3 The commenter echoes comments in Letter O9 regarding concerns of inadequate bicycle facilities proposed as part of the “Connector Street Enhancement Projects.” The commenter states that inadequate bicycle facilities in the proposed “Connector Street Enhancement Projects” will encourage increased bicyclist sidewalk usage, which is a safety hazard to pedestrians.

Refer to Response to Comment O9-3 for a description of analysis relating to bicycle accessibility within the Plan area. As described in Response to Comment O9-3, Grid 3.0 completed a bicycle stress analysis to develop a Low Stress Bicycle Network,

which served as the basis for the specific improvements to the bicycle network that were included in the CCSP. Please also refer to Response to Comment O9-6 for a description of “Connector Street Enhancement Projects,” which indicates that these projects may also include designated bicycle facilities that separate bicycle traffic from pedestrian traffic.

- O11-4 The comment describes the commenting organization’s purpose and the merits of increased physical activity such as walking and biking in local neighborhoods. This comment, while noted, does not require modifications to the EIR’s analysis or conclusions of significance.

From: [Roland Brady](#)
To: [Scott Johnson](#)
Subject: Specific plan
Date: Monday, September 25, 2017 10:21:20 PM

Seriously, what good is it to have a specific plan, when important considerations, such as building height restrictions, can be swept away by a single Council member because the developer makes contributions to his campaign. None of the other Council members give a damn if it is not in their district, so they'll just go along.
So, why should any citizen give a damn about this plan? It's a waste of time.

1

Roland Brady

Sent from my Verizon 4G LTE smartphone

Letter I1 **Roland Brady**
Response September 25, 2017

- I1-1 The comment expresses the commenting individual's opinion regarding the CCSP. The comment does not address the Draft EIR for the CCSP with sufficient specificity to allow for a response. The comment is noted and will be conveyed to the City Council for its consideration.

Scott Johnson

From: Whitney Leeman <whitney.r.leeman@gmail.com>
Sent: Friday, September 29, 2017 10:47 AM
To: Tom Buford
Subject: downtown specific plan EIR

Dear Tom, I have been unable to find the downtown specific plan EIR online- has it been posted yet?

1

As a Midtown resident, I was mortified to find out that the downtown specific plan (DSP) included Midtown. Although I completely support urban densification downtown, some of the high density projects that are (or may be) popping up in Midtown are very unsettling (19J, Yamanee, the dreadful building going up next door to Kupros on 21st St., and even the alley infill right behind my home [REDACTED]).

2

Existing Midtown residents are already facing increasing traffic, noise, crime/safety issues, parking, unaffordable rents, disappearing open spaces, and more homeless encampments, resulting from densification in the past five years. Depending on where the bulk of the new 10,000 units will be located, the Midtown area may become unlivable for older residents (who are not necessarily benefiting from more bars, restaurants, nightclubs, arenas, etc.), and unaffordable for younger residents.

Although I am a constituent of Steve Hansen's, I never received an email from his office regarding the DSP, and didn't find out that Midtown was part of the plan until the Boulevard Park Neighborhood Association published an article on it in their September 2017 newsletter.

3

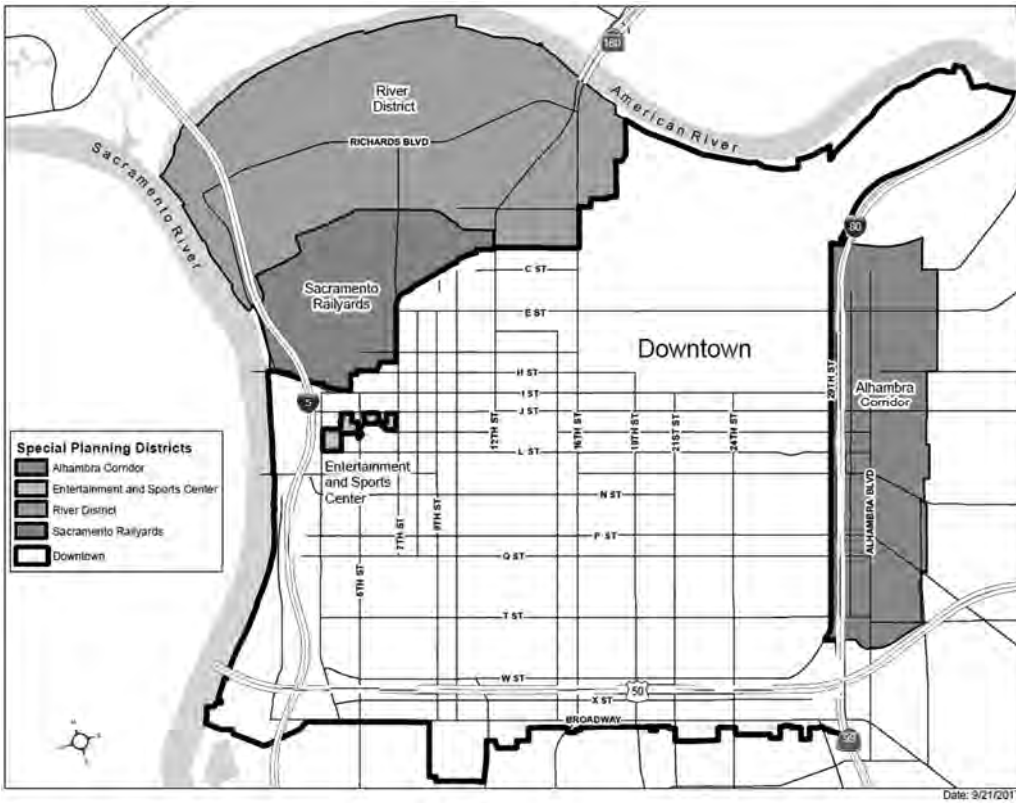
Some of the neighbors here feel deceived by the image below, posted on the City's DSP website.

I'm not sure how residents were selected to participate in the commenting process, but I am hoping that there will be further opportunities to do so when the EIR is released. I see on the DSP website that the next meeting is 10/12/17, so I will encourage neighbors to attend.

Sincerely,

Whitney Leeman

[REDACTED]



Letter I2 **Whitney Leeman**
Response **September 29, 2017**

- I2-1 The comment advises that the commenting individual was unable to find the Draft EIR posted online, at the time the comment was drafted (September 29, 2017). The City posted the Draft EIR for the CCSP (Downtown Specific Plan) on September 22, 2017, to the Environmental Review Reports page of the City's website, available at the following website: <https://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>. The Draft EIR has been available on the City's website from the date of posting to present.
- I2-2 The comment suggests that densification is responsible for undesirable conditions occurring in the downtown and midtown areas of the City including traffic, noise, crime, parking issues, unaffordable rents, loss of open space, and increased homeless encampments. The CCSP identifies 13 principles that guide the vision for the CCSP area including supporting new places to live and encouraging varied housing options that reflect the diversity of Sacramento. The CCSP development projections are consistent with the 2035 General Plan and the SACOG MTP/SCS. The creation of additional residential and nonresidential uses in the CCSP area is intended to build out over the next 20 years. The comment is not a comment on the CCSP EIR and no further response is required.
- I2-3 The comment does not address the environmental impact report for the proposed project with sufficient specificity to allow for a response. The comment is noted and will be conveyed to the City Council for its consideration.

Scott Johnson

Subject: RE: Downtown Specific Plan comments

From: Alice Levine <alevineharroun@gmail.com>

Date: October 26, 2017 at 8:24:32 PM PDT

To: tbuford@cityofsacramento.org

Cc: Steve Hansen <shansen@cityofsacramento.org>, Sean Manwaring [REDACTED], Jeff Slodowitz [REDACTED], Kelley Woodward [REDACTED], Bill Burg [REDACTED], Robert Chase [REDACTED], "Catherine O'Brien (Google Docs)" [REDACTED], Maryellen Burns [REDACTED]

Subject: Downtown Specific Plan comments

Tom Buford
Senior Planner, City of Sacramento
Community Development Department

Dear Tom:

I returned from a 2-week trip last Monday to find a letter in my mailbox telling me that my neighborhood, Poverty Ridge, is about to be rezoned, to become part of a Special Planning District (SPD). Having already missed the meeting on October 16 and not knowing anything about this, I assumed it was an effort to allow developers to build taller buildings all around my neighborhood. I emailed Bill Burg who sent me the link to the Downtown Specific Plan (DSP), and I read it today. I have some questions and concerns.

1

First, and most importantly, Poverty Ridge should not be included in the Downtown Specific Plan district. The area bounded by 21st on the west, Capitol City freeway on the south and east, and R Street on the north is very different from the rest of the Central City. On all of your metrics, our neighborhood is different; more families, more owner-occupied housing, the age distribution, and housing types. There is virtually no employment in our neighborhood and very little opportunity for mixed use in the built-out historic neighborhood. Please respond to this concern and explain why you made the decision to make the Downtown Specific Plan apply so broadly, geographically speaking.

2

Secondly, how do the regulations about historic districts interact with the proposed new zoning? Do the historic district rules take precedence?

3

Next, on page 33 there is a chart of various land-use types in the Central City (now defined broadly to include Poverty Ridge). If I read it correctly, our neighborhood is considered "Traditional Neighborhood, Medium Density, R-1B." If that is true, with a density of 8 - 36 dwelling units per acre, you assume we can build about 115 infill units and new growth to include 143

4

additional units, averaging 567 sq. ft. per unit. Is there map that shows where both infill and new units might be built? And over what time frame? Page 162 lists Housing Opportunity Sites, and none are in Poverty Ridge. Is Poverty Ridge not in the "Traditional Neighborhood" category, then?

4
(cont.)

Page 41 shows that diverse and distinct neighborhoods are important. It says that established neighborhoods need to have appropriate transitions in building bulk, form and intensity for uses adjoining them. Although laudable, this goal is vague. Since the plan proposes eliminating the 60 foot height limit as a trigger for review, I question whether one person's definition of "appropriate transition" would be the same as that of another person.

5

On page 94, there is a short list of schools that are historic landmarks. McClatchy Library is an historic landmark. Is the complete list in an appendix, and does it include that library?

6

Page 114 begins a section on transportation, highlighting especially trains and the proposed streetcar system. However, there is no mention of improved transportation to and from the airport. This lack is an embarrassment for our city, and this planning document would be a great forum for addressing that problem.

7

The plans to improve bicycle transportation are great. However, in the drawing on page 118, it shows a car parked in what one would assume is part of the bike lane if, in fact, you proposed protected lanes where pedestrians walk next to the bike lane, and all car traffic is separated beyond the bike lane. What is the plan for bike lanes, then?

8

On page 165, there is a statement that if a proposed development is consistent with the Specific Plan, it is exempt from CEQA. This removes a barrier to development, but it also weakens citizen power to have input into the potential impacts of development. The Specific Plan increases height allowance, eliminating the 60 foot height threshold that triggers Planning Commission and Council review. The Specific Plan also allows increased maximum density, decreases open space requirements, and requires no open space at all when commercial or industrial space is converted to multi-unit residential. All of these changes weaken citizen input because they encourage the development of projects that may be out of scale with the surrounding neighborhoods with no public process for review.

9

Finally, in the parks section, there is a map of the parks that includes Southside Park, but there is no mention of it in the narrative, neither its important history nor its current multiple uses. Most importantly, there is no mention of the swimming pool. Although there is a chart that shows citizens/pool, there is no reference to the importance of fitness for our citizens, the role that the pool and track at Southside Park play, and therefore no basis for better support in the future for those important recreation and activity centers.

10

Is there really a proposed park at 21st and U Streets?

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While I applaud the efforts to "unlock the potential" of Sacramento, and I support increased density in the center of town, Poverty Ridge and the other "streetcar suburbs" such as Boulevard Park and Newton Booth do not belong in the district covered by the Downtown Specific Plan or the Special Planning District. Please re-draw the boundaries to reflect more accurately what you are proposing to change, more density in the urban core.

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Sincerely,

Alice Levine
2217 U Street
Sacramento
alevineharroun@gmail.com
(916) 455-0485; (916) 529-6293

Letter I3 **Alice Levine**
Response **October 26, 2017**

- I3-1 The comment is not a comment on the CCSP EIR and no further response is required.
- I3-2 The comment suggests that the Poverty Ridge neighborhood should not be included in the boundaries of the CCSP planning area. The boundaries of the specific plan area were drawn broadly enough to define a geographic space and encompass the land uses within that space. While individual neighborhoods within the CCSP planning area are unique in character and distinctly different from other areas, they are nonetheless located within the Central City. This comment is in reference to the CCSP and does not address the analysis or conclusions of the Draft EIR. The comment is noted and will be conveyed to the City Council for its consideration.
- I3-3 The comment questions whether there would be zoning conflicts between the proposed Central City SPD and regulations for historic districts. Please see Master Response 2 for a discussion of historic districts. The City is currently working on guidance with regards to development in Historic Districts. This effort is occurring independently of the CCSP and is not analyzed in the CCSP EIR.
- I3-4 The comment asks if there is a map showing potential sites where infill and new units might be built, and the time frame for their construction. Figure 4.2-1 of the CCSP (page 163) provides a map of opportunity sites within the CCSP planning area, that were identified as they are generally vacant and/or underutilized and are at least one-quarter of an acre in size. The Draft EIR does not assume that residential development would only occur at the opportunity sites identified in the CCSP. Sites throughout the CCSP planning area could be developed or redeveloped as housing, based on allowable uses described in the CCSP and the General Plan. This may apply to neighborhoods within which the CCSP did not identify housing opportunities, including Poverty Ridge. The timeframe and locations of development that would occur pursuant to the CCSP would be subject to market forces. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I3-5 The Central City Special Planning District language clarifies the definition of allowable building heights and transition areas in relation to specific zoning designations. Please also see Master Response 1 regarding changes to building height limits and transition zones.
- I3-6 McClatchy High School is not within the boundaries of the CCSP.

I3-7 The commenter expresses concern that the CCSP does not address public transit to the Sacramento International Airport. The commenter suggests that the CCSP include transit to the airport.

The Sacramento International Airport is outside the Plan area as described in the CCSP Draft EIR. However, the City supports Sacramento Regional Transit's (RT) "Green Line to the Airport" project is evaluating public transit to the Sacramento International Airport. The first phase of the Green Line extension between Downtown Sacramento and Township 9/Richards Boulevard opened in 2012. RT is currently working with stakeholder groups and consultants to complete technical analyses as part of a Draft EIR for Green Line extension through Natomas to the Sacramento International Airport. These studies are expected to continue through 2018.

I3-8 The commenter approves of the planned bicycle improvements in the CCSP, but expresses concern that automobiles would park in bike lanes.

This comment does not pertain to the adequacy or accuracy of the analysis used in the Draft EIR. The City has design standards for bicycle facilities that include measures to prevent cars from parking in bicycle lanes. These measures include but are not limited to signage, lane markings, and parking lane width requirements.

I3-9 Please see Response to Comment O10-3.

I3-10 The comment advises that Southside Park and the amenities within that park are not adequately described in the Draft EIR. Southside park is among the 28 parks identified in the Draft EIR, Section 4.11.4 Parks and Open Space, as being within the CCSP area. Southside Park is identified as a community park within the CCSP area in Figure 4.11-6 of that section as well. Details of existing or proposed parks are presented as they pertain to the analysis of potential physical impacts to parks and open space from implementation of the CCSP and are not intended to be a detailed inventory of each specific park. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.

I3-11 The comment is specific to the proposed boundaries of the CCSP and is not a comment on the CCSP EIR. No further response is required.

From: Silcox, Travis (Dr.)
To: Scott Johnson
Subject: Downtown Specific Plan comments
Date: Friday, November 3, 2017 2:06:02 PM

Hello Mr. Johnson:

I attended the City Hall meeting a few weeks ago to discuss the Downtown Specific Plan. Unfortunately, after 2 hours, my meter was about to run out, so I had to leave. I would have preferred a different type of forum, with more give and take, or at least to have been placed first on the agenda.

1

I have the following comments or questions:

1. the plan should not be called the "Downtown Specific Plan" since this makes it sound like it relates specifically to downtown. I feel that this is a sneaky way to make changes in midtown under the radar of most midtown residents.
2. I don't understand why the map is drawn to include the area of Sutter's Landing Park. I was one of the original residents who worked on Sutter's Landing Park. In fact, four neighbors, of whom I was one, are the ones who named it Sutter's Landing Park, after discovering the millstone languishing in a junk yard on B Street. The park, as a landfill site, is not able to be developed for decades. So why is it included in this plan?
3. I live in an historic preservation district. I understand that this plan will change my zoning, making development denser and disregarding the many decades of planning and oversight that have gone into creating and maintaining the historic preservation districts. We cannot change our screen doors without a review process, yet this plan will enable development and infill not consistent with current restrictions.
4. We just went through a lengthy process with the Preservation Commission to assert the Central City Guidelines with respect to density, massing, height, etc in midtown. Will those guidelines for modest infill development be eliminated? Will they be modified? Will there be the extensive process that we just went through to make these changes?
5. Why was the Downtown Specific Plan never presented to the neighborhood residents' groups, such as Boulevard Park Neighborhood Association? I noticed that the midtown presentations were made only to business-friendly, development oriented groups, not to the groups dedicated to preservation or quality of life for residential stakeholders.

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From everything I have seen of the Plan, including its roll out, I am opposed to it. What might make sense for downtown commercial development does not make sense for midtown residential blocks.

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Thank you,

Travis Silcox
2220 C Street
Sacramento

Letter I4 **Travis Silcox**
Response **November 3, 2017**

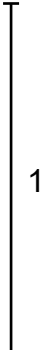
- I4-1 The comment refers to the format of a public meeting held on the CCSP, and is not a comment on the CCSP EIR. No further response is required.
- I4-2 The comment requests that names of the DSP and DSP EIR be changed. The names of the Downtown Specific Plan and Downtown Specific Plan EIR have been revised to be the Central City Specific Plan (CCSP) and Central City Specific Plan EIR (CCSP EIR), respectively.
- I4-3 The comment questions the inclusion of Sutter’s Landing Park in the CCSP planning area. The boundaries of the specific plan are drawn broadly enough to define a geographic space and encompass the land uses within that space. Development potential of a given property is not a key factor in developing the boundaries of a specific plan area. Within the CCSP planning area, there are other State-owned buildings and properties that are within the plan area that will not be developed as well. The comment does not address the environmental impact report for the proposed project with sufficient specificity to allow for a response. The comment is noted and will be conveyed to the City Council for its consideration.
- I4-4 This comment is concerned with inconsistent new development in historic districts. Please see Master Response 2 under Infill Development in Historic Districts/Design Guidelines.
- I4-5 Please see Response to Comment O2-1.
- I4-6 Public outreach for the CCSP was initiated through several avenues including a Developer Advisory Group composed of local private developers, affordable housing developers, architects, attorneys, and bankers; Interest Based Stakeholder Meetings with neighborhood association leaders, advocacy groups, developers, property and business improvement districts; Landowner Surveys available to all landowners in the Central City; Community-wide Workshops and EIR Scoping Meeting open to all members of the Community; Preservation Commission Meetings with Commissioners and open to all members of the Community interested in preservation issues; Public Hearings at the Planning and Design Commission and the City Council; and Outreach Tools and Materials including a project website, informational video series, social media postings, project fact sheet, e-newsletters, and online engagement forum.
- I4-7 The comment expresses opposition to the CCSP. The comment does not provide a comment on the CCSP EIR and no further response is required.

From: [Penelope Greenglass](#)
To: [Scott Johnson](#); [Greg Sandlund](#); [Jim McDonald](#)
Subject: Requests for reconsidering part of the Downtown Specific Plan
Date: Monday, November 6, 2017 7:50:14 AM

Hello Mr. Johnson, Mr. Sandlund, and Mr. McDonald,

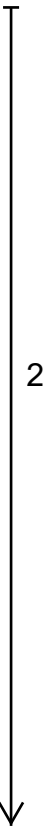
As a citizen and resident of Midtown for over 10 years, of Downtown for 2 years, and of Boulevard Park for over 26 years (where I currently reside), I respectfully offer the following endorsement of the Boulevard Park Neighborhood Association Board proposed revisions to the Downtown Specific Plan.

- 1. The Name – Downtown Specific Plan – implies no distinction between Midtown and Downtown,** with Midtown losing its identity as a collection of distinct neighborhoods that are very different from Downtown. Several residents and Planning Commissioners noted the Plan name should be changed to Central City Specific Plan and clearly delineate between downtown and midtown areas.



We are requesting the plan name be changed to Central City Specific Plan.

- 2. The draft Ordinance increases height in the General Commercial Zone (C2) from 65 feet (6-7 floors) to 85 feet (8-9 floors).** The existing and proposed zoning code requires transitional heights of 45 feet in between Commercial Zone (C2) areas and Residential zoned (R1 & R2) areas. The current and proposed zoning does not provide any transitional heights for R3 and R3A areas. Because the Plan is changing commercial area height limits from 65 to 85 feet, without adding transitional height requirements for C2 areas adjacent to R3 and R3A areas, there are large implications for the residential lots adjacent to commercial lots in and around major corridors like 19th Street, 21st Street, S Street, G & H Streets, Capitol Avenue, N Street, etc. The Ordinance protects R1 and R2 zoned areas but does not protect R3 and R3A zoned properties. This has huge implications for all residential areas next to commercial zones and **for BPBA specifically, for properties along G & H Street and 21st Street. You could very easily see buildings of 8-10 stories along 21st Street with no buffer between them and adjacent single family homes, similar to the 19th & J project.**



Page 8 of 15 of the attached ordinance for Commercial Zones says “17.444.090 C-2 general commercial zone

3. Transitional height.

a. The maximum height of any building or structure, or portion of a building or structure, within 39 feet of an R-1, R-1B, or R-2 zone is 45 feet.

b. The maximum height of any building or structure, or portion of a building or structure, within 40-79 feet of an R-1, R-1B, or R-2 zone is 55 feet.

We are requesting, that in exchange for the increase to 85 feet in the Commercial (C2 zone) that R3 and R3A be included in the Transitional Height Requirement.

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3. Language limiting Floor Area Ratio (FAR) is in the Draft EIR but not in the Plan or Ordinance: This combined with Item 1 above related to transitional height could have significant impacts on residential areas. The Draft EIR contains language that places a 20% limit on Floor Area Ratio (height & density) deviation for residential projects. Page S-6 of the Draft EIR says “*The proposed DSP would retain the existing land use designations, as identified by the 2035 General Plan, for all parcels within the plan area. The 2035 General Plan would be amended to clarify the policy regarding FAR to allow a project’s FAR to be exceeded by 20 percent if the project provides a significant community benefit.*” However, the Plan and Ordinance do not contain this language. The result is the FAR limit is unenforceable. As you know from the J Street project in 2016, there is a land use policy in the General Plan that allows the city to approve an unlimited FAR (height and density) deviation. This policy enabled the city to justify excessive height on J Street. With the renewed focus on corridors in this plan, including 21st Street, without placing a limit on FAR deviations, 21st Street is at risk for the same kind of overly tall projects, immediately adjacent to residential areas. Staff presented a benefit statement on page 7 of 995 of the Planning Commission 10/ 12/17 staff report that stated

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“General Plan FAR Clarification”

- A project may exceed the FAR threshold by a maximum of 20% if a community benefit is provided
- Max FARs to be reevaluated in next General Plan Update

This 20% language is in the draft EIR but not the Draft Ordinance of DSP Plan

document.

We are requesting that in exchange for increasing the height in the C2 zone to 85 feet, and to ensure consistent development standards that match with density and intensity standards laid out in the EIR, the FAR deviation language from the draft EIR MUST be included in the Ordinance so FAR standards can be enforced.

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(cont.)

4. Utilities: At the October open house for community members, I specifically asked if the city planned to finish streetlights in residential areas. I was told “YES we plan to finish lighting all of Midtown.” Unfortunately the streetlight map included in the plan clearly shows huge swaths of the NE (Blvd Park/ New Era Park) and SE corner of the grid still in the dark.

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We are requesting the city include all currently unlit residential areas in its streetlight map.

5. All of our properties were rezoned to include the SPD designation.
Letters were sent in early October, with only a one week notice ahead of the Planning Commission meeting. Residents were told by city staff at the October community open house that this plan and rezone would not impact our properties. However, Item 1 most certainly does impact us, as there is no transitional height zones for R3A and C2 heights are increasing so there is less buffer for R3A areas as they’re excluded from the transitional height language in the EIR and Ordinance.

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We are requesting, that in exchange for the increase to 85 feet in the Commercial (C2 zone) that R3 and R3A be included in the Transitional Height Requirement. Without this addition of transitional height language and FAR deviation limits, the statement by staff to residents and the Planning Commission on 10/12/17 that there is no impact to our properties is FALSE.

6. Page 39 of the Plan Document under Land Use Policies says “LU.5.1 Consistent Standards and Guidelines. - Maintain clear and consistent development standards and design guidelines that are user friendly, remove barriers for Downtown projects, and provide adequate flexibility to react to changing market opportunities.”

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This statement contradicts itself. The city gets the flexibility from the deviation process described above in item number 4 (FAR deviation) which currently has no standards. As a result the DSP is internally inconsistent and therefore illegal.

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Development Advisory Committee feedback stated that consistent standards were needed. This LU policy and language in the Ordinance under “Purpose and Intent” that says “ 4. Facilitate infill redevelopment by allowing a broad mix of uses and flexible development standards.” is not consistent with the stated Land Use policy.

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(cont.)

We are requesting the city clarify that LU Policy 5.1 states consistent standards and remove the word “Flexibility.” And that the Ordinance language related purpose and intent item 4 replace the word “Flexibility” with “Consistent” to ensure the Plan and Ordinance are internally consistent.

7. Infill in Historic Districts; On 10/26/17 Staff took an item related to the DSP to the Planning and Design Commission in which the Commission approved devolving of backyard unit decisions (among many other) to the director level. This has implications on historic districts as there are not yet any codified standards for infill in historic districts. This means action by property owners on backyard units and other infill in historic districts would not be at the commission level and therefore not noticed, meaning no neighbor input would be allowed.

7

We are requesting that the City Council reverse this decision until Infill Standards for Historic Districts (which the Preservation Commission is currently working on) are enacted by Ordinance and added to the Planning and Development Code.

Thank you for your affirmative consideration of these requested changes.

Penny Harding



Letter I5 **Penny Harding**
Response November 6, 2017

- I5-1 The comment requests that names of the DSP and DSP EIR be changed. The names of the Downtown Specific Plan and Downtown Specific Plan EIR have been revised to be the Central City Specific Plan (CCSP) and Central City Specific Plan EIR (CCSP EIR), respectively.
- I5-2 Please see Master Response 1 regarding changes to building height limits and transition zones.
- I5-3 Please see Master Response 1 regarding changes to the maximum allowable floor area ratios and height limits in the C2 zone.
- I5-4 Please see Response to Comment O8-5.
- I5-5 Please see Response to Comment I5-1.
- I5-6 The comment provides suggested revisions to Policy LU 5.1 of the CCSP. The City does not intend to change the language of LU 5.1. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance. Please also see Master Response 1 regarding consistent development standards while providing adequate flexibility to react to changing market opportunities.
- I5-7 Please see Response to Comment O2-1.

From: David Herbert
To: Scott Johnson
Subject: DSP--EIR Comments (Due Nov. 8)
Date: Monday, November 6, 2017 10:51:18 AM

Dear Scott

Please consider the following comments as you weigh the pros and conns of the DSP:

We are all aware of what happened to much of the West End of the central city of Sacramento during the 50's and 60's. Wonderful but under-appreciated neighborhoods were demolished completely.

Somehow, miraculously, Midtown Sacramento was largely spared.

Years later, Sacramento began to see Midtown for what it is and got busy putting various protections in place so that this treasure would not be ruined by careless shortsighted speculation.

Now we have DSP. Why is our attitude toward protecting Midtown different in 2017?

The Downtown west of 16th Street is truly in need of revitalization with new residential and commercial infill. Let's focus there.

Midtown is already terrific and doing fine. Of course we can continue to make Midtown even better.

Filling in Midtown's vacant lots is a great idea. The new night life and restaurants are wonderful.

But 15 story buildings on 25th & "J" ? Filling the backyards of Midtown's historic homes with modern multi unit townhouses?

Leaving the zoning and design guidelines open to anything that might be called "contributing a community benefit" ?

Let's not make the same mistakes in the Central City that were made in the 50s & 60s.

Please respect Midtown zoning in the new DSP, and include transitional areas between C2 commercial and our 2 story homes. Include all our R1, R2, R3, & R3A areas with 45 foot transitional height protection.

Please include the recommended 20% floor area ratio deviation (FAR) in the actual DSP ordinance so that it is meaningful and enforceable.

Like a wonderful living room in a beautiful home, the rediscovered Midtown Sacramento is the center of the Sacramento experience to many locals and visitors...the place where Sacramento is uniquely Sacramento. If we plan correctly, Midtown can be the foundation for pride in our city as Sacramento population grows.

David Herbert

cc: Greg Sandlund
Jim McDonald
Steve Hansen

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Letter I6 **David Herbert**
Response November 6, 2017

- I6-1 The comment provides an opinion regarding desirable types of development in the midtown area. This is not a comment on the CCSP EIR and no further response is necessary.
- I6-2 Please see Master Response 1 regarding changes to building height limits and transition zones.
- I6-3 Please see Master Response 1 regarding changes to the maximum allowable floor area ratios.
- I6-4 The comment does not address the environmental impact report for the proposed project with sufficient specificity to allow for a response. The comment is noted and will be conveyed to the City Council for its consideration.

From: [Whitney Leeman](#)
To: [Scott Johnson](#); [Greg Sandlund](#); [Jim McDonald](#)
Subject: letter of support for BPNA comments on the Downtown Specific Plan EIR
Date: Monday, November 6, 2017 8:02:09 AM

As a resident of Boulevard Park, I wholeheartedly endorse our neighborhood association's comments regarding the DSP EIR and issues that may particularly impact our neighborhood, in addition to other residential neighborhoods in Midtown.

1

I'm including the BPNA's comments, below, in addition to comments that I have previously submitted.

Respectfully,

Whitney Leeman

The Name – Downtown Specific Plan – implies no distinction between Midtown and Downtown, with Midtown losing its identity as a collection of distinct neighborhoods that are very different from Downtown. Several residents and Planning Commissioners noted the Plan name should be changed to Central City Specific Plan and clearly delineate between downtown and midtown areas.

We are requesting the plan name be changed to Central City Specific Plan

1) The draft Ordinance increases height in the General Commercial Zone (C2) from 65 feet (6-7 floors) to 85 feet (8-9 floors). The existing and proposed zoning code requires transitional heights of 45 feet in between Commercial Zone (C2) areas and Residential zoned (R1 & R2) areas. The current and proposed zoning does not provide any transitional heights for R3 and R3A areas. Because the Plan is changing commercial area height limits from 65 to 85 feet, without adding transitional height requirements for C2 areas adjacent to R3 and R3A areas, there are large implications for the residential lots adjacent to commercial lots in and around major corridors like 19th Street, 21st Street, S Street, G & H Streets, Capitol Avenue, N Street, etc. The Ordinance protects R1 and R2 zoned areas but does not protect R3 and R3A zoned properties. This has huge implications for all residential areas next to commercial zones and **for BPBA specifically, for properties along G & H Street and 21st Street. You could very easily see buildings of 8-10 stories along 21st Street with no buffer between them and adjacent single family homes, similar to the 19th & J project.**

2

Page 8 of 15 of the attached ordinance for Commercial Zones says “17.444.090 C-2 general commercial zone

3. Transitional height.

a. The maximum height of any building or structure, or portion of a building or structure, within 39 feet of an R-1, R-1B, or R-2 zone is 45 feet.

b. The maximum height of any building or structure, or portion of a building or structure, within 40-79 feet of an R-1, R-1B, or R-2 zone is 55 feet.

We are requesting, that in exchange for the increase to 85 feet in the Commercial (C2 zone) that R3 and R3A be included in the Transitional Height Requirement.

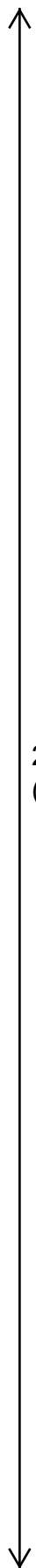
#2) Language limiting Floor Area Ratio (FAR) is in the Draft EIR but not in the Plan or Ordinance: This combined with Item 1 above related to transitional height could have significant impacts on residential areas. The Draft EIR contains language that places a 20% limit on Floor Area Ratio (height & density) deviation for residential projects. Page S-6 of the Draft EIR says *“The proposed DSP would retain the existing land use designations, as identified by the 2035 General Plan, for all parcels within the plan area. The 2035 General Plan would be amended to clarify the policy regarding FAR to allow a project’s FAR to be exceeded by 20 percent if the project provides a significant community benefit.”* However, the Plan and Ordinance do not contain this language. The result is the FAR limit is unenforceable. As you know from the J Street project in 2016, there is a land use policy in the General Plan that allows the city to approve an unlimited FAR (height and density) deviation. This policy enabled the city to justify excessive height on J Street. With the renewed focus on corridors in this plan, including 21st Street, without placing a limit on FAR deviations, 21st Street is at risk for the same kind of overly tall projects, immediately adjacent to residential areas. Staff presented a benefit statement on page 7 of 995 of the Planning Commission 10/ 12/17 staff report that stated

“General Plan FAR Clarification

- A project may exceed the FAR threshold by a maximum of 20% if a community benefit is provided
- Max FARs to be reevaluated in next General Plan Update

This 20% language is in the draft EIR but not the Draft Ordinance of DSP Plan document.

We are requesting that in exchange for increasing the height in the C2 zone to 85 feet, and to ensure consistent development standards that match with



density and intensity standards laid out in the EIR, the FAR deviation language from the draft EIR MUST be included in the Ordinance so FAR standards can be enforced.

#3) Utilities: At the October open house for community members, I specifically asked if the city planned to finish streetlights in residential areas. I was told “YES we plan to finish lighting all of Midtown.” Unfortunately the streetlight map included in the plan clearly shows huge swaths of the NE (Blvd Park/ New Era Park) and SE corner of the grid still in the dark.

We are requesting the city include all currently unlit residential areas in its streetlight map

#4) All of our properties were rezoned to include the SPD designation. Letters were sent in early October, with only a one week notice ahead of the Planning Commission meeting. Residents were told by city staff at the October community open house that this plan and rezone would not impact our properties. However, Item 1 most certainly does impact us, as there is no transitional height zones for R3A and C2 heights are increasing so there is less buffer for R3A areas as they’re excluded from the transitional height language in the EIR and Ordinance.

We are requesting, that in exchange for the increase to 85 feet in the Commercial (C2 zone) that R3 and R3A be included in the Transitional Height Requirement. Without this addition of transitional height language and FAR deviation limits, the statement by staff to residents and the Planning Commission on 10/12/17 that there is no impact to our properties is FALSE.

5) Page 39 of the Plan Document under Land Use Policies says
“LU.5.1 Consistent Standards and Guidelines. - Maintain clear and **consistent** development standards and design guidelines that are user friendly, remove barriers for Downtown projects, and provide adequate **flexibility** to react to changing market opportunities.”

This statement contradicts itself. The city gets the flexibility from the deviation process described above in item number 4 (FAR deviation) which currently has no standards. As a result the DSP is internally inconsistent and therefore illegal.

Development Advisory Committee feedback stated that consistent standards were needed. This LU policy and language in the Ordinance under “Purpose and Intent” that says “ 4. Facilitate infill redevelopment by allowing a broad mix of uses and flexible development standards.” is not consistent with the stated Land Use policy.

We are requesting the city clarify that LU Policy 5.1 states consistent standards and remove the word “Flexibility”. And that the Ordinance language related purpose and intent item 4 replace the word “Flexibility” with “Consistent” to ensure the Plan and Ordinance are internally consistent.

6) Infill in Historic Districts; On 10/26/17 Staff took an item related to the DSP to the Planning and Design Commission in which the Commission approved devolving of backyard unit decisions (among many other) to the director level. This has implications on historic districts as there are not yet any codified standards for infill in historic districts. This means action by property owners on backyard units and other infill in historic districts would not be at the commission level and therefore not noticed, meaning no neighbor input would be allowed.

We are requesting that the City Council reverse this decision until Infill Standards for Historic Districts (which the Preservation Commission is currently working on) are enacted by Ordinance and added to the Planning and Development Code.

Thanks for your time. I hope this helps focus energy on the most important aspects and critical points/ concerns in this plan.

Boulevard Park Neighborhood Association Board

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(cont.)

Letter I7 **Whitney Leeman**
Response November 6, 2017

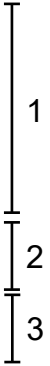
- I7-1 The comment expresses the commenting individual's endorsement of the comment letter provided to the City by the Boulevard Park Neighborhood Association (Letter O1). This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I7-2 This comment is addressed in the response to comments for Letter O1, Boulevard Park Neighborhood Association.

From: [Alix Ogilvie](#)
To: [Scott Johnson](#)
Subject: Comments: City of Sacramento Downtown Specific Plan Draft EIR
Date: Monday, November 6, 2017 9:58:26 AM

Greetings Scott --

Please find my comments below. Thank you.

- Aesthetics, Light and Glare
 - Protect the night sky, biological systems (including human circadian rhythms). Set guidelines that include max illumination levels and color temperature levels appropriate to function/ context.
 - We live along the Pacific Flyway. Integrate bird-safe building/ lighting guidelines.
- Climate Change
 - Address flooding, drought, and extreme heat events.
- Designate (paint) bike & pedestrians lanes on sidewalk along N Street at Capital Park, et al Shared Use Paths.



--

Alix Ogilvie | Architect | LEED AP
City of Sacramento Planning and Design Commission

Letter I8 **Alix Ogilvie**
Response November 6, 2017

- I8-1 The comment suggests the implementation of guidelines or policies to limit impacts from buildings, light and glare on humans and bird species. The Draft EIR assumes that projects would be developed consistent with current (at the time of project construction) California Building Code standards and City policies and design guidelines. These include direction for the types of lighting, glass, and potentially reflective surfaces to be used in construction. Analysis for impacts from light and glare are analyzed in Section 4.1 of the Draft EIR, and include impacts from spillover light, which would diminish views of the night sky. Impacts to bird species are analyzed in Section 4.3 of the Draft EIR. All aspects of urban development, including impacts from light are considered in determining whether development pursuant to the CCSP would have an adverse impact on sensitive species, including birds, that may occur in the CCSP planning area. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I8-2 The comment suggests that the EIR should address flooding, drought, and extreme heat events from climate change. The Draft EIR for the CCSP analyzes the physical environmental impacts that would take place resulting from implementation of the CCSP. Climate change, as analyzed in Section 4.7 of the Draft EIR, evaluates the potential contribution of greenhouse gas emissions, known to contribute to climate change, from implementation of the CCSP. Subsequent impacts from climate change, such as sea-level rise, flooding, drought, and extreme heat events are considered in the relevant technical sections of the EIR, within Chapter 4 Environmental Setting, Impacts, and Mitigation Measures.
- I8-3 The commenter suggests that paint delineate separate lanes for bicyclists and pedestrians on the shared use path north of N Street at Capitol Park.
- This comment does not pertain to the adequacy or accuracy of the analysis used in the Draft EIR. As shown in Figure 4.12-8 and Figure 4.12-9 of the Draft EIR, the CCSP proposes conversion of N Street to two-way travel with designated bike lanes in each direction, resulting in separate facilities for bicyclists and pedestrians.

From: [patrick.cosentino](#)
To: [Scott Johnson](#)
Cc: [Jim McDonald](#); [Greg Sandlund](#); [Steve Hansen](#)
Subject: Fw: Letters Needed on Downtown Specific Plan by Nov. 8!
Date: Monday, November 6, 2017 2:01:35 PM

Dear Mr.'s Johnson, McDonald, and Sandlund, and Councilman Hansen,

Please note that we have forwarded the letter of comments for the Downtown Specific Plan by Boulevard Neighborhood Association. The neighborhood association has done a fine job of reading through the Plan and addressing issues that would *severely* impact our neighborhood. Please read the comments and note that we agree with the conclusions 100%.

1

Sincerely,
Patrick and Vickie Cosentino
2326 H St. Apt B
Sacramento, CA 95816

Comments for Downtown Specific Plan

These issues have only recently come to light as the draft EIR and Ordinance have only been available for a couple weeks. Specifically - 6 items we see impacting Blvd Park and nearby areas (you determine the order of importance). I am happy to attend a board meeting to discuss. Attached is the draft Ordinance presented to the Planning Commission on 10/12. This and the EIR and EIR appendices are the only documents that really count in this whole plan. The rest is pretty packaging.

Because the DSP is enacted by Ordinance, the Commissions (Preservation; Planning and Design) only provide review and comment. The City Council approves it and is tentatively scheduled for Council approval in January 2018. We will be providing a letter to the City Councils Law and Legislation Committee which it tentatively scheduled to hear this item on Nov 14. Once they 'approve' it, it goes on to the full Council some time in January. Law & Legislation meets in the afternoon which makes it hard for neighbors to attend.

2

The Name – Downtown Specific Plan – implies no distinction between Midtown and Downtown, with Midtown losing its identity as a collection of

distinct neighborhoods that are very different from Downtown. Several residents and Planning Commissioners noted the Plan name should be changed to Central City Specific Plan and clearly delineate between downtown and midtown areas.

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We are requesting the city include all currently unlit residential areas in

*its streetlight map***#4) All of our properties were rezoned to include the SPD designation.**

Letters were sent in early October, with only a one week notice ahead of the Planning Commission meeting. Residents were told by city staff at the October community open house that this plan and rezone would not impact our properties. However, Item 1 most certainly does impact us, as there is no transitional height zones for R3A and C2 heights are increasing so there is less buffer for R3A areas as they're excluded from the transitional height language in the EIR and Ordinance.

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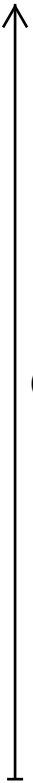
6) Infill in Historic Districts; On 10/26/17 Staff took an item related to the

DSP to the Planning and Design Commission in which the Commission approved devolving of backyard unit decisions (among many other) to the director level. This has implications on historic districts as there are not yet any codified standards for infill in historic districts. This means action by property owners on backyard units and other infill in historic districts would not be at the commission level and therefore not noticed, meaning no neighbor input would be allowed.

We are requesting that the City Council reverse this decision until Infill Standards for Historic Districts (which the Preservation Commission is currently working on) are enacted by Ordinance and added to the Planning and Development Code.

Thanks for your time. I hope this helps focus energy on the most important aspects and critical points/ concerns in this plan.

Boulevard Park Neighborhood Association Board



Letter I9 **Patrick and Vickie Cosentino**
Response November 6, 2017

- I9-1 The comment expresses the commenting individuals' endorsement of the comment letter provided to the City by the Boulevard Park Neighborhood Association (Letter O1). This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I9-2 This comment is addressed in the response to comments for Letter O1, Boulevard Park Neighborhood Association.

From: Herbert Nobriga
To: Scott Johnson; Greg Sandlund; jald@cityofsacramento.org
Cc: Ron Vrilakas; Marsha McCormick; Hull, Fred; ABBCHST [REDACTED] Meagan M O'Neill; Lorraine & Jim Garrison; Nini Redway
Subject: Downtown Specific Plan - Requests for Amendments
Date: Monday, November 6, 2017 2:31:46 PM

Gentlemen:

Barbara and I reside at 2409 H Street. We have participated in the continuing revival of Boulevard Park and Midtown since the mid-70s.

We petition you because we are concerned about maintaining an architecturally consistent, safe, and pleasant neighborhood. If you share our objectives, we respectfully suggest you favorably consider adopting these amendments to the Downtown Specific Plan.

1. The plan name be changed to Central City Specific Plan.

2. In exchange for the increase to 85 feet in the Commercial (C2 zone) that R3 and R3A be included in the Transitional Height Requirement.

3. The City include all currently unlit residential areas, particularly those abounding traffic circles at intersections in its streetlight map.



This request reflects the dangerous condition which exists at traffic circle controlled intersections. Police reports of vehicular, bicycle and pedestrian accidents and near accidents at the corner of 24th and H Street (and similarly situated midtown intersections) demonstrate that street lighting is necessary for the safety of commuters, bicyclists, pedestrians, and homeowners and their pets.

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4. The City include R3 and R3A in the Transitional Height Requirement.

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5. The City replace the word “Flexibility” with “Consistent” to ensure the Plan and Ordinance are internally consistent.

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6. The City Council defer action until Infill Standards for Historic Districts (which the Preservation Commission is currently working on) are enacted by Ordinance and added to the Planning and Development Code.

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These recommendations reflect the wishes of many of our Boulevard Park neighbors...especially the street lighting request!

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Thanks for your thoughtful review and favorable action.

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Sincerely,

Herb and Barbara Nobriga

Letter I10 **Herbert and Barbara Nobriga**
Response **November 6, 2017**

- I10-1 The comment expresses the commenting individuals' endorsement of the comment letter provided to the City by the Boulevard Park Neighborhood Association (Letter O1). This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I10-2 The comment requests that names of the DSP and DSP EIR be changed. The names of the Downtown Specific Plan and Downtown Specific Plan EIR have been revised to be the Central City Specific Plan (CCSP) and Central City Specific Plan EIR (CCSP EIR), respectively.
- I10-3 Please see Master Response 1 regarding changes to building height limits and transition zones.
- I10-4 Please see Response to Comment O8-5.
- I10-5 Please see Master Response 1 regarding changes to building height limits and transition zones.
- I10-6 The comment provides suggested revisions to policy LU 5.1 of the CCSP. The City does not intend to change the language of LU 5.1. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I10-7 Please see Response to Comment O2-1.
- I10-8 Please see Response to Comment O8-5.

From: [Sally Flory-O'Neil](#)
To: [Scott Johnson](#); [Greg Sandlund](#); [Jim McDonald](#); [Steve Hansen](#)
Subject: Proposed Downtown Specific Plan Comments
Date: Monday, November 6, 2017 7:11:28 PM

Messrs. Johnson, Sandland, McDonald and Hansen

We are writing to you because we have some concerns that we wish to express regarding some of the elements of the proposed plan.

1) **Confusing Plan Title.** The name of the plan is very confusing and implies that Midtown and Downtown are not distinct from one another. Until late this summer we were unaware that our neighborhood in Midtown would be affected by provisions of the plan because of the word "Downtown" in the title, an area distinctly different from Midtown. A title change is needed; perhaps replacing "Downtown" with "Central City". Also, delineating in the plan that there is a difference between Downtown and Midtown should be included.

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2) **Transitional Height Requirement.** In regard to the increase in height allowed in the General Commercial zone to 85 feet (8-9 stories), transitional zones are in place for C-2, R-1, R-1A, and R-2 zoned buildings but there is no mention of a transitional zone to soften the visual impact of very tall buildings zoned C-2 that might be built on a street with R-3 & R-3A buildings. This has already occurred in the 19th & J Street structure currently being built. This has huge implications for all residential areas next to commercial zones and specifically for properties along G & H Street and 21st Street. Without the above-mentioned transitional zone, buildings of 8-10 stories would be allowed along 21st Street with no buffer between them and adjacent single family homes, similar to the 19th & J Streets project.

2

3) **Language Limiting Floor Area Ratio (FAR) Included in the Draft EIR Needs to Be in the Plan or Ordinance:** The Draft EIR places a 20% limit on Floor Area Ratio (height & density) deviation for residential projects. If the height in C2 zones are to be increased to 85 feet, consistent development standards must match with density and intensity standards laid out in the EIR. The FAR deviation language from the draft EIR needs to be included in the Ordinance so FAR standards can be enforced. The inclusion of this wording in combination with Item 2 above which relates to transitional height is necessary as without it there could be significant negative impacts on residential areas.

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4) **Street Lights:** Many residential areas in the Central City lack sufficient street lighting. Please include a requirement for street lighting for the areas of the Central City which are lacking this important amenity.

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5) **Written Notices of Rezoning to Include the SPD Designation:** We received notices by mail in early October that our residence and rental property are being rezoned and that there would be a Planning Commission meeting open house in one week that we could attend. This was insufficient notice for something as important as a discussion of the

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adoption of this far-reaching plan. As it happened, we had a previous commitment and could not attend. We feel that there needs to be more time for public discussion and that this process is being extremely rushed. The proposed plan has the potential to have a huge negative impact on the quality of lives in Midtown as well as on our property values.

6) **Infill in Historic Districts.** Backyard unit and other infill decisions should not be made by the director. They should be made at the commission level. There are not yet codified standards for infill in historic districts and without purview by the commission, neighbor input would not be allowed. The City Council should reverse this decision until Infill Standards for Historic Districts are enacted by Ordinance and added to the Planning and Development Code.

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We hope you consider our input carefully.

Sincerely,
Sally Flory-O'Neil & Paul O'Neil
2423 H Street
916-446-3390

Letter I11 **Sally Flory-O'Neil and Paul O'Neil**
Response November 6, 2017

- I11-1 The comment requests that names of the DSP and DSP EIR be changed. The names of the Downtown Specific Plan and Downtown Specific Plan EIR have been revised to be the Central City Specific Plan (CCSP) and Central City Specific Plan EIR (CCSP EIR), respectively.
- I11-2 Please see Master Response 1 regarding changes to building height limits and transition zones.
- I11-3 Please see Master Response 1 regarding changes to the maximum allowable floor area ratios and height limits.
- I11-4 Please see Response to Comment O8-5.
- I11-5 The comment explains that the commenter received one week notice in advance of a public meeting, which was insufficient notice for the commenter. The comment also opines that the CCSP process is being rushed. The CCSP planning process was initiated by the City in June of 2016, and has provided numerous opportunities for public involvement. Please see Response to Comment I4-6.
- I11-6 This comment expresses concern regarding the review process for infill projects that have the potential to impact historic resources. Please see Master Response 2 under Infill Development in Historic Districts/Design Guidelines.

From: Sarah Kerber
To: Scott Johnson
Subject: Downtown Specific Plan EIR Comments
Date: Tuesday, November 7, 2017 11:49:07 PM

Please find my comments below:

1) Traffic Delay Due to Congestion, Friction, and Transit Stops caused by streetcar project is not “less than significant” and requires additional explanation. Not addressed in provided LOS impact for intersection at 19th street at J and L street.

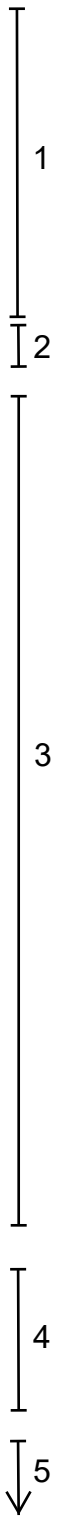
The proposed plan includes expanding transit stops, lane reductions, curbside activity, includes changes to the Streetcar (RT’s vehicle fleet) that would increase dwell delay due to boarding and alighting, and bisects busy traffic intersections as a result of the proposed streetcar project. Additional environmental particulate mitigation analysis is necessary.

For parts of the route, the streetcar follow existing traffic signals. In locations where the streetcar must cross active lanes of vehicular traffic, additional streetcar-only signals will be installed. The streetcar travels in the automobile lanes at travel speeds. There will be some delays when the streetcar stops to pick up and let passengers out. Streets will have to be redesigned to include turn lanes at intersections. In addition, several proposed streets and adjacent streets will have to be converted from one-way to two-way streets. What are the projected traffic impacts from moving the streetcar into 2- and 3-lane streets? Part of the project will result in the streetcar needing dedicated signals and turning against traffic, slowing and stopping traffic at certain times. Specifically where it crosses 19th street at J and L street, K street at 7th, 8th, and 12th street. What are the traffic congestion and emission impacts of this? How will it differ between commuting and non-commuting hours? How will special events at the downtown arena impact these traffic delays? Is there evidence that the increased impact to SOV trips will be offset by projected ridership? How long until projected rider ship number will achieve the needed environments particle reduction?

Will the streetcar receive priority signal coordination on Main Street? The streetcar will operate like other vehicles on the road and will stop for red lights. If the streetcar is close to the intersection, the system may be able to keep the light green for a few extra seconds so the streetcar can pass through without stopping. Most streetcars also run “at-grade,” which means that their rails are right there on the street, and in many cases are subject to the same traffic-related delays as all the rest of the motorized vehicles on that street. In many cities, tests have proven that people can actually walk faster. What evidence is being used to support this as achieving the goals of the DSP?

It is plausible that traffic delays and congestion caused by the streetcar project would conflict with or obstruct implementation of applicable air quality plans, as described in Impact 4.2-1, the proposed DSP, based on SACOG’s future growth projections for the region, and thus, this needs to be further discussed in the cumulative analysis.

It would also require years of construction and development for infrastructure that has been



previously removed from the downtown urban core, when comparable transit gains could be immediately achieved by improving the RT bus system.

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A goal of the Project is Incentivize Transit-Oriented Development throughout downtown Sacramento including the Downtown Riverfront streetcar alignment. Additional research needs to be done on the impact of the streetcar project. Is this the best use of resources for reducing emissions, or would the community be better served by investing the funding into existing transit systems, improving frequency and service coverage of the existing bus and train systems?

|

The document states the Streetcar would positively impact the desirability of development for both tenants and buyers, by how much? What analysis was used? What evidence justifies these claims? Is there a study being done on the impact of these policies to transit dependent riders, low income riders, minority riders, LEP riders?

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A supporting document states “From the perspective of affordable housing, streetcar is not guaranteed to be helpful for cap and trade funding acquisition.” Would pursuing investment in existing public transit infrastructure improve cap and trade funding acquisition?

How many businesses will the streetcar benefit? How many employees are projected to use the streetcar to get to work? How many SOV trip reductions are projected with the streetcar project? How long will we have to wait to see the street car fulfill environment impact reduction estimates? How will the additional blocked crossings impact emergency vehicles?

Transit-oriented development (TOD) is the creation of mixed-use walkable communities built around a strong transportation network. TOD communities are highly walkable and rely on a strong network of amenities and resources that promote thriving urban environments.

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The proposed transportation system would also include the removal of a multimodal connection consistent with the recently approved Railyards Specific Plan, which seems counter intuitive to the goals of improving multimodal transit.

Since the proposed DSP would facilitate higher-density, transit-oriented development, much of the reduction would be achieved by project design and location within the Sacramento urban core with access to a variety of transportation options. What are these projections? What data are they based on?

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Bus stop enhancements would provide for wider pedestrian spaces at high activity bus stops, will this be at the expense and safety of riders?

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A study in the Journal of Transport Geography suggests that four light-rail systems built around England during the 1990s and 2000s had virtually no effect on overall car traffic. Instead, the rail systems mainly seemed to attract riders who would otherwise have taken the bus.

Another study found that there's so much demand for road space that light-rail systems often have minimal effect — every time someone gives up his car, another driver takes his place on the road. How will streetcar have different impact? What evidence is used?

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2) The draft Ordinance increases height in the General Commercial Zone (C2) from 65 feet (6-7 floors) to 85 feet (8-9 floors). Transitional height requirements are important for maintaining the integrity of neighborhoods, parking, and congestion in a city with limited public transit and I urge these be included in the final design. This has huge implications for my neighborhoods and all residential areas next to commercial zones.

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3) Requesting the city include all currently unlit residential areas, which includes my neighborhood, in its streetlight map. Having unlit corners is a public safety hazard as drivers speed through residential streets without regard to residents and pedestrians that this plan is hoping to encourage. Having unlit stretched is a public safety hazard.

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4) Finally, was any outreach done in any language other than English? Civil Rights Requirements- A. Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq. ("Title VI") Title VI prohibits discrimination on the basis of race, color, or national origin in any program or activity that receives Federal funds or other Federal financial assistance. Programs that receive Federal funds cannot distinguish among individuals on the basis of race, color or national origin, either directly or indirectly, in the types, quantity, quality or timeliness of program services, aids or benefits that they provide or the manner in which they provide them. This prohibition applies to intentional discrimination as well as to procedures, criteria or methods of administration that appear neutral but have a discriminatory effect on individuals because of their race, color, or national origin. Policies and practices that have such an effect must be eliminated unless a recipient can show that they were necessary to achieve a legitimate nondiscriminatory objective. Even if there is such a reason the practice cannot continue if there are alternatives that would achieve the same objectives but that would exclude fewer minorities. Persons with limited English proficiency must be afforded a meaningful opportunity to participate in programs that receive Federal funds. Policies and practices may not deny or have the effect of denying persons with limited English proficiency equal access to Federally-funded programs for which such persons qualify. Being able to understand the impacts to ones' community and participate in a meaningful way is essential to the development of the DSP.

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Sincerely,

Sarah Kerber

Letter I12 Sarah Kerber
Response November 7, 2017

- I12-1 The comment challenges the City's conclusions regarding impacts from the Sacramento Streetcar Project. Environmental impacts from the Sacramento Streetcar project (Streetcar) were evaluated by SACOG in the Environmental Assessment/ Initial Study and Mitigated Negative Declaration (EA/ISMND) for the Downtown/ Riverfront Streetcar. The Sacramento Streetcar project, while having a footprint within the CCSP planning area, is not part of the CCSP. Inclusion of the Streetcar in project scenarios and assumptions is for the purpose of providing all known conditions within the transportation network during the planning horizon for the CCSP.
- I12-2 Please see Response to Comment I12-1. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I12-3 Please see Response to Comment I12-1. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I12-4 The comment advises that traffic delays and congestion caused by the Streetcar project would conflict with or obstruct implementation of applicable air quality plans, as described in Impact 4.2-1. As described in the Response to Comment I12-1, impacts from the Streetcar project have been analyzed in a separate document. Project-specific and cumulative air quality impacts resulting from implementation of the CCSP are described in Section 4.2, Air Quality, of the CCSP EIR.
- I12-5 The comment advises that improvements to the bus system would provide equivalent transit gains to the Streetcar project. Alternatives to the Streetcar project were evaluated in the EA/ISMND for the Downtown/Riverfront Streetcar project. The Sacramento Streetcar project, while having a footprint within the CCSP planning area, is not part of the CCSP. Inclusion of the Streetcar in project scenarios and assumptions is for the purpose of providing all known conditions within the transportation network during the planning horizon for the CCSP.
- I12-6 Please see Response to Comment I12-1. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I12-7 The comment does not address the analysis or conclusions of the Draft EIR, with sufficient specificity to require a revision to the Draft EIR. The Comment is noted and will be conveyed to the City Council for its consideration.
- I12-8 The comment inquires about projections for higher-density, transit-oriented development. Transportation analysis, which includes transit ridership is described

and analyzed in Section 4.12, Transportation and Circulation, and Section 3.3, Population and Housing. The comment does not address the analysis or conclusions of the Draft EIR, with sufficient specificity to require a revision to the Draft EIR. The Comment is noted and will be conveyed to the City Council for its consideration.

- I12-9 The comment does not address the analysis or conclusions of the Draft EIR, with sufficient specificity to require a revision to the Draft EIR. The Comment is noted and will be conveyed to the City Council for its consideration.
- I12-10 Please see Response to Comment I12-1. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I12-11 Please see Master Response 1 regarding changes to building height limits and transition zones.
- I12-12 Please see Response to Comment O8-5.
- I12-13 The comment questions whether City conducted outreach in other languages and cited Title VI of the Civil Rights Act of 1964, as a basis for requiring such. The federal statute referenced in the comment is applicable to actions that are subject in full or in part to federal funding. Adoption of the CCSP and CCSP EIR would be a local and state action that does not have a federal nexus, by which the requirements of Title VI of the Civil Rights Act would be applicable. The CCSP and CCSP were published in the English language. However, the City of Sacramento provides language translation services for people who need assistance with City business in a different language. The City offers this service through its 311 phone service, or people can call (916) 264-5011 to speak with a translator. The City offers over 150+ languages and dialects. Additional information about the City's translation services is available at <http://www.cityofsacramento.org/Information-Technology/311/Language-Services>. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.

November 7, 2017

Via Electronic Mail

Scott Johnson, Associate Planner
Community Development Department Environmental Planning Services
300 Richards Boulevard, Third Floor
Sacramento, CA 95811
SRJohnson@cityofsacramento.org

Re: Comments on the Downtown Specific Plan and its Draft Environmental Impact Report (SCH# 2017022048)

Dear Mr. Johnson:

I am writing to comment on the proposed Downtown Specific Plan (“DSP”) and the draft environmental impact report (“DEIR”) for the DSP. I am commenting in my capacity as a resident of Southside Park, one of the neighborhoods within the boundaries of the DSP. Upon reviewing the DSP, the DEIR, and related documentation, I have concluded that that the DSP could be improved and the DEIR violates the California Environmental Quality Act (“CEQA”).

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In consideration of the following issues, I strongly urge the City Council to not approve the DSP until the City of Sacramento (“City”) revises the DSP and the DEIR, and recirculates both documents for public comment.

I. THE DEIR FAILS TO ADEQUATELY DESCRIBE THE PROJECT

The DEIR fails to meet CEQA’s requirements because it lacks an accurate, complete, and stable project description, rendering the entire environmental impacts analysis inadequate. California courts have repeatedly held that “an accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient [CEQA document].”¹ CEQA requires that a project be described with enough particularity that its impacts can be assessed.² Accordingly, a lead agency may not hide behind its failure to obtain a complete and accurate Project description.³

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¹ *County of Inyo v. City of Los Angeles* (3d Dist. 1977) 71 Cal.App.3d 185, 193.

² *Id.* at p. 192.

³ *See Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 311.

It is impossible for the public to make informed comments on a project of unknown or ever-changing description. California courts have held that “a curtailed or distorted project description may stultify the objectives of the reporting process.”⁴ Furthermore, “only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal’s benefit against its environmental cost...”⁵ As articulated by the court in *County of Inyo v. City of Los Angeles*, “a curtailed, enigmatic or unstable project description draws a red herring across the path of public input.”⁶ Without a complete project description, the environmental analysis under CEQA is impermissibly limited, thus minimizing the project’s impacts and undermining meaningful public review.⁷

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An accurate and complete project description is necessary to perform an adequate evaluation of the potential environmental effects of a proposed project. In contrast, an inaccurate or incomplete project description renders the analysis of environmental impacts inherently unreliable. Without a complete project description, the environmental analysis under CEQA will be impermissibly narrow, thus minimizing the project’s impacts and undercutting public review.⁸

In the Project Description section of the DEIR, the City describes two new hotels that the DSP “allows” to be built at the northwest corner of 13th Street and J Street, and the southwest corner 15th Street and K Street.⁹ The J Street hotel will be a “full service hotel” with approximately 350 rooms.¹⁰ The K Street hotel will also be “full service” and contain approximately 350 rooms, as well as 70,000 square feet of “meeting/conference” space.¹¹ In addition, the K Street hotel will include “200 on-site parking spaces.”¹² Though the DEIR insists these projects are only “anticipated,” the DEIR’s presentation of the number of rooms, square footage of “meeting/conference” space, and number of parking spaces in the parking garage, all suggest “formal applications” are in fact a mere formality, and the City is committing the subject parcels to hotel use.¹³ As set forth below, such a commitment violates the objectives of the GP, DSP, and Central City Community Plan.

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⁴ *County of Inyo v. City of Los Angeles* (3d Dist. 1977) 71 Cal.App.3d 185, 192.

⁵ *Id.* at p. 192-193.

⁶ *Id.* at p. 198.

⁷ *See, e.g., Laurel Heights Improvement Assn. v. Regents of the Univ. of Cal.* (1988) 47 Cal.3d 376.

⁸ *See, e.g. id.*

⁹ Draft Environmental Impact Report for the Downtown Specific Plan (“DEIR”), p. 2-51.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

First, the DSP, in contrast the DEIR, makes no mention of the two hotels and thus the DEIR’s Project Description is inaccurate and violates CEQA. Though the DEIR does indicate that “project-specific details” are unknown, the commitment to hotel use at two locations is misleading when the current zoning of the affected parcels permit many more uses than “hotel.”¹⁴ A C-3 zone in Sacramento includes over two dozen uses that are allowed “by right.”¹⁵ The DEIR cannot assume that the two hotels will be constructed in light of the numerous other uses allowed by right or a conditional use permit.

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Second, the DSP provides policies to “encourage development of neighborhood amenities such as grocery stores, neighborhood-serving retail, parks and open space, and enhancement of the public realm,” and construction of two new hotels conflicts with these policies.¹⁶ The DEIR offers no explanation as to how these hotels further the DSP policies. Instead, the public must speculate as to whether these hotels create jobs that are worth the commitment of these parcels to the hotel industry, and whether the existing hotels in the DSP Area, specifically the Central Business District, already meet the business demand that would be addressed by the new hotels.

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If the demand for hotel services is already being met by existing hotels, and will continue be met during the projected build-out period of the DSP, then the new hotels will not provide sustainable jobs because the hotels themselves will be unsustainable. If the hotels were provided for and conditioned to the needs of low-income travelers or other disadvantaged groups, then it would be easier for the public to perceive how the hotels fit into policy goals of the City. But instead of providing facts or studies demonstrating demand for hotel services or public benefits, the City provides no justification for the DEIR’s commitment to two new hotels.

Three, the GP and DSP chant the mantra of increasing housing in the DSP area. The two hotels not only fail to further this aim, but in fact thwart it by occupying parcels in a C-3 designation that could otherwise be used for multi-unit dwellings. Note that these hotels are not guaranteed to meet the City’s definition or function of “residential hotels.”¹⁷ Therefore, the City cannot shoehorn the two new hotels into a solution for housing shortages. As currently presented in the DEIR, the new hotels are not part of a housing solution in the DSP area.

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¹⁴ *Id.*

¹⁵ Sacramento City Code (“SCC”) § 17.216.810 Permitted Uses.

¹⁶ DEIR, p. 3-29.

¹⁷ SCC § 17.108.190 “R” definitions.

Four, the inclusion of a 200-parking-space garage calls into question the City’s goals of making the DSP area more pedestrian friendly, reducing vehicle miles traveled in the DSP area, and reducing greenhouse gas (“GHG”) emissions. The subject parcels both already contain parking garages, and so furtherance of the aforementioned City goals through simply replacing these parking garages with *more* parking garages is a dubious prospect.

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The current DEIR’s Project Description, particularly as it relates to the two new hotels, violates CEQA because it is inaccurate in ascribing two new hotels to the DSP. The City must revise the DEIR by withdrawing its commitment to two new hotels, and, if not, the City must revise the DSP to include these two new hotels and revise the DEIR to assess the hotels’ environmental impacts.

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II. THE DEIR FAILS TO ADEQUATELY ESTABLISH THE EXISTING ENVIRONMENTAL SETTING AGAINST WHICH ENVIRONMENTAL IMPACTS SHOULD BE MEASURED

The DEIR describes the existing environmental setting inaccurately and incompletely, thereby skewing the entire impact analysis. The existing environmental setting is the starting point from which the lead agency must measure whether a proposed project may cause a significant environmental impact.¹⁸ CEQA requires the lead agencies to include a description of the physical environmental conditions in the vicinity of a project, as they exist at the time environmental review commences.¹⁹ CEQA defines the environmental setting as the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, from both a local and regional perspective.^{20,21}

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Describing the environmental setting accurately and completely for each environmental condition in the vicinity of the Project is critical to an accurate, meaningful evaluation of environmental impacts. Courts are clear that, “[b]efore the impacts of a Project can be assessed and mitigation measures considered, an [environmental review document] must describe the existing environment. It is only against this baseline that any

¹⁸ See, e.g., *Communities for a Better Env’t v. S. Coast Air Quality Mgmt. Dist.* (March 15, 2010) 48 Cal.4th 310, 316; *Fat v. County of Sacramento* (2002) 97 Cal.App.4th 1270, 1277 (“Fat”), citing Remy, et al., Guide to the Calif. Environmental Quality Act (1999), p. 165.

¹⁹ CEQA Guidelines, § 15125(a); see also *Communities for A Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 321; see also, 40 C.F.R. § 1502.15.

²⁰ CEQA Guidelines §15125(a) (emphasis added); *Riverwatch v. County of San Diego* (1999) 76 Cal.App.4th 1428, 1453 (“Riverwatch”).

significant environmental effects can be determined.” *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 952. In fact, it is:

a central concept of CEQA, widely accepted by the courts, that the significance of a Project’s impacts cannot be measured unless the DEIR first establishes the actual physical conditions on the property. In other words, baseline determination is the first rather than the last step in the environmental review process.²²

The DEIR must also describe the existing environmental setting in sufficient detail to enable a proper analysis of Project impacts.²³ Section 15125 of the CEQA Guidelines provides that “[k]nowledge of the regional setting is critical to the assessment of environmental impacts.”²⁴ This level of detail is necessary to “permit the significant effects of the Project to be considered in the full environmental context.”²⁵

The description of the environmental setting in the DEIR is inadequate because it omits highly relevant information regarding aesthetic resources. The City must gather the relevant data and provide an adequate description of the existing environmental setting in a revised and recirculated DEIR.

A. THE DEIR FAILS TO DESCRIBE THE EXISTING SETTING FOR AESTHETIC RESOURCES

The DEIR cites the GP Background Report to establish the existing setting features that qualify as “scenic resources.” But the DEIR omits a key component of the GP Background Report’s overview of scenic resources.

The GP Background Report explains that scenic resources include “viewsheds”: “the range of vision in which scenic resources may be observed.”²⁶ The DEIR makes no mention of viewsheds in its description of existing setting for aesthetics or its definition of “scenic resources.”²⁷ The DEIR’s description of views is almost wholly concerned with buildings, rivers, and other ground-level views. No where in the discussion of the existing aesthetic setting is there a description of sky views, and thus no discussion of sunrise and sunset views. The failure of the DEIR to “raise its head” from the ground-level and assess the sky views offered by Downtown Sacramento becomes fatal to the DEIR when considering a

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²² *Save our Peninsula Comm. v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 125.

²³ *Galante Vineyards v. Monterey Peninsula Water Mgmt. Dist.* (1997) 60 Cal.App.4th 1109, 1122.

²⁴ CEQA Guidelines § 15125(c).

²⁵ *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 952.

²⁶ GP 2035 Background Report, p. 6-121.

²⁷ See DEIR, p. 4-135

major component of the DSP is to raise building heights in the C-2, OB, and RMX zones. One of Downtown Sacramento’s precious aesthetic resources is open sky for the viewing of golden sunrises and sunsets, and the colorful effects of these events on clouds. Without recognizing this scenic resource, the DEIR impacts analysis related to increased building heights is flawed because the analysis lacks a proper baseline from which to measure impacts.

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III. THE DEIR LACKS SUBSTANTIAL EVIDENCE TO SUPPORT THE DEIR’S SIGNIFICANT IMPACT FINDINGS

CEQA has two basic purposes, neither of which the DEIR satisfies. First, CEQA is designed to inform decision makers and the public about the potentially significant environmental impacts of a Project before harm is done to the environment.²⁸ The DEIR is the “heart” of this requirement.²⁹ The DEIR has been described as “an environmental ‘alarm bell’ whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return.”³⁰

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To fulfill this function, the discussion of impacts in a DEIR must be detailed, complete, and “reflect a good faith effort at full disclosure.”³¹ An adequate DEIR must contain facts and analysis, not just an agency’s conclusions.³² CEQA requires a DEIR to disclose all potential direct and indirect significant environmental impacts of a project.³³

Second, if a DEIR identifies potentially significant impacts, it must then propose and evaluate mitigation measures to minimize these impacts.³⁴ CEQA imposes an affirmative obligation on agencies to avoid or reduce environmental harm by adopting feasible project alternatives or mitigation measures.³⁵ Without an adequate analysis and description of feasible mitigation measures, it would be impossible for agencies relying upon the DEIR to meet this obligation.

²⁸ CEQA Guidelines § 15002(a)(1); *Berkeley Keep Jets Over the Bay v. Bd. of Port Comm’rs.* (2001) 91 Cal.App.4th 1344, 1354 (“*Berkeley Jets*”); *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.

²⁹ *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 84.

³⁰ *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.

³¹ CEQA Guidelines § 15151; *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 721-722.

³² See *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 568.

³³ PRC § 21100(b)(1); CEQA Guidelines § 15126.2(a).

³⁴ PRC §§ 21002.1(a), 21100(b)(3); CEQA Guidelines § 15002(a)(2) and (3); *Berkeley Jets*, 91 Cal.App.4th at 1354; *Laurel Heights Improvement Ass’n v. Regents of the University of Cal.* (1998) 47 Cal.3d 376, 400.

³⁵ PRC §§ 21002-21002.1.

Under CEQA, a DEIR must not only discuss measures to avoid or minimize adverse impacts, but must ensure that mitigation measures are fully enforceable through permit conditions, agreements, or other legally binding instruments.³⁶ A CEQA lead agency is precluded from making the required CEQA findings unless the record shows that all uncertainties regarding the mitigation of impacts have been resolved; an agency may not rely on mitigation measures of uncertain efficacy or feasibility.³⁷ This approach helps “insure the integrity of the process of decision by precluding stubborn problems or serious criticism from being swept under the rug.”³⁸

In this case, the DEIR fails to satisfy the basic purposes of CEQA. The DEIR’s conclusions regarding impacts to air quality, global climate change, hazards and hazardous materials, and aesthetics are not supported by substantial evidence. In preparing the DEIR, the City: 1) failed to provide sufficient information to inform the public and decision-makers about potential environmental impacts; 2) failed to accurately identify and adequately analyze all potentially significant environmental impacts; and 3) failed to incorporate adequate measures to mitigate environmental impacts to a less than significant level. The City must correct these shortcomings and circulate a revised DEIR for public review and comment.

A. The DEIR Lacks Substantial Evidence to Support the Finding that Air Quality Impacts Associated with the DSP Will be Less than Significant

Currently, the City requires that a minimum of 50 percent of construction wastes be diverted to a recycling processor.³⁹ However, the DSP proposes that up to 75 percent of applicable materials be diverted.⁴⁰ This stricter requirement may result in more truck trips through the DSP area and beyond.

The DEIR’s analysis of air quality impacts does not appear to factor in the new and stricter recycling requirement.⁴¹ Evidence of this failure exists in the DEIR’s description of the City’s methodology for estimating carbon monoxide (CO). In this example, the DEIR relies on the highest 1-hour and 8-hour background concentrations of CO in Sacramento *over the last five years*, the use of baseline plus project (2016) traffic volumes, and the use of

³⁶ CEQA Guidelines, § 15126.4, subd. (a)(2).

³⁷ *Kings County Farm Bur. v. County of Hanford* (1990) 221 Cal.App.3d 692, 727-28 (a groundwater purchase agreement was inadequate mitigation because there was no record evidence that replacement water was available).

³⁸ *Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 935.

³⁹ DEIR, p. 4.13-42.

⁴⁰ *Id.*

⁴¹ *See* p. 4.19 – 4.36.



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2016 CO emission rates.⁴² In other words, the CO assessment does not account for the increased truck traffic stemming from the proposed diversion requirement, which will be in effect no earlier than 2017.

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Similarly, there is no substantial evidence that the proposed diversion requirement was taken into account when assessing other air quality impacts that are influenced by truck traffic, including short-term and long-term exposure to Toxic Air Contaminants (TACs), reactive organic gases (ROG), respirable particulate fine matter (PM10), fine particulate matter (PM25), and cumulative impacts from TACs and nitrogen dioxide (NOx). The result is that the City lacks substantial evidence to assume that the DSP’s impacts on CO will be less than significant, and that prescribed mitigation measures are adequate to reduce admittedly significant air quality impacts to less than significant in regards to long and short-term exposure to TACs, cumulative short-term construction emissions, cumulative increases in long-term operation emissions of NOx, ROG, PM10, and PM25, and cumulative CO concentrations. The DEIR must be revised to reflect the DSP’s new diversion requirement’s influence on air quality impacts, and the revised DEIR must be circulated for public comment.

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B. The DEIR Lacks Substantial Evidence to Support the Finding that Global Climate Change Impacts Associated with the DSP Will be Less than Significant

The DEIR relies on compliance with the City’s 2012 Climate Action Plan (CAP), adopted by the GP, to demonstrate that the DSP’s impacts on global climate change impacts will be less than significant. In doing so, the DEIR proceeds to analyze the DSP’s impacts as compared to the CAP’s checklist, which is intended to provide streamlined review for development projects.⁴³

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Notably, one item on the checklist demands “traffic calming measures” to reduce “vehicle speeds and volumes.”⁴⁴ The DEIR presents DSP features such as lane reductions and two-way conversion as “traffic calming measures,” and, along with comparison to the CAP’s other criteria, concludes that the DSP will have a significant impact on global climate change. In response to this finding, the City offers but one mitigation measure, which applies only to non-residential projects. This mitigation measure demands that, before

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⁴² DEIR p. 4.28 – 4.29.

⁴³ DEIR, p. 4.7-14.

⁴⁴ *Id.*, p. 4.7-16.

receiving a building permit, an applicant submit building design plans indicating that the project will exceed 2016 Title 24 energy standards by 15 percent or more.⁴⁵

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But, as occurred in the City’s air quality analysis, the DEIR completely omits any discussion of the DSP’s new and stricter diversion requirement for construction project waste, which will require a diversion of at least 75 percent of project waste to recycling processors. The new standard will raise the current requirement by a full 25 percent. This stricter requirement may lead to more truck trips to and from recycling processors.

The DEIR’s global climate change impacts analysis, particularly in regards to “traffic calming measures,” fails to assess the impact of the increased truck trips resulting from the DSP’s new and stricter recycling requirement. The DEIR’s findings regarding “traffic calming measures” are misleading because, on one hand, traffic may be reduced by the infrastructure changes offered as proof of CAP compliance, but there is no analysis of the extent to which the “calming” will be nullified due to increased truck traffic resulting from the stricter diversion requirement.

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The DEIR must be revised to account for the amended diversion requirement and the manner in which it will affect greenhouse gas emissions, and the revised DEIR must be circulated for public comment.

C. The DEIR Lacks Substantial Evidence to Support the Finding that Aesthetic Impacts Associated with the DSP Will be Less than Significant

The GP’s Land Use Element calls for transitions of scale between high density centers and neighborhoods with lower development intensities, including “building heights.”⁴⁶ The GP also requires that building design “mitigates the scale of larger buildings.”⁴⁷

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The DSP will raise building height limits in the C-2 zone from 65 to 85 feet, in the OB Zone from 35 to 65 feet, and the RMX zone from 45 to 65 feet.⁴⁸ The DSP will also relax certain height restrictions on C-2 buildings that are based on the buildings’ distance from residential zones.⁴⁹ In the C-3 zone, height will no longer trigger automatic review by the Planning and Design Commission *regardless* of a project’s height.⁵⁰

⁴⁵ *Id.*, p. 4.7-22.

⁴⁶ *Id.*, p. 4.1-23.

⁴⁷ *Id.*

⁴⁸ *Id.*, p. 2-15-2.16.

⁴⁹ *Id.*

⁵⁰ DEIR, p. 2-20.

First, the GP did not contemplate the lifting of height restrictions in any of the three zones in question, and this lifting appears to conflict with GP goals to achieve transitions of scale and mitigate the scale of larger buildings.

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Second, as described in Section II(A) above, the City’s failure to consider viewsheds and the aesthetic value of sky views undermines the DEIR’s aesthetics impacts analysis. As could have been predicted based on the DEIR’s narrow view of “scenic resources,” the aesthetics impacts analysis is wholly concerned with buildings, rivers, greenways, landmarks, and the Capitol Building. While these features all deserve in-depth impacts analysis, there is no mention of sky views, including sunrises, sunsets, and the effect of these events on cloud cover. These sky views, which are enjoyed under *current* zoning of the DSP area, are completely ignored by the DEIR’s aesthetics impacts analysis.⁵¹

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The “skylscapes” of Sacramento must not be ignored by the DEIR. A sky view is a scenic resource that is created by the absence of landscape features rather than their presence. In the parts of the DSP area that are not shaded by large trees, an open viewshed reaching to the sky is one advantage Sacramento has over many other cities in which building heights suffocate and limit viewsheds.

Three, the DEIR’s assurances that impacts to visual character of the DSP area and existing scenic resources will be less than significant rings hollow when reviewing the DEIR itself. With one hand, the DEIR holds out the promise that current planning processes of the City will guarantee less than significant impacts, but, with the other hand, the DEIR pulls away the very restrictions and automatic review triggers—current height limits in the C-2, OB, and RMX zones and the 60-foot trigger for commission review in the C-3 zone--that would allow these processes to protect scenic resources and visual character.⁵²

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The current DEIR lacks substantial evidence supporting its conclusion that raising building height restrictions, eliminating automatic triggers for review, and completely ignoring the value of sky views, will lead to less than significant impacts on aesthetics. The DEIR must be revised to include analysis of impacts to sky views due to increased building heights in C-2, OB, and RMX zones, and the elimination of automatic review in the C-3 zone based on building height.

⁵¹ DEIR, p. 4.1-38 – p.4-39.

⁵² *Id.*, p. 4-39 – 4-41.

D. The DEIR Lacks Substantial Evidence to Support the Finding that Hazards and Hazardous Materials Impacts Associated with the DSP Will be Less than Significant

The DEIR is dismissive of human health impacts that may occur due to operational—as opposed to construction—hazards and hazardous materials. The DEIR repeatedly indicates that exposure to contaminated soils, lead-based paints, and asbestos will only occur during construction activities.⁵³ Operational exposure, according to the DEIR, will be limited to “common hazardous materials including paint thinners, cleaning solvents, and fuels, oils, and lubricants.”⁵⁴

However, the DSP is a programmatic document, which mandates very few specific projects. In fact, zoning in the northern DSP area provides for M-1 (Industrial) and M-2 (Heavy Industrial) uses. This zoning allows for manufacturing, laboratories, truck terminals, tractor and heavy truck service and repairs, and warehouses--all by right. Hazards and hazardous materials present in these zones may be exacerbated by the DSP because the DSP calls for “increasing Downtown’s attractiveness to new emerging, and innovative businesses and industries.”⁵⁵ This implies that the DSP may result in increased industrial activity in the M-1 and M-2 zones, in which case the DSP could lead to proliferation of hazards and hazardous materials beyond “common hazardous materials,” which the DEIR seems to associate with residential and mixed-use development.

Without limiting, or even acknowledging, the potential for heavy and light industries to move into the DSP area as a result of the proposed DSP, the DEIR lacks substantial evidence supporting its conclusion that hazards and hazardous material impacts will be less than significant, particularly in regards to operational impacts. This flaw becomes even more egregious when considering the M-1 and M-2 zones in the DSP area are located adjacent to the biologically sensitive American River and Sutter’s Landing Regional Park, a location where people who are ill-equipped to protect themselves from hazards and hazardous wastes are likely to congregate. Though the DEIR is correct in stating that the California Supreme Court has ruled that impacts of hazards on a project’s future residents need not be assessed in an EIR, this decision does not excuse the City from assessing the DSP’s impact on *current* residents in the DSP area. The DEIR must be revised and recirculated to include analysis of the DSP’s impact on industrial zones within the DSP area, and any correlated impacts on hazards and hazardous materials.

⁵³ *Id.*, p. 4-18 – 19 and S-17.

⁵⁴ *Id.*, p. 4-23 – 4.24.

⁵⁵ DEIR, p. 6-2.

IV. THE DOWNTOWN SPECIFIC PLAN SHOULD INCLUDE SITING FOR PUBLIC WASTE RECEPTACLES

The proposed DSP provides siting for street lamps in areas that the City determined need lighting upgrades.⁵⁶ But there is also a need for additional public trash and recycling receptacles in the DSP area. Residents of the DSP area lament the lack of availability for waste disposal when they are out enjoying their neighborhoods, neighborhoods which will presumably benefit from more pedestrian activity in the future. Even without the population increase in the years ahead and the increased desirability of excursions in the DSP area, there is a present need for more receptacles. The DSP’s projections and goals will only exacerbate the need. By adding waste receptacles on street corners and points of interest, the City can reduce waste impacts in public places. (Pet feces are a particularly annoying waste that might be reduced if pet owners were presented with more accessible receptacles.)

18

As an example of deficiency at the neighborhood level, this commenter is aware of only one location in Southside Park with public waste receptacles, and this is in the park itself. However, there is certainly a need elsewhere in the neighborhood, notably R Street. This deficiency is shared by other neighborhoods in the DSP area. The DSP should be revised to provide for a detailed siting of waste receptacles, and the revised DSP should be circulated for public comment.

V. CONCLUSION

The DEIR’s Project Description is inaccurate as it concerns two new hotels. The DEIR fails to adequately establish the existing setting upon which to measure impacts to aesthetic resources. The DEIR’s impacts analysis is adequate because it omits key DSP components related to new recycling diversion requirements, the existence of M-1 and M-2 zones in the DSP area, and the failure to establish a proper aesthetics baseline, the result of which is that the City lacks substantial evidence for its significance findings related to air quality, global climate change, hazards and hazardous materials, and aesthetics. Finally, the DSP can be improved by providing siting for waste receptacles. Due to these significant deficiencies, the DEIR and DSP must be revised to address these inadequacies, and they must be recirculated for public comment.

19

Sincerely,

⁵⁶ *Id.*, p. 2 – 28 and Figures 2-20 – 2-23.

A handwritten signature in black ink, reading "Ned Thimmayya". The signature is written in a cursive style with a long, sweeping flourish extending from the end of the name.

Ned C. Thimmayya

Letter I13 **Ned Thimmayya**
Response **November 7, 2017**

- I13-1 The comment urges the City Council to require revision to the CCSP and the CCSP EIR and argues that the CCSP EIR could be improved and violates CEQA. The comment does not address the analysis or conclusions of the Draft EIR with sufficient specificity to allow for the City provide a response. The comment is noted and will be conveyed to the City Council for its consideration.
- I13-2 The comment argues that the project description for the Daft EIR is not sufficient for CEQA purposes. Analysis in the CCSP EIR is based on the assumption that development within the CCSP planning area would be consistent with the CCSP and the City's 2035 General Plan. Both documents define the designated general plan land uses and zoning identifications and policies, which provide the confines by which development may occur within the CCSP planning area. While the specific details of future projects within the CCSP planning area cannot be known at this time, land use and zoning codes provide a contour for which conservative assumptions can be made regarding development levels and the physical impacts to the environment, resulting from implementation of the CCSP. The comment does not provide a level of specificity from which specific revisions to the project description should be made. The comment is noted and will be conveyed to the City Council for its consideration.
- I13-3 The comment argues that the Project Description in the Draft EIR discusses hotels with a level of detail suggesting no further CEQA review would be conducted for those sites. The comment further argues that the hotel designations for those sites precludes other allowable uses on those sites. The City has included the two hotel uses in the Project Description, as referenced in the comment, in an effort to include potential impacts from those uses in the cumulative analysis conducted for the CCSP. The inclusion of the hotels was based on anticipated or existing development proposals at the time of release for the Draft EIR.

While no formal application has been submitted, the hotel use identified in the CCSP Draft EIR for the southwest corner of 15th and K Streets is under evaluation in the Sacramento Convention Center Renovation and Expansion and the 15th/K Street Hotel Projects Environmental Impact Report, for which an NOP was released on August 2, 2017. The Draft Environmental Impact Report for those projects was made available for public review from November 15, 2017 to January 2, 2018.

The City considers the 13th/J Street location to be a likely location for a hotel based on existing and proposed surrounding uses. Should a hotel use for the 13th/J Street location be submitted to the City, it would be subject to CEQA compliance. The

CCSP does not propose land use designation changes or zoning changes, so any proposed project that is consistent with the General Plan land use and zoning designations for that parcel could be constructed there. The identification of the hotel as a possible use for that parcel does not obligate the site to be used for that purpose, does not preclude alternative uses from being constructed, and does not signify a preference by the City for the type of development that could take place.

The City included both of the above hotel projects in the Project Description to improve the accuracy of analysis, including modeling for traffic and air quality impacts as they pertain to foreseeable development within the CCSP planning area. The City's response to this comment does not require specific revisions to the project description. The comment is noted and will be conveyed to the City Council for its consideration.

I13-4 The comment advises that the hotels identified in Chapter 2 of the Draft EIR, Project Description, are not compatible with CCSP goals and require demonstration that they are consistent with the public interest. As described in Response to Comment I13-3, the City's inclusion of the hotel uses for analysis in the Draft EIR is based on anticipated development by private property owners and does not represent a commitment or preference by the City, that those sites will be developed as hotels. Both sites may be redeveloped for other allowable uses under the land use and zoning designations for those parcels, and remain consistent with the CCSP and the City's General Plan. Both sites are under the Central Business District general plan land use designation and C-3 (Central Business District) zoning designation, which allow for hotels and a number of other uses. As described above, the City included the hotel uses in question due to the likelihood that both sites may be developed for hotel uses, in the interest of improving the accuracy of the analysis and conclusions set forth in the EIR. The City's response to this comment does not require specific revisions to the project description. The comment is noted and will be conveyed to the City Council for its consideration.

I13-5 The comment advises that the two hotels identified in Chapter 2 of the Draft EIR, Project Description, conflict with the housing goals of the CCSP. As described in Responses to Comments I13-3 and I13-4, the City has included the hotel uses as it is anticipated that the owners of those sites would develop those parcels as hotels in the future. The EIR for the CCSP analyzes anticipated development that would occur under the CCSP. The CCSP does not propose to change zoning designations for parcels within the plan area, so hotel uses on the parcels in question would be consistent with the CCSP. In addition, goals of the CCSP are not limited to improved housing, and encourage other types of development within the CCSP area. For the above reasons, the City's response to this comment does not require specific revisions to the project description. The comment is noted and will be conveyed to the City Council for its consideration.

- I13-6 Please see Response to Comment I13-5.
- I13-7 Please see Response to Comment I13-3.
- I13-8 The comment argues that the existing environmental setting description is inadequate and fails to include sky views as aesthetic resources which could be subject to impacts from implementation of the CCSP. As described in the Environmental Setting subsection of Section 4.1, Aesthetics, Light, and Glare, views to and from the CCSP planning area are dominated by elements consistent with urbanized development. The Central City is the urban core of the City and is characterized by greater development height and density. Consistent with highly urbanized development, the City assumes that views of the distant horizon and sky views at ground or lower levels are likely to be at least partially impeded by elements of urban development, including taller structures and mature trees. For this reason, sky views including sunrises and sunsets are anticipated to be fully or partially obscured by existing urban elements at most vantage points within the CCSP planning area. Views of sunrises and sunsets can still be attainable along street corridors and public areas such as parks and plazas. Development pursuant to the CCSP would allow for greater heights in the C-2, OB, and RMX zones. While taller development in those zones would have potential to obscure sky views from nearby or adjacent vantage points to a greater extent than under existing development, partial obstruction of sky views from that development would be consistent with existing partial obstruction of sky views throughout the CCSP planning area and characteristic of views within a highly urbanized setting. The comment is noted and will be conveyed to the City Council for its consideration.
- I13-9 The comment provides the basis for the commenting individual's argument that the Draft EIR lacks substantial evidence to support the Draft EIR's significant impact findings. The specifics of that argument are contained in subsequent comment (I13-10 through I13-17). Responses to those comments are provided below. This comment is noted and will be conveyed to the City Council for its consideration.
- I13-10 The comment argues that, in the Draft EIR, the City's analysis of impacts to air quality from implementation of the CCSP does not account for the proposed increased diversion requirements for construction waste, as described in the CCSP. The commenting individual advises that increased waste diversion requirements would generate more truck trips through and from the CCSP area, for which the added emissions were not included in air quality analysis. As described in Section 4.13 of the Draft EIR, construction waste generated by projects constructed pursuant to the CCSP that would not be used on site would be transported to landfills or diverted to recycling facilities. In both instances, truck trips would be necessary and the overall volume of waste to be transported remains the same. For this reason, any changes in waste diversion requirements would be anticipated to affect the destination of truck trips and not the overall number of truck trips for the transport of

construction waste. Furthermore, the specific type of construction waste that would be diverted to meet more stringent waste diversion requirements is not known at this time and the identification of specific recycling facilities for that waste would be speculative. Recycling facilities may also require shorter truck trips than would be necessary for transport to landfills, in which case air emissions would be lessened, relative to existing diversion requirements. For these reasons, no changes have been made to the Air Quality analysis in response to the comment. The comment is noted and will be conveyed to the City Council for its consideration.

I13-11 Please see Response to Comment I13-10.

I13-12 The comment provides a description of the analysis from the Draft EIR of the impacts to climate change from implementation of the CCSP. The purpose of the comment is to provide context for comment I13-13, below, and does not require a response. The comment is noted and will be conveyed to the City Council for its consideration.

I13-13 Please see Response to Comment I13-10.

I13-14 The comment argues that the increase in allowable heights in the C-2, OB, and RMX zones, in the CCSP, is not consistent with the goals of the General Plan to achieve transitions of scale and mitigate the scale of larger buildings. As described in Chapter 2.0 of the Draft EIR, Project Description, the provisions for existing transitional height-tiering that can be applied to portions of buildings located in the C-2 zone within specific distances of the R-1, R-1B, and R-2 zones would be modified to accommodate the new maximum height requirement. When located 0–39 feet from the R-1, R-1B, and R-2 zone, the maximum height limit would remain 45 feet. From 40–79 feet from the R-1, R-1B, and R-2 zone, the maximum height limit would remain 55 feet. However, for locations 80 feet or greater from the R-1, R-1B, and R-2 zone, the maximum height limit would be increased from 65 feet to 85 feet.

The OB zone would allow the maximum height limit to be tiered between 45 feet and 65 feet when located in proximity to the R-1, R-1B, and R-2 zones. From 0–39 feet from the R-1, R-1B, and R-2 zone, the maximum height limit would be 45 feet. From 40–79 feet from the R-1, R-1B, and R-2 zone, the maximum height limit would be 55 feet. From 80 feet or greater from the R-1, R-1B, and R-2 zone, the maximum height limit would be 65 feet.

The RMX zone would allow the maximum height limit to be tiered between 45 feet and 65 feet when located in proximity to the R-1, R-1B, and R-2 zones. When located 0–39 feet from the R-1, R-1B, and R-2 zone, the maximum height limit would be 45 feet. When located 40–79 feet from the R-1, R-1B, and R-2 zone, the maximum height limit would be 55 feet. When located 80 feet or greater from the R-1, R-1B, and R-2 zone, the maximum height limit would be 65 feet.

As described above, the City would maintain tiered heights in transitional areas, while allowing for an increased allowable-heights in specified zones, which would maintain consistency with the general plan goal of achieving transitions of scale and mitigating the scale of larger buildings. This comment, while noted, does not require alteration to the analysis or conclusions of the Draft EIR.

I13-15 Please see Response to Comment I13-8.

I13-16 Please see Responses to Comments O10-3 and I13-8.

I13-17 The comment argues that the Draft EIR must be revised and recirculated to include analysis of the CCSP's impact on industrial zones within the CCSP planning area, and any correlated impacts on hazards and hazardous materials. As described Impacts 4.8-1 and 4.8-2 of the Draft EIR, exposure to contaminated soil materials could occur during construction. Once a particular project has been constructed, there would be no further direct exposure to contaminated soil materials during operations. Exposure to ACM, LBP, or other hazardous materials in structures would only occur during demolition or renovation of existing structures during construction activities. Once the structures on a property under redevelopment have been removed or renovated, there would be no further exposure during operations. Some of the sites identified in the Phase I ESA Overview Study may be susceptible to vapor intrusion from contaminated soils. If contaminated groundwater is encountered during construction activities, compliance with DTSC regulations regarding the treatment of contaminated groundwater would be required. However, vapor intrusion from contaminated groundwater could result in the release of VOCs.

Parcels in M-1 and M-2 zones within the CCSP area are already subject to industrial uses and would be anticipated to continue as existing or have similar industrial uses in the future. Any use of hazardous materials throughout the CCSP area would be subject to state and federal regulations for the handling and disposal of hazardous materials. Businesses that use hazardous materials are required to prepare and implement hazardous materials business plans (HMBPs) describing procedures for handling, transportation, generation, and disposal of hazardous materials. Because numerous laws and regulations govern the transportation and management of hazardous materials to reduce potential hazards, impacts from the use of hazardous materials by industrial land uses within the CCSP area would be less than significant.

I13-18 The comment suggests that the City include a plan for public waste receptacles into the CCSP. The comment, while noted, does not require alteration to the analysis or conclusions of the Draft EIR.

I13-19 The comment provides a summary of comments provided in Letter I13. The comment, while noted, does not require alteration to the analysis or conclusions of the Draft EIR.

From: [Dylan Wiseman](#)
To: [Scott Johnson](#)
Subject: Downtown Plan
Date: Tuesday, November 7, 2017 5:05:49 PM

Please don't label Midtown as Downtown. We're completely different. One is where people work, and Midtown is full of life.

1

Thank you

Dylan Wiseman
Boulevard Park

Letter I14 **Dylan Wiseman**
Response November 7, 2017

- I14-1 The comment requests that names of the DSP and DSP EIR be changed. The names of the Downtown Specific Plan and Downtown Specific Plan EIR have been revised to be the Central City Specific Plan (CCSP) and Central City Specific Plan EIR (CCSP EIR), respectively.

Margaret Buss
711 22nd Street
Sacramento California 95816

Scott Johnson, Associate Environmental Planner
300 Richards Boulevard, Third Floor
Sacramento CA 95811

Re: Draft Environmental Impact Report: Downtown Specific Plan

Dear Mr. Johnson,

First, I would like to compliment the city on a very well-written and readable Draft Environmental Impact Report (DEIR) for the Downtown Specific Plan. That readability makes all the difference in providing transparency to the public. I also very much appreciate that, in addition to other amenities called for, the DSP will enhance the pedestrianism, including adding streetlighting, which is also a crime reduction measure.

1

Second, I would like to state again, as I have twice in public testimony, that the Specific Plan should be the Central City Specific Plan. While I understand the city chose to try to make the name parallel to the Downtown Housing Strategy, the common understanding of “downtown” is the CBD, and what would not be a problem in the CBD could be a huge problem in the lower-lying residential neighborhoods. Over time the distinction between downtown and the surrounding residential would be blurred. A Specific Plan is for the public, and should be tied to the common understanding, not a subsidiary planning document.

2

Third: I have read Preservation Sacramento (PS)’s comments on the DEIR, agree with all of the points, and would like to incorporate the comments into mine by reference. I am particularly concerned about the PS comments numbered 4, 6, 7 and 8.

3

- Regarding comment 4: the consultant’s work should not be so constrained that she could not use new (or existing) information to evaluate all properties, including identifying new ones. Sacramento is a State Historic Preservation Office (SHPO) designated Certified Local Government (CLG) – that is, the SHPO has delegated its review authority under CEQA because the city demonstrated the capacity and knowledge to act as the SHPO would. The city’s job is to identify all potential historic properties; the SHPO would not constrain the parameters of that, and the city, to meet its CLG responsibilities, should not either.
- Regarding comment 6: while respecting the city’s desire to streamline the permitting process, I strongly object to devolving this decision-making to staff without requisite historic preservation expertise. Again, the city’s role as a CLG requires that it do as the SHPO would – and the SHPO would not delegate that review to that level. The proposal, and the proposed ordinance moving forward, would severely constrain the public’s right to know and respond; public review may be time-consuming, but any good city should display transparency and the right to appeal governmental decisions. The new provisions delegate authority to inappropriate staff, obscure notification of actions, and prevent citizen’s from input into projects affecting their quality of life. The mitigations proposed by PS and by the city’s Preservation Commission should be put into effect.
- Regarding comment 7: Leaving out the maximum limits means the EIR cannot analyze the effects of a key provision in the DSP, a clear inadequacy in the EIR. The mitigation suggested by PS would be an effective resolution of the issue, still allowing the city to develop the measure in the 2040 General Plan.

4
5

- Regarding comment 8: This is a key point. I live in Boulevard Park. The west side of 20th Street is commercial; the east side is completely residential, with some R3 properties. The east side of 19th Street, on the other side of the tracks, is primarily residential. Likewise, C Street is residential south of Blues Alley, but north is commercial. The “transition” height needs to be applied to all residential/commercial interfaces.

6

Fourth, a niggly point: there are two Boulevard Park Historic Districts, one, the National Register district, limited primarily to 20th to 22nd Streets, and the city’s larger historic district, which encompasses a greater time period. The Boulevard Park Neighborhood Association boundaries are the larger one described in the EIR.

7

Other comments:

Open Space: I am concerned that multi-unit dwellings would be exempt from open space requirements. Roof gardens might not be practical in all cases, but studies have shown that open space is particularly necessary in dense urban environments to relieve stress, provide greenery that helps air quality, and in fact reduce tension and crime. Greenery also offsets noxious fumes and reduces the heat sink effect of buildings and roads.

8

Proposed DSP Analysis section 3.3.4 – The section does not provide a clear understanding of the potential jobs-housing balance. Presumably, the reason for making the central city more dense is to reduce commutes by putting people closer to jobs, but later in the EIR it is predicted that the DSP would instead increase VMT and could result in a greater housing/jobs imbalance (I assume, although it is not discussed here, that the fact that current proposed housing projects target wealthy clients, not low to moderate income workers, is part of that potential imbalance). Although this section cites the MEIR, it could use an expanded discussion of why this imbalance is not a liability or effect.

9

Overlapping areas: I understand that organizing this massive amount of material is a challenge, but in some areas cross-over discussions would be useful: for instance, the city’s Tree Ordinance is discussed under Biology, and parks and open space have their own separate sections, but maintaining a robust canopy of trees and encouraging green space are mutually reinforcing mitigations to off-set climate change and reduce the immediate effects of the air quality problem densification will bring. Although a detailed analysis may not be appropriate, a mention of the relationships would lessen the silo effect of CEQA’s EIR categories.

10

Urban Decay, Section 5.5 – although the central city is on an upswing at the moment, it has gone through cycles of neglect, and those historical cycles should be mentioned, because they can happen again. One of the concerns about targeting wealthier buyer for central city properties and businesses is that small businesses become less sustainable and leave. A strong sustainable central city requires mixed income housing and businesses that support those residential concerns. Some discussion of these potential social factors would present a more realistic picture, even though your ultimate conclusion may be the same.

11

Finally, as a 28-year resident of Midtown, I am discomfited to read that the DSP could contribute to non-mitigatable cumulative increases of NOx, ROG, and PM 10 and 25 as well as Toxic Air Contaminants. Perhaps No Project is the better alternative.

12

Thank you for all your hard work.

Sincerely

Margaret Buss

November 7, 2017

Scott Johnson, Associate Planner
Community Development Department
300 Richards Boulevard, Third Floor
Sacramento, CA 95811

RE: Public Comment regarding the Downtown Specific Plan EIR

The Board of Preservation Sacramento wishes to identify the following items as potential areas of concern regarding the Environmental Impact Report for the Downtown Specific Plan. Each item is addressed in detail on the following pages, including recommended strategies for mitigation, providing further analysis, or otherwise addressing potential negative impacts on historic properties and districts.

1. The EIR lacks mitigation measures for historic properties and districts, despite identified potential impacts to historic properties.
2. Evaluation of potential additional contributors to R Street historic district is flawed due to consultant's misinterpretation of Criterion A and Sacramento Register historic contexts.
3. Evaluation of eligible "opportunity site" historic properties is limited and incomplete, including multiple potentially eligible properties that are mislabeled or ignored.
4. Evaluation of eastern portion of R Street fails to evaluate the properties in context of the eastern R Street corridor; a separate R Street historic district appears to exist in this area but was not analyzed by consultant, presumably due to city instructions to only evaluate as individual properties.
5. Historic landmarks and districts in commercial corridors: Many individually listed historic landmarks and historic districts are located in the "corridor" areas identified in the Downtown Specific Plan, and no map showing the location of individual landmarks was provided in the Downtown Specific Plan materials.
6. Devolution of historic preservation decisions from Preservation Commission to director or staff level limits public opportunity for notification, comment, and appeal. Inappropriate assignment of final authority for decisions affecting historic properties to Planning & Design Commission means decisions are made by a city board without subject matter expertise.
7. Proposed language to limit maximum deviation of Floor Area Ratio to 20% in cases of significant community benefit is not part of the Plan, despite its earlier inclusion, and frequent mention in the EIR and public presentations. Without maximum deviation limit, it is impossible to calculate cumulative impact of multiple projects or conform to required policy elements regarding clear and consistent development standards, including required density and intensity standards.
8. Changes to height limits in C2 zones are moderated by required setbacks where C2 zones meet R1/R1A or R2/R2A zones, but not where C2 zones meet R3/R3A or R4 zones. Many historic districts, and most of Midtown, are zoned R3/R3A, *because they are adjacent to C2 zones.*

1. **Lack of mitigation measures for historic properties and districts, despite identified potential impacts to historic properties. (EIR, Page S-39, 4.4-3):** The EIR mentions potential negative and unavoidable effects to historic districts, but includes no recommended mitigation measures for those effects. The proposed DSP could cause a substantial adverse change in the significance of a historical resource (per Page S-40, 4.4-5: New construction in proposed DSP area, in combination with other cumulative development within Sacramento County and the City downtown core, could contribute to the cumulative loss or alteration of historic built resources.) We consider both of these impacts potentially significant and thus require mitigation measures. Below are a list of mitigation measures we recommend for adoption in these areas, adapted from the *Preservation Toolkit* document sent to city staff in August 2017:

- * Comprehensively survey the eastern portion of R Street (20th Street to 29th Street) for potential eligibility as a historic district, separate from the existing R Street historic district context, in order to proactively identify eligible historic resources along the R Street corridor. The EIR evaluation did not include assessment for a potential district.

- * As part of the 20 year span of the General Plan, continue to update historic district surveys within the Plan area and survey areas within the Plan area for potential historic resources and historic districts. The long-term result will be clearer identification of historic resources and reduced need for evaluation of potentially historic sites, as updated surveys proactively identify ineligible properties.

- * Implement the 2007 agreement between Code Enforcement department and Preservation Director diverting 50% of code enforcement lien monies collected to the Historic Places Grant program, a matching grant intended to provide funds to restore and repair eligible historic buildings.

- * Create a special mitigation fund for historic resources based on fines and fees collected when unavoidable impacts to historic resources occur, such as those that resulted when excavation of underground sidewalk structures on K Street were required in 2010. These funds can be used to repair and restore historic properties and historic features in the plan area, via existing programs like the Historic Places Grant.

- * Adopt the Preservation Commission’s interim guidelines regarding infill in historic districts as part of the city’s Planning and Development Code, as an interim means to address alley infill until subsequent guidelines specific to historic districts can be implemented.

- * Reevaluate the survey of R Street for a potential new historic district east of 20th Street, and reevaluate and expand the historic context of the R Street corridor to include a later period of significance, recognizing use of the R Street corridor via railroads and trucks through the 1960s.

- * Add required setbacks/height limits in C2 zones adjacent to R3/R3A zoned properties within the Downtown Specific Plan boundaries.



2. **Evaluation of potential additional contributors to R Street historic district is flawed due to consultant’s misinterpretation of National Register Criterion A, California Register Criterion 1, Sacramento Register Criterion I, and Sacramento Register historic contexts.** Consultant’s analysis suggests that city is ignoring industrial historic context despite R Street’s historic role as an industrial corridor. (EIR Appendix E, Cultural Resources Data, Cultural Resources Survey and Inventory Report. DPR 523 Forms)

*The overly strict evaluation criteria, due to the project’s constrained scope of work, resulted in a report that found *no* new properties eligible for inclusion in the Sacramento Register or the R Street Historic District that were not already listed historic properties, including the finding that the eastern half of the Perfection Bakery building (a listed Sacramento landmark) *is not* eligible to be part of the R Street historic district, while the western half of the same building (also an individual landmark and physically attached to each other) *is* eligible for inclusion in the R Street historic district, with no explanation given for the discrepancy.

* The consultant incorrectly cites National Register Criterion A. According to National Register Bulletin 15, *How to Apply the National Register Criteria for Evaluation*, Page 12, Criterion A, Events, reads: “A property can be associated with either (or both) of two types of events: A specific event marking an important moment in American pre-history or history, and, a pattern of events or a historic trend that made a significant contribution of a community, a State, or the nation.” The evaluator incorrectly describes this criterion on DPR forms (e.g., Page 2 of 3 of evaluation of 1800 24th Street) as: “Criterion 1/A recognizes properties associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States. The property *must also* (emphasis added) have an important association with the event or historic trends—mere association with historic events or historic events or trends is not enough to qualify.” This implication that a property must be significant with broad patterns *and* specific events, rather than being associated with broad patterns *or* specific events, is an overly strict interpretation of Criterion A.

* Similarly, California Register Criterion 1 does not require association with specific events at all: per California Code of Regulations 4852(b)(1), Criterion 1 is defined as a property that “is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.”

* The City of Sacramento’s landmark eligibility criteria also does not require association with both broad patterns and specific events; Landmark Eligibility Criteria 17.604.210(A) lists Sacramento Register Criterion I as “It is associated with events that have made a significant contribution to the broad patterns of the history of the city, the region, the state or the nation.” Per the consultant’s admission of their instructions regarding this survey, properties were not surveyed for eligibility as contributors to a historic district.

* In testimony to the Preservation Commission on October 18, 2017, consultant Amber Grady of ESA reported that they were given a very detailed scope by City of Sacramento staff, and directed strictly to use the existing context statements. This restriction led the consultant to use an unnecessarily narrow period of significance and criteria for evaluation, excluding potentially eligible resources. Consultant also reported that they believe there is a larger industrial district on R Street, but it did not fit within the narrow parameters provided by the City of Sacramento. This recommendation is located in the cultural resources survey provided by ESA but not included in the EIR appendices. This suggests that the evaluation of potential historic properties that may be affected by this project on R Street is incomplete and requires reevaluation for eligibility as resources under CEQA without the restriction on examining other contexts.

***This concern could be addressed by adding a mitigation measure requiring a redone survey of the properties in the R Street historic district without limiting the analysis to currently listed historic contexts. It is not necessary to write an entire citywide historic context to evaluate potential historic properties on R Street in order to carry out this measure.**

3. **Evaluation of eligible “opportunity site” historic properties is limited and incomplete, including multiple potentially eligible properties that are mislabeled or ignored.** (EIR Appendix E, Cultural Resources Data, Opportunity Sites Table.) The examples below demonstrate errors in procedure and evaluation resulting from incorrect interpretation of National Register criteria, exclusion from consideration due to instructions to ignore properties not eligible under 2035 General Plan historic contexts, or otherwise incorrectly evaluated by the consultant team. It is not a comprehensive list.

* Consolidated Electrical Distributors, 1800 24th Street, had a railroad spur located along R Street serving the building directly, and its occupant in the mid-1950s (Valley Paper Co.) was listed as a railroad customer served by team track in Western Pacific Railroad’s Circular No. 167-E (a document listing industries served by Western Pacific, Southern Pacific, Sacramento Northern, and Central California Traction railroads, via direct spur or team track in Sacramento, circa 1955)—document attached.

* Fischer Tile & Marble, 1800 23rd Street: As with CED above, this property utilizes the incorrect interpretation of National Register Criterion A and California Register Criterion 1 mentioned above.

* 1730 14th Street is identified as having a railroad spur on Quill Alley, disconnected from the R Street railroad line. However, the DPR form does not explain that Western Pacific Railroad’s railroad line ran along Quill Alley, and as an industry directly served by rail, is eligible within the historic context of railroading in Sacramento.

* 915 R Street is identified as associated with “Goodwill Tire & Rubber”; incorrectly labeled, the name of the company is Goodyear. See comments below re Goodyear Tire & Rubber.

* Goodyear Tire & Rubber, 925 R Street/1724 10th Street was served by the adjacent railroad and built within the R Street Historic District’s period of significance. The consultant considered it ineligible because the property was not directly associated with product development or manufacturing, which took place elsewhere, but does not evaluate the property within its local context on R Street, specifically within the R Street Historic District’s established historic context, which considers the transition from railroads to trucks, *running on rubber wheels such as those supplied by this warehouse*, to be a significant event ending the district’s initial period of significance.

*** This concern could be addressed via mitigation measures re-surveying the properties along the eastern portion of R Street and other industrial properties between Q and S Streets as potential contributors to either the R Street historic district or a new eastern R Street historic district with a separate context.**

*** Other eligible Mid-century Modern resources on opportunity sites should be compared to the pending Mid-century Modern Survey of Sacramento for evaluation as historic resources within the established Mid-century Modern historic context generated as part of that survey document, and other eligible criteria.**

4. **Evaluation of eastern portion of R Street fails to evaluate the properties in context of the eastern R Street corridor;** a separate R Street historic district appears to exist in this area but was not analyzed by consultant, presumably due to city instructions to only evaluate as individual properties.

* The consultant did not evaluate R Street for potential historic districts, despite the fact that the regulatory framework of the Environmental Impact Report considers properties potentially eligible for inclusion as historic districts to be historic properties. Thus, the evaluation of cultural resources, limited (per consultant’s scope of work) to evaluation as individually eligible properties, is legally insufficient.

***This concern could be addressed by adding a mitigation measure re-surveying the properties in the eastern portion of R Street for potential eligibility as a historic district with a period of significance extending through the 1960s and the end of freight railroad service, adding the context of distribution by truck and team track (in addition to direct railroad service) as part of the industrial district’s statement of significance.**

5. **Historic landmarks and districts in commercial corridors:** Many individually listed historic landmarks and historic districts are located in the “corridor” areas identified in the Downtown Specific Plan, and no map showing the location of individual landmarks was provided in the Downtown Specific Plan materials.

*** This concern could be addressed by adding a mitigation measure requiring updating and revision of central city historic property surveys as a DSP goal in the area of historic preservation.**

6. **Devolution of historic preservation decisions from Preservation Commission to director or staff level** limits public opportunity for notification, comment, and appeal. Inappropriate assignment of final authority for decisions affecting historic properties to Planning & Design Commission, with Preservation Commission providing only an advisory role, means decisions are made by a city board without subject matter expertise.

***This issue could be addressed via a mitigation measure requiring the adoption of interim historic district design guidelines immediately, and adopting the Preservation Commission’s recommendations regarding their concerns about revisions to the Planning and Development Code as presented to the Preservation Commission and Planning & Design Commission in October 2017.**

Attachment: Preservation Commission Ad-Hoc Committee Letter regarding Amending Section 145.156.020 and Various Provisions of Title 17 of the Sacramento City Code Relating to Planning and Development (M17-016)



7. **Proposed language to limit maximum deviation of Floor Area Ratio to 20% in cases of significant community benefit** was removed from the Plan at some point between October 12 and 19, 2017, despite its mention in EIR (Page 3-27) and public presentations (October 9, 2017 at City Hall, Station 5, Urban Design, Land Use & Preservation.) Without maximum deviation limit, it is impossible to calculate cumulative impact of multiple projects or conform to required policy elements regarding clear and consistent development standards. Without this limit, it is impossible to determine if a property is substantially consistent with its land use and urban form designation.

The Draft EIR specifies an amendment to 2035 General Plan land use policy 1.1.10, Exceeding Floor Area Ratio (FAR), clarifying the policy regarding FAR to allow permitted FAR to be exceeded by 20 percent if the project provides a significant community benefit, replacing the current policy as interpreted, which has no maximum limit for FAR. This item was also presented at the October 9, 2017 community meeting at City Hall, as an element of the Downtown Specific Plan, as part of Station 5. It was also presented to the City’s Planning and Design Commission on October 12 as part of the staff report in which this 20% limit on exceeding FAR was described as a General Plan FAR clarification and benefit of the Downtown Specific Plan. On October 18, city planner Greg Sandlund informed the Preservation Commission that this was being removed from the Downtown Specific Plan objectives and would be deferred until the city’s 2040 General Plan update, a process that could take several years.

If there is no maximum limit on FAR deviation, and thus no upper limit on potential development, it is impossible to calculate cumulative impact of multiple projects within the Downtown Specific Plan. The DSP’s policy element, LU 5.1, specifies “Maintain clear and consistent development standards and design guidelines.” If there is no numeric limit on FAR deviation, this standard is impossible to implement, and the EIR cannot achieve one of its required purposes, to calculate and estimate cumulative impacts of projects within the Downtown Specific Plan area. It is thus also inconsistent with the City of Sacramento’s 2035 General Plan EIR. Policy Element LU 5.1 is internally inconsistent; the city cannot provide clear and consistent development standards that are also unlimited in their flexibility.

LU.5.1 Consistent Standards and Guidelines: Maintain clear and consistent development standards and design guidelines that are user friendly, remove barriers for Downtown projects, and provide adequate flexibility to react to changing market opportunities. (Downtown Specific Plan, Page 39)

Standard conditions of approval for projects in the DSP area, which the draft EIR states addresses all potential impacts, does not include the maximum FAR if there is no way to ensure a maximum FAR for projects within the DSP boundary, so there are no consistent standards for cumulative impact of downtown projects. This means the EIR is out of compliance with government code regarding density and intensity standards.

*** This issue could be addressed by including the maximum Floor Area Ratio deviation bonus of 20% in the Downtown Specific Plan, amending the 2035 General Plan to reflect this maximum FAR deviation, instead of deferring revision until the 2040 General Plan update, and adding this language to the ordinance that will be adopted by the City Council regarding the Downtown Specific Plan.**



8. Changes to height limits in C2 zones are moderated by reduced height limits where C2 zones meet R1/R1A or R2/R2A zones, but not where C2 zones meet R3/R3A zones. Many historic districts, and in fact most of Midtown, are zoned R3A.

* Given the proposed increase of height in C2 zoned areas from 65 to 85 feet, or higher with deviations, the issue of interface between residential neighborhoods is important. The city clearly prioritizes this by proposing the reduced heights for R1 and R2 zones adjacent to commercial zones, but R3 zones are excluded.

* Sacramento’s residential districts and historic districts include a mixture of R1, R2 and R3 land use categories, with R3 being the most predominant. In most cases the built environment in all three zones includes a mixture of single-family homes, duplexes and multiplexes, and small apartment buildings, generally ranging from 1-3 stories. Some areas zoned R1 (single family or duplexes) include multi-story, multi-unit apartment complexes, while some areas zoned R3 (multi-family) include solely single-family, one-story homes (such as the Bungalow Row historic district.) Based on past central city plans, zoning decisions between R1, R2 and R3 were based on proximity to commercially zoned areas, not intensity of built environment. Thus, the R3 zones are generally closest to commercial zones. They at greatest risk when adjacent to commercial zones, but would lack the protections of R1 and R2 zones, which are generally farther from commercially zoned areas.

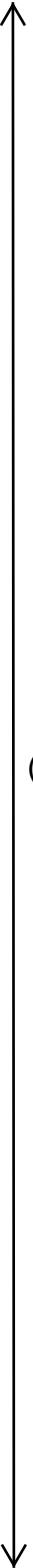
* Historic districts mostly or entirely R3A zoned within the DSP boundary include all three Alkali Flat historic districts, Mansion Flat, Capitol Avenue, Capitol Mansions, Winn Park, Bungalow Row, 1200-1300 Q Street, 20th & N Street, Fremont Park, Marshall Park, Washington and Washington School, and portions of Boulevard Park, Southside Park, Poverty Ridge, and Newton Booth historic districts. Hundreds of individual landmarks are also located in R3A zones. While restricting these height limits to R3A zoned properties in historic districts, there is so much overlap that applying the same rules to R3 as R1/R2 is logistically much simpler—see map on next page to see historic districts overlaid with zoning.

***This issue can be addressed by providing the same transition zones in R3/R3A properties as provided for R1 and R2 zones. Adding this change also meets the DSP’s LU 8.2 regarding transitional heights.**

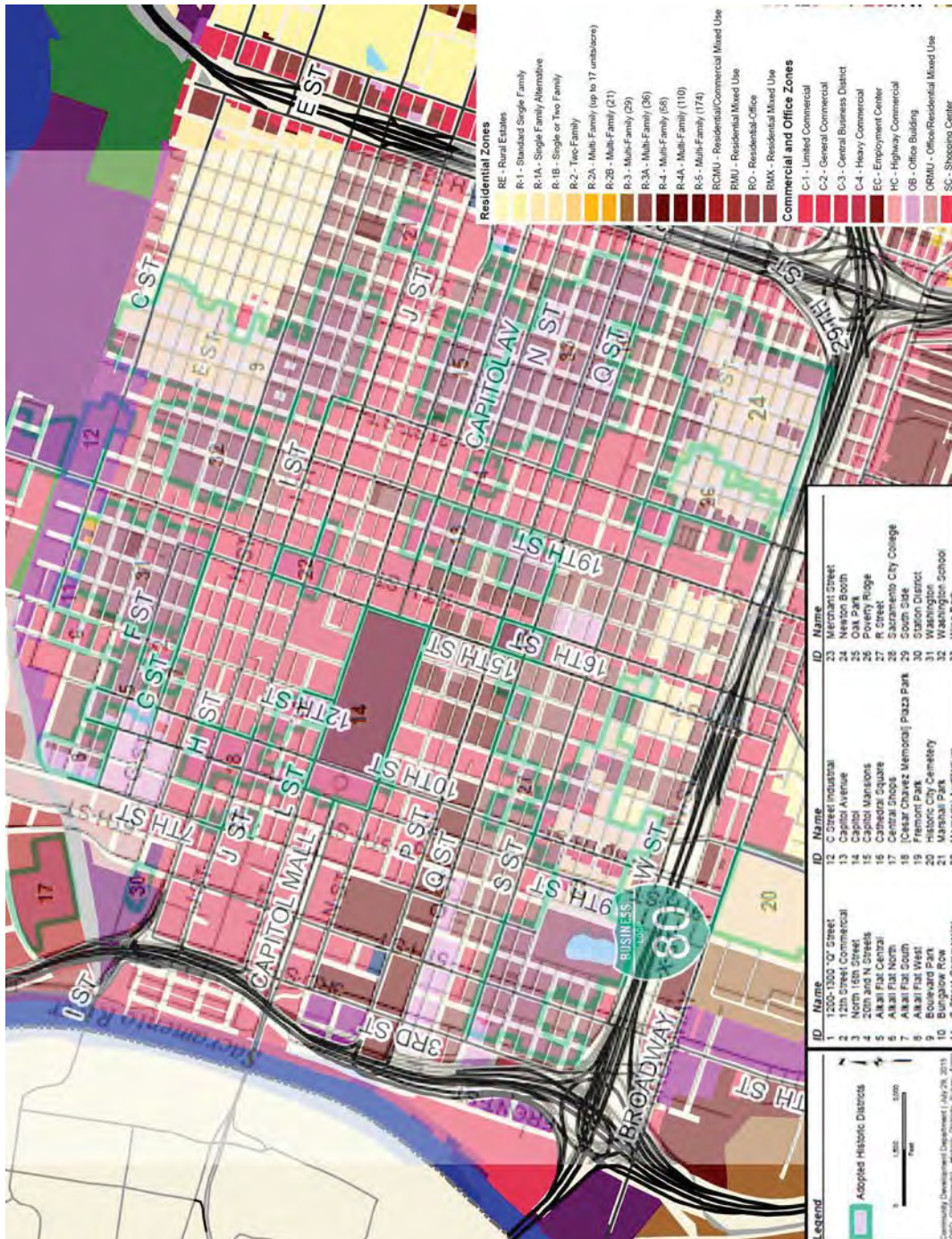
We appreciate this opportunity to provide review and comment, and wish to thank City of Sacramento planner Greg Sandlund for providing prompt feedback regarding the Downtown Specific Plan.



Garret Root, president, Preservation Sacramento Board of Directors



Attachment: Diagram showing overlay of historic district boundaries (green lines) with R-1/R-2 zones (yellow) and R-3A zones (brown) adjacent to C-2 zones (red) within Downtown Specific Plan boundary. Many of Sacramento's historic districts contain R-3A zoned properties.



Letter I15 **Margaret Buss**
Response **November 8, 2017**

- I15-1 The comment provides the commenting individuals support for the readability of the Draft EIR and enhancements to pedestrian facilities. The comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I15-2 The comment requests that names of the DSP and DSP EIR be changed. The names of the Downtown Specific Plan and Downtown Specific Plan EIR have been revised to be the Central City Specific Plan (CCSP) and Central City Specific Plan EIR (CCSP EIR), respectively. Please see Chapter 2, Text Changes to the Draft EIR, for a description of the specific plan's name change.
- I15-3 The comment refers to Preservation Sacramento's comments on the DEIR. Presumably this is a reference to Comment Letter O3, and specifically to Comment O3-3. As such, please see Response to Comment O3-3 and Master Response 2.
- I15-4 This comment expresses concern regarding the review process for projects that have the potential to impact historic resources. Please see Master Response 2 under Identification/Evaluation of Historic Resources on Opportunity Sites.
- I15-5 Please see Master Response 1 regarding changes to the maximum allowable floor area ratios.
- I15-6 Please see Master Response 1 regarding changes to building height limits and transition zones.
- I15-7 The comment provides clarification on the boundaries of the Boulevard Park Neighborhood Association. The comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I15-8 As described in Subsection 4.11.4 of Section 4.11, Public Services of the Draft EIR, there are 21 parks within the CCSP area. Additionally, several parks exist within the CCSP area that are not under the jurisdiction of Sacramento Department of Parks and Recreation (DPR) that provide additional parkland acreage and recreational opportunities, relieving pressure on Sacramento DPR-managed facilities. These parks include Capitol Park, Old Sacramento State Historic Park, and Sutter's Fort State Historic Park, among others. Further, there are a few larger parks located just beyond the plan area boundaries that similarly provide additional park access for plan area residents, including McKinley Park, Miller Regional Park, and much of the American River Parkway. Although multi-unit residential units would not be required to provide open space, there are many park and open space amenities throughout the CCSP area.

I15-9 The comment advises that the description of the jobs-housing balance, provided in the Draft EIR, is unclear and does not signify that the CCSP would improve the jobs-housing balance. As described in Chapter 3.0, Land Use, Population, and Housing, the City anticipates that under the CCSP the jobs housing ratio would be approximately 1.7 in 2035 within the CCSP area, which would be less balanced than the 2016 ratio of 1.32. However, one purpose of CCSP is to address the trend toward imbalance in housing growth relative to growth in jobs within the CCSP area. The CCSP would provide incentives for the construction of housing within the CCSP area, which would counteract the trend toward imbalance of the jobs housing ratio. Thus, it is anticipated that under the CCSP the jobs-housing ratio would be lower than without the housing incentives provided in the CCSP.

As described in Section 3.3.4, several factors, including recent demographic trends and ongoing housing and development patterns would likely result in a more balanced ratio of jobs and housing in the City, along with a reduction in vehicle trips. Major infill projects, including the Railyards and Township 9 developments, as well as recently approved loft, condominium, and single-family residential projects in the CBD and Midtown neighborhoods provide a wide range of housing types as well as housing and employment centers in close proximity to transit, bike lanes, and the network of sidewalks.

The CCSP is intended to facilitate housing closer to employment centers within the Central City. As described in analysis for Impact 4.12-1, under the CCSP vehicle miles traveled (VMT) per capita would be lowered from 11.93 to 11.64 and from 17.73 to 17.30 on a per-employee basis.

For the above reasons, the City anticipates that the Central City would have an improved jobs-housing ratio and improved VMT under the CCSP at buildout than would occur if the CCSP were not implemented.

I15-10 The comment advises that inclusion of discussion regarding urban greening as it pertains to air quality, greenhouse gas emissions, biological resources, and public parks and open space. The comment urges the City to include discussion of how these topics are interrelated. Technical sections within the Draft EIR (Chapter 4 Environmental Setting, Impacts, and Mitigation Measures) are identified by their general area of impact and take into consideration, ways in which seemingly unrelated factors may contribute to overall environmental impacts. Sections are generally divided based on the City's template and are intended to serve as a common reference for types of impacts across various City documents. The comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.

- I15-11 The comment advises the City to add to Section 5.5 of the Draft EIR (Urban Decay), mention of mixed income housing and businesses that support those residential concerns as being vital for a strong sustainable central city. As described in Section 5.5, “urban decay” is not simply a condition in which buildings become vacant as businesses compete with each other in the normal course of the market-based economy, nor is it a condition where a building may be vacated by one business or use and reused by a different business or for alternative purposes. Rather, under CEQA “urban decay” is defined as physical deterioration of properties or structures that is so prevalent, substantial, and lasting a significant period of time that it impairs the proper utilization of the properties and structures, and the health, safety, and welfare of the surrounding community. Physical deterioration includes abnormally high business vacancies, abandoned buildings, boarded doors and windows, parked trucks and long-term unauthorized use of the properties and parking lots, extensive or offensive graffiti painted on buildings, dumping of refuse or overturned dumpsters on properties, dead trees and shrubbery, and uncontrolled weed growth or homeless encampments. The factors identified by the comment are similar to the City’s interpretation of economic pressures that may lead to changes in retail businesses within the CCSP area. However, the City’s analysis of potential for urban decay is concentrated on the specific factors, described above and in Section 5.5 of the Draft EIR, which would contribute to the urban blight effects of urban decay. The comment, while noted, does not require modification to the EIR’s analysis or conclusions of significance.
- I15-12 The comment describes the commenting individuals concern regarding significant and unavoidable increases in air pollutants, described in the Draft EIR. The comment does not address the analysis or conclusions of the Draft EIR. The Comment is noted and will be conveyed to the City Council for its consideration.
- I15-13 This comment is the same as a portion of Comment Letter O3 and O7. Please see Responses to Comments O3-2 through O3-17.

From: [Karen Jacques](#)
To: [Scott Johnson](#)
Cc: [Jim McDonald](#); [Greg Sandlund](#)
Subject: Comments on Downtown Specific Plan (now Central City Specific Plan)
Date: Wednesday, November 8, 2017 1:31:38 PM

November 7, 2017

Scott R. Johnson
Associate Planner
City of Sacramento
Community Development Dept.
300 Richards Blvd., 3rd Floor
Sacramento CA 95811

Dear Mr. Johnson

Re: Downtown Specific Plan Comments

I have lived in the Central City for 35 years and been a neighborhood/preservation activist for most of that time. In the eighties and early nineties I was involved in the effort to get the R Street Corridor, that was then slated to have mid and high rise offices, rezoned to residential mixed use. I founded the Midtown Neighborhood Association (formerly Winn Park/Capitol Avenue) in 1991 and served on its board for 25 years. I joined the Preservation Sacramento (formerly Sacramento Old City Association) board in the mid nineties and have served on and off since then. With the backing of Preservation Sacramento, I put on the 'Fainted Ladies Tour' from 1994 through 2003. The tour documented the 'demolition by neglect', of pre World War II buildings in the Central City, much of which was due to land speculation. I served on both the Preservation Commission and the Sacramento Heritage board from 2007 to 2012, including two years as Preservation Commission chair. In recent years I've become involved in a variety of efforts to address climate change. I attended the Downtown Specific Plan Community Stake Holder meetings. My comments and concerns are based all the above experience.

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For as long as I have lived in the Central City, I have advocated for increased housing density and a better jobs/housing balance. That said, I have serious concerns about the Downtown Specific Plan (hereinafter referred to as DSP) as currently proposed. It puts maximum possible density above all else and ignores many of the concerns raised by residents and participants in the stake holder meetings. Unless significant changes are made, the DSP has the potential to negatively impact Central City neighborhoods and historic resources and to destroy much of what makes the Central City, with its different neighborhoods and commercial corridors the unique, beloved place that it is now. As of this evening (11/7) I learned that the DSP has been renamed the 'Central City Specific Plan'. That's a step in the right direction, but more is needed to mitigate the potentially negative impacts of the DSP. I've listed some of them below.

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Land Use Issues:

1. Deviations/Community Benefits: Throughout the various stakeholder meetings and open houses, community members were told that the DSP would include a maximum FAR/height deviation of 20% for projects that provide a ‘community benefit’ or ‘benefits’. The maximum 20% FAR/height deviation was included in the most recent community open house, the presentation made to the Planning and Design Commission and the Draft EIR. Despite community feedback, there was still no list of what could be considered a ‘community benefit’. Then, at the October 18th Preservation Commission hearing, it was announced that the 20% maximum had been eliminated creating a situation where any height could be allowed on any C2 zoned parcel as long as it provided a still undefined ‘community benefit’ or ‘benefits’. This giant loophole effectively makes zoning irrelevant, creates planning chaos and ignores not only community feedback, but feedback from developers who said they wanted predictability. The loophole has the potential to erase the differences between ‘Downtown’ and ‘Midtown’, something community members who worked on the General Plan tried very hard to maintain. The lack of both height limits and definition of ‘community benefits’ makes planning decisions arbitrary and is likely to lead to legal challenges from developers who think some other developer got treated better than they did. It encourages land speculation with would be investors/developers buying up less expensive parcels outside the downtown core in the hope they will be able to build to whatever height they want. Land speculation has the potential to raise land values and make it even harder to build affordable housing. It also encourages ‘demolition by neglect’ because the land beneath buildings becomes more valuable than the buildings themselves and property owners waiting for the right time to sell or build will have no incentive to maintain their buildings. (A rerun of what the Fainted Ladies Tour documented with owners allowing existing buildings to rot on the assumption that they could build larger more lucrative buildings in the future.) The removal of the 20% maximum FAR/height deviation at the last minute was not only a bad planning decision, but also a bait and switch tactic since members of the public did not know it was gone until the last minute. **The 20% maximum FAR/height deviation needs to be put back into the DSP and included in the DSP ordinance. ‘Community benefit’ needs to be clearly defined and must be something that is above and beyond what is normally required and serves the public good. (See item #2 under ‘Community Participation in the Planning Process’ below for suggestions.)**

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2. In order for an EIR to determine potential impacts, there has to be an accurate description of what is being evaluated. Maximum FAR/height deviations play a major role in determining the potential number of new dwelling units/residents and describing their impact. Until October 18th the DSP included a 20% maximum FAR/height deviation. Now it is gone and, with it, the basis for determining the DSP’s impact. **The EIR must be as accurate as possible. In order for that to happen, the maximum 20% FAR/height deviation that was promised must be put back.**

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3. DSP land use policies call out General Plan Policy LU 5.1. which reads “Maintain clear and consistent development standards and design guidelines that are user friendly, remove barriers for Downtown projects and provide adequate flexibility to react to changing market opportunities. This policy is internally inconsistent. “Adequate flexibility” could mean anything (e.g. 100 ft. deviation as was allowed at 25th and J) Either we have zoning standards or we don’t. If land use planning is to be rational and fair, then residents, property owners and developers all need to know what to expect. If changes to standards need to be made, this should be done through an open public process, not project by project. **Change Standard LU 5.1 so that it is internally consistent by removing the undefined term “adequate flexibility”.**

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4. The maximum height in the C2 commercial corridors east of 19th Street was 65 ft. The DSP increases it to 85 ft.

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This is a major increase that will, in an of itself, significantly impact neighborhoods and change the character of much of the Central City. It requires mitigation. Throughout the Central City the C2 commercial corridors run immediately adjacent to residential neighborhoods. In many cases they are immediately adjacent to historic districts or potential districts and in some cases (e.g. 19th to 21st Street Corridor, the R Street Corridor, the JKL Corridor) they include historic districts, parts of historic districts and/or stand alone City Landmarks. Currently the Zoning Code requires a transitional height limit of 45 ft. for buildings within 39 ft. of an R1 or R2 zone and 55 ft. for buildings within 40 to 79 ft., but says nothing about a transitional height limit for neighborhoods zoned R3 and R3A or for historic resources. While there are some limited areas of R1 zoning in the Central City, the majority of residential parcels are R3 or R3A meaning that under current zoning rules a small residential structure in those zones could find itself next to or across the street or alley from an 85 ft. building (or an even taller building if a deviation is allowed). The same holds true for historic resources within or adjacent to commercial corridors. This has the potential to drastically change the character of large portions of Central City neighborhoods, turn them into undesirable places to live and negatively impact historic resources. Notices to property owners informing them that their R3 and R3A properties were being rezoned to include SPD did not inform them that their properties could now be adjacent to a building 85 ft. tall or taller. **To preserve the character and livability of Central City neighborhoods, the Zoning Code must be changed to mandate the same transitional height limit between R3/R3A and C2 zones as currently exists between R1/R2 and C2 zones. The same transition requirement must apply to new buildings adjacent to historic districts and landmark properties whatever zone those historic resources are in.**

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5. The height limits along the north and south edges of the R Street Corridor are 75 ft. The R Street Corridor runs from the south side of Q Street to the north side of S Street and from the west boundary of the DSP to the east boundary. There are existing historic districts or portions of districts within the R Street Corridor (e.g. Q Street, Fremont, Newton Booth and Winn Park historic districts) and the edges of portions of the Southside, Richmond Grove, Poverty Ridge, Newton Booth and Midtown neighborhoods butt up against and sometimes spill over into the corridor. **Just like the transitional height limits described in # 4 above, there must be transitional height limits between the R Street Corridor and the neighborhoods and historic districts and/or city landmarks that either abut it or are included within it.**

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Preservation Issues:

1. The EIR talks about potential negative and unavoidable impacts to historic resources, but offers no mitigation measures despite the fact that a number of mitigation measures are possible. This is sloppy work and shows a disregard for the benefits (including increased tourism) that historic resources provide. **The City should immediately adopt appropriate mitigation measures. Such measures should include the transitional height limits discussed in #'s 4 and 5 under the land use comments above. They should also include continued updating of historic districts by city staff; immediate adoption of the Preservation Commission's Interim Infill Development Principles for infill in historic districts; adoption of individual infill guidelines for each historic district as these are developed; implementation of the Mills Act so as to provide tax incentives for the purchase and maintenance of historic properties; implementation of the 2007 agreement between Code Enforcement and the Preservation Director diverting 50% of code enforcement lien monies collected to the Historic Places Grant Program; and creation of a mitigation fund for historic resources based on fees collected when unavoidable impacts to historic resources occur.**

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2. The consultant's survey of R Street is inadequate and did not consider the possibility of either adding additional buildings to the existing historic district at the west end of R Street or a second R Street historic district at the east end between 20th and 29th Streets which is associated with more recent rail and truck uses. **The Corridor should be resurveyed in terms of both adding additional buildings to the existing historic district and the creation of**

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a second R Street historic district with its own context statement. The more limited approach that the consultant took, which involved only looking at buildings on identified ‘opportunity sites’ to determine whether those building might qualify for landmark status, was not adequate.

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3. The consultant did not look at the survey of mid century modern resources that is currently underway citywide or consult with anyone involved in that survey to see whether any of the mid century modern buildings on ‘opportunity sites’ might qualify as historic resources. **Mid century modern historic buildings located on ‘opportunity sites’ must be looked at in coordination with the mid century modern survey that is currently underway and the historic context statement that was generated as part of that survey.**

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4. Many new infill projects in historic districts and on lots containing city landmarks involve lot splits. Where lot splits and new construction are involved the Preservation Commission makes recommendations to the Planning and Design Commission regarding design, but the Planning and Design Commission has the final say on both design and the lot split. The Planning and Design Commission has a history of ignoring the Preservation Commission’s design recommendations despite the fact that its members lack expertise with regard to historic preservation. This has resulted in some inappropriate decisions. **It is important that the integrity of city landmarks and historic districts be maintained, especially in light of the development pressure that the DSP will create. To this end, the Preservation Commission needs to be given the final say with regard to infill design issues even where the Planning and Design Commission has jurisdiction with regard to lot splits. This should be treated as an additional mitigation for the impact to historic resources that the DSP creates.**

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5. There are neighborhoods and parts of neighborhoods within the DSP area that preliminary surveys have identified as potential historic districts. These include: Richmond Grove, New Era Park, Broadway and 17th, Tower Historic District, Yale, and Yale 2000. The DSP needs to recognize these potential districts and staff needs to work with the community to get these potential historic districts surveyed and adopted. The south side of the 1500 block of S, which was identified as the northern boundary of the proposed Richmond Grove historic district and contained four houses that were identified as potential contributors to that district is now a blighted, burned out eyesore and has been for roughly the past three years. It has had a very negative impact on adjacent parts of the neighborhood. This kind of destruction must not be repeated in other potential historic districts. **The DSP needs to acknowledge these potential historic districts and city staff needs to work with community members to find a way to complete needed surveys while these potential districts are still intact. This should be treated as an additional mitigation for the impacts of the DSP on historic resources.**

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6. The DSP moves decisions, including alley infill projects in historic districts from the Preservation Director level to the staff level. Where appeal is allowed in some cases, it is to the Preservation Director and not to the Preservation Commission. This strips the Preservation Commission of an important role and significantly reduces the ability of the public to have a meaningful say in the planning process. **This provision of the DSP should either be removed or mitigated by the immediate adoption of the Interim Infill Development Principles as referenced in Item #1 above.**

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7. **The DSP encourages the adaptive reuse of historic resources and makes it easier for housing developers to build small affordable units inside historic buildings. This is helpful both for the preservation of historic resources and for addressing the housing affordability crisis and is a positive aspect of the DSP**

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Affordability Issues:

1. A major justification for the DSP is that it will reduce vehicle miles traveled. The assumption is that density will both facilitate transit and improve the jobs/housing ratio thus allowing more people to live close to where they work. However, Central City housing costs are rising and the majority of new infill projects that are under construction or have been approved are market rate. It's becoming more difficult for low and even middle class people who work in the Central City to find housing that they can afford. The housing data presented in the DSP clearly illustrates this, but the DSP does not include a plan for addressing the problem. **The city must develop a plan to better address the affordability crisis in the Central City or it will not realize the reduction in vehicle miles traveled that is one of the major justifications for the DSP. The zoning code includes a 'housing density bonus' and the City should use it as a guide, treat affordable housing as a 'community benefit' and allow a reasonable (maximum 20% increase in FAR/height) as an incentive for building it.**

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2. Much of the new alley infill that has occurred is large, expensive, often 'for sale' housing. The City has seen an increase in applications to build this type of housing and it was one such application (2218 Capitol) that lead the Preservation Commission to develop its Interim Infill Development Principles. If used, these principles would result in the building of smaller, more affordable alley units (both rental and for sale) that could help address the affordability crisis. While they would likely not result in as much profit for developers as the larger units that have been built, developer Ron Vrilakis testified in favor of them at the Preservation Commission, stating that developers could make a reasonable profit. **The DSP should include adoption of the Preservation Commission's Interim Infill Development Principles not only because they provide appropriate guidelines for alley development in historic districts and on city landmark parcels, but because they have the potential to increase the number of affordable housing units. To increase the potential for affordable housing still further, the City should develop similar design principles for alley units that are not currently in historic districts or on landmark parcels.**

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3. The DSP encourages the adaptive reuse of historic buildings, but says nothing about adaptive reuse of non-historic buildings, including buildings at 'opportunity sites' Adaptive reuse including expansion of existing buildings can often be more affordable than new construction because it reuses existing materials, many of which (e.g. old growth lumber) are of high quality and it makes use of embodied energy. Adaptive reuse offers a potential means for expanding affordable housing and also providing locations for small local businesses that cannot afford the rents that are generally charged for new buildings. Local businesses, including art galleries and artist studios, are part of what makes the Central City unique and interesting and, if they are forced to move or close due to unaffordable rents, much of the character of the Central City will be lost. **In addition to encouraging the adaptive reuse of historic buildings, the DSP should encourage adaptive reuse of older buildings that do not qualify as historic, including those on 'opportunity sites', as a way of creating more affordable housing and assuring that small businesses can afford to remain in the Central City**

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Livability/Amenities for Residents:

1. In presentations and stakeholder meetings about the DSP, participants were told that it would include street lights for neighborhoods that currently lack them. It now appears that, while there will be some new streetlights on commercial corridors, there are no provisions for adding them to neighborhoods. Streetlights are critical to safe walking and biking at night and also contribute to the overall safety of the areas in which they are located. **As part of the DSP, the City needs to find a way to fund streetlights in neighborhoods and on any streets in the DSP**

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that don't have them. One way to help do this would be to define the provision of new streetlights in the DSP area as a 'community benefit' and allow a maximum 20% FAR/height deviation for providing a specified number of streetlights to a specified number of blocks that don't have them.

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(cont.)

2. The DSP allows for very limited park space per resident and does not foresee adding any additional park space. As density grows, access to open space will become increasingly important to the quality of life of residents. There is already a waiting list for existing community gardens. **The City needs to find some way to acquire additional open space/park space for use by residents as community gardens, small landscaped areas in which to sit or gather. These could be relatively small spaces. Creation of such spaces as part of a development project could be considered a 'community benefit' provided that there is a clear definition of how much total space would need to be provided to qualify, what improvements would need to be made and that the maximum 20% increase in FAR/height applies.**

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Sustainability Issues:

1. The DSP talks about new and expanded utilities for 'opportunity sites'. The discussion includes new gas lines. Given the speed with which climate change is occurring (and the resulting climate chaos) it is imperative that the City transition off fossil fuels, including natural gas, as quickly as possible. When extraction, transportation and processing are considered, natural gas has been shown to be equivalent to coal in green house gas emissions. **To meet climate goals, the City should not approve new gas lines for 'opportunity sites' but should instead mandate that construction at such sites be all electric.**

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2. One of the problems that all cities face is heat island effect. Already hot summers and predictions of increasing heat make this a significant problem for Sacramento. In order to address this, many cities go to great lengths to preserve their healthy trees and add new trees. The Central City has been losing trees, including large, healthy street trees at an alarming rate with some of the loss being the result of an aging urban forest, but much of it the result of new development. Often the lost trees are not replaced or, when they are replaced, they are replaced by smaller species spaced further apart. Large canopy trees are important not only because they reduce heat island effect and make streets more walkable and bikeable, but also because they absorb carbon. **As part of the DSP the City needs to institute policies that mandate the protection of existing trees, adopt design policies like step backs and set backs that allow for the retention of existing canopy trees and the planting of new ones. The City needs to plant new canopy trees wherever there is space for them throughout the DSP area.**

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3. Increased density will mean less open space where water can be absorbed and more water runoff. Climate change models predict that when rainstorms are likely to become more intense with more rain dropped in shorter periods of time than has been the case in the past. **The City needs to take steps to mitigate this problem. Such steps could include smaller sized alley units with more land around them as discussed in item #1 and #6 under Preservation Issues and item #2 under Affordability Issues. Additional mitigations could include incentivizing the removal of cement from parkway strips (this would also create room for new trees) or mandating significantly larger tree wells for street trees where parkway strip cement cannot be completely removed, incentivizing swales in parkway strips and other open spaces where there is room for them and mandating that, when sidewalks need replacement, they be replaced with permeable cement.**

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4. The DSP doesn't include provision for public EV charging stations. Given the need to transition off of fossil fuels as quickly as possible, such stations should be included. **The DSP needs to include plans for the siting and**

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funding of public EV charging stations

Community Participation in the Planning Process:

1. Over the years it has become increasingly difficult for members of the public to participate in the planning process in a meaningful way. This is true even in situations where nearby residents are likely to suffer negative impacts from a proposed project. The approval of the Yamanee project, in direct violation of the 2035 General Plan that members of the public had spent four years working on, is an example of resident efforts and input being ignored. Removing the 20% maximum FAR/height deviation from the DSP after it had been included as part of every public meetings about the DSP is another. Another is the DSP provision that moves decisions about small infill projects that were previously made at the director level to the staff level and precludes commission level appeals. This may be quicker and more efficient for staff and developers, but it is adding to public distrust and cynicism about our role in the planning process in Sacramento. **The City needs to stop finding ways to block public participation in the planning process and either change DSP guidelines to return projects to their previous levels of review or, at the very least, the DSP needs to include the Interim Infill Development Principles for infill in historic districts and an equivalent set of firm, clear principles for infill in neighborhoods that are not currently historic districts.**

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2. **The process for approving deviations needs to be made consistent, transparent and objective. In order for this to occur, the limit of 20% maximum FAR/height deviation needs to be put back into the DSP for all the reasons previously stated in this letter. In addition, there should be a public list of what actually constitutes a ‘community benefit’ and such benefits should be things that clearly contribute to the public good, not just the good of the limited number of people who live in, do business in or otherwise use whatever gets built. The list of what constitutes a ‘community benefit’ should be limited and should be developed via an open public process. Given the affordable housing crisis, the number one ‘community benefit’ should be affordable housing units that meet clear criteria with regard to rent/sale prices and how long they must remain affordable. Other possible ‘community benefits’ could include providing streetlights to a specified number of unlit blocks within the SPD area; providing and developing additional public open space in the SPD area; a net zero energy or ‘living building’ project; or providing a specified number of public EV recharging stations within the SPD. Things like good design (something every project should be required to have) or extra private outdoor spacer for project residents, or being next to a bus stop do not provide sufficient (or any) benefit to the public and should not qualify.**

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Thank-you for this opportunity to comment.

Sincerely,

Karen Jacques

Letter I16 **Karen Jacques**
Response **November 8, 2017**

- I16-1 The comment describes the commenting individual's longstanding community involvements and participation in the CCSP community stake holder meetings. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I16-2 The CCCP identifies 13 principles that guide the vision for the CCSP area including supporting new places to live, encouraging varied housing options that reflect the diversity of Sacramento, and preserving and enhancing the unique character, buildings and streetscapes of Sacramento's Central City. Please also see Master Response 3 regarding preservation of the City's historic districts.
- I16-3 The comment supports the renaming of the DSP to the CCSP and argues that more changes are needed to mitigate the potentially negative impacts of the CCSP. The comment does not address the analysis or conclusions of the Draft EIR, with sufficient specificity to require a revision to the Draft EIR. The comment is noted and will be conveyed to the City Council for its consideration.
- I16-4 Please see Master Response 1 regarding changes to the maximum allowable floor area ratios, changes to building height limits, and transition zones.
- I16-5 Please see Master Response 1 regarding changes to the maximum allowable floor area ratios.
- I16-6 The comment provides suggested revisions to policy LU 5.1 of the CCSP. The City does not intend to change the language of LU 5.1. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I16-7 Please see Master Response 1 regarding changes to building height limits and transition zones.
- I16-8 Please see Master Response 1 regarding changes to building height limits and transition zones.
- I16-9 The comment expresses opposition for the lack of mitigation measures for historic properties and districts. Please see Master Response 2 under Mitigation Measures.
- I16-10 Please see Master Response 2 regarding the R Street Historic District.
- I16-11 Please see Master Response 2 regarding the historic resources survey and Response to Comment O3-9.

- I16-12 The comment is concerned about infill development that may impact historic districts and landmarks. Please see Master Response 2 under Infill Development in Historic Districts/Design Guidelines.
- I16-13 The comment requests that the City acknowledge the previously identified potential historic district and complete the necessary surveys for these districts. The comments do not speak to the methods or adequacy of the environmental analysis.
- I16-14 This comment expresses concern regarding the review process for projects that have the potential to impact historic resources. Please see Master Response 2 under Infill Development in Historic Districts/Design Guidelines.
- I16-15 The comment is in support of CCSP policies that encourage adaptive reuse of historic resources and streamline development of affordable housing units. This comment is in reference to the CCSP and does not address the analysis or conclusions of the Draft EIR. The comment is noted and will be conveyed to the City Council for its consideration.
- I16-16 The comment addresses tradeoff between housing affordability and the benefits of people living close to where they work and the reduction in vehicle miles traveled. The CCSP does not dictate how many units would be market rate versus affordable units. The City has a Mixed Income Housing Ordinance which applies to all projects in the City and requires the provision of affordable housing or the payment of fees to provide affordable units. Please also see Master Response 1 regarding changes to the maximum allowable floor area ratios.
- I16-17 Please see Response to Comment O2-1.
- I16-18 The comment encourages the City to include policies in the CCSP that encourage adaptive reuse of structures that do not qualify as historic. This comment is in reference to CCSP policy and does not address the analysis or conclusions of the Draft EIR. The comment is noted and will be conveyed to the City Council for its consideration.
- I16-19 Please see Responses to Comments O8-5 and O11-2.
- I16-20 The comment encourages the City to seek opportunities to provide additional park and open space areas for various uses. As described in Section 4.11.4 of the Draft EIR, Parks and Open Space, City policy ERC 2.2.5 requires new residential development to meet its fair share of the park acreage service level goal by either dedicating land for new parks, paying a fair share of the costs for new parks and recreation facilities or renovation of existing parks and recreation facilities. City policy ERC 2.2.6 requires the City to explore creative solutions to provide neighborhood park and recreation facilities, in urban areas where land dedication is

not reasonably feasible. This comment is in reference to CCSP policy and does not address the analysis or conclusions of the Draft EIR. The comment is noted and will be conveyed to the City Council for its consideration.

I16-21 The comment urges the City to implement policy ceasing approval of new natural gas lines and mandating that new construction be all electric. The City intends to evaluate citywide energy supply, demand, and infrastructure as part of the 2040 General Plan update and CAP update. This comment is in reference to CCSP policy and does not address the analysis or conclusions of the Draft EIR. The comment is noted and will be conveyed to the City Council for its consideration.

I16-22 The comment urges the City to institute policies that mandate the protection of existing trees and provides suggested details to implement that policy. The CCSP includes Policy LU 3.2:

LU 3.2 **Preserve and enhance the urban street tree canopy.** Allow for flexibility in building design and selection of appropriate species to avoid or minimize conflicts between trees with transit facilities, buildings and overhead utility infrastructure (69kV and above).

The City would implement the above policy to achieve the goals described in the comment. This comment is in reference to CCSP policy and does not address the analysis or conclusions of the Draft EIR. The comment is noted and will be conveyed to the City Council for its consideration.

I16-23 The CCSP is consistent with the 2035 General Plan, which considers the urbanization of the CCSP area, as well as the rest of the City. As described in Section 4.13, Utilities, of the Draft EIR, storm drainage conveyance is analyzed for the CCSP area. Although the CCSP does not specifically offer incentives for replacing impervious surfaces with pervious surfaces, it does not prohibit it, either. Therefore, property owners are permitted to replace concrete and hardscape with landscaping and permeable surfaces.

I16-24 The comment advises that the CCSP does not include EV charging stations and recommends the inclusion of plans for the siting funding of public EV charging stations. The City is considering a citywide EV strategy that would promote EV charging stations. While the CCSP planning area would include EV charging stations as part of a citywide program, the City is conducting these considerations in a separate process from the CCSP and CCSP EIR processes. The comment does not address the analysis or conclusions of the Draft EIR. The Comment is noted and will be conveyed to the City Council for its consideration.

I16-25 Please see Response to Comment O10-3.

I16-26 Please see Master Response 1 regarding changes to the maximum allowable floor area ratios, Response to Comment I16-24 regarding EV charging stations, and Response to Comment I16-16 regarding the City's Mixed Income Housing Ordinance.

From: allpointrentals@aol.com
To: [Scott Johnson](#)
Cc: [Greg Sandlund](#); jmcdinald@cityofsacramento.org
Subject: Objections to Downtown Specific Plan
Date: Wednesday, November 8, 2017 8:46:23 AM

Hello:

I own and operate a small business at 2315 C Street Sacramento 95816. I've been there since 1990. My building is listed on the National Register of Historical Buildings.

I object to the recent EIR report and agree with our **Boulevard Park Neighborhood Association** objections

which I believe have been presented to all of you.

I agree and hope the City Council will reverse these inappropriate decisions, and further consider the roll and voice of the Preservation Commission's input.

Thank you for your time,

Linda Schetter

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Letter I17 **Linda Schetter (1)**
Response November 8, 2017

- I17-1 The comment advises that the commenting individual owns a business within the CCSP area, in a building that is listed in the National Register of Historic Buildings. The comment, while noted, does not require modifications to the analysis or conclusions of the Draft EIR.
- I17-2 This comment is addressed in the response to comments for Letter O1, Boulevard Park Neighborhood Association.

From: allpointrentals@aol.com
To: [Scott Johnson](mailto:Scott.Johnson@cityofsacramento.org)
Cc: [Jim McDonald](mailto:Jim.McDonald@cityofsacramento.org); [Greg Sandlund](mailto:Greg.Sandlund@cityofsacramento.org)
Subject: Fwd: Objections to Downtown Specific Plan
Date: Wednesday, November 8, 2017 5:10:30 PM

From: allpointrentals@aol.com
To: srjohnson@cityofsacramento.org
CC: gsandlund@cityofsacramento.org, jmcinald@cityofsacramento.org
Sent: 11/8/2017 8:46:16 A.M. Pacific Standard Time
Subj: Objections to Downtown Specific Plan

Hello:

I own and operate a small business at 2315 C Street Sacramento 95816. I've been there since 1990.

My building is listed on the National Register of Historical Buildings.

I object to the recent EIR report and agree with our **Boulevard Park Neighborhood**

Association objections

which I believe have been presented to all of you.

I agree and hope the City Council will reverse these inappropriate decisions, and further consider the roll and voice of the Preservation Commission's input.

Thank you for your time,

Linda Schetter

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Letter I18 **Linda Schetter (2)**
Response November 8, 2017

I18-1 This comment is addressed in the response to comments for Letter O1, Boulevard Park Neighborhood Association.

From: [Jessica Sorensen](#)
To: [Scott Johnson](#)
Cc: [Greg Sandlund](#); [Jim McDonald](#)
Subject: Comment on the DTSP
Date: Wednesday, November 8, 2017 2:08:55 PM

To whom it may concern -

I am a homeowner in Midtown with a historic property. My husband and I chose to buy our first home here because of the vibrancy and walkability of our neighborhood, and our love of the older homes surrounding us. We also love the fact that we live in a growing urban neighborhood, and I am concerned about the lack of housing supply and its impact on housing affordability for the region. I appreciate the opportunity to provide comments on the Downtown Specific Plan (DTSP) and the associated Draft Environmental Impact Report (DEIR) for the City of Sacramento.

The Sacramento region is suffering from a shortage of new units, particularly those in close proximity to job centers and affordable to working class residents. The Downtown Specific Plan represents a great opportunity to add housing where it is needed most. Downtown Sacramento and the Greater Sacramento Region is far from full, but only if we create an inclusive vision that allows projects and new development to move forward. As a result of the housing crisis, community groups are forming across the country to support infill development, but a very vocal minority often continues to oppose projects. In a constrained market, increasing supply will lower prices for everyone. I support housing and infill development because it will make us a healthier and more sustainable city. The City's efforts with the Downtown Specific Plan demonstrate their support of these ideals, and their commitments should be applauded.

I am well aware that there is local opposition to the DTSP. Many residents, understandably, fear change in their own backyards. This culture of exclusion, however, benefits existing wealthy households at the expense of those with the least means. Community pressures and exclusionary zoning are contributing to the current housing crisis by limiting supply. This is driving rents and home prices to an unaffordable level for many households.

I ask that the following be considered before finalizing the DTSP and the associated DTSP EIR:



On Established Neighborhoods – LU.8.2

This policy reads: “Established Neighborhoods. Preserve and protect established neighborhoods by providing appropriate transitions in building bulk, form, and intensity for uses adjoining these neighborhoods.”

I fear this policy may be used to limit development in existing Downtown/Midtown Neighborhoods as a means of protecting so called “neighborhood character.” While the preservation of historic homes (my own included) is incredibly important to me, and our existing neighborhoods deserve certain amounts of protection, we should not unnecessarily limit development that contrasts with existing and historic structures. Varied uses and intensities should be the norm across all of the DTSP plan area. I would encourage the wording be revised to the following:

“Established Neighborhoods. Consider the context of the existing neighborhood when locating and selecting building bulk, form, and intensity for future development.” To me, “neighborhood character” is defined by the *people* that live in the region, not just the way that it looks, and we are pushing out the various “characters” in this neighborhood but restricting housing to the point that only the wealthy can live here.

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(cont.)

On language limiting Floor Area Ratio (FAR):

The Draft EIR contains language that places a 20% limit on Floor Area Ratio (height & density) deviation for residential projects. Page S-6 of the Draft EIR says “The proposed DSP would retain the existing land use designations, as identified by the 2035 General Plan, for all parcels within the plan area. The 2035 General Plan would be amended to clarify the policy regarding FAR to allow a project’s FAR to be exceeded by 20 percent if the project provides a significant community benefit.” Staff presented a benefit statement on page 7 of 995 of the Planning Commission 10/12/17 staff report that stated:

“General Plan FAR Clarification

- A project may exceed the FAR threshold by a maximum of 20% if a community benefit is provided
- Max FARs to be reevaluated in next General Plan Update”

If we want to continue to encourage infill over sprawl, and have any chance of meeting the housing unit goals that have been laid out, the maximum FAR should NOT be limited to a 20% maximum. As we have seen with recent development projects such as Yamanee, anti-development homeowners latch on to this definition

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of “community benefit” to fight approvals, appeal decisions, and drag out the process. This hurts developers in holding costs, legal fees, and makes it more difficult to obtain financing when a project’s approval is in question. We should be encouraging efficient land use, and making it easier to build with a high FAR, not limiting it. I strongly encourage reevaluating limits in the next General Plan update.

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(cont.)

On infill in historic districts:

I applaud recent efforts to streamline the process for backyard/accessory units. More housing is desperately needed in the central city, and many are struggling to either afford their current housing payments, or to save up enough to buy a property in the first place. These accessory units help solve both problems by providing more housing units, and an income stream for the homeowner. Too much power is given to neighbors who oppose these projects just because they are concerned about privacy or neighborhood character. Historic homes are something to be cherished and preserved, but the *view* from that historic home is not protected, and shouldn’t be used as reason to block development. I would like to see even more incentives for these types of infill/accessory units in backyards and alleyways.

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The DTSP represents exactly what we need to encourage as a region to combat our housing crisis: infill development that is compatible with surrounding land uses in a walkable and bikeable environment. It will also enable more residents to call this great city home and give them an opportunity to grow and succeed alongside us. Future residents will be valuable members of the community and we look forward to welcoming them as our neighbors. Thank you so much for your time and consideration.

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Sincerely,

Jessica Sorensen

Letter I19 Jessica Sorenson
Response November 8, 2017

- I19-1 The comment provides the commenting individual's support of the CCSP. The comment, while noted, does not require modification of the analysis or conclusions of the Draft EIR.
- I19-2 The comment provides suggested revisions to policy LU 8.2 of the CCSP. The City does not intend to change the language of LU 8.2. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I19-3 The comment provides suggested revisions to language limiting floor area ratio (FAR) in the CCSP. The City does not intend to change the language in the CCSP limiting FAR. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I19-4 The comment describes the commenting individual's support for efforts to streamline the process for backyard/accessory units. The City does not intend to revise the CCSP in response to the comment. This comment, while noted, does not require modification to the EIR's analysis or conclusions of significance.
- I19-5 The comment is in support of the CCSP. The comment, while noted, does not require modification of the analysis or conclusions of the Draft EIR.

From: Susan Valdez
To: Scott Johnson
Subject: Downtown specific plan
Date: Wednesday, November 8, 2017 7:51:57 PM

We own a home in midtown on 24th street between U and V. It is a nice neighborhood with young and older families. We are in an historic zone and are the 3rd owner of our home. We consider ourselves caretakers of this home and give it the love that it requires. However the move to make all of us a part of downtown would make the "historic zone" designation meaningless. I assume all properties would then be allowed to subdivide lots and teardown historic homes in order to construct apartment buildings all in the name of progress. Unfortunately, what we have seen already is the construction of apartment buildings that will charge higher rents forcing everyday workers and their families out of the rental market let alone the housing market. What we need is balance in our city core so that all socio economic levels can live and work in the city core and preserve our historical heritage.

Susan and Leonard Valdez

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Letter I20 **Susan Valdez**
Response November 8, 2017

- I20-1 The comment advises that the commenting individual is a resident of a historic zone in the CCSP area, and is opposed to the CCSP. As described in Section 4.4 of the Draft EIR, Cultural Resources, the City's General Plan and the CCSP provide policies for the preservation historic resources within the CCSP planning area. The comment does not address the analysis or conclusions of the Draft EIR, with sufficient specificity to require a revision to the Draft EIR. The Comment is noted and will be conveyed to the City Council for its consideration.
- I20-2 The comment advises that the CCSP area is in need of workforce housing to maintain a socioeconomic balance in the CCSP area. This comment is in reference to the CCSP and does not address the analysis or conclusions of the Draft EIR. The comment is noted and will be conveyed to the City Council for its consideration.

CHAPTER 4

Mitigation Monitoring Plan

4.1 Introduction

Public Resources Code section 21081.6 and section 15097 of the California Environmental Quality Act (CEQA) Guidelines require public agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a mitigated negative declaration or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring Plan (MMP) for the Central City Specific Plan. The intent of the MMP is to track and successfully implement the mitigation measures identified within the Draft Environmental Impact Report (Draft EIR) for this project.

4.2 Mitigation Measures

The mitigation measures are taken from the Sacramento Central City Specific Plan Draft EIR and are assigned the same number as in the Draft EIR. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions.

4.3 MMP Components

The components of the attached table, which contains applicable mitigation measures, are addressed briefly, below.

Impact: This column summarizes the impact stated in the Draft EIR.

Mitigation Measure: All mitigation measures identified in the Sacramento Central City Specific Plan Draft EIR will be presented, as revised in the Final EIR, and numbered accordingly.

Action(s): For every mitigation measure, one or more actions are described. The actions delineate the means by which the mitigation measures will be implemented, and, in some instances, the criteria for determining whether a measure has been successfully implemented. Where mitigation measures are particularly detailed, the action may refer back to the measure.

Implementing Party: This item identifies the entity that will undertake the required action.

Timing: Implementation of the action must occur prior to or during some part of project approval, project design or construction or on an ongoing basis. The timing for each measure is identified.

Monitoring Party: The City of Sacramento is primarily responsible for ensuring that mitigation measures are successfully implemented. Within the City, a number of departments and divisions would have responsibility for monitoring some aspect of the overall project. Other agencies, such as the Sacramento Metropolitan Air Quality Management District, may also be responsible for monitoring the implementation of mitigation measures. As a result, more than one monitoring party may be identified.

**TABLE 4-1
SACRAMENTO CENTRAL CITY SPECIFIC PLAN, MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
4.2 Air Quality					
4.2-2: Construction of development under the proposed CCSP could result in short-term emissions of NOx, PM10 and PM2.5.	<p>4.2-2(a) <i>For any development project within the CCSP area that would involve excavation, grading, or site preparation that would expose soil, the applicant shall comply with all applicable Rules of the Sacramento Air Quality Management District (SMAQMD) and shall include the required SMAQMD Basic Construction Emission Control Practices on all grading or improvement plans.</i></p>	Comply with all applicable Rules of the Sacramento Air Quality Management District (SMAQMD) and include the required SMAQMD Basic Construction Emission Control Practices on all grading or improvement plans.	Project applicant	Prior to issuance of demolition or grading permit	City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)
	<p>4.2-2(b) <i>Prior to the issuance of a demolition or building permit for major development projects in the CCSP area, each project shall be screened for construction emissions based on the then-current screening criteria established by the SMAQMD. If the project emissions fall within the limit of the screening criteria no further action is required.</i></p> <p><i>If the project exceeds the screening criteria the applicant shall model emissions for the project. If the emissions fall below the thresholds of significance for construction air emissions no further action is required.</i></p> <p><i>If the air emissions model reflects emissions above the thresholds for construction emissions, the applicant shall mitigate such emissions consistent with applicable rules and procedures of the SMAQMD and City of Sacramento. This includes the following:</i></p> <ul style="list-style-type: none"> <i>Provide a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the proposed project to the City and the SMAQMD. The inventory shall include the horsepower rating, engine model year, and projected hours of use for each piece of equipment. The construction contractor shall provide the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. This information shall be submitted at least four business days prior to the use of subject heavy-duty off-road equipment. The inventory shall be updated and submitted monthly throughout the duration of the proposed CCSP, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.</i> <i>Provide a plan in conjunction with the equipment inventory, approved by the SMAQMD, demonstrating that the heavy-duty (50 horsepower or more) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.</i> <i>Emissions from all off-road diesel powered equipment used on the project site shall not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the City and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this measure shall supersede other SMAQMD or state rules or regulations.</i> 	Include construction equipment specifications listed in Mitigation Measure 4.2-2(b) on Grading and Construction Plans.	Project applicant	Prior to issuance of demolition permit or grading permit	City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)

**TABLE 4-1
SACRAMENTO CENTRAL CITY SPECIFIC PLAN, MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	<ul style="list-style-type: none"> If at the time of granting of each building permit, the SMAQMD has adopted a regulation applicable to construction emissions, compliance with the regulation may completely or partially replace this mitigation. Consultation with the SMAQMD prior to construction will be necessary to make this determination. <p>The applicant shall include the following SMAQMD Fugitive Dust Control Practices on all grading or improvement plans:</p> <ul style="list-style-type: none"> Water exposed soil with adequate frequency for continued moist soil. Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 mph. Install wind breaks (e.g., plant trees, solid fencing) on windward side(s) of construction areas. Plant vegetative ground cover (fast-germinating native grass seed) in disturbed areas as soon as possible. Water appropriately until vegetation is established. Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site. Treat site accesses to a distance of 100 feet from the paved road with a 6- to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the District shall also be visible to ensure compliance. <p>The applicant shall estimate and quantify the construction emissions of NOx. The applicant shall pay into the SMAQMD's construction mitigation fund to offset construction-generated emissions of NOx that exceed SMAQMD's daily emission threshold of 85 ppd. The applicants shall keep track of actual equipment use and their NOx emissions so that mitigation fees can be adjusted accordingly for payment to the SMAQMD.</p>				
4.2-5: Implementation of the proposed CCSP could result in short-term and long-term exposure to Toxic Air Contaminants.	<p>4.2-5</p> <p>The City shall require implementation of the following mitigation measures as part of approval of any residences in the CCSP area within 500 feet of Business 80, Highway 50 or I-5:</p> <ul style="list-style-type: none"> Locate sensitive receptors as far as possible from Business 80, Highway 50 or I-5. Provide vegetative barriers between the source and receptors. Guidance from the US EPA's July 2016 Recommendations for Constructing Roadside Vegetation Barriers to Improve Near-Road Air Quality or Sacramento Metropolitan Air Quality Management District Landscaping Guidance for Improving Air Quality near Roadways may be incorporated. 	Implement the criteria described in Mitigation Measure 4.2-5.	Project applicant	Prior to issuance of a building permit	City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)
4.2-7: Implementation of the proposed CCSP could contribute to cumulative increases in short-term (construction) emissions.	<p>4.2-7</p> <p>Implement Mitigation Measure 4.2-2(a) and (b).</p>	See Mitigation Measures 4.2-2(a) through 4.2-2(b).	See Mitigation Measures 4.2-2(a) through 4.2-2(b).	See Mitigation Measures 4.2-2(a) through 4.2-2(b).	See Mitigation Measures 4.2-2(a) through 4.2-2(b).
4.2-10: Implementation of the proposed CCSP could contribute to cumulative increases in short- and long-term exposures to Toxic Air Contaminants.	<p>4.2-10</p> <p>Implement Mitigation Measure 4.2-5.</p>	See Mitigation Measures 4.2-5	See Mitigation Measures 4.2-5	See Mitigation Measures 4.2-5	See Mitigation Measures 4.2-5

**TABLE 4-1
SACRAMENTO CENTRAL CITY SPECIFIC PLAN, MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
4.3 Biological Resources					
4.3-2: Development under the proposed CCSP could result in the loss of potential nesting habitat for special-status bird species and other sensitive and/or protected bird species.	<p>4.3-2(a) <i>For projects proposed to be constructed in the CCSP area that have trees onsite or trees immediately adjacent to the project site (including within a planter strip), the applicant shall conduct a nesting bird survey to determine whether there are nesting special-status birds present. Surveys shall be conducted by a qualified biologist prior to and within 14 days of construction activities. If nesting birds are present during the survey, then the applicant shall notify the City's Planning Director and proceed as follows:</i></p> <ol style="list-style-type: none"> 1) <i>applicant shall conduct any tree removal activities required for project construction outside of the migratory bird breeding season (February 1 through August 31) where feasible.</i> 2) <i>trees slated for removal during the nesting season shall be surveyed by a qualified biologist no more than 48-hours before removal to ensure that no nesting birds are occupying the tree.</i> 3) <i>ending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned without impacting the breeding season. In this case (to be determined on an individual basis), the nest(s) shall be monitored by a qualified biologist during excavation and other outdoor construction that involves the use of heavy equipment. If, in the professional opinion of the monitor, the construction activities associated with that part of construction activities would impact the nest, the monitor shall immediately inform the construction manager and the applicant shall notify the City's Planning Director. The construction manager shall stop construction activities that have the potential to adversely affect the nest until the nest is no longer active. Completion of the nesting cycle shall be determined by a qualified biologist. If construction begins outside of the migratory bird breeding season (February 1 through August 31), then the applicant is permitted to continue construction activities through the breeding season.</i> 4) <i>applicant shall maintain a 100-ft buffer around each active purple martin nest. No construction activities are permitted within this buffer.</i> 5) <i>other migratory birds, a no-work buffer zone shall be established around the active nest in consultation with the California Department of Fish and Wildlife. The no-work buffer may vary depending on species and site-specific conditions as determined in consultation with the California Department of Fish and Wildlife.</i> 	<p>Conduct nesting surveys prior to tree removal.</p> <p>Conduct any tree removal and construction activities according to the protocol described in Mitigation Measure 4.3-2(a).</p> <p>Include tree removal timing and/or tree protection requirements on Grading and Construction Plans</p>	Project applicant	Between February 1 and August 31, conduct surveys no more than 48-hours before tree removal	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)
		Establish 100-buffer around active raptor nests.	Project applicant	Establish buffer no more than 48-hours before tree removal; leave buffer in place through construction of each applicable development project	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)
		Monitor nesting activity within the 100-foot buffer	Project applicant	Monitor active nests through construction of each applicable development project	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)
		Determine presence/absence of Swainson's Hawk within identified geography.	Project applicant	Prior to site plan and design review for individual projects	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)
		<p>4.3-2(b) <i>For projects proposed to be constructed in the CCSP area that would include the use of off-road vehicles during project construction, the applicant shall conduct a survey for Swainson's hawk nests, the survey shall be of all trees within 500 feet of the project site which has a 24-inch minimum diameter at breast height. The survey distance may be decreased based on type of construction and whether heavy construction equipment would be used. The applicant may ask the California Department of Fish and Wildlife for a reduced survey distance and/or reduced buffer area. Surveys shall be conducted in accordance with the Swainson's Hawk Technical Advisory Committee's Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (2000). If active Swainson's hawk nests or other raptors' nests are found during the survey performed under Mitigation Measure 4.3-2(a), construction activities shall not be permitted on those portions of the project site within 500 feet of the active nest during the Swainson's hawk breeding season (March 1 – September 15).</i></p>			

**TABLE 4-1
SACRAMENTO CENTRAL CITY SPECIFIC PLAN, MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	4.3-2(c) <i>For projects proposed within suitable habitat for burrowing owl (in particular for projects proposed in annual grassland habitat occurring in the northeast part of the CCSP area as shown in Figure 4.3-1 in the EIR, and areas adjacent to Sutter's Landing Park that have not been developed), the applicant shall conduct preconstruction surveys for burrowing owls in accordance with guidance from the California Department of Fish and Wildlife.</i>	Determine presence/absence of the burrowing owl within identified geography.	Project applicant	Prior to site plan and design review for individual projects	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)
4.3-4: Projects proposed under the CCSP could result in removal of habitat for the valley elderberry longhorn beetle.	4.3-4(a) <i>For projects proposed within or adjacent to habitat for VELB (suitable habitat for the VELB occurs in close proximity to the Sacramento and American rivers in association with undeveloped valley foothill riparian habitat and at undeveloped areas of Sutter's Landing Park; see Figure 4.3-1 in the EIR), the applicant shall conduct surveys prior to construction for the presence of the valley elderberry longhorn beetle and its elderberry host plant by a qualified biologist in accordance with U.S. Fish and Wildlife Service protocols. If elderberry plants with stems measuring 1.0 inch or greater are not identified, no further mitigation is required.</i>	Retain a qualified biologist who shall conduct preconstruction surveys for elderberry shrubs.	Project applicant	Prior to ground disturbance such as grading and excavation activities	City of Sacramento Community Development Department
	4.3-4(b) <i>If elderberry plants with one or more stems measuring 1.0 inch or greater in diameter at ground level occur on or adjacent to and within 100 feet of ground disturbing activities (shrub's dripline is within 100 feet of construction activities or site), or are otherwise located where they may be directly or indirectly affected by the project, minimization and compensation measures, which include transplanting existing shrubs and planting replacement habitat (conservation plantings) are required (see below). Surveys are valid for a period of two years. Elderberry plants with no stems measuring 1.0 inch or greater in diameter at ground level are unlikely to be habitat for the beetle because of their small size and/or immaturity. Therefore, no minimization measures are required for removal of elderberry plants with all stems measuring 1.0 inch or less in diameter at ground level.</i>	Protect shrubs within 100 feet of construction activities; compensate for removed shrubs.	Project applicant	Prior to issuance of building permit	City of Sacramento Community Development Department and USFWS
	4.3-4 (c) <i>For shrubs with stems measuring 1.0 inch or greater, the applicant shall ensure that elderberry shrubs within 100 feet of ground disturbing activities be protected and/or compensated for (if affected by construction activities) in accordance with the "U.S. Fish and Wildlife Services' (USFWS) Conservation Guidelines for the Valley Elderberry Longhorn Beetle and the Programmatic Formal Consultation Permitting Projects with Relatively Small Effects on the Valley Elderberry Longhorn Beetle Within the Jurisdiction of the Sacramento Field Office."</i>	Protect shrubs within 100 feet of construction activities; compensate for removed shrubs.	Project applicant	Prior to issuance of building permit	City of Sacramento Community Development Department and USFWS
4.3-6: Projects developed under the proposed CCSP could result in impacts to special-status bat species.	4.3-6 <i>If a project would result in the removal of large, mature trees within the riparian areas along the Sacramento or American rivers as shown on Figure 4.3-1 of the EIR or the removal of an unsealed, open to the elements, vacant building, and construction activities commence on the project site during the breeding season of special-status bat species (May 1 to August 31), then a field survey shall be conducted by a qualified biologist to determine whether active roosts are present on site or within 100 feet of the project boundaries prior to the commencement of construction activities. Field surveys shall be conducted early in the breeding season before any construction activities begin, when bats are establishing maternity roosts but before pregnant females give birth (April through early May). If no roosting bats are found, then no further mitigation is required.</i>	Retain a qualified biologist to conduct preconstruction surveys and prepare a report; provide the report to the City of Sacramento Community Development Department. Provide buffer around bat maternity roosts, if applicable.	Project applicant	Prior to issuance of grading permit or tree removal permit; provide buffer through completion of construction or abandonment of the roosts	City of Sacramento Community Development Department

**TABLE 4-1
SACRAMENTO CENTRAL CITY SPECIFIC PLAN, MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	<p><i>If roosting bats are found, then disturbance of the maternity roosts shall be avoided by halting construction until the end of the breeding season. Alternatively, a qualified bat biologist may exclude the roosting bats in consultation with the California Department of Fish and Wildlife, thereby allowing construction to continue after successful exclusion activities.</i></p> <p><i>If the biologist determines that bats could potentially inhabit a building planned for demolition or alteration, and a nighttime survey is necessary, then the biologist may return for an emergence survey.</i></p>				
4.3-8: Projects developed pursuant to the CCSP could result in net reduction of sensitive habitats including protected wetland habitat as defined in Section 404 of the Clean Water Act, riparian vegetation, and state jurisdictional waters/wetlands.	<p>4.3-8(a)</p> <p><i>For projects proposed in areas that contain aquatic habitat which may support wetlands and other waters of the U.S., riparian vegetation, and state jurisdictional waters/wetlands (i.e., riparian or riverine areas associated with the Sacramento and American rivers as shown on Figure 4.3-1 in the EIR), the applicant shall conduct a formal aquatic resources delineation within those project sites. The aquatic resources delineation shall be submitted to the U.S. Army Corps of Engineers for verification. If jurisdictional wetlands and other waters of the U.S., riparian vegetation, and state jurisdictional waters/wetlands are not present, no further action is required.</i></p>	Prepare a wetland and riparian mitigation plan.	Project applicant	Concurrent with 404 permit process and Streambed Alteration Agreement process	City of Sacramento Community Development Department, USACE, and CDFW
	<p>4.3-8 (b)</p> <p><i>If jurisdictional wetlands and other waters of the U.S., riparian vegetation, and state jurisdictional waters/wetlands are present, the applicant shall avoid them if feasible. The applicant shall minimize disturbances and construction footprints near avoided wetlands and other waters of the U.S., riparian vegetation, and state jurisdictional waters/wetlands to the extent feasible.</i></p>	Install protective fencing.	Project applicant	Prior to and during construction on individual applicable development sites	City of Sacramento Community Development Department, USACE, and CDFW
	<p>4.3-8 (c)</p> <p><i>If avoidance of wetlands and other waters of the U.S., riparian vegetation, and state jurisdictional waters/wetlands are not feasible, then the applicant shall demonstrate that there is no net loss of wetlands and other waters of the U.S., riparian vegetation, and state jurisdictional waters/wetlands through compliance with the Clean Water Act Section 404 requirements.</i></p>	Implement erosion control measures including adding measures to construction plans.	Project applicant	During construction activities in-water and adjacent to the Sacramento River	City of Sacramento Community Development Department, USACE, and CDFW
4.3-10: Implementation of the proposed CCSP could result in removal of protected street trees and conflict with local policies protecting trees.	<p>4.3-10</p> <p><i>For any project within the CCSP area that would remove protected trees as defined by City Code 12.56, the applicant shall submit a tree removal permit application for the removal of protected trees and comply with all conditions of any issued permit.</i></p>	Conduct tree removal activities in accordance with City tree protection ordinance.	Project applicant	During site plan and design review and in compliance with tree protection ordinance requirements	City of Sacramento Community Development Department
4.3-11: Implementation of the proposed CCSP, in combination with other cumulative development, would contribute to the cumulative harm to, or loss of nesting habitat, for nesting habitat for special-status bird species and other sensitive and/or protected bird species.	<p>4.3-11</p> <p><i>Implement Mitigation Measure 4.3-2(a), 4.3-2(b), and 4.3-2(c).</i></p>	See Mitigation Measures 4.3-2(a), 4.3-2(b), and 4.3-2(c).	See Mitigation Measures 4.3-2(a), 4.3-2(b), and 4.3-2(c).	See Mitigation Measures 4.3-2(a), 4.3-2(b), and 4.3-2(c).	See Mitigation Measures 4.3-2(a), 4.3-2(b), and 4.3-2(c).
4.3-13: Implementation of the proposed CCSP, in combination with other cumulative development, would contribute to the cumulative loss of habitat for the Valley Elderberry Longhorn Beetle.	<p>4.3-13</p> <p><i>Implement Mitigation Measure 4.3-2(a), 4.3-2(b), and 4.3-2(c).</i></p>	See Mitigation Measures 4.3-2(a), 4.3-2(b), and 4.3-2(c).	See Mitigation Measures 4.3-2(a), 4.3-2(b), and 4.3-2(c).	See Mitigation Measures 4.3-2(a), 4.3-2(b), and 4.3-2(c).	See Mitigation Measures 4.3-2(a), 4.3-2(b), and 4.3-2(c).
4.3-14: Implementation of the proposed CCSP, in combination with other cumulative development, would contribute to the cumulative loss of habitat, or impacts to bat species.	<p>4.3-14</p> <p><i>Implement Mitigation Measure 4.3-6</i></p>	See Mitigation Measure 4.3-6.	See Mitigation Measure 4.3-6	See Mitigation Measure 4.3-6	See Mitigation Measure 4.3-6

**TABLE 4-1
SACRAMENTO CENTRAL CITY SPECIFIC PLAN, MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
4.3-15: Implementation of the proposed CCSP, in combination with other cumulative development, would contribute to the cumulative loss of sensitive habitats including protected wetland habitat as defined in Section 404 of the Clean Water Act, riparian vegetation, and state jurisdictional waters/wetlands.	4.3-15 <i>Implement Mitigation Measure 4.3-8(a), 4.3-8(b), and 4.3-8(c).</i>	See Mitigation Measure 4.3-8(a), 4.3-8(b), and 4.3-8(c).	See Mitigation Measure 4.3-8(a), 4.3-8(b), and 4.3-8(c).	See Mitigation Measure 4.3-8(a), 4.3-8(b), and 4.3-8(c).	Implement Mitigation Measure 4.3-8(a), 4.3-8(b), and 4.3-8(c).
4.3-16: Implementation of the proposed CCSP, in combination with other cumulative development, would contribute to the cumulative loss of locally protected trees.	4.3-16 <i>Implement Mitigation Measure 4.3-8</i>	See Mitigation Measure 4.3-8.	See Mitigation Measure 4.3-8	See Mitigation Measure 4.3-8	See Mitigation Measure 4.3-8
4.4 Cultural Resources					
4.4-1: New construction in the proposed CCSP area could cause a substantial adverse change in the significance of an archaeological resource, including human remains.	4.4-1(a) Unanticipated Discovery Protocol for Archaeological Resources and Human Remains <i>If prehistoric or historic-period archaeological resources are encountered during any stage of construction for any project in the CCSP area, all ground disturbing activities shall halt within the project property up to 100 feet from the location of the discovery and the City shall be notified. Prehistoric archaeological materials include, for example, obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Any tribal cultural resources discovered during project work shall be immediately disclosed to the City and treated in consultation with the Native American monitor on site, if applicable, or with Native American representatives, with the goal of preserving in place with proper treatment. Historic-period materials may include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. A qualified archaeologist, defined as one meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology, shall inspect the findings within 24 hours of discovery. If the City determines that an archaeological resource qualifies as a historical resource, unique archaeological resource, or tribal cultural resource (as defined pursuant to CEQA Guidelines) and that the project has potential to damage or destroy the resource, the following shall be implemented:</i>	Retain a qualified archaeologist to prepare and implement an Archaeological Testing Plan (ATP).	Project applicant	Prior to ground disturbance such as grading and excavation activities for individual applicable development projects	City of Sacramento Community Development Department
	1) <i>the resource has an association with Native Americans, the City shall consult with appropriate Native American Tribal Representatives and a qualified archaeologist to determine the appropriate mitigation. If preservation in place is feasible, this may be accomplished through one of the following means: (1) modifying the construction plan to avoid the resource; (2) incorporating the resource within open space; (3) capping and covering the resource before building appropriate facilities on the resource site; or (4) deeding resource site into a permanent conservation easement. Consultation between the City, Native American Tribal Representatives, and a qualified archaeologist may result in alternative means of preservation for archaeological resources and/or tribal cultural resources associated with Native Americans.</i>				

**TABLE 4-1
SACRAMENTO CENTRAL CITY SPECIFIC PLAN, MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	2) <i>the resource does not have an association with Native Americans, mitigation shall be implemented in accordance with PRC Section 21083.2 and CEQA Guidelines Section 15126.4. Consistent with CEQA Guidelines Section 15126.4(b)(3), mitigation shall be accomplished through either preservation in place or, if preservation in place is not feasible, data recovery through excavation. If preservation in place is feasible, this may be accomplished through one of the following means: (1) modifying the construction plan to avoid the resource; (2) incorporating the resource within open space; (3) capping and covering the resource before building appropriate facilities on the resource site; or (4) deeding resource site into a permanent conservation easement. If avoidance or preservation in place is not feasible, a qualified archaeologist shall prepare and implement a detailed treatment plan to recover the scientifically consequential information from and about the resource, which shall be reviewed and approved by the City prior to any excavation at the resource site. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the Project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals.</i>	Prepare an Archaeological Mitigation Plan, if necessary.	Project applicant	Prior to ground disturbance such as grading and excavation activities for individual applicable development projects	City of Sacramento Community Development Department
	3) <i>the event of discovery or recognition of any human remains during project implementation, project construction activities within 100 feet of the find shall cease until the Sacramento County Coroner has been contacted to determine that no investigation of the cause of death is required. The City shall comply with requirements identified by the NAHC for the appropriate means of treating the human remains and any associated funerary objects (CEQA Guidelines Section 15064.5(d)).</i>	Cease work and notify the County Coroner. Follow protocol for further notification including to the NAHC, if applicable. Contact the Native American Heritage Commission to identify the Most Likely Descendant, if applicable.	Project applicant	During ground-disturbing activities for individual applicable development projects	City of Sacramento Community Development Department
	4.4-1(b) Identification of Sensitive Areas <i>The City, based on input from Native American consultation, shall prepare a map of the CCSP area identifying previously recorded archaeological resources and potential locations of tribal cultural resources—these areas to be collectively known as “sensitive areas”—for use by the City, applicant, archaeologist and Native American monitor. The map shall be subject to California law regarding confidentiality of such materials.</i>	Retain a qualified archaeologist to prepare and implement an Archaeological Monitoring Plan for the area within the footprint of the northern levee embankment.	Project applicant	Prepare plan prior to ground-disturbing activities (grading or excavation) that are anticipated to extend below the level of North B Street; implement plan during ground-disturbing activities	City of Sacramento Community Development Department
	4.4-1(c) Worker Training and Archaeological Monitoring of Project Ground-Disturbing Activities in Sensitive Areas <i>The provisions of this mitigation measure shall not be required for projects in sensitive areas that consist of: 1) replacement of existing facilities (road signs, sidewalks, pipes, etc.) where ground disturbance would occur principally in previously disturbed sediment, or 2) minor levels of ground disturbance (e.g., to no more than 18 inches below surface). For all other projects in the CCSP area that are within sensitive areas:</i> 1. <i>Construction worker cultural resources awareness training shall be conducted for construction personnel involved with excavation activities where ground disturbance would be greater than 18 inches below the ground surface. The training shall consist of a preconstruction training session conducted by or under the supervision of a qualified archaeologist, defined as one meeting the Secretary of the Interior’s Professional Qualifications Standards for Archeology, and shall be held for all construction personnel and staff involved with excavation activities. The training may be delivered to applicable construction personnel via an electronic format (DVD or video file, for example).</i>	Cease work if a discovery is made. Conduct field investigation. Recover data and record resources on appropriate DPR forms, as appropriate. If find is Native American in origin, follow actions outlined in Mitigation Measure 4.4-1(a).	Project applicant	During ground-disturbing activities for individual applicable development projects	City of Sacramento Community Development Department

**TABLE 4-1
SACRAMENTO CENTRAL CITY SPECIFIC PLAN, MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	<p><i>Training content will cover procedures to be followed and appropriate conduct to be adhered to if archaeological materials, including tribal cultural resources, are encountered during the project work. Training will include:</i></p> <p>a) <i>Purpose of archaeological monitoring;</i></p> <p>b) <i>Identifying archaeological resources; and</i></p> <p>c) <i>Maintaining proper discovery protocols during construction.</i></p>				
	<p>2. <i>Excavation work within the areas identified as sensitive areas shall be undertaken in a manner that is responsive to the potential for discovery of resources. The applicant, archaeologist, and tribal monitor shall coordinate in implementing construction techniques. In the event of dispute, the City's Director of Community Development shall be consulted and shall determine the appropriate procedures at the site.</i></p>				
	<p>3. <i>An archaeologist meeting, or supervised by an archaeologist meeting, the Secretary of the Interior's Professional Qualification Standards for Archeology, shall monitor all project ground-disturbing activities within the sensitive areas agreed upon by the City and Native American Tribal Representatives. Information regarding the location of ground disturbing activities and any resource finds shall be kept on file at the City. Such monitoring and reporting shall be conducted at the applicant's expense.</i></p>				
	<p>4. <i>A Native American monitor shall be employed at the applicant's expense to conduct monitoring of project construction activities for sensitive areas. The conduct and work of any Native American monitor shall be consistent with the California Native American Heritage Commission (NAHC) Guidelines for Native American Monitors/Consultants.</i></p>				
	<p>5. <i>Potential tribal cultural resources discovered during project work shall be treated in consultation with the Native American monitor on site.</i></p>				
	<p>6. <i>If discovery is made of items of potential archaeological resources, including tribal cultural resources, the procedures set forth in Mitigation Measure 4.4-1(a) shall be followed.</i></p>				
<p>4.4-2: New construction in the CCSP area could cause a substantial adverse change in the significance of a tribal cultural resource.</p>	<p>4.4-2(a) <i>Implement Mitigation Measure 4.4-1(a) through (c).</i></p>	<p>Implement Mitigation Measure 4.4-1(a) through (c).</p>	<p>See Mitigation Measure 4.4-1(a) through (c).</p>	<p>See Mitigation Measure 4.4-1(a) through (c).</p>	<p>See Mitigation Measure 4.4-1(a) through (c).</p>
<p>4.4-4: New construction in the proposed CCSP area, in combination with other cumulative development, could contribute to the cumulative loss or alteration of archaeological resources, including human remains.</p>	<p>4.4-4 <i>Implement Mitigation Measure 4.4-1(a) through (c).</i></p>	<p>Implement Mitigation Measure 4.4-1(a) through (c).</p>	<p>See Mitigation Measure 4.4-1(a) through (c).</p>	<p>See Mitigation Measure 4.4-1(a) through (c).</p>	<p>See Mitigation Measure 4.4-1(a) through (c).</p>
4.8 Hazards and Hazardous Materials					
<p>4.8-1: Development pursuant to the proposed CCSP could expose people to contaminated soil during construction activities.</p>	<p>4.8-1 <i>If a development site is listed in the Phase I ESA Overview Study as being of moderate or high potential to have a Recognized Environmental Condition (REC), the applicant shall conduct a site specific Phase I Environmental Site Assessment during the entitlement process in general accordance with the current version of ASTM 1527 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process prior to construction and shall comply with the recommendations in the report. Recommendations may include guidance on mitigating hazards from encountering contaminated groundwater, including measures related to disturbance of existing treatment systems, drilling, groundwater extraction, or vapor intrusion.</i></p>	<p>Implement a site specific Phase I Environmental Site Assessment during the entitlement process prior to construction.</p>	<p>Project applicant</p>	<p>During the entitlement process, prior to ground-disturbing activities (grading or excavation)</p>	<p>City of Sacramento Community Development Department.</p>

**TABLE 4-1
SACRAMENTO CENTRAL CITY SPECIFIC PLAN, MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	<i>This requirement does not apply to projects in which excavation would extend no deeper than 18 inches, including projects that are limited to installation of a fence, deck, single-family residence, garage or addition to an existing residence (e.g., room addition), shallow landscaping with or without irrigation lines, or other minor site improvements, or replacement of existing facilities (road signs, sidewalks, pipes, etc.) where ground disturbance would occur principally in previously disturbed sediment.</i>				
4.8-7: Implementation of the proposed CCSP, in combination with other cumulative development, could contribute to cumulative impacts by exposing people to contaminated soil during construction activities.	4.8-7 <i>Implement Mitigation Measure 4.8-1.</i>	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.	See Mitigation Measure 4.8-1.
4.10 Noise and Vibration					
4.10-1: Construction of development allowed under the proposed CCSP could generate noise that would conflict with City standards or result in substantial temporary or periodic increase in ambient noise levels.	4.10-1 <i>For all projects in the CCSP area that require a building permit, the City shall require that the contractor implement the following measures during all phases of construction:</i>	Implement the requirement for manufacturer-installed mufflers to be on all to all heavy equipment or stationary noise sources.	Project applicant	Prior to issuance of demolition or grading permit; include measures on construction drawings	City of Sacramento Community Development Department
	a) <i>All heavy construction equipment and all stationary noise sources (such as diesel generators) shall have manufacturer-installed mufflers.</i>				
	b) <i>Auger displacement shall be used for installation of foundation piles, if feasible. If impact pile driving is required, sonic pile drivers shall be used, unless engineering studies are submitted to the City that show this is not feasible, based on geotechnical considerations.</i>	Implement auger displacement or sonic pile driver requirements.	Project applicant	Include measures on construction drawings	City of Sacramento Community Development Department
4.10-2: Operations of development allowed under the proposed CCSP could result in a substantial permanent increase in ambient exterior noise levels.	4.10-2 <i>For development of new commercial or mixed-use buildings within the CCSP area, the applicant shall demonstrate that noise levels from HVAC and/or loading docks would not exceed the stationary noise standards established in the City's Code. To demonstrate that a proposed development will meet the City's stationary noise standards, the developer must implement the following measures:</i>	Submit engineering and acoustical specification for project mechanical HVAC equipment and the proposed locations of onsite loading docks.	Project applicant	Prior to issuance of building permits	City of Sacramento Community Development Department
	a) <i>Prior to the issuance of building permits, the applicant shall submit engineering and acoustical specification for project mechanical HVAC equipment and the proposed locations of onsite loading docks to the Planning Director demonstrating that the HVAC equipment and loading dock design (types, location, enclosure, specification) will control noise from the equipment to at least 10 dB below existing ambient levels at nearby residential and other noise-sensitive land uses.</i>	Enclose or shield noise-generating equipment.	Project applicant	Prior to issuance of demolition or grading permit; include measures on construction drawings	City of Sacramento Community Development Department
	b) <i>Noise-generating stationary equipment associated with proposed commercial and/or office uses, including portable generators, compressors, and compactors shall be enclosed or acoustically shielded to reduce noise-related impacts to noise-sensitive residential uses.</i>				
4.10-4: Construction of buildings pursuant to the proposed CCSP could expose existing and/or planned buildings, and persons within, to vibration that could disturb people or damage buildings.	4.10-4(a) <i>Implement Mitigation Measure 4.10-1.</i>	See Mitigation Measure 4.10-1.	See Mitigation Measure 4.10-1.	See Mitigation Measure 4.10-1.	See Mitigation Measure 4.10-1.

**TABLE 4-1
SACRAMENTO CENTRAL CITY SPECIFIC PLAN, MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	<p>4.10-4(b) For all projects in the CCSP area that require the use of graders or impact pile drivers:</p> <p>Prior to the issuance of any demolition, grading, or building permit, the applicant shall develop and submit a Vibration Reduction Plan to the City Chief Building Official for approval. The Plan shall include measures that will reduce vibration at surrounding buildings to less than 80 VdB and 83 VdB where people sleep and work, respectively, and less than 0.25 PPV for historic buildings. Measures and controls shall be identified based on project-specific final design plans, and may include, but are not limited to, some or all of the following:</p>	<p>Prepare and submit a Vibration Reduction Plan. Implement vibration avoidance, minimization, and monitoring requirements within the Vibration Reduction Plan.</p>	Project applicant	Prior to issuance of a building permit for individual applicable development projects	City of Sacramento Community Development Department
	<p>1) Inclusion of buffers and selection of equipment to minimize vibration impacts during construction at nearby receptors in order to meet the specified standards.</p>	Limit vibration during construction.	Project applicant	Prior to issuance of a building permit for individual applicable development projects	City of Sacramento Community Development Department
	<p>2) Implementation of a vibration, crack, and line and grade monitoring program at existing Nationally registered, State listed, and locally recognized historic buildings located within 47 feet of construction activities. The following elements shall be included in this program:</p>				
	<p>i. Prior to start of construction:</p>				
	<p>1. The applicant or construction contractor shall install crack gauges on proximate historic structures.</p>	Prepare crack monitoring plan for existing historic buildings located within 47 feet of construction activities. Project applicant shall provide City with regular reporting.	Project applicant	Prior to issuance of a building permit for individual applicable development projects	City of Sacramento Community Development Department
	<p>ii. During building construction:</p>				
	<p>1. The construction contractor shall regularly inspect and photograph crack gauges, maintaining records of these inspections to be included in post-construction reporting. Gauges shall be inspected every two weeks, or more frequently during periods of active project actions in close proximity to crack gauges.</p>	Monitor crack gauges during construction.	Project applicant	During construction activities within 47 feet of a historic building	City of Sacramento Community Development Department
	<p>2. The construction contractor shall collect vibration data from receptors and report vibration levels to the City Chief Building Official on a monthly basis. The reports shall include annotations regarding project activities as necessary to explain changes in vibration levels, along with proposed corrective actions to avoid vibration levels approaching or exceeding the established threshold.</p>	Collect and report vibration data to City Chief Building Official.	Project applicant	During construction activities within 47 feet of a historic building	City of Sacramento Community Development Department
	<p>3. If vibration levels exceed the threshold and monitoring or inspection indicates that the project is damaging the historic structure, additional protection or stabilization shall be implemented. If necessary and with approval by the City Chief Building Official, the construction contractor shall install temporary shoring or stabilization to help avoid permanent impacts. Stabilization may involve structural reinforcement or corrections for deterioration that would minimize or avoid potential structural failures or avoid accelerating damage to the historic structure. Stabilization shall be conducted following the Secretary of Interior Standards Treatment of Preservation. This treatment shall ensure retention of the historical resource's character-defining features. Stabilization may temporarily impair the historic integrity of the building's design, material, or setting, and as such, the stabilization must be conducted in a manner that will not permanently impair a building's ability to convey its significance. Measures to shore or stabilize the building shall be installed in a manner that avoids damage to the historic integrity of the building, including integrity of material.</p>	Provide additional protection or stabilization of historic structures, as needed.	Project applicant	During construction activities within 47 feet of a historic building	City of Sacramento Community Development Department

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SACRAMENTO CENTRAL CITY SPECIFIC PLAN, MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	<p><i>iii. Post-construction</i></p> <p>1. <i>At the conclusion of vibration generating construction activities, the applicant shall submit a crack and vibration monitoring report to the City Chief Building Official. The report shall include: a narrative summary of the monitoring activities and their findings; photographs illustrating the post-construction state of cracks and material conditions that were presented in the pre-construction assessment report; annotated analysis of vibration data related to project activities; a summary of measures undertaken to avoid vibration impacts; a post-construction line and grade survey; and photographs of other relevant conditions showing the impact, or lack of impact, of project activities. The photographs shall be of sufficient detail to illustrate damage, if any, caused by the project and/or show how the project did not cause physical damage to the historic and non-historic buildings.</i></p> <p>2. <i>The applicant shall be responsible for repairs from damage to historic and non-historic buildings if damage is caused by vibration or movement during the demolition and/or construction activities. Repairs may be necessary to address, for example, cracks that expanded as a result of the project, physical damage visible in post-construction assessment, or holes or connection points that were needed for shoring or stabilization. Repairs shall be limited to project impacts and do not apply to general rehabilitation or restoration activities of the buildings. If necessary for historic structures, repairs shall be conducted in compliance with the Secretary of Interior Standards Treatment of Preservation. The applicant shall provide a work plan for the repairs and a completion report to ensure compliance with the SOI Standards to the City Chief Building Official and City Preservation Director for review and comment.</i></p>	<p>Prepare crack monitoring and vibration monitoring final report to the City. Include post-construction photographs of cracks, as applicable.</p> <p>Make repairs to damages historic and non-historic buildings caused by project construction, as applicable.</p>	<p>Project applicant</p> <p>Project applicant</p>	<p>Upon completion of construction activities within 47 feet of a historic building</p> <p>Upon completion of construction activities within 47 feet of a historic building</p>	<p>City of Sacramento Community Development Department</p> <p>City of Sacramento Community Development Department</p>
4.10-5: Implementation of the proposed CCSP would result in exposure of people to cumulative increases in construction noise levels.	4.10-5 <i>Implement Mitigation Measure 4.10-1.</i>	See Mitigation Measure 4.10-1.	See Mitigation Measure 4.10-1.	See Mitigation Measure 4.10-1.	See Mitigation Measure 4.10-1.
4.10-6: Operations of development allowed under the proposed CCSP would contribute to cumulative increases in ambient exterior noise levels.	4.10-6 <i>Implement Mitigation Measure 4.10-2.</i>	Implement Mitigation Measure 4.10-2.	Implement Mitigation Measure 4.10-2.	Implement Mitigation Measure 4.10-2.	Implement Mitigation Measure 4.10-2.
4.10-8: Construction of buildings pursuant to the proposed CCSP would contribute to cumulative construction that could expose existing and/or planned buildings, and persons within, to significant vibration.	4.10-8 <i>Implement Mitigation Measure 4.10-4(a) and (b).</i>	See Mitigation Measure 4.10-4(a) and (b).	See Mitigation Measure 4.10-4(a) and (b).	See Mitigation Measure 4.10-4(a) and (b).	See Mitigation Measure 4.10-4(a) and (b).
4.11 Public Services					
4.11-8: The proposed CCSP could result in substantial adverse physical impacts associated with the provision of new or physically altered parks or recreation facilities or the need for new or physically altered parks or recreation facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives for parks and recreation services.	4.11-8 <i>Projects within the CCSP area shall comply with the City's Quimby and Park Impact Fees (PIF) ordinances.</i>	Pay City in lieu park dedication fees (Quimby), or Park Impact Fees.	Project applicant	Prior to filing of final map	City of Sacramento Community Development Department

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SACRAMENTO CENTRAL CITY SPECIFIC PLAN, MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
4.11-9: Implementation of the proposed CCSP, in combination with other cumulative development, would contribute to cumulative increases in the physical deterioration of existing CCSP area parks, requiring additional parks to be provided.	4.11-9 <i>Implement Mitigation Measure 4.11-8.</i>	See Mitigation Measure 4.11-8.	See Mitigation Measure 4.11-8.	See Mitigation Measure 4.11-8.	See Mitigation Measure 4.11-8.
4.12 Transportation					
4.12-3: The proposed CCSP could worsen freeway operations.	4.12-3 Freeway Subregional Corridor Mitigation Program (SCMP). <i>Each project developed pursuant to the CCSP, and subject to mitigation measures of the CCSP EIR, that generates more than 100 vehicular AM or PM peak hour trips that are directed toward the highway system shall:</i> <ul style="list-style-type: none"> • <i>Remit monetary payment to the I-5 Freeway Subregional Corridor Mitigation Program (SCMP). This remittance shall be completed prior to the issuance of building permits.</i> OR <ul style="list-style-type: none"> • <i>Negotiate a mutually acceptable agreement with Caltrans and the City.</i> <i>Projects in the CCSP area that would be exempt from the implementation of this measure include projects not subject to CEQA (Public Resources Code (PRC) §21080(b)), projects that are categorically exempt from CEQA or projects eligible for statutory streamlining including but not limited to qualified housing projects (PRC §§21159.21 and 21159.24), affordable low-income housing projects (PRC §21159.23), and qualifying infill developments (PRC §21094.5 and State CEQA Guidelines §15332), as well as projects that are not required to address specific or cumulative impact from cars and light-duty truck trips generated by the project on the regional transportation network (PRC §21159.28).</i>	Implement payment to the I-5 Freeway Subregional Corridor Mitigation Program (SCMP).	Project applicant	Prior to the issuance of building permits	See Mitigation Measure 4.12-1(a)(ii).
4.12-10: Implementation of the proposed CCSP, in combination with other cumulative development, could contribute to cumulative impacts to freeway operations.	4.12-10 <i>Implement Mitigation Measure 4.12-3.</i>	See Mitigation Measure 4.12-3	See Mitigation Measure 4.12-3	See Mitigation Measure 4.12-3	See Mitigation Measure 4.12-3
4.13 Utilities					
4.13-1: The proposed CCSP would discharge additional flows to the City's sewer and drainage systems, which could exceed existing infrastructure capacity.	4.13-1 <i>The City shall manage wastewater from the CCSP such that it shall not exceed existing CSS capacity by implementing the following methods:</i> a) <i>Project applicants within the CCSP area shall pay the established CSS mitigation fee.</i> b) <i>For projects within the CCSP area that require localized upsizing of existing CSS infrastructure for service, applicants shall pay their fair share for improvements to upsize or upgrade the CSS infrastructure. A separate cost sharing agreement may be executed between applicants and the City for this option.</i>	<i>Pay the established CSS mitigation fee and pay share for improvements to upsize or upgrade the CSS infrastructure. A separate cost sharing agreement may be executed.</i>	City of Sacramento and Project Applicant	To be determined by the City based on citywide water demand and supply	City of Sacramento Public Works Department
4.13-3: Implementation of the proposed CCSP, in combination with other cumulative development, would contribute to cumulative increases in demand for wastewater and stormwater facilities.	4.13-3 <i>Implement Mitigation Measure 4.13-1.</i>	See Mitigation Measure 4.13-1	See Mitigation Measure 4.13-1	See Mitigation Measure 4.13-1	See Mitigation Measure 4.13-1
4.13-7: Implementation of the proposed CCSP, in combination with other cumulative development, would contribute to cumulative increases in demand for water supply.	4.13-7 <i>To ensure that sufficient capacity would be available to meet cumulative demands, the City shall implement, to the extent needed in order to secure sufficient supply, one or a combination of the following:</i> a) <i>Maximize Water Conservation</i> b) <i>Implement New Water Diversion and/or Treatment Infrastructure</i> c) <i>Implement Additional Groundwater Pumping</i>	Implement, to the extent needed in order to secure sufficient water supply, one or a combination of the actions listed in Mitigation Measure 4.13-7.	City of Sacramento	To be determined by the City based on citywide water demand and supply	City of Sacramento Public Works Department