
File ID: 2025-01386

8/12/2025

County Development Project: Upper Westside Specific Plan

File ID: 2025-01386

Location: Natomas Basin, District 1, District 3

Recommendation: Pass a **Motion** authorizing the Mayor to execute and deliver a letter addressed to the Sacramento County Board of Supervisors expressing the City Council's opposition to the Upper Westside Specific Plan.

Contact: Cheryle Hodge, Principal Planner, (916) 808-5971, chodge@cityofsacramento.org; Matthew Aijala, Assistant Planner, (916) 808-7176, maijala@cityofsacramento.org; Community Development Department

Presenter: Cheryle Hodge, Principal Planner, (916) 808-5971, chodge@cityofsacramento.org, Community Development Department

Attachments:

- 1-Description/Analysis
- 2-Background
- 3-City/County 2002 MOU - Natomas Joint Vision Area
- 4-Natomas Basin Chronology
- 5-City Comment Letter to County dated 10.28.24
- 6-Exhibit A - Natomas Basin Development Projects
- 7-Upper Westside Land Use Plan
- 8-NBHCP Swainson's Hawk Zone One Mile Buffer
- 9-City NBHCP Letter to County dated 11.28.2000

Description/Analysis

Issue Detail: For over 25 years, the City of Sacramento has led regional efforts to balance urban development with habitat conservation through the implementation of the Natomas Basin Habitat Conservation Plan (NBHCP). This report provides the City Council with a comprehensive understanding of the history that has shaped current conditions and documents the emerging crisis created by Sacramento County's processing of development applications that conflict with established regional agreements and conservation strategies.

Brief History of the NBHCP

In the 1980s, Congress authorized a federal project for levee improvements in the Natomas Basin, and the U.S. Army Corps of Engineers (USACE) approved Sacramento Area Flood Control Agency's (SAFCA) construction of proposed levee improvements to provide 100-year flood protection in the Natomas Basin. Through its Section 7 consultation process with the USACE, the U.S. Fish & Wildlife Service (USFWS) required that SAFCA agree that the land-use agencies with jurisdiction in the Natomas Basin would complete a habitat conservation plan to obtain take coverage for the effects of development on the giant garter snake (GGS) and Swainson's hawk (SWH).

1997 NBHCP

The City of Sacramento ended up preparing the 1997 regional Habitat Conservation Plan designed to authorize take of GGS, SWH and other threatened and endangered species associated with development in the entire basin. (*National Wildlife Federation v. Babbitt*, 128 F. Supp. 2d at 1277-1279 ("*Natomas I*"). The 1997 NBHCP anticipated that five jurisdictions would participate in the regional plan: the City, Sacramento County, Sutter County, Natomas Mutual Water Company, and Reclamation District No. 10. In the end, only the City agreed to participate.

The Environmental Council of Sacramento (ECOS) and Friends of the Swainson's hawk (FOSH) successfully sued the USFWS and CDFW regarding the adequacy of the HCP and associated environmental document under CEQA. Judge Levy invalidated the NBHCP on the basis, in part, that the NBHCP was premised on all five jurisdictions participating in the HCP when only the City completed the NBHCP and obtained incidental take coverage. [*Natomas II* at p.23 (ln 11-23)].

2003 NBHCP

The City spearheaded the effort to revise the NBHCP to address Judge Levy's opinion in *Natomas I*. The City, Sutter County, Natomas Mutual, and RD 1000 participated in the NBHCP effort, but Sacramento County did not (the Metro Air Park owners association obtained its own HCP for unincorporated land in Sacramento County, but the County was not a permittee; the MAP HCP allows 2,011 acres of development including 28 acres in the City of Sacramento and 1,983 acres in Sacramento County).

The City of Sacramento is a permittee under the NBHCP and is a signatory to the Implementing Agreement (IA). Under the NBHCP, the City obtained incidental take authorization from USFWS for the take of the federally listed GGS among other federally-listed threatened and endangered species for a 50-year permit term. Pursuant to the Section 2081 permit, the City obtained take authorization as a matter of the California Endangered Species Act (CESA) from CDFW for the incidental take of Swainson's Hawk. The USFWS and CDFW approved the revised NBHCP in 2003. The USFWS and

CDFW approved the NBHCP, executed the IA and issued incidental take permits to the City, Sutter County, and The Natomas Basin Conservancy (TNBC). Sacramento County is not a plan participant.

The 2002 Memorandum of Understanding

Before the City adopted, and the USFWS and CDFW approved the 2003 NBHCP, on December 10, 2002, the Sacramento City Council and County Board of Supervisors adopted a Memorandum of Understanding regarding principles of land use and revenue sharing for the Natomas area, establishing what became known as the "Natomas Joint Vision." The MOU can be found in Attachment3.

This MOU was adopted through City Resolution 2002-830 and County Resolution 2002-1566. The agreement explicitly recognized that "cooperation between the County and the City is an opportunity to develop a vision for Natomas which reflects areas of collective interest." The MOU established clear jurisdictional roles, stating that "the City, rather than the County, is the appropriate agent for planning new growth in Natomas and can better provide a full range of municipal services. The County is the appropriate agent for preserving open space, agricultural and rural land uses."

County Development Proposals

Sacramento County is currently processing development applications for three separate major development proposals in the unincorporated portion of the Natomas Basin (Attachment 6). These development proposals are referred to as the Upper Westside Specific Plan (2,066 acres and 9,356 residential units), GrandPark Southwest Specific Plan (1,871 acres and 8,589 residential units), and Grandpark Trails Specific Plan (3,517 acres and 16,056 residential units). The proposals together consist of approximately 7,454 acres in Natomas Basin and 34,001 residential units.

The Upper Westside Specific Plan (UWSP), encompassing 2,066 acres in what is locally known as "the Boot" area, proposes development of approximately 1,524 acres with 9,356 dwelling units accommodating 25,460 residents and 3,106,700 square feet of commercial uses (Attachment 7). The remaining 542 acres would serve as an agricultural and open space buffer between the development area and Garden Highway and the Sacramento River. The Boot area, bounded by the City of Sacramento on three sides, has remained in agricultural use specifically because of the regional agreements to preserve open space and habitat. The proposal includes three K-8 school sites, one high school site, several parks, and a 10-acre urban farm site on property owned by the Los Rios Community College District.

On October 24, 2024, City staff submitted a comment letter to the County on the UWSP Draft Environmental Impact Report documenting the consolidated feedback from City departments that raise numerous concerns and issues (Attachment 3). The following provides a brief summary of topical issues with the complete detailed October 24, 2024 comment letter provided as Attachment 5:

- 2002 City/County MOU - Contrary to the MOU, the County has assumed the role of approving urban development in the Natomas Basin instead of the role the County agreed to, which was to preserve open space, agricultural and rural lands.
- Economic Impacts - Concerns about the concentration of commercial development along the westerly extension of El Camino Avenue remain unaddressed. The County has not sufficiently analyzed the potential regional nature of this retail development and its implications for traffic patterns and associated environmental impacts in the Natomas Basin. It fails to address the potential secondary physical and economic impacts within the City that may result from locating retail, hospitality, and other commercial uses adjacent to the City boundary.
- Growth Inducement - The Upper Westside Specific Plan (UWSP) project would induce growth by extending the County's Urban Services Boundary and Urban Policy Area. The County has not sufficiently analyzed the project's consistency with regional long-range plans, particularly its inclusion or absence from the Region's Sustainable Communities Strategy. This omission is significant, as it relates directly to the broader regional planning context and potential cumulative impacts on the City of Sacramento.
- Habitat Conservation Plan - The County failed to adequately evaluate the UWSP's conflicts with the NBHCP and impacts on the NBHCP conservation:
 - Significant portions of the UWSP development would encroach into the Swainson's Hawk Zone - a critical one-mile-wide buffer adjacent to the Sacramento River (Attachment 8). The UWSP's inadequate agricultural buffer of 542 acres, ranging from merely 700 to 2,700 feet in width, is insufficient compared to the one mile (5,280 feet) protective buffer mandated by the Natomas Basin Habitat Conservation Plan (NBHCP). This reduction in buffer width would severely compromise a core conservation measure that both wildlife agencies have previously determined to be essential for the protection of Swainson's Hawk habitat.
 - The County did not adequately evaluate the UWSP's effects on the NBHCP due to the development of 1,524 acres of agricultural lands outside of the 17,500 acres authorized for development under the NBHCP. The County has failed to properly analyze and address the concerns raised by the City regarding the County's approval of development projects outside of the 17,500-acre limit of authorized development under the NBHCP. The County instead focused the analysis on the impacts and mitigation of the UWSP itself but does not address how the UWSP affects the HCP mitigation acreage requirements of 8,750 that must be completed in the Basin for the development authorized in the City of Sacramento, Sutter County, and Metro Air Park. There would be a significant loss of agricultural/open space acreage in the Basin

directly from the UWSP development itself.

- *Agriculture/Open Space* - The UWSP falls short in addressing crucial concerns regarding the project's impact on agricultural resources and the habitat conservation plan. UWSP will result in the conversion of approximately 1,372 acres of farmland. How this loss might affect the habitat conservation plan's requirement to maintain 4,375 acres in rice cultivation for Giant Garter Snake habitat is not addressed.
- *Transportation* - The UWSP continues to rely on fair share contributions toward roadway widening projects within City limits without adequately addressing concerns raised by City staff about implementation responsibility. For instance, UWSP mitigation still assumes City involvement in implementing improvements at I-5 on-ramps and I-80, despite City staff previously indicating that the City should not be assumed to have matching funds. The UWSP does not propose alternative mitigation approaches that avoid placing implementation responsibility on the City, nor does it explain how these projects would be fully funded and executed given the City's financial constraints. The UWSP VMT analysis remains narrowly focused on project-level impacts and does not address our request to examine how the UWSP may redistribute growth away from the City or impact the City's VMT relative to the regional average. The City continues to be concerned about potential impacts on the City's growth patterns and overall regional VMT efficiency.
- *Water* - The UWSP assumes that the City of Sacramento would provide the future water supply and potable water service to the project even though the City has not agreed to provide water supply/service to the UWSP. The UWSP Draft EIR states that "The City of Sacramento through an agreement with the SCWA would provide water service to land uses allowed under the proposed UWSP." However, no such agreement exists. This assumption conflicts with General Plan Policy LUP-1.4, which requires annexation prior to the provision of City services unless specific conditions are met, including that "the annexation process has been initiated, and the landowner and City have executed a conditional agreement for services that stipulates minimum standards for the development of roads and urban infrastructure and criteria and conditions for annexation into the City." Water supply/service is essential for any development, yet the UWSP continues to advance through County approvals without this issue being resolved.
- *Parks and Recreation* - The proposed UWSP is located adjacent to communities of the City of Sacramento; South Natomas and North Natomas. Each community was established and planned to be well-served by neighborhood and community parks that are located within a 10-minute walk of almost all the residential areas. The proposed UWSP falls short of providing parkland. The proposed project's "parks program" includes 76.5 - 79 acres of parkland which meets the minimum guidelines of 3 acres per 1,000 residents. The 76.5 acres of parkland is considered neighborhood/community serving parks, which will be programmed with active

recreation uses. However, the DEIR analyzes the project at the minimum dedication requirement under the Quimby Act of 3 acres per 1,000 residents, less than the County's (and City's) policy requirement of 5 acres per 1,000. The UWSP "parks program" supplements parkland with an additional 86 acres of parkland but this supplemental acreage is identified as: permanent drainage facilities, a greenbelt without recreation amenities, urban farms that will likely be leased and operated by community based or non-profit organizations, agricultural buffers, and a median with a trail. These types of facilities do not take the pressure off adjacent neighborhood and community parks that do contain active recreation, which is in high demand in the City of Sacramento. The City of Sacramento Youth, Parks, & Community Enrichment Department (YPCE) recommended that the project reduce the impacts to existing City parks by adding, or converting, 51.5 acres of neighborhood/community serving parkland in order to meet the 5 acres per 1,000 resident standard. The UWSP should incorporate the City's standards and guidelines for neighborhood and community parks, as adopted by the City's Parks Plan 2040 and the 2040 General Plan Master EIR.

- *Municipal Services & Infrastructure (Fire, Police)* - The UPW lacks a comprehensive analysis of municipal services as requested. The City continues to request a more detailed evaluation of current service levels, response times, equipment needs, and long-term planning for fire protection and police services. Furthermore, the County has not sufficiently addressed how the project proponent will mitigate service demand impacts and maintain current levels of service throughout the project's implementation. The City has requested more specific information on phasing, funding mechanisms, and interim measures to ensure consistent service levels during development. UWSP is in an area that is bounded on three sides by the City of Sacramento. UWSP is not located in an urbanized unincorporated area of the County currently receiving services and facilities that are necessitated by development of the magnitude of UWSP. The UWSP area in essence creates a County island surrounded on three sides by City urbanization and bordered by protected open space (Fisherman's Lake), a federally designated levee system with a two-lane rural roadway. Municipal services provided to UWSP by the County or other entities would be a challenge at best, which would likely impact adjacent City services without additional revenue.

On June 23, 2025, despite these unresolved conflicts, the Sacramento County Planning Commission unanimously recommended approval of the Upper Westside project to the Board of Supervisors. This action proceeded without resolving the issues raised by City staff. The Sacramento County Board of Supervisors is scheduled to take final action on the UWSP on August 20, 2025.

The County is concurrently processing two additional specific plans for development proposals in the northern portion of the Natomas Basin. The GrandPark Southwest Specific Plan proposes 1,871.2 acres of development with 8,589 dwelling units, 133.8 acres of Health & Hospitality Mixed Use, 99.7 acres of Office & Entertainment Mixed Use, 26.0 acres of Neighborhood Mixed Use, 22.4 acres of Neighborhood Commercial, and 25.3 acres of Schools. The Grandpark Trails Specific Plan, covering

approximately 3,400 additional acres, would complete the urbanization of what was originally conceived as a single 5,675.6-acre Natomas North Precinct development area.

If Sacramento County approves the UWSP and the two other pending projects beyond the 17,500 acres authorized by the wildlife agencies, the combined 7,421 acres of proposed County development (1,524 acres from Upper Westside and approximately 5,889 acres from the GrandPark Southwest and Grandpark Trails projects), when added to the already authorized 17,500 acres, would result in nearly 25,000 acres of urban development in a basin where the conservation strategy supports a maximum of 17,500 acres of urban development.

For the reasons stated above, Staff recommends that the Council authorize the Mayor to execute and deliver a letter addressed to the Sacramento County Board of Supervisors expressing the City Council's opposition to the Upper Westside Specific Plan.

Policy Considerations: The following are relevant 2040 General Plan policies that target conservation objectives citywide.

ERC - 2.11: Natomas Basin Habitat Conservation Plan. The City shall continue to participate in and support the policies of the Natomas Basin Habitat Conservation Plan for the protection of biological resources in the Natomas Basin.

LUP-1.4: City Services Prior to Annexation. Prior to the provision of City services to new development in unincorporated areas, the City shall require that the unincorporated properties be annexed into the City. Alternatively, the City may provide utility service to properties in advance of annexation only if the annexation process has been initiated and the landowner and City have executed a conditional agreement for services that stipulate minimum standards for the development of roads and urban infrastructure and criteria and conditions for annexation into the City. LUP-1 3-4

LUP-1.11: Coordinate to Protect Farmland. The City shall continue to work with Sacramento County and other adjacent jurisdictions to implement conservation plans, preserve farmland and protect critical habitat outside the city.

Environmental Considerations: The UWSP is a County project located in unincorporated Sacramento county, and the City is neither the lead agency nor a responsible agency for the project under CEQA. The item under consideration by the city council is not a project that is subject to CEQA because it is an administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines, § 15378(b)(5).)

Rationale for Recommendation: Staff recommends the Council authorize the Mayor to execute and send a letter addressed to the Sacramento County Board of Supervisors communicating the City Council's position of opposition on the UWSP. As proposed, the UWSP has direct negative

environmental, economic, and service level impacts to the City of Sacramento that requires a discussion and response by the City Council prior to deliberation by the County Board of Supervisors.

Financial Considerations: Not applicable.

Background Information

The following provides a brief summary of the Natomas Basin Habitat Conservation Plan. A chronology of Natomas Basin is provided in Attachment 4.

Creation of the Natomas Basin Habitat Conservation Plan (1995-2003)

Conservation planning in the Natomas Basin began with the recognition that the 53,537-acre area represents critical habitat for numerous species while also facing inevitable development pressure. The basin's location, bounded by the Sacramento River and various canal systems, creates a distinct ecological area that demanded comprehensive planning rather than piecemeal development decisions.

In 1997, the City of Sacramento adopted the original NBHCP. This effort sought to create a framework that would allow urban development to proceed while ensuring the long-term survival of 22 covered species, including the federally threatened giant garter snake and the state-threatened Swainson's hawk. The U.S. Fish and Wildlife Service and California Department of Fish and Wildlife issued Incidental Take Permits (ITPs) to the City on December 31, 1997, authorizing the "take" of protected species incidental to otherwise lawful development activities.

The original plan faced immediate legal challenges. Between 1998 and 1999, lawsuits were filed in both state and federal courts by environmental organizations including Friends of Swainson's Hawk, Environmental Council of Sacramento, and the Sierra Club. These legal challenges argued that the conservation strategy was insufficient to protect the covered species and that the environmental analysis was inadequate. The litigation resulted in court judgments in 2000 and 2001 that required substantial revisions to the NBHCP.

During this period, Sacramento County was actively invited to participate in the regional conservation planning effort. A letter dated November 28, 2000 (Attachment 9), from the City, Sutter County, and The Natomas Basin Conservancy (TNBC) documents the formal invitation extended to the County to join as a permittee under the NBHCP. The County's decision to decline this invitation would have lasting ramifications for regional planning coordination that continues today. This decision meant that any future development in the unincorporated County portions of the basin would occur outside the established conservation framework, creating the potential for the conflicts we see today.

The revised NBHCP was adopted by the City Council in 2003. The plan established a framework allowing for exactly 17,500 acres of development within the basin: 8,050 acres allocated to the City of Sacramento, 7,467 acres to Sutter County, and 1,983 acres for the Metro Air Park project in

Sacramento County (which obtained its own separate habitat conservation plan). This development cap was the result of extensive biological analysis determining the maximum level of development that could occur while still maintaining viable populations of the covered species.

The conservation strategy required mitigation at a ratio of 0.5 acres of habitat preservation for every 1.0 acre of development, resulting in the eventual preservation of 8,750 acres of habitat lands.

NBHCP Implementation (2003-2025)

Following the adoption of the revised NBHCP and the MOU, the City of Sacramento has remained committed to its implementation. The Natomas Basin Conservancy (TNBC), established as the plan operator for the NBHCP, has acquired and managed habitat lands throughout the basin. According to TNBC's 2024 Implementation Annual Report, as of December 31, 2024, the organization manages 5,389.39 acres of mitigation land.

Through December 31, 2024, developers within the City's permit area have paid \$54,971,836.95 in mitigation fees. These fees fund not only land acquisition but also restoration, enhancement, and perpetual management of habitat lands. TNBC endowment fund, designed to ensure permanent funding for habitat management after the 50-year permit term expires, reached \$45,624,494 by the end of 2024.

The City's annual reports to the wildlife agencies document development within the authorized limits. As of December 31, 2024, grading permits have been issued for 6,864.58 acres within the City's permit area, leaving 1,185.42 acres of remaining capacity. However, this remaining capacity includes: 121.68 acres are located outside current City limits in the proposed Airport South Industrial annexation area, 40 acres are reserved for a potential second high school site, and 372.17 acres are unallocated to any specific project or parcel. The actual remaining NBHCP development acreage capacity within existing City limits for identified projects is only 653 acres.

RESOLUTION NO. 2002-830

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON THE DATE OF DEC 10 2002

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND COUNTY OF SACRAMENTO REGARDING PRINCIPLES OF LAND USE AND REVENUE SHARING FOR THE NATOMAS AREA (JOINT VISION). (M02-014)

CERTIFIED AS TRUE COPY
OF Resolution 2002-830
DATE CERTIFIED January 13, 2003
Valerie D. Burrows
CITY CLERK, CITY OF SACRAMENTO

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

WHEREAS, the County and the City have mutual policy and economic interests in the long term development and permanent preservation of open space within that area of the County known as Natomas, which area is generally depicted on Exhibit A of the Memorandum of Understanding (MOU); and

WHEREAS, cooperation between the County and the City is an opportunity to develop a vision for Natomas which reflects areas of collective interest. This Shared Policy Vision is contained in Exhibit B to this memo; and

WHEREAS, the County and City desire to establish principles to form the parameters of a future agreement or agreements encompassing the manner in which the County and City share revenue and land use decisions within the Natomas area.

NOW THEREFORE, be it resolved by the City Council of the City of Sacramento, as follows:

The City Manager is authorized to execute on behalf of the City the Memorandum of Understanding between the City and County of Sacramento regarding principles of land use and revenue sharing for the Natomas area (Joint Vision) on file with the City Clerk.

HEATHER FARGO

MAYOR

ATTEST:

VALERIE BURBOWES
CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2002-830
DATE ADOPTED: DEC 10 2002

WHEREAS, the County and the City have mutual policy and economic interests in the long term development and permanent preservation of open space within that area of the County known as Natomas, which area is generally depicted on Exhibit A of the Memorandum of Understanding (MOU); and

WHEREAS, cooperation between the County and the City is an opportunity to develop a vision for Natomas which reflects areas of collective interest. This Shared Policy Vision is contained in Exhibit B to this memo; and

WHEREAS, the County and City desire to establish principles to form the parameters of a future agreement or agreements encompassing the manner in which the County and City share revenue and land use decisions within the Natomas area.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors Authorizes the County Executive to execute on behalf of the County the Memorandum of Understanding between the City and County of Sacramento regarding principles of land use and revenue sharing for the Natomas area (Joint Vision) on file with the City Clerk.

On a motion by Supervisor Dickinson, Seconded by Supervisor Collin, the foregoing resolution was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, at a regular meeting thereof this 10th day of December, 2002 by the following vote, to wit:

AYES:	Supervisors:	Collin, Dickinson, Johnson, Niello, Nottoli
NOES:	Supervisors:	None
ABSENT:	Supervisors:	None
ABSTAIN:	Supervisors:	None



In accordance with Section 25103 of the Government Code of the State of California a copy of the document has been delivered to the Chairman of the Board of Supervisors, County of Sacramento on

By Kay F. Johnson
Deputy Clerk, Board of Supervisors

Don Nottoli
Chair, Board of Supervisors

FILED

DEC 10 2002

BOARD OF SUPERVISORS
Andy H. Turner
CLERK OF THE BOARD

ATTEST: Sandra Leahy
Deputy Clerk, Board Of Supervisors

The foregoing is a correct copy of a resolution adopted by the Board of Supervisors, Sacramento County, California

on 12-10-2002

Dated 1-17-2003

By Kay F. Johnson
Deputy Clerk of said Board of Supervisors

Attachment A
**MEMORANDUM OF UNDERSTANDING BETWEEN
THE COUNTY OF SACRAMENTO AND
THE CITY OF SACRAMENTO
REGARDING PRINCIPLES OF LAND USE AND REVENUE SHARING
FOR NATOMAS AREA**

This Memorandum of Understanding (MOU) is entered into this 10th day of December 2002, by and between the County of Sacramento, a political subdivision of the State of California (hereinafter referred to as "County") and the City of Sacramento, a chartered, California municipal corporation (hereinafter referred to as "City");

WHEREAS, the intent of the MOU and Joint City and County Natomas Vision is to reach a formal conceptual agreement for broad collaboration between the City and County regarding principles for growth, revenue sharing, and permanent open space preservation in the unincorporated portion of the Natomas Basin within Sacramento County.

WHEREAS, the County and the City have mutual policy and economic interests in accommodating long term development while securing permanent preservation of open space within that area of the County known as Natomas, which area is generally depicted on Exhibit A to this MOU; and

WHEREAS, cooperation between the County and the City is an opportunity to develop a vision for Natomas which reflects areas of collective interest. Protecting and maximizing existing, and future, airport operations, open space preservation, and fair distribution of revenue are shared core values. There is a common stake in pro-actively influencing the emerging urban form, by guiding inevitable growth to provide for residential and employment opportunities close to the region's urban core. This promotes improved air quality through trip reductions, and distance traveled, and maximizes the return on existing and future public infrastructure investment in Natomas, this Shared Policy Vision is contained in Exhibit B to this memo; and

WHEREAS, together, the City and County can forge a leadership role on a regional scale for growth management. Such a cooperative effort can address land use, economic development, and environmental opportunities and challenges in Natomas. The result can be quality development balanced with permanent open space preservation systems; and

WHEREAS, Cities and counties are dependent upon tax revenues generated by continued commercial and industrial growth. The tax system creates intense competition between jurisdictions and can lead to economic development at the expense of good land use planning. Such competition between the City and County can be reduced or eliminated by establishing a revenue sharing agreement. In this way, each jurisdiction can benefit from economic development through cooperation rather than competition; and

WHEREAS, the County and City desire to establish principles to form the parameters of a future agreement or agreements encompassing the manner in which the County and City share revenue and land use decisions within the Natomas area; and

CITY
AGREEMENT NO. 2002-224

CITY
AGREEMENT NO. 2002-224

WHEREAS, the County and the City desire to pursue jointly proposed common principles to define the parameters of a future agreement or agreements encompassing the manner in which the County and City share revenue and land use decisions within the Natomas area; and

WHEREAS, should the County and the City wish to adopt and implement the proposed common principles set forth in the MOU, each will be required to undertake a series of discretionary legislative actions, including but not limited to amendments of their respective general plans and agreements concerning revenue sharing, all of which will require the exercise of legislative discretion, and all of which will require compliance with CEQA, notice and public hearings, and satisfaction of all other applicable requirements of federal, state and local law.

WHEREAS, the County and the City recognize that, pursuant to the California Environmental Quality Act (CEQA) and other state and federal statutes, additional environmental analysis will be required for any development beyond that contemplated by the current land use plans of the jurisdictions, including the current North Natomas Community Plan (NNCP) of the City of Sacramento; and

WHEREAS, the County and City recognize that, should the governmental entities interested in, or involved with, any further development of the North Natomas Basin wish to pursue such development, they will necessarily have to propose and consider a new, separate or enhanced Habitat Conservation Plan (HCP) to address development impacts to protected species under federal and state endangered species laws; and

WHEREAS, the County and City recognize that, the proposed HCP currently under consideration by the City, Sutter county and the relevant federal (U.S. Fish & Wildlife Service) and state (Department of Fish and Game) agencies deals solely with the mitigation requirements for development under the current land use plans for those jurisdictions, including the current NNCP of the City, and that any further Natomas Basin development plans for these jurisdictions and the County, including future development pursuant to the proposed principles set forth in this MOU, will require additional or alternative mitigation, and additional environmental analysis.

WHEREAS, the County and the City acknowledge that approval of this MOU changes no existing land uses approved by either the County or the City nor commits the County or the City to specific land uses or to agreement on any specific annexations to the City. Approvals necessary for such commitments have not been considered by either the County, the City or any other appropriate authority.

NOW, THEREFORE, the County and City agree as follows:

Purpose of MOU: The purpose of this MOU is to define a mutually acceptable set of proposed principles that the City and the County are prepared to consider when considering the future land use planning and revenue sharing in the Natomas area. This MOU reflects the parties' definition of a proposed set of principles to govern future development in the Natomas areas that they are interested in studying and analyzing for possible future adoption and implementation upon completion of all necessary studies and work, including but not limited to the completion of all necessary environmental analyses under CEQA and other federal and state statutes.

I. Land use and revenue sharing within the Natomas areas should be guided as follows:

A. Open Space.

- (1) Open space planning will rely on, and coordinate with, existing open space programs, and will address linkage issues. Some specific areas will be designated for preservation as permanent open space to provide assurance that community separators are implemented. Other areas may not require active preservation.
- (2) Open space mitigation may be in conjunction with or distinct from any applicable criteria of the Natomas Basin Habitat Conservation Plan (HCP) and may, depending upon circumstances, exceed that of the HCP. Any new development beyond that analyzed in the Natomas Basin HCP shall be required, subject to state and federal laws and regulations, adequate habitat and buffer areas sufficient to protect impacted endangered species. A joint funding mechanism will provide funding for land and easement acquisitions.
- (3) Land to be preserved as farmland must not be restricted by nearby development and needs to have a secure supply of affordable water. Buffer areas will be derived from developing lands.
- (4) An airport protection plan will protect the airport by preserving open space around it and keeping noise-sensitive development and waterfowl attractors in relatively distant areas. An emphasis on open space will also lend permanence to any buffers that are established. Such a plan may be achieved through a multi-jurisdictional agreement as to land uses designed to maximize airport protection.

B. Future Growth.

- (1) Consideration of new growth should be done in partnership with the preservation of open space. The urban form should include a well integrated mixture of residential, employment, commercial, and civic uses, interdependent on quality transit service with connections linking activity centers with streets, transit routes, and linear parkways with ped/bike trails.
- (2) The City, rather than the County, is the appropriate agent for planning new growth in Natomas and can better provide a full range of municipal services. The County is the appropriate agent for preserving open space, agricultural and rural land uses.
- (3) The County will preserve its interest in the planning and development of Sacramento International Airport and Metro AirPark.
- (4) New growth will be supportive of the City's Infill Strategy. It will contribute to the sustainability of established neighborhoods/ commercial corridors/business districts.
- (5) Development in Natomas will build on the vision of the currently planned growth in North Natomas, including the application of the City Council adopted (Resolution No. 2001-805) Smart Growth Principles.
- (6) Future Growth areas shall foster development patterns which achieve a whole and complete, mixed-use community.
- (7) The City, as the agent of development, will apply the adopted Smart Growth Principles to any new development in Natomas. Smart Growth Principles emphasize pedestrian and

transit orientation by addressing density, efficient design, and urban open space to provide sustainable, livable communities with fewer impacts than standard development.

- (8) The City and County will develop a joint planning process for major uses in Natomas that are likely to have important economic impacts to existing commercial facilities in the city or county. Among the goals of that process will be to avoid competition for tax revenues, in favor of balanced regional planning.

C. Economic Development.

- (1) The area subject to revenue sharing between the County and the City shall include all that area depicted on Exhibit A except for those areas designated as Metro Air Park and the grounds of Sacramento International Airport, excepting those Airport properties currently used as buffer lands for Airport operations. If retail or commercial development other than Airport-related operations is permitted on such buffer lands, revenues derived from such development shall be subject to this MOU. For purposes of this section, airport-related operations are defined as airport support services such as terminal expansion, aviation fuel sales, aircraft maintenance and support; and hotel motel uses, to the extent such uses are existing or are relocated from existing premises.
- (2) The one percent, general ad valorem tax levy on all property within defined area, which is annexed to the City, shall be distributed, from the effective date of annexation, equally between the County and the City prior to accounting for the impact of distribution of such taxes to the Education Revenue Augmentation Fund.
- (3) It is generally intended that all other revenues from the area be shared as follows subject to an agreed upon projection of need for County or City services:
 - (a) Upon the effective date of the annexation of undeveloped property for single-purpose/regional tax generating land use the County and City will share the 1% Bradley-Burns sales tax and City General Fund share of transient occupancy tax equally.
 - (b) Upon issuance of certificates of occupancy, or their equivalent, property within the unincorporated area, except as excluded in Section C (1), which is approved for single-purpose/regional tax generating land use by County, the County and City will share the 1% Bradley-Burns sales tax and County General Fund share of transient occupancy tax equally.
 - (c) Upon the effective date of the annexation of undeveloped property for a Multi-Purpose/Master Planned Community Area but prior to commencement of development beginning, revenues (including the general ad valorem property tax but excluding special taxes, fees or assessments) shall be shared by comparing the projected City municipal revenues to projected City municipal expenses including capital/development costs funded by the City.

In the event of a projected City surplus (revenues exceed expenses), 50% of such surplus shall be allocated to the County by adjusting the County's property tax share for the area.

- (d) Upon the effective date of Annexation of any area developed for urban purposes as of the date of this MOU, the County municipal revenues transferred with the area shall be calculated against the costs of municipal services being transferred. The County's property tax share will be increased in the case of a surplus (i.e. County revenues transferred exceed County expenses transferred), and the City's share will be increased in case of a deficit (i.e. County revenues transferred are less than County expenses transferred). The County will consider a one-time contribution to the City upon annexation of any such area calculated on the basis of avoided, near-term capital maintenance costs together with a one-time contribution for the costs of necessary, significant infrastructure repairs which are identified prior to completion of annexation.
- (e) In the event either the County or the City approve development in a fashion which would require payment pursuant to Government Code Section 53084, the County or the City, as the case may be, should be entitled to the greater of the revenue calculated pursuant to either that section or the ultimate provisions of a revenue sharing agreement.
- (f) Should legislation be enacted which alters the manner in which local agencies are allocated revenue derived from property or sales taxes, any agreement shall be subject to good faith renegotiations.

II. The principles set forth are intended to guide further discussions and the ultimate negotiation of an agreement between the County and the City. It is recognized that certain of the terms used are subject to further definition and refined during the process of negotiation. It is the intent of the County and the City to work cooperatively to establish a review process, by agreement, to evaluate the likely impacts of large-scale commercial uses in Natomas on competing uses in the County and City. The goals of such a process will be to avoid competition for tax revenues, in favor of balanced regional planning and to assure that proposed land uses conform to the principles articulated in this MOU. It is further the intent of the County and the City that the revenue sharing principles set forth in this MOU shall govern the adoption of a Master Tax Sharing and Land Use Agreement for annexations.

Nevertheless, this Memorandum of Understanding is a good faith expression of the intent of the County and the City to cooperatively approach development and revenue within the Natomas area of our regional community.

CITY OF SACRAMENTO
A Municipal Corporation

COUNTY OF SACRAMENTO

By Thomas V. Lee
Deputy City Manager
For: Robert P. Thomas, City Manager

By Terry Schotten
County Executive

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Richard E. Archbold 12-23-02

City Attorney

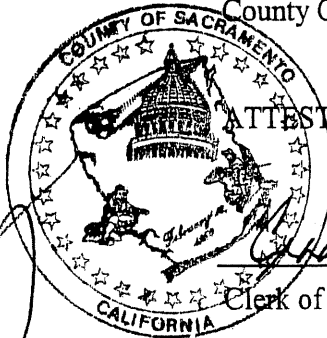
County Counsel

ATTEST:

ATTEST:

City Clerk

Clerk of the Board



CITY
AGREEMENT NO. 2002-224

CITY
AGREEMENT NO. 2002-224⁶

Sacramento City-County MOU for the Natomas Area on
Principles of Land Use and Revenue Sharing

Exhibit A
Natomas Area Map

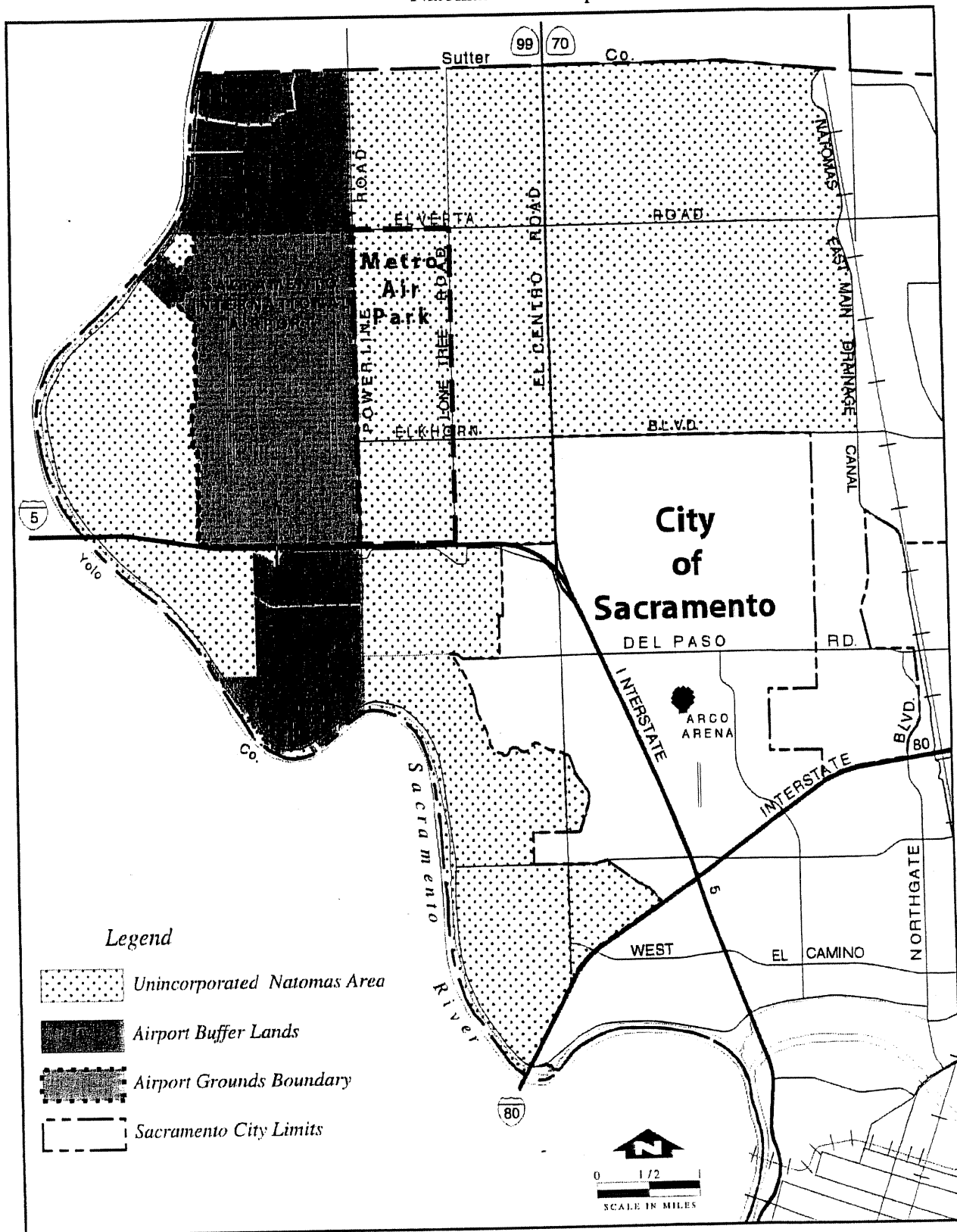


EXHIBIT B
Joint City-County Shared Policy Vision in Natomas

I. Statement of Intent

The intent of this joint City and County Planning exercise is that both the City Council and Board of Supervisors will reach a formal agreement regarding growth, economic development and permanent open space preservation in the unincorporated portion of the Natomas Basin within Sacramento County. The agreement will be adopted by Sacramento County and the City of Sacramento.

1. Introduction

A. Background

A preliminary set of planning principles for Natomas was presented to the Board of Supervisors at a public workshop in May 2001. Before that, in June 2000, the City Council held a public hearing to consider goals and policies to modify the City Sphere of Influence for several study areas, including Natomas.

Subsequent discussions among City and County management and staff have fostered a spirit of mutual gain. There is opportunity to develop a vision for Natomas, which reflects areas of collective interest. Protecting and maximizing existing, and future, airport operations, open space preservation, and fair distribution of revenue are shared core values. There is a common stake in pro-actively influencing the emerging urban form, by guiding inevitable growth to provide for residential and employment opportunities in close to the regions urban core. This promotes air quality measures through trip reductions, and distance traveled, and maximizes the return on existing and future public infrastructure investment.

Together, the City and County will forge a leadership role on a regional scale for growth management. The cooperative effort addresses land use, economic development, and environmental opportunities and challenges in Natomas. The result will be quality development balanced with permanent open space preservation systems.

B. Vision - Cooperative Land Use Planning

The best way to insure sustainable community building in Natomas is for the City and County to plan jointly. Such an effort will provide opportunity to focus more on sound long-term planning principles, and less on quick return revenue generation. Such a planning policy foundation may be without precedent, however, the highly regarded American River Parkway Plan (ARP) stands as an excellent result of City-County cooperation. That plan also provides an example of an administrative structure that involves third-party ratification of any amendments to the plan.

II. Basic Issues

There are three main areas where the City and County will come to agreement, each comprised of several sub-issues.

1. Open Space

The planning principles offer agreement regarding the size, location, and nature of open space preservation areas in the Natomas area. The location of open space areas will be based in part on the natural value of the land (e.g. habitat value, community separators), but also on constraints to development (e.g. airport protection or flood-prone areas). This agreement will ultimately designate the location of open space and provide principles for its permanent preservation. Ideally, the County will be the agent for maintaining rural and agricultural land uses, and permanent open space preservation.

Open Space systems provide multiple values/ benefits for human needs (health, public safety, cultural, recreational, economic prosperity, and civic identity), for wildlife, for productive agriculture, and for a healthy, sustainable built environment. Open Space also contributes to the provision of clean air and water for the region. Open Space systems must be of adequate size to support their intended purpose, e.g., agricultural areas must be large enough to maintain the agricultural economy; regional recreation facilities must be diverse enough to accommodate multiple passive and active uses; habitat areas must be large enough to support the requirements of native species; vistas/viewsheds should be sufficient to provide a sense of place. Open Space systems should be linked by trails, act as community separators, and accommodate habitat conservation plan requirements.

2. Economic Development

Cities and counties are dependent upon tax revenues generated by continued commercial and industrial growth. The tax system creates intense competition between jurisdictions and can lead to economic development at the expense of good land use planning. This joint agreement will lessen competition between the City and County by establishing a revenue sharing agreement. In this way, each jurisdiction stands to benefit from economic development, without becoming subject to the forces of competition.

New development will be consistent with the City's Smart Growth Principles, by supporting reinvestment in existing communities, particularly designated infill areas, as an alternative to greenfield development. New growth will not detract from the sustainability of established neighborhoods, commercial corridors, and business districts in the city and county.

Sacramento International Airport is recognized as a regional asset for economic development. The vision will incorporate effective measures for protection of airport operations and expansion, such as where residential development will not be considered.

The Natomas Mutual Water District and Rio Linda/Elverta Parks and Recreation District currently provide services to the Natomas area and are, therefore, stakeholders in the economic development of the area. The City and County will cooperate with the districts to address their unique circumstances prior to the LAFCo process. The LAFCo process required for consideration of amendments to spheres of influence and annexation proposals will determine the appropriate roles for these districts.

3. Future Growth

The vision will provide the acreage and location for future growth, and identify principles to define the nature of growth appropriate for Natomas. Constraints and opportunities inherent in the land (e.g. habitat values) or its location (e.g. proximity to existing urbanization) will help define where growth is desired. The City will be the agent for growth, by planning areas to be developed.

Conclusion. Now is the time to seize the opportunity to craft the common vision for Natomas. This is best addressed through a cooperative planning effort between Sacramento City and County. This will curb land speculation, competition between jurisdictions and establish planning principles to guide growth in concert with permanent open space preservation.

III. Planning Issues and Principles

The City and County discussions regarding Natomas identified seven primary issues areas related to possible development in Natomas. Those issues areas are listed below along with principles that address the general concerns of the City or County. These principles will constitute the basis of an agreement between the City and County for making decisions regarding land uses.

1. Open Space
 - A. Open Space Preservation
 - B. Farmland Preservation
 - C. Airport Protection
2. Economic Development
 - A. Fiscal Collaboration
3. Future Growth
 - A. Jurisdictional Roles
 - B. Infill Linkages

1. Open Space

A. Open Space Preservation

1. Permanent Protection of Open Space. Achieve a permanent open space by acquiring land or easements. A variety of funding sources will be used to make land and easement acquisitions. Open Space encompasses lands that essentially are unimproved and that have limited development potential due to the physical characteristics of the land, due to value as a drainage or habitat corridor, due to land being restricted to agricultural production, due to location of the land as a community separator/ buffer between developed areas, or due to the scenic value of the land and its role in maintaining a community's sense of place or heritage.

2. Community Separators. Provide community separators at the Sutter/ Sacramento County line, by using open space that defines urban shape by providing gateways, landscaped freeway corridors, defined edges and view sheds. The community separator is land designated as permanent open space, by both the City and County General Plans, in order to avoid an uninterrupted pattern of urbanization, and to retain the character of distinct communities.

3. Open Space Linkages. Coordinate and connect permanent open space in Natomas with the larger open space systems to provide linkages for trail extensions and biological connectivity.

4. Mitigation Ratio. Require development to provide permanent open space, preserved in the Natomas area, at a mitigation ratio of at least one-to-one.

Implementation. The agreement will establish a policy framework for open space planning in Natomas which will rely on, and coordinate with, existing open space programs, and will address linkage issues. Some specific areas will be designated for preservation as permanent open space to provide assurance that community separators are implemented. Other areas, such as west of Sacramento International Airport, may not require active preservation because of specific constraints related to inadequate infrastructure or public ownership.

This mitigation may be in conjunction with or distinct from any applicable criteria of the Natomas Basin Habitat Conservation Plan (HCP). A minimum one-to-one mitigation ratio within the Sacramento unincorporated area of Natomas will exceed that of the HCP by one-half acre of mitigation per acre of development. A joint funding mechanism will provide funding for land and easement acquisitions.

B. Farmland Preservation

1. Require Mitigation for Losses. Plan land use in Natomas in a manner that minimizes and mitigates loss of overall agricultural productivity.

Implementation. Identify areas of Natomas that are to be developed or remain in general agriculture. Land to be preserved as farmland must not be restricted by nearby development and needs to have a secure supply of affordable water. Buffer areas will be derived from developing lands. The City and County shall work jointly with agricultural interests to develop a comprehensive program to assist in farmland viability.

C. Airport Protection

1. Protect Future Airport Operations. Plan land use in Natomas in a manner that will protect Sacramento International Airport from complaints originating from encroaching uses that might eventually limit its operations or future expansion.

2. Coordinate long range land use planning. The various affected jurisdictions will coordinate planning efforts to ensure the continued viable operations and expansion of Sacramento International Airport

3. Maintain Airport Safety Related to Habitat. Avoid compromising airplane safety when establishing open space by keeping waterfowl habitat at safe distances from the airport.

Implementation. A multi-jurisdictional airport protection plan will protect the airport by preserving open space around it and keeping noise-sensitive development and waterfowl attractors in relatively distant areas. An emphasis on open space will also lend permanence to any buffers that are established.

2. Economic Development

A. Fiscal Collaboration

1. Revenue Agreement. Adopt a Revenue Exchange Agreement.

Implementation. The City and County will negotiate an agreement that defines, and provides for, revenue exchange for development that occurs within the agreement area.

3. Future Growth

A. Jurisdictional Roles

1. City and County Roles. The City is the appropriate agent for planning new growth in Natomas. The County is the appropriate agent for preserving open space, agricultural and rural land uses.

2. Maintain County Interests. The County will preserve its interest in the planning and development of Sacramento International Airport and Metro AirPark.

Implementation. Define the roles of each jurisdiction in the agreement.

B. Infill Linkage

1. Support City Infill Strategy. New growth will be supportive of the City's Infill Strategy. It will contribute to the sustainability of established neighborhoods/ commercial corridors/ business districts.

Implementation. Create a linkage program between new growth and the City's Infill Strategy, extension of the Downtown/Natomas/Airport transit line and implementation of the North Natomas Community Plan goals and objectives as a part of the General Plan amendment process.

4. Urban Growth Principles

1. Smart Growth. Development in Natomas will build on the vision of the currently planned growth in North Natomas, including the application of Smart Growth Principles.
2. Regionally Significant Land Uses. The City and County will develop a joint planning process for major uses in Natomas that are likely to have important economic impacts to existing commercial facilities in the city or county.
3. Balanced Communities. Undeveloped areas shall foster development patterns which achieve a whole and complete, mixed-use community.

Implementation. The City, as the agent of development, will apply Smart Growth Principles to any new development in Natomas. Smart Growth Principles emphasize pedestrian and transit orientation by addressing density, efficient design, and urban open space to provide sustainable, livable communities with fewer impacts than standard development.

Establish a review committee, by agreement, to evaluate the likely impacts of large scale commercial uses in Natomas on competing uses in the county and city. The committee's goal will be to avoid competition for tax revenues, in favor of balanced regional planning.

IV. Identify Areas for Growth and Permanent Open Space Preservation

Consideration of new growth should be done in partnership with the preservation of open space. The urban form should include a well integrated mixture of residential, employment, commercial, and civic uses, interdependent on quality transit service with connections linking activity centers with streets, transit routes, and linear parkways with ped/bike trails.

V. Plan Administration and Agreement

The agreement will be adopted by Sacramento County and the City of Sacramento. It may also be desirable to have the agreement adopted by an outside party, e.g. the State Legislature (similar to the American River Parkway Plan) to provide additional strength to the agreement, and to require inter-jurisdictional coordination on agreement implementation.

The means to implement this common vision is yet to be defined. There are various instruments available for the legislative bodies of the City and County, such as a Joint Resolution, or a Memorandum of Understanding.

The agreement will consist of:

- A map clearly delineating the areas for growth and for permanent open space and agricultural preservation.
- The Planning Principles.
- The implementation program including adoption of permanent open space and agricultural preservation strategies.

The implementation includes:

- A third party agreement
- Amendments to both General Plans to incorporate the common vision
- Adoption of a Revenue Sharing Agreement
- Define Goals, Roles and Responsibilities for the respective jurisdictions, and a mechanism for future, regional scale participation.

- Benchmarks for performance
- A funding program for permanent open space and agricultural preservation.

This cooperative planning effort is consistent with the Capitol Regional Compact, endorsed by both jurisdictions recently. Developed by Valley Vision, it promotes regional coordination, cooperation and collaboration. The compact defines four goals for future collaboration:

- Create Regional Growth and Development Patterns
- Coordinate Land Use, Infrastructure, Public Services and Transportation
- Reinforce our Community Identities and Sense of Place
- Protect and Enhance Open Space and Recreational Opportunities.

Natomas Basin - Chronology

General Timeline:

1981, April 22nd, LAFCo staff report providing response relative to the City's SOI. Among the topics addressed in the report there is an emphasis on describing the City's water rights and in relationship to the City's SOI. The water rights have been described by City officials as extremely unique. The Bureau (the U.S. Water and Power Sources Service) agreed in 1957 to supply the City of Sacramento with as much water as the City needs (up to 326,800 acre/fee), at a fixed rate, in perpetuity, provided the City "perfects" those rights at some future point. The justification to divert this amount of water was an ultimate projected population of 1.2 million with a per capita daily consumption of 327 gallons of water.

1981 – October 21st, City Sphere of Influence (SOI) was adopted by LAFCo in October 1981, after nine public hearings. It has been amended from time to time, in 1984, 1991, 1995, 1996, and in 2006. The SOI is used for planning purposes and represents an area that is a potential service area by the City. The SOI does not necessarily represent a boundary for immediate annexation. It serves the purpose of encouraging more intense cooperation and coordination between the City, County and affected special districts in those unincorporated areas that bear a direct relationship to the City's long range planning actions and policies.

1986 – City adopts North Natomas Community Plan (NNCP)

1986 – North Natomas Settlement Agreement for the 1986 NNCP prohibits the City from planning for lands north of Elkhorn Boulevard (note: this has now since expired).

1993 – Board of Supervisors concurred with letter Sacramento City Council members signed stating in the event the Natomas Vision Plan (NVP) area were to urbanize, it should do so within the City of Sacramento. Based on that information, the Board chose not to extend the Urban Services Boundary (USB) to include the NVP area but recognized the potential urbanization of the NVP area.

1995 – Draft Natomas Basin Habitat Conservation (NBHCP) is released for public review.

1996 – Ose family and Norton family submit applications to move the USB, and County initiates a Special Study for moving the USB and prepares an Environmental Impact Report (EIR). The Special Study Area includes the North Precinct area.

1997 – City of Sacramento adopts the Natomas Basin Habitat Conservation Plan (HCP) on 8/17/97

1997 U.S. Fish & Wildlife Service and California Department of Fish Game issue Incidental Take Permits (ITPs) on 12/31/97 to City of Sacramento

1998/1999 Lawsuits are filed in state and federal courts by Friends of Swainson's Hawk (FOSH), Environmental Council of Sacramento (ECOS) and Sierra Club challenging the issuance of the ITPs.

1999 – June 3rd, City Council considers staff recommendation to direct staff to report back within sixty days with a work program for a General Plan Amendment and to revise the City's SOI.

1999 – June 15th, City Council provides direction to staff to prepare a report regarding amending the Sphere of Influence and a General Plan Amendment. City SOI and Annexation Policy (M 99-013)

1999 – June 22 – City releases Notice of Preparation (NOP) for City SOI Amendment and Annexation

1999 – County releases the Draft EIR for the Special Study Area which includes North Precinct.

2000 – February 22nd – AKT files annexation application P00-027/028, filed on February 22, 2000. The application was placed on hold in October 2005. The Natomas Unified School District purchased 41 acres in the northernmost portion of the West Lakeside property and has issued a Notice of Preparation for an EIR for a middle/high school.

2000/2001 – State & Federal Court judgments issued for pending lawsuits filed by FOSH, ECOS and Sierra Club.

2000 – March 29th, City issues notice for a sphere of Influence Revision Study.

"In recognition of the evolving political landscape of Sacramento County, the City Council has directed staff to revisit existing SOI and Annexation Policies through an amendment to the City's General Plan.

Goal: Establish a "de-facto" Sphere of Influence" which articulates Areas of Concern surrounding the existing City limits, regarding habitat preservation and future urbanization, and thus provide the City with a leadership role on a regional scale for growth management".

2000 – June 7th – Landowner provides Sacramento County with Notice of Non-Renewal for Williamson Act on property known as West Lakeside property.

2000 – June 22nd, Planning Commission reviews and provides comments on the Sphere of Influence Revision Study

2000 – June 27th, City Council reviews the SOI Revision Study and Comprehensive Annexation Policy. Staff report indicates that the City declares its intention to preserve substantial open space lands within the Sphere for the purposes of permanent open space, habitat conservation, airport protection, agricultural preservation, and urban design and aesthetics. Private and governmental grants will supplement development fees in carrying out the policy.

2000 – County withholds action on the Special Study Area in response to City signal that it will move forward with the planning effort in the Special Study Area. 2001 – City submits comments for Draft EIR regarding continued County effort to amend the Urban Services Boundary in North Natomas expressing concern for timing with regards to ongoing coordination efforts. Later in 2001, City and County staff continue to meet and discuss a mutually beneficial process for planning the unincorporated Natomas area.

2001 – Report back to City Council (11/13/01) regarding Settlement Agreement for litigation regarding 1997 HCP

2001/2002 – Revisions are made to the 1997 HCP

2002 – City Council and Sacramento County Board of Supervisors enter into an MOU for the NVP area which outlines how urbanization would be considered.

2003 – City of Sacramento and Sutter County adopt updated HCP. The 1997 NBHCP was updated and modified as a result of litigation involving a challenge to issuance of take permits to the City of Sacramento.

2004 – SACOG Board adopts the Blueprint Map that includes urbanization over a portion of the NVP area by 2050.

2004 – July 29th, Draft Municipal Services Element released for the proposed West Lakeside Property SOIA & Annexation.

2005 – Greenbriar Proposed Project filed with City of Sacramento (5/11/05) proposing annexation into City limits

2005 – Greenbriar Notice of Preparation (NOP) released by LAFCo/City (8/16/05)

2005 – City management initiates potential planning process for NVP area similar to the process for Greenbriar. City Council decides not to move forward with process. Ose family reactivates appeal to move the USB for their property. Gidaro Group appeals to the County Board of Supervisors the staff decision to deny accepting its application to move the USB.

2005/2006 – Greenbriar public meetings and workshops

2005 – Judge Levi (U.S. District Court) issues Memorandum of Opinion and Order on 9/7/05 in National Wildlife Federation (National Wildlife Federation, Friends of Swainson's Hawk, Planning and Conservation League, and Sierra Club (Plaintiffs) v. Gale Norton, Secretary of Interior (Defendant). Judgment in favor of Secretary of Interior.

2005, October – AKT annexation application P00-027/028 which was filed on February 22, 2000 is placed on hold.

2006 – In March, Board of Supervisors considers appeal by Ose Properties regarding development north of Elverta Road. In early April, the City Council reaffirmed the MOU from 2002 and urge the Board of Supervisors to postpone appeal and other development applications in the NVP area while also directing City staff to move forward on an open space strategy ahead of further action. Later in April, the City Council and Board of Supervisors directed their respective staff to initiate open space program contracts for the area with the goal of how to effectively implement open space priorities.

In July, the City Council initiated (Resolution 2006-568) a Sphere of Influence and related Municipal Services Review and EIR for the NVP (now NJVA) and directed staff to report back with all corresponding and future actions and outreach. City Council authorized execution of a professional services agreement for the EIR and Municipal Services Review.

2006 – Sacramento Local Agency Formation Commission (LAFCo)/City release Greenbriar Draft EIR for public review on July 19, 2006.

2007 – In January, the Board of Supervisors and City Council adopted new MOU to share costs for open space programs and General Plan Amendment EIR. The Board of Supervisors received a general update and continued the further consideration of development projects in the NVP area in September, with the City Council hearing a similar status update in October.

2007 – Greenbriar issuance of 2nd Draft EIR revised and recirculated for public review (April 10, 2007)

2007 – Sacramento LAFCo approves Sphere of Influence Amendment – Greenbriar (July 19, 2007)

2007 – County Board of Supervisors Workshop on Greenbriar Open Space

2007/2008 – Multiple LAFCo/City public workshops and public hearings on annexation of Greenbriar area

2007/2008 – Joint meeting between County Executive and City Manager with key landowner representatives to discuss moving forward with a comprehensive and collaborative planning process. The meeting highlights the County's commitment to

develop a plan for the NVP area that is inclusive of multiple interests. The Board of Supervisors considers a County led development process and endorses the effort that becomes known as the Broad Visioning process, with funding provided from the Owners group {consists of Angelo K. Tsakopoulos, Brookfield Natomas LLC, Demeter Development, L.P. (Successor to Jeffrey S. Norton Trust), Gibson-Tsakopoulos, LLC, MJ 318, L.P., Natomas Boot II, LLC/ Natomas Boot Investors, LLC, North Natomas/Airport De Matos, LLC, Ose Properties Inc, Saca Development, LLC, and West Lakeside, LLC}.

2008 – City Council approves proposed Greenbriar Project & Annexation (1/29/08).

2008 - City Council approves County/City Property Tax Exchange Agreement and Open Space MOU (3/11/08). County approves TEA and Open Space MOU (3/12/08).

2008 – Sacramento LAFCo approves Greenbriar Annexation 577 acres (4/2/08)

2008 – In April, City Council received comments on the Final Draft Open Space Program Report and a status report on the broad visioning effort. The Open Space Program Report was received and filed to inform subsequent planning efforts. In May, The Board of Supervisors held a similar hearing for the Open Space Program Report and reaffirmed the broad visioning process. The Board directed staff to obtain financial contributions from the Natomas Landowners Group to expand the scope of County staff efforts and involvement.

2008-In September, the Board of Supervisors approved a funding agreement between the County and Natomas Landowners Group to continue joint City and County planning efforts and retention of consultants. The agreement recognized the City of Sacramento as a participating agency in the collaborative planning process and in November, the Board of Supervisors approve and MOU between the County and City regarding the reimbursements of City staff and legal consultant costs.

2008/2009 – City sought landowner financial contribution to prepare Municipal Services Review (MSR) as part of Sphere of Influence activity. City canceled consultant contract given lack of funding being provided and landowners' determination to proceed to apply to the County to urbanize in the NVP.

2008/2009 – County and City hold public workshops to discuss broad visioning principles for potential urban areas. Three sketches are created. Staff presented results to City Council and County Planning Commission and Board of Supervisors.

2010 – Board of Supervisors initiates consideration of a Special Planning Area for the entire NVP area. Biological studies begin. Multiple meetings occur with County Airports staff.

2011 – In July, Board of Supervisors reaffirms cooperative work between the City, County, and landowners, and in August addressed additional funding details for planning work.

The Owners' Group conducts a series of outreach sessions with landowners within the NVP area. Meeting dates were August 29 and 30, and September 13 and 15, 2011.

In November 2011, the Board of Supervisors approved the 2030 General Plan which included an overlay for the NVP area. The overlay reads as follows:

- *Natomas Joint Vision Area. On December 10, 2002, the Sacramento City Council and Board adopted a Memorandum of Understanding (MOU) outlining principles of land use and revenue sharing between the City and County of Sacramento for the Natomas area, setting the stage for what has come to be known as the "Natomas Joint Vision." The "Natomas Joint Vision Study Area" overlay on the Land Use Diagram indicates the area addressed by this MOU. The cooperative effort addresses land use, economic development, and environmental opportunities and challenges in Natomas. The result will be quality development balanced with permanent open space preservation systems. Additionally, SACOG's Blueprint shows significant development in the Natomas Joint Vision Area. Because of the MOU, the Blueprint and the importance of the Natomas Joint Vision Area to the region, the County anticipates development in portions of the Natomas Basin within the timeframe of the General Plan. Subject to the preparation and certification of the appropriate environmental documentation, this development shall be accomplished either by an expansion of the USB, the City's Sphere of Influence, or both. See related policy LU-114 and Implementation Measure C in the "Regional and Local Agency Coordination" section of this Element.*

2012 – Subsequent to the adoption of the 2030 General Plan, in February 2012 the Board initiates the Natomas Vision Plan and General Plan Amendments for the NJVA area including an expanded USB and Urban Policy Area (UPA), with the boundary locations to be determined through the Master Plan process, in addition to associated rezones, and a Special Planning Area zone.

2014 – December 11th, City sends comment letter responding to NOP for North Precinct development with questions regarding a range of issues, including City's NBHCP, habitat mitigation, water service, flood protection, economic impacts and revenue sharing.

2015 – Board of Supervisors adopts new funding agreement. The participating owner's group of the NVP (consists of Brookfield (representing 11 property owners), Ose Properties, and Demeter Development} acting as the Applicant, revise the proposed expansion of the USB to be coterminous with the UPA boundary for the North Precinct. Board approves contract with ESA to prepare the EIR for the Natomas North Precinct.

2016, November 15th – Former Mayor Heather Fargo urges County Board of Supervisors to postpone funding agreement and EIR consultant for the North Precinct development until the BOS discusses the entire USB at the December 15th board meeting. Fargo comments that the basic premise of the NJVP was that the City proceed with any additional urban development within the existing or expanded City limits, and for the

County to focus on the airport, agriculture and habitat. Additionally, stating that the proposed development should be handled by the City or not at all. To do otherwise, undermines the City's plans for infill, utilizing existing infrastructure and approved plans not only for North Natomas but also throughout the city.

2016 – Board of Supervisors approves acceptance of North Precinct development encompassing ±5,700 acres north of Elkhorn Boulevard and initiates CEQA review.

2017 – County distributes revised NOP for North Precinct (now Grandpark) to update project scope and land use specifications.

2018 – City staff sends comment letter in January to County for revised NOP for Grandpark reiterating issues related to the MOU, the HCP, water provision, fire/police services, transportation, future economic development, and sustainability. Staff receives no formal response initially. Applicants for Upper Westside initiate planning process with County pursuant to County-adopted General Plan criteria. City initiates its own General Plan Update process in October, part of which will evaluate the NJVA Special Study Area.

2019 – February 26th, Board formally initiates the Upper Westside Project (UWP) Specific Plan development encompassing 2,066-acre Plan Area, (±1,532-acre urbanized area and ±534-acre agricultural buffer area). Project includes amending USB. An open house and multiple neighborhood outreach meetings held in latter half of 2019.

2020, October 5th – County releases NOP for UWP

2020, November 20th – City staff sends comment letter to County for NOP for Upper Westside identifying similar issues to Grandpark related to the MOU, the HCP, water provision, fire/police services, transportation, future economic development, and sustainability. City staff is again actively engaging County staff and applicant teams to have dialogue around City interests and updates on planning efforts for the NJVA.

2021, May – Airport South Industrial (ASI) Project Application is filed with City of Sacramento (May 2021)

2021 – City/LAFCo MOU for Co-Lead Agencies for CEQA EIR for the ASI Sphere of Influence Amendment & Annexation (7/30/21)

2022 – City/LAFCo release Notice of Preparation (NOP) for ASI Project on 3/4/22 for public review.

2022 – City/LAFCo hold NOP Public Scoping Meeting 3/16/22

2022/2023 – ASI Project Applicant hosts community open houses, presentations to North Natomas Community Coalition etc.

2024, August 29th – County releases Draft EIR for UWP.

2024, October 28th – City submits DEIR comment letter on UWP to County

2025, January 28th – Grandpark submits application for Grandpark Brookfield Specific Plan (formerly known as North Precinct and/or Grandpark). Brookfield SP is 3,484.1 acres. The plan provides for 15,944 housing units with a mixture of densities that supports all population segments; 29 active parks; and an extensive plan-wide multi-use trail system.

2025, January 28th – Grandpark Southwest application filed. Ose & Demeter are applicants for Specific Plan. The area is 1,871.2 acres in size. The Specific Plan provides for 8,589 housing units with a mixture of densities that supports all population segments; 27 active parks; and an extensive multi-trail system throughout the plan area.

2025, February 25th – County Board of Supervisors (BOS) approves reimbursement funding agreements for both Grandpark projects and revised contract for CEQA work (ESA consultant).

2025, April 2nd – LAFCo holds Sphere of Influence Amendment (SOIA) hearing for the Airport South Industrial project (ASI) area. Hearing continued to 5/7/25.

2025, May 7th – LAFCo approves amending City's SOI for approx. 450-acre Airport South Industrial area.

2025, May 22nd – City Planning & Design Commission Hearing for consideration of ASI Project & Annexation (approx. 450-acres) – Hearing continued to 6/26/25.

2025, June 24th – County Planning Commission unanimously approves recommendation to the County Board of Supervisors approval of the Upper Westside Specific Plan.

2025, June 26th – City Planning & Design Commission recommends to City Council approval of the Airport South Industrial Project & Annexation.

October 28, 2024

Letter submitted via e-mail at: CEQA@saccounty.gov.

Sacramento County,
Department of Community Development, Planning and Environmental Review Division
Attention: Environmental Coordinator
827 7th Street, Room 225
Sacramento, CA 95814

**Subject: COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
UPPER WESTSIDE SPECIFIC PLAN (PLNP2018-00284).**

Dear Environmental Coordinator,

On August 30, 2024, Sacramento County released the Draft Environmental Impact Report (DEIR) for the Upper Westside Specific Plan (UWSP). The proposed UWSP would include development of approximately 1,532± acres within a 2,066 acres project area located north and west of Interstate 80 and north and east of Garden Highway. The proposal includes the addition of 9,356 dwelling units (25,460 population) and 3,106,700± square feet of commercial uses into the unincorporated Natomas area bounded by the City of Sacramento. The project plan includes development consisting of residential, neighborhood mixed-use, neighborhood commercial, community mixed-use, office mixed-use and health & hospitality mixed-use. The plan includes three K-8 school sites, one high school site, several parks, and a 10.0± acre urban farm site on property owned by the Los Rios Community College District that is envisioned to be part of a 16.0± acre vocational training campus.

The proposed UWSP borders the City of Sacramento on three sides. This area is located within the City's American River Place of Use (POU) for water rights and the Natomas Basin Habitat Conservation Plan (NBHCP). The Sacramento unincorporated area of Natomas Basin is designated as an Area of Concern and a Study Area per the City's 2040 General Plan. The UWSP is located in an area that is also known as the "Boot" per the Natomas Joint Vision Plan that was a joint planning effort undertaken years ago with a group of landowners, Sacramento County and the City of Sacramento.

300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Help Line: 916-264-5011
CityofSacramento.org/cdd

The magnitude of the project is significant in that the proposal consists of the development of 1,532 acres of the 2,066 acres of rural agricultural lands. This area along with other open space lands located in Natomas Basin has been mostly undeveloped primarily because the City of Sacramento has been committed to the implementation of the Natomas Basin Habitat Conservation Plan (NBHCP) for over 25 years while prioritizing infill development.

The DEIR comments presented in this letter address multiple topical areas. The following provides a brief listing of significant comment topic points that are later detailed further in this letter along with additional comments:

- **Prior NOP Comments Not Addressed** – City staff submitted comments in response to the Notice of Preparation (NOP) for the UWSP. These comments provided input on the scope of the EIR as requested by the County. However, the UWSP DEIR analysis does not properly address the issues raised in our NOP comment letter dated November 20, 2020. This letter documents the areas that are deficient in the DEIR.
- **NBHCP Conflict & Viability** – The UWSP is in direct conflict with the conservation strategy of the adopted NBHCP and Incidental Take Permits (ITPs) issued by the U.S. Fish and Wildlife Service (FWS) and California Department of Fish and Wildlife (CDFW) to the City of Sacramento. Specifically, the ITPs limit urban development in the “Basin” to 17,500 acres which is the total combined authorized development of the City of Sacramento, Sutter County and Metro Air Park. The limitation of 17,500 acres pertains to the “Basin” for the approved conservation strategy to be successfully completed. If Sacramento County approves any urbanization beyond the 17,500 acres authorized by the wildlife resources agencies doing so would be in direct violation of the existing ITPs that the wildlife resource agencies enforce. Sacramento County may recall being asked on to join the City of Sacramento and Sutter County to participate in the NBHCP (see Attachment A letter dated 11/28/2000). If Sacramento County is considering allowing further urbanization of the Basin that was not contemplated by the NBHCP how will the County provide assurances to the NBHCP signatory parties that the conservation strategy can still be successfully completed especially without the County’s HCP participation?

The following provides a partial listing of the issues that City staff has determined conflict with the NBHCP:

- Proposed UWSP directly impacts the protected one-mile Swainson’s Hawk buffer zone approved by the wildlife resource agencies.
- Proposed UWSP would allow development of 1,532 acres of land that currently is rural agricultural lands beneficial to the NBHCP and that could potentially be acquired in the future for habitat lands.

- Proposed UWSP would decrease the remaining open space lands in Natomas Basin which directly impacts the viability of the NBHCP by jeopardizing the successful completion of the NBHCP and placing urbanization near protected areas such as Fisherman's Lake and existing Conservancy owned HCP mitigation lands.
 - Future development of 1,532 acres of UWSP would place a greater burden on the existing planned growth authorized by the NBHCP which in turn will most likely cause HCP fee payers increased HCP fee rates and the inability to secure mitigation lands that meet all of the rigorous HCP mitigation land criteria.
 - An Amendment to the NBHCP and obligations of the issued ITPs would be needed for any development to occur within the one-mile SWHZ and an in-depth effects analysis in relation to the existing adopted NBHCP conservation strategy including future viability to meet all requirements of the NBHCP considering the loss of 1,532 acres due to UWSP and cumulative impacts associated with the proposed Grandpark Specific Plan (approximately 5,400 acres) in process with the County. The County is essentially considering allowing roughly 7,000 acres of land located in the unincorporated Sacramento County portion of the Natomas Basin to be removed from benefiting and contribution to the completion of the NBHCP conservation strategy.
 - Biological – the Draft EIR concludes that with mitigation the UWSP biological impacts can be mitigated to a less than significant level. City staff disagrees with this conclusion.
- **NBHCP Participation** – If the County intends to allow urbanization beyond its Urban Services Boundary (USB) and Urban Policy Boundary (UPB) why would the County not join the NBHCP as the City of Sacramento and Sutter County have done? Sacramento County may recall being asked to participate in the NBHCP (see Attachment A letter dated 11/28/2000). If Sacramento County is considering allowing further urbanization of the Basin that was not contemplated by the NBHCP how will the County provide assurances to the NBHCP signatory parties that the conservation strategy can still be successfully completed especially without the County's HCP participation? This has been an issue and concern expressed for over 25 years and to date has not been resolved.
 - **Water** – During the County's preparation of the Draft EIR, the City in compliance with State law provided a water supply assessment as requested by the County. The water supply assessment is not an agreement nor commitment by the City to provide water for the future development of UWSP. The City has not entered into any agreement to provide water for the UWSP development. The Draft EIR incorrectly assumes and seems to have pre-determined that the City would provide water to UWSP per an agreement to do so with Sacramento County

Water Agency (SCWA). Page 2-24 of Section 2 Project Description of the UWSP Draft EIR states the following:

“WATER

The City of Sacramento through an agreement with the SCWA would provide water service to land uses allowed under the proposed UWSP. The City of Sacramento obtains most of its water supply from surface water in the American and Sacramento rivers, while groundwater obtained from the North American and South American subbasins of the Sacramento Valley Groundwater Basin provides the remainder.

As discussed above, the proposed UWSP would require SCWA annexation. Water supply would be delivered to the UWSP area through the City’s water treatment and distribution system, which consists of two water treatment plants, eight pump stations, many storage reservoirs, 28 municipal wells, thousands of hydrants, and nearly 1,800 miles of pipeline.”

The DEIR conflicts with the City’s 2040 General Plan policy that pertains to provisions of City services to new development in unincorporated areas. The specific policy is presented below:

“LUP-1.4 City Services Prior to Annexation. Prior to the provisions of City services to new development in unincorporated areas, the City shall require that the unincorporated properties be annexed into the City. Alternatively, the City may provide utility service to properties in advance of annexation only if the annexation process has been initiated and the landowner and City have executed a conditional agreement for services that stipulates minimum standards for the development of roads and urban infrastructure and criteria and conditions for annexation into the City.”

The Draft EIR page 14-29 lists future Service District Annexation requests to the Sacramento Local Agency Formation Commission (LAFCo). City staff opposes any filing of Service District Annexation requests including for example the listed annexation to Sacramento County Water Agency (SCWA) until to the satisfaction of the City of Sacramento pending concerns and issues are resolved such as water supply/service, Natomas Basin Habitat Conservation Plan conflicts, and provision of public services such as police and fire protection.

- **Transportation** – The UWSP has significant implications to the transportation network and facilities located with the City of Sacramento in addition to the nearby freeways and Garden Highway. These concerns are documented in further detail in this letter.

- **Public Services** – The Draft EIR does not adequately address the impacts of the UWSP on existing public services (police, fire, parks) nor details how these services would be provided considering the lack of current County services in the area due to the existing rural nature and that the UWSP is geographically removed from proximity to nearby County services.

ADDITIONAL DETAILED COMMENTS:

The City's comments below respond specifically to the information presented and analysis provided in the DEIR. The Planning Division of the Community Development Department presents the comments below as a single letter representing multiple City departments.

Memorandum of Understanding between City & County

On December 10, 2002, the City & County entered into a Memorandum of Understanding (MOU) (City Resolution 2002-830 and County Resolution 2002-1566) regarding Principles of Land Use and Revenue Sharing for the Natomas Area. The MOU (Attachment B) specifically calls for any future urbanization efforts in the Natomas Joint Vision Area (NJVA) to be processed through the City, with the County remaining a steward of agricultural lands and open spaces.

The DEIR inadequately addresses the implications of this MOU, particularly the agreement that future urbanization efforts in the NJVA would be processed through the City, with the County remaining a steward of agricultural lands and open spaces. Furthermore, the EIR does not acknowledge or analyze the City's intent to designate the Natomas Basin Study Area, which includes the project area, as an Area of Concern. The City's General Plan policy LUP-A.1 explicitly states the City's near-term goal (2024-2029) to work with LAFCo on this designation, which would give the City "greater influence on land use decisions and other governmental actions" in the area.

City staff does not support the proposed County General Plan Amendment for text amendments to align County policies in various General Plan Elements regarding development in the Natomas Joint Vision Area. There has been no coordination with City staff regarding proposed text amendments to the County's General Plan that are relative to potential future development in the Natomas Joint Vision Area. Since this specifically pertains to potential development in Natomas Basin which the City has designated as an Area of Concern per the City's 2040 General Plan and located within our designated Natomas Basin Study Area it would seem that the County would provide some coordination with the City prior to moving forward with changes that pertain to a subject that has been of interest to the City for more than 25 years.

Economic Impacts

Our concerns about the concentration of commercial development along the westerly extension of El Camino Avenue remain unaddressed. The DEIR does not sufficiently analyze the potential regional nature of this retail development and its implications for traffic patterns and associated environmental impacts. It fails to address the potential secondary physical and economic impacts within the City that may result from locating retail, hospitality, and other commercial uses adjacent to the City boundary.

The 2002 City/County MOU recognized mutual economic interests in the future of NJVA and outlined a revenue sharing framework. The DEIR does not address how the UWSP aligns with or impacts this framework. There is insufficient discussion of how the County plans to address these economic issues, especially considering the entitlements being sought by project proponents.

Growth Inducement

While the DEIR addresses some concerns raised in our NOP comment, particularly regarding the extension of urban infrastructure and potential growth-inducing effects, certain aspects of our request for analysis have not been adequately addressed, especially as they pertain to impacts on the City of Sacramento.

The DEIR acknowledges that the project would eliminate obstacles to growth by extending the Urban Services Boundary and Urban Policy Area. However, it does not sufficiently analyze the project's consistency with long-range plans, particularly its inclusion or absence from the Region's Sustainable Communities Strategy. This omission is significant, as it relates directly to the broader regional planning context and potential cumulative impacts on the City of Sacramento.

Furthermore, the DEIR lacks a comprehensive analysis of the project's growth-inducing effects on the City of Sacramento. While it mentions consistency with Sacramento County General Plan Policy LU-120, it fails to provide a detailed, quantitative examination of how the project's infrastructure extensions might stimulate additional development within our City limits. This analysis should include estimates of the scale, type, and timing of potential new development, as well as a thorough assessment of the resulting environmental impacts. The DEIR's current list of general impact categories is insufficient without a location-specific analysis of how these effects would manifest within Sacramento.

We request that these areas of analysis be expanded to fully address the growth-inducing impacts of the proposed project on the City of Sacramento, as originally outlined and requested in our NOP comment.

Habitat Conservation Plan

Hydrological connectivity

Our NOP comment requested an analysis of hydrological connectivity to existing preserves in Natomas Basin. The DEIR states that the UWSP "is not expected to significantly affect the connectivity of aquatic habitat for giant garter snake" and "would not affect the delivery of water to existing reserves." However, this brief statement lacks the detailed analysis we sought. We request a more thorough examination of potential impacts on existing preserves, particularly the adjacent Cummings Reserve.

Effects on land inventory and mitigation prices

We specifically asked for an analysis of the effects of reducing land available for mitigation while increasing demand, potentially driving up mitigation prices for existing permit holders. The DEIR does not directly address this issue. While it states that mitigation lands "would not unnecessarily directly compete with TNBC for habitat mitigation opportunities," this assertion lacks supporting evidence. We request a detailed analysis of how the UWSP might affect land availability and mitigation costs for existing NBHCP and Metro Air Park (MAP) HCP parties.

Land availability for HCP parties

We asked how and where HCP parties with authorized development would find land for mitigation given the cumulative impacts of proposed developments in the Natomas Basin Area. The DEIR's treatment of this issue is insufficient, stating only that mitigation measures BR-3 & BR-7b are "not expected to interfere with the ability of TNBC to satisfy its mitigation responsibilities." We request a more comprehensive analysis of cumulative impacts on mitigation land availability. Based on our direct experience implementing the NBHCP for over 25 years, we question if there is enough suitable land that would remain available to The Natomas Basin Conservancy to mitigate the already approved authorized development of 17,500 acres granted to the City, Sutter County and Metro Air Park if Sacramento County allows the UWSP and Grandpark Specific Plan projects to be approved. We request that Sacramento County evaluate the HCP mitigation land criteria requirements, total mitigation including size of habitat reserves that are required for completion of the HCP conservation strategy. The UWSP DEIR focuses on the impacts and mitigation of the UWSP project itself but does not address the existing HCP acreage requirements that must be completed in the Basin.

Prior to conducting any public hearings for potential action on the UWSP by the County Planning Commission and Board of Supervisors, we request Sacramento County provide the NBHCP signatory parties (City of Sacramento, Sutter County, FWS and CDFW) a

detailed accounting and graphics demonstrating of how HCP total acreage requirements could be accomplished with the potential approval and implementation of the UWSP and Grandpark Specific Plan projects. This information and data should also be included as part of the proposed Final EIR when it becomes available.

Consistency with NBHCP Conservation Strategies

We request further clarification on the adequacy of the proposed 250-foot open space buffer between planned development and the Cummings Reserve, compared to the NBHCP's 800-foot setback requirement. The DEIR notes that exceptions to the 800-foot setback have been made in the past. While this explanation is helpful, we request further analysis on whether this 250-foot buffer is sufficient to protect the Cummings Reserve from potential edge effects of urban development.

We urge the County to provide a more robust analysis of these issues in the Final EIR to ensure the UWSP does not compromise the NBHCP's conservation goals or the ability of existing HCP parties to meet their mitigation obligations.

One-Mile Buffer Swainson's Hawk Zone

The City of Sacramento must express its opposition to the proposed Upper Westside Specific Plan (UWSP) due to its direct conflict with the Natomas Basin Habitat Conservation Plan (NBHCP).

The City of Sacramento, as a signatory to the NBHCP, has a legal obligation to ensure the continued integrity of this regional conservation strategy. Our analysis of the UWSP reveals that significant portions of the proposed development would encroach into the Swainson's Hawk Zone - a critical one-mile-wide buffer adjacent to the Sacramento River that was explicitly established in the NBHCP to protect essential Swainson's Hawk habitat and foraging areas. The NBHCP categorically prohibits development within this zone, with only a strictly limited exception of 252 acres granted to the City of Sacramento.

While Sacramento County is not a direct signatory to the NBHCP, both the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) are bound to the NBHCP as "Permitters" with mandatory obligations to enforce its provisions. These wildlife agencies would be required to issue permits for the UWSP, yet doing so would fundamentally conflict with their legal obligations under the NBHCP, which states that any additional urban development within the Swainson's Hawk Zone "would constitute a significant departure from the Plan's Operating Conservation Program."

The project's inadequate agricultural buffer of 534 acres, ranging from merely 700 to 2,700 feet in width, is insufficient compared to the one mile (5,280 feet) protective

buffer mandated by the NBHCP. This reduction in buffer width would severely compromise a core conservation measure that both wildlife agencies have previously determined to be essential for the protection of Swainson's Hawk habitat.

The NBHCP is explicit: development beyond the permitted activities necessitates a comprehensive reevaluation of the Plan, a new effects analysis, potential amendments to the Plan and/or permits, and a separate conservation strategy. For the wildlife agencies to issue permits for this project as currently designed would require the completion of all these actions - none of which have been undertaken.

We are particularly alarmed that approval of development within the Swainson's Hawk Zone would directly threaten the biological effectiveness of the NBHCP's conservation strategy, which both the City of Sacramento and Sutter County depend upon for our incidental take permits. The one-mile buffer zone was established through rigorous biological analysis and stands as an indispensable component of the plan's mitigation strategy for impacts to Swainson's Hawk.

The County must either:

- Substantially redesign the project to eliminate all development within the one-mile Swainson's Hawk Zone buffer; or
- Undertake the mandatory comprehensive reevaluation of the NBHCP required when proposing development within this zone, including preparation of a new effects analysis and development of a separate conservation strategy that definitively ensures no net loss of the effectiveness of this critical conservation measure. This reevaluation must be conducted under the strict oversight of USFWS and CDFW to ensure absolute compliance with their obligations as Permittees under the NBHCP.
- For any County approval of development that directly disturbs the one-mile Swainson's Hawk Zone (SWZ), we request that the County first initiate an amendment to the NBHCP with the wildlife resource agencies to modify the requirements and obligations placed on the City of Sacramento and Sutter County that pertain to the one-mile SWZ. Any action by Sacramento County to approve and allow development within the SWZ is in direct conflict with the adopted NBHCP and enforceable requirements by the wildlife resource agencies including for example, the Incidental Take Permits issued by U.S. Fish and Wildlife Services (FWS) and the California Department of Fish and Wildlife (CDFW) to the City of Sacramento and Sutter County.

Agriculture

The Draft EIR falls short in addressing crucial concerns regarding the project's impact on agricultural resources and the Natomas Basin Habitat Conservation Plan (NBHCP). While the EIR quantifies the conversion of approximately 1,372 acres of farmland within the project area, it fails to provide a comprehensive analysis of how this loss might affect the NBHCP's requirement to maintain 4,375 acres in rice cultivation for Giant Garter Snake habitat. The EIR should evaluate not only the direct loss of farmland but also the potential indirect effect of increased development pressure on remaining agricultural lands in the Natomas Basin, which could make it more challenging to maintain the required acreage of rice cultivation.

Transportation

Roadway Widening and City Responsibility

The DEIR continues to rely on fair share contributions toward roadway widening projects within City limits without adequately addressing our concerns about implementation responsibility. For instance, Mitigation Measure TR-3b still assumes City involvement in implementing improvements at I-5 on-ramps, despite our previous statement that the City should not be assumed to have matching funds. The DEIR does not propose alternative mitigation approaches that avoid placing implementation responsibility on the City, nor does it explain how these projects would be fully funded and executed given the City's financial constraints.

TR-3a and TR-3b Impacts & Mitigations on Page ES-119 & ES-120: The City of Sacramento looks forward to working collaboratively with the County on the required I-80 West El Camino Avenue interchange improvements being triggered by the project's development. As specified in the Upper Westside Specific Plan Public Facilities Financing Plan on page 23, the traffic analysis estimated that approximately 90 percent of trips caused by new development in the County using this interchange would be caused by development in the UWSP. The City looks forward to seeing the UWSP project fulfill the required improvements and phasing to ensure the ultimate improvements are constructed when triggered by the UWSP project.

Conflict with City Transportation Policies

Our NOP comments highlighted the City's current focus on reducing lanes on City roadways to align with our Climate Change goals. However, the DEIR does not acknowledge or analyze how the proposed roadway widenings, such as those in Mitigation Measure TR-3a, align with or conflict with this policy direction. We request that the Final EIR include an analysis of how the proposed transportation improvements align with the City's current transportation policies and goals.

Regional Growth and VMT Impacts

The DEIR's VMT analysis remains narrowly focused on project-level impacts and does not address our request to examine how the UWSP may redistribute growth away from the City or impact the City's VMT relative to the regional average. We continue to be concerned about potential impacts on the City's growth patterns and overall regional VMT efficiency. We request that the Final EIR include modeling scenarios that evaluate these broader impacts as originally suggested in our NOP comments.

Ongoing Technical Coordination

While the DEIR mentions some collaboration with the City, it does not outline a specific process for ongoing coordination throughout project development and implementation as we had requested. Given the project's potential impacts on City infrastructure and services, we believe a more detailed plan for continued technical coordination is necessary.

Water

In our NOP comments, we identified three potential alternatives for providing domestic water to serve the proposed UWSP area. While the DEIR focuses on Alternative 3 - utilizing City of Sacramento water rights and infrastructure - it does not provide a comprehensive analysis or clear dismissal of Alternatives 1 and 2 involving Natomas Central Mutual Water Company (NCMWC) water rights. We request that the Final EIR include a thorough evaluation of all three alternatives to ensure a complete understanding of the project's water supply and water retailer options.

Furthermore, our NOP comments requested specific details regarding the water delivery system engineering, including the size of mains, distribution, volume, future capacity, system pressurization, storage capacity, and measures to protect the water supply and prevent contamination of the City's existing system. While the DEIR provides some information about the proposed water delivery system, including a water storage tank and transmission mains, it lacks the level of detail we requested. We urge the County to include more comprehensive information on these aspects in the Final EIR to fully assess the potential environmental impacts and ensure the adequacy of the proposed water infrastructure.

Sewer System

The City of Sacramento notes the EIR's discussion of new wastewater infrastructure needed to serve the Upper Westside Specific Plan area, including the proposed sewer pump station and force main. However, we note that our previous comment requesting

analysis of impacts to the Sacramento Regional County Sewer Interceptor has not been adequately addressed. Specifically, the EIR lacks a comprehensive evaluation of the interceptor system's capacity downstream of the New Natomas Pump Station to accommodate additional flows from this project in combination with buildout of the existing Natomas area and other proposed development in the Natomas Joint Vision area. We remain concerned about the potential cumulative impacts on this critical piece of regional infrastructure and whether it has sufficient capacity to serve all these areas without requiring significant upgrades. The City requests that the EIR be revised to include a thorough analysis of existing and projected flows in the interceptor system, an assessment of its available capacity at key points along its alignment, and an evaluation of whether system upgrades may be necessary to handle the increased wastewater volumes. If upgrades to the interceptor are required, the potential environmental impacts of such improvements should also be discussed.

Fire Protection

The City of Sacramento notes the acknowledgment in the DEIR that the City's Fire Department currently provides and will continue to provide fire protection and emergency medical services to the Upper Westside Specific Plan (UWSP) area under contract with the Natomas Fire Protection District. We also note the inclusion of a site for a new fire station within the proposed plan. However, we find that the DEIR does not adequately address several key concerns raised in our NOP comments.

The DEIR lacks a comprehensive analysis of fire protection services and facilities as requested. While it provides a basic assessment of increased demand and the need for a new station, it falls short of the in-depth analysis needed for a project of this scale. We request a more detailed evaluation of current service levels, response times, equipment needs, and long-term planning for fire protection services. Furthermore, the DEIR does not sufficiently address how the project proponent will mitigate service demand impacts and maintain current levels of service throughout the project's implementation. We request more specific information on phasing, funding mechanisms, and interim measures to ensure consistent service levels during development.

Given the City's extensive experience in providing municipal services, including over 100 years of fire protection services, we reiterate our position that the City is best equipped to provide a full range of municipal services to the UWSP area. We request that the EIR include a more robust discussion of the City's role in long-term service provision and planning for the area.

Law Enforcement

The DEIR fails to adequately address the concerns raised in our NOP comment regarding potential impacts to City of Sacramento police protection services. The DEIR focuses

exclusively on Sacramento County Sheriff's Office services without acknowledging or evaluating potential impacts to the City of Sacramento Police Department (SPD). This oversight is particularly concerning given the project's unique geographical context - adjacent to the City but isolated from developed County areas - which could potentially strain City services.

Furthermore, the DEIR does not provide the requested evaluation of how and when law enforcement services and facilities will be provided to ensure no impacts to the City of Sacramento. While plans for a new County sheriff's substation are discussed, this does not address the potential cross-jurisdictional impacts or need for coordinated services with the City.

The California Highway Patrol's role is only briefly mentioned, without fully addressing its responsibilities for state highways, state-owned buildings, and state property within the City, as noted in our NOP comment.

Given the project's location and potential to affect multiple jurisdictions, we reiterate our request for a more comprehensive analysis that considers impacts to both County and City services, as well as inter-agency coordination strategies. This analysis should evaluate how the proposed development's law enforcement needs will be met without adversely impacting existing City services or response times.

Schools

We appreciate that the DEIR identifies the existing schools that would serve different portions of the UWSP area, including Witter Ranch Elementary School, Two Rivers Elementary School, Natomas Middle School, Inderkum High School, and Natomas High School. This information adequately addresses which schools would serve residents both inside and outside the specific development plan areas within the UWSP.

However, the DEIR does not fully address our question regarding which schools would serve the area while the proposed schools are being built. While Table PS-2 provides helpful enrollment and capacity data for existing schools, the DEIR lacks a clear explanation of how school services will be provided during the interim period before new schools are operational. We request that the Final EIR include a phasing plan showing when the proposed schools would be constructed relative to residential development, an explicit discussion of which existing schools would absorb students during the construction phases, and an analysis of whether those existing schools have sufficient capacity to handle temporary increases in enrollment. This information is crucial for understanding the full impacts of the project on school services throughout its implementation.

Parks & Recreation Facilities

The Draft EIR for the UWSP analyzed the project's impact on the existing setting for Parks and Recreation Facilities by considering whether an increase in use of public parks and recreation facilities resulting from the UWSP would cause the substantial physical deterioration of those facilities (e.g., damage to vegetation, accelerated wear on sports facilities and fields, or erosion along trails) or in the need for new or expanded facilities, the construction or operation of which would result in substantial adverse physical effects. This analysis further considers whether implementation of the proposed UWSP would diminish or otherwise adversely affect recreational opportunities and existing facilities within the UWSP area based on facility capacity.

Within a 1-mile radius of the UWSP area, there are approximately 20 parks, most of which are within the City of Sacramento and comprising a total of 160 acres of parklands. The closest parks to the UWSP area include River Otter Park, located directly adjacent to the southeastern edge of the UWSP area across Interstate 80, Peregrine Park, located directly adjacent to the eastern edge of the area, and San Juan Reservoir Park, located directly adjacent to the northwestern edge of the area. The North Natomas Regional Park, at 212 acres, located 1.6 miles northwest of the UWSP serves the entire region.

As stated in the DEIR, the proposed UWSP would facilitate development of up to 9,356 housing units and yield 25,460 residents. The Sacramento County 2030 General Plan, Policy PF-123 requires 5.0 acres of parkland per 1,000 residents. As a result, approximately 127.9 acres of parkland is required to serve the needs of the proposed UWSP. As there are no parks currently located directly within the UWSP area, the 160 acres of nearby parks previously described could be adversely affected by the increase of residents generated by the proposed UWSP. The areas surrounding the UWSP area, in which the existing parks are located, are developed, and contain existing residents that utilize these facilities. Therefore, there is a need for new parks to serve the UWSP area and to alleviate pressure which would occur to nearby parks from increased residential uses in this area.

To accommodate the increase in residents resulting from the proposed UWSP, the plan includes a "parks program," which outlines the proposed parks and recreational facilities to be implemented in the UWSP area. The proposed UWSP parks program proposes a diverse mix of recreational amenities and public gathering spaces which are sized and distributed to serve the anticipated needs of the residents within the UWSP. A total of 146.6 acres of parks and amenities would be provided in the UWSP area, which accounts for 11 percent of the Development Area. Parks and amenities would include 76.5 of active parks and the 2.6-acre Town Center median park as well as the 15-acre Westside Canal, 34.1 acres of greenbelt space, a 10-acre urban farm, a 12.1-acre West Edge Buffer, and a 14.7-acre Basin Edge Parkways trail.

The UWSP concludes that these facilities would be sufficient to accommodate the 25,460 proposed residents and would meet the requirements for parkland under the Sacramento County 2030 General Plan. Therefore, no additional means would need to be utilized to meet any demands in the UWSP area for parks and recreation services. Objectives for parks and recreation in the UWSP area would be met under the proposed plan, and the impact would be less than significant.

The proposed project's "parks program" includes 76.5 – 79 acres of parkland which meets the minimum guidelines of 3 acres per 1,000 residents. The 76.5 acres of parkland are considered neighborhood/community serving parks, which will be programmed with active recreation uses. However, the DEIR analyzes the project at the minimum dedication requirement under the Quimby Act of 3 acres per 1,000 residents, less than the County's (and City's) policy requirement of 5 acres per 1,000. If the project were to dedicate neighborhood/community parkland at the County standard of 5 acres per 1,000 resident, the proposed project's parkland dedication requirement would total approximately 128 acres of neighborhood/community serving parks.

The proposed project's "parks program" supplements the 79 acres of parkland with an additional 86 acres of parkland. The 86 acres of parks and recreation facilities are identified as having permanent drainage facilities, a greenbelt without recreation amenities, urban farms that will likely be leased and operated by community based or non-profit organizations, agricultural buffers, and a median with a trail. These types of facilities do not take the pressure off adjacent neighborhood and community parks that do contain active recreation, which is in high demand in the City of Sacramento.

The proposed UWSP is located adjacent to communities of the City of Sacramento; South Natomas and North Natomas. Each community was established and planned to be well-served by neighborhood and community parks that are located within a 10-minute walk of almost all the residential areas. The proposed project's gap of 51.5 acres that are not identified as neighborhood/community parkland will likely result in an adverse physical effect on the nearby parks within the two adjacent communities. Additionally, the proposed 79 acres of parkland will likely be diminished or adversely affected at a quicker rate than industry standards. This would be a significant impact.

The City of Sacramento Youth, Parks, & Community Enrichment Department (YPCE) recommends the project reduce the impacts to existing City parks by adding, or converting, 51.5 acres of neighborhood/community serving parkland in order to meet the 5 acres per 1,000 resident standard. The proposed project should incorporate the City's standards and guidelines for neighborhood and community parks, as adopted by the Parks Plan 2040, a subsequent project of the 2040 General Plan Master EIR. The existing parks within the adjacent communities are well-used, and it can be expected that the UWSP parks will be as well. Additional recommendations for the UWSP's park program are to consider community input from residents within the adjacent communities. They want to see regular enhancements and to the parks, such as lighting,

restrooms, outdoor exercise equipment, an all-weather field, and an integrated bicycle network. Residents are also advocating for accessible parks for all ages, drought-tolerant landscaping, and the preservation of wildlife habitat.

The UWSP's investment of over \$143 million into the acquisition and development of parks, trails, and open space converts to approximately \$1 million per acre with an annual estimated cost of \$3.5 million to maintain each park facility. These costs exceed the City of Sacramento's Park development impact fee credit limits set for turnkey parks, and the estimated annual maintenance costs currently funded by Community Facilities Districts and Landscape and Lighting Districts within North Natomas. The full development of the UWSP park program will likely result in amenities that are attractive to use, and likely a financial impact on Parks annual workplans to repair and replace in 20 years from development. The proposed project's Public Facilities Finance Plan includes a fee for the provision of repair and replacement of facilities (e.g. parks, pump stations) as well as infrastructure after their useful life. The County may consider funding the long-term repair and replacement costs through a combination of the proposed infrastructure CFDs and through the new services CFD that will fund the share of urban services not paid for by property taxes. The City encourages the County to include an infrastructure CFD to fund long term repair and replacement costs of park facilities. Additionally, the utilities costs to maintain the 146.6 acres of parkland should also be included in the infrastructure CFD.

The conversion of 51.5 acres to neighborhood/community parkland, incorporation of the parks Plan 2040 standards and guidelines for park and facility development, incorporation of the 2040 General Plan park access policies for South and North Natomas, and funding for long term repair and replacement of facilities will reduce impacts to the existing parks within the adjacent communities and proposed parks within the UWSP.

Land Use Planning (City's 2040 General Plan)

On February 27, 2024, the City of Sacramento adopted the new 2040 General Plan. The new General Plan identifies five Special Study Areas that are adjacent to existing City limits and are of interest to the City of Sacramento. Planning for the future of these unincorporated areas requires collaboration between the City and the County.

The proposed Upper Westside Specific Plan (UW SP) is located within the Natomas Basin Special Study Area which bears relation to the planning of the City of Sacramento. The City of Sacramento is projected to see significant growth by 2040 (69,000 new homes, and 76,000 new jobs), and with careful land use planning, new development can help make Sacramento a model of sustainable, equitable growth and community development.

Updating the 2040 General Plan was a major undertaking and a multi-year process in effort to develop a land use framework and policies which provide for strategic growth and change that seek to concentrate new growth within the existing City limits.

The City is concerned about how the UW SP could induce sprawl and redistribute growth away from the City especially if the proposed development does not comport with the City's new land use standards and innovative policies.

The intent of the City's General Plan land use vision is to promote greater integration of uses along the corridors and in centers to broaden the range of housing types in the City, support the vitality of local businesses, lay the foundation for high-frequency transit, and make it easier to provide electric vehicle charging infrastructure and also to get around without a car.

The building intensity standards are intended to provide more flexibility and innovation in building design. Minimum density standards apply in all areas where residential development is permitted and a primarily FAR-based system could incentivize the design and construction of smaller units, potentially resulting in units that are more affordable by design.

For your reference below is a link to the City of Sacramento's new 2040 General Plan. Building intensity standards are shown on **Maps LUP-6, LUP-7, LUP-8, and Figure LUP-5.**

https://www.Cityofsacramento.gov/content/dam/portal/cdd/Planning/General-Plan/2040-General-Plan/Adopted%202040%20General%20Plan_20240227.pdf

Additionally, below two key innovative policies that support our emission reduction and sustainability goals in the 2040 General Plan. Policy LUP-4.13 requires new or expanded gas stations provide EV charging infrastructure. Policy LUP-4.14 eliminates vehicle parking minimums Citywide.

- **LUP-4.13 Future-Ready Gas Stations.**

The City shall prohibit the establishment of new gas stations or the expansion of new fossil fuel infrastructure at existing gas stations unless the project proponent provides 50kW or greater Direct Current Fast Charger (DCFC) electric vehicle charging stations on site at a ratio of at least 1 new charging station per 1 new gas fuel nozzle.

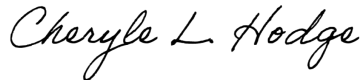
- **LUP-4.14 Elimination of Vehicle Parking Minimums.**

The City shall not require new or existing development to provide off-street vehicle parking spaces.

Conclusion

As this project progresses through planning, environmental review, and engineering, we request the County's continued coordination and that we receive all project public notifications including those for any future public meetings and hearings. If you have follow-up questions or seek clarifications on any of the above issues, please contact Cheryle Hodge at chodge@Cityofsacramento.org or 808-5971.

Sincerely,

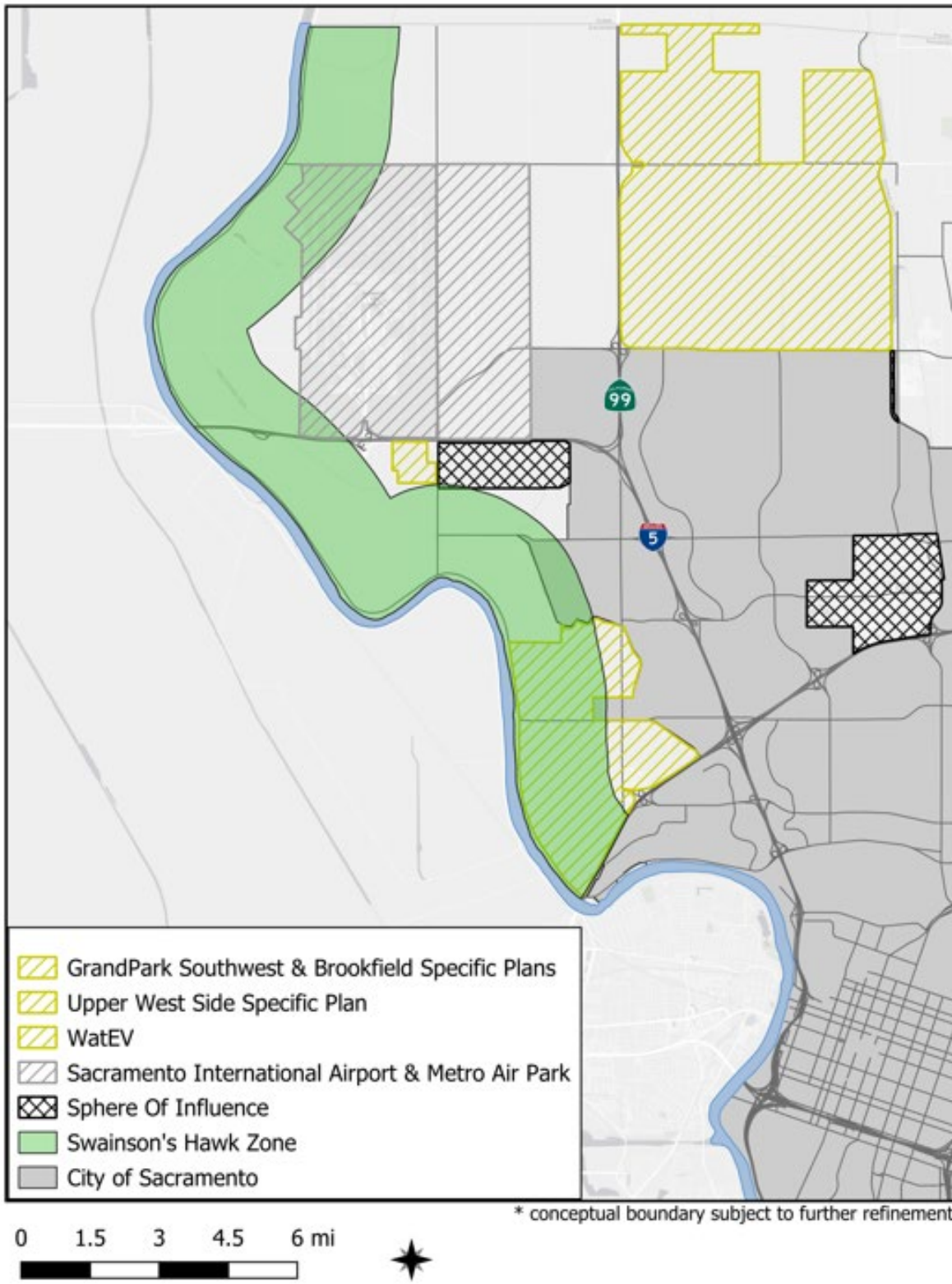


Cheryle Hodge

New Growth Manager, Community Development Department

cc: Michael Jasso, Assistant City Manager, City of Sacramento
Tom Pace, Director, Community Development Dept., City of Sacramento
Greg Sandlund, Planning Director, Community Development Dept.
Matt Eierman, Director, Department of Public Works
Lucinda Willcox, Assistant Director, Dept. of Public Works,
Jennifer Donlon Wyant, Transportation Planning Manager, Dept. of Public Works
Pravani Vandeyar, Director, Department of Utilities
Brett Ewart, Supervising Engineer, Department of Utilities
Pelle Clarke, Senior Engineer, Department of Public Works
Jackie Beecham, Director, Youth, Parks & Community Enrichment Dept.
Shannon Brown, Assistant Director, Youth, Parks & Community Enrichment Dept.
Chris Costamagna, Fire Chief, Sacramento Fire Department
King Tunson, Program Specialist, Sacramento Fire Department
Kathy Lester, Police Chief, Sacramento Police Department
Eddie Macaulay, Lieutenant, Sacramento Police Department
Tom Bufford, Principal Planner, Environmental Planning Services
Scott Johnson, Senior Planner, Environmental Planning Services
Remi Mendoza, Senior Planner, Long Range Planning

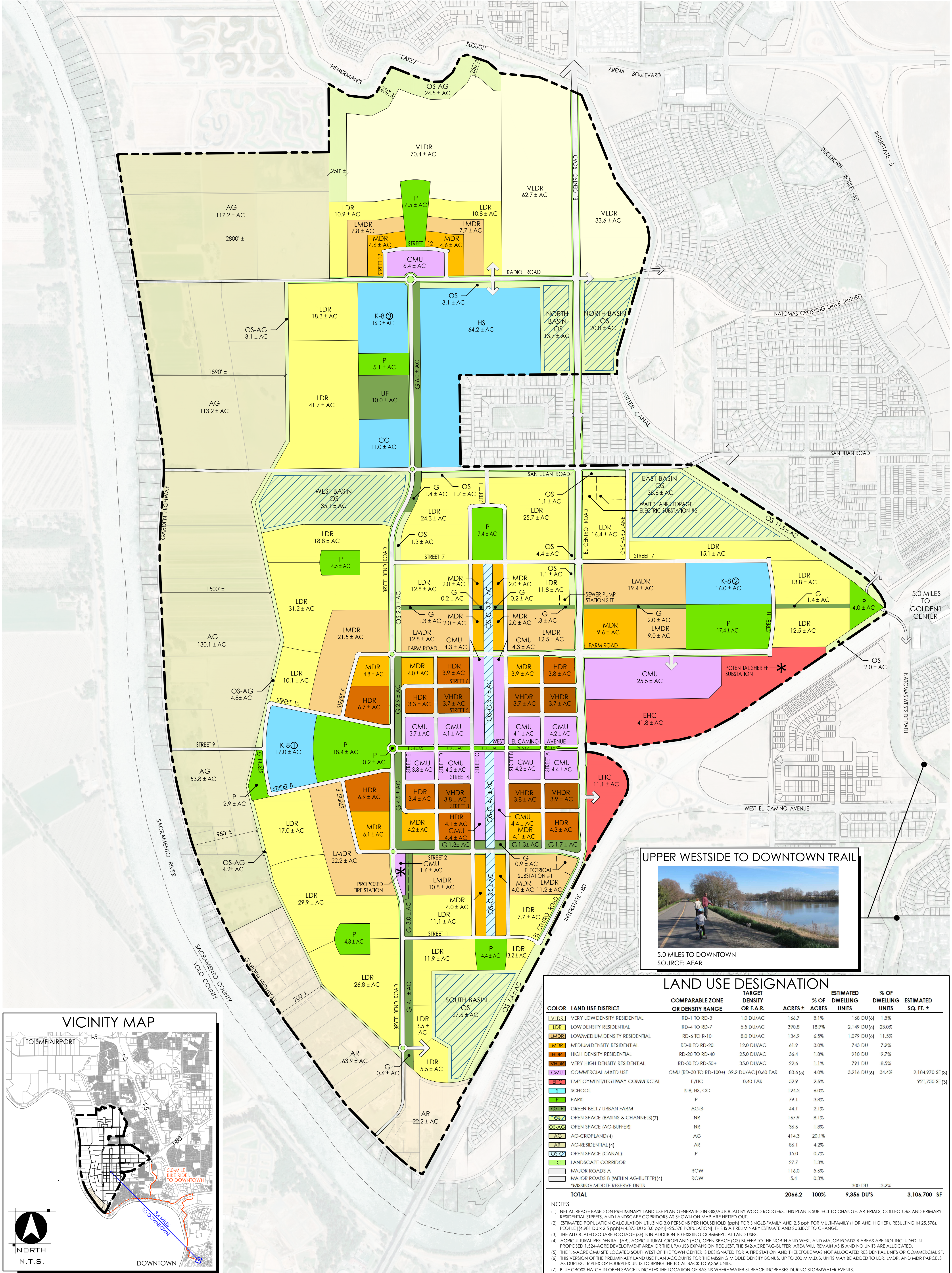
Natomas Basin Development



PRELIMINARY LAND USE PLAN - MISSING MIDDLE HOUSING INCENTIVE

UPPER WESTSIDE
COUNTY OF SACRAMENTO, CALIFORNIA

JANUARY 15, 2024



LAND USE DESIGNATION

COLOR	LAND USE DISTRICT	COMPARABLE ZONE OR DENSITY RANGE	TARGET DENSITY OR F.A.R.	ACRES ±	% OF ACRES	ESTIMATED DWELLING UNITS	% OF DWELLING UNITS	ESTIMATED SQ. FT. ±
	VERY LOW DENSITY RESIDENTIAL	RD-1 TO RD-3	1.0 DU/AC	166.7	8.1%	168 DU (6)	1.8%	
	LOW DENSITY RESIDENTIAL	RD-4 TO RD-7	5.5 DU/AC	390.8	18.9%	2,149 DU (6)	23.0%	
	LOW/MEDIUM DENSITY RESIDENTIAL	RD-6 TO R-10	8.0 DU/AC	134.9	6.5%	1,079 DU (6)	11.5%	
	MEDIUM DENSITY RESIDENTIAL	RD-8 TO RD-20	12.0 DU/AC	61.9	3.0%	743 DU	7.9%	
	HIGH DENSITY RESIDENTIAL	RD-20 TO RD-40	25.0 DU/AC	36.4	1.8%	910 DU	9.7%	
	VERY HIGH DENSITY RESIDENTIAL	RD-30 TO RD-50+	35.0 DU/AC	22.6	1.1%	791 DU	8.5%	
	COMMERCIAL MIXED USE	CMU (RD-30 TO RD-100+)	39.2 DU/AC (0.60 FAR)	83.6 (5)	4.0%	3,216 DU (6)	34.4%	2,184,970 SF (3)
	EMPLOYMENT/HIGHWAY COMMERCIAL	E/H/C	0.40 FAR	52.9	2.6%			921,730 SF (3)
	SCHOOL	K-8, HS, CC		124.2	6.0%			
	PARK	P		79.1	3.8%			
	GREEN BELT / URBAN FARM	AG-B		44.1	2.1%			
	OPEN SPACE (BASINS & CHANNELS) (7)	NR		167.9	8.1%			
	OPEN SPACE (AG-BUFFER)	NR		36.6	1.8%			
	AG-CROPLAND (4)	AG		414.3	20.1%			
	AG-RESIDENTIAL (4)	AR		86.1	4.2%			
	OPEN SPACE (CANAL)	P		15.0	0.7%			
	LANDSCAPE CORRIDOR			27.7	1.3%			
	MAJOR ROADS A	ROW		116.0	5.6%			
	MAJOR ROADS B (WITHIN AG-BUFFER) (4)	ROW		5.4	0.3%			
	MISSING MIDDLE RESERVE UNITS							
TOTAL				2064.2	100%	9,356 DU'S	3.2%	3,106,700 SF

NOTES
(1) NET ACREAGE BASED ON PRELIMINARY LAND USE PLAN GENERATED IN GIS/AUTOCAD BY WOOD RODGERS. THIS PLAN IS SUBJECT TO CHANGE. ARTERIALS, COLLECTORS AND PRIMARY RESIDENTIAL STREETS, AND LANDSCAPE CORRIDORS AS SHOWN ON MAP ARE NETTED OUT.
(2) ESTIMATED POPULATION CALCULATION UTILIZING 3.0 PERSONS PER HOUSEHOLD (pph) FOR SINGLE-FAMILY AND 2.5 pph FOR MULTI-FAMILY (HDR AND HIGHER), RESULTING IN 25,578 PEOPLE (14.91 DU x 2.5 pph) (4.375 DU x 3.0 pph) (25,578 POPULATION). THIS IS A PRELIMINARY ESTIMATE AND SUBJECT TO CHANGE.
(3) THE ALLOCATED SQUARE FOOTAGE (SF) IS IN ADDITION TO EXISTING COMMERCIAL LAND USES.
(4) AGRICULTURAL RESIDENTIAL (AR), AGRICULTURAL CROPLAND (AG), OPEN SPACE (OS) BUFFER TO THE NORTH AND WEST, AND MAJOR ROADS B AREAS ARE NOT INCLUDED IN PROPOSED 1,524-ACRE DEVELOPMENT AREA OR THE UP/USB EXPANSION REQUEST. THE 542-ACRE "AG-BUFFER" AREA WILL REMAIN AS IS AND NO UNITS ARE ALLOCATED.
(5) THE 1.6-ACRE CMU SITE LOCATED SOUTHWEST OF THE TOWN CENTER IS DESIGNATED FOR A FIRE STATION AND THEREFORE WAS NOT ALLOCATED RESIDENTIAL UNITS OR COMMERCIAL SF.
(6) THIS VERSION OF THE PRELIMINARY LAND USE PLAN ACCOUNTS FOR THE MISSING MIDDLE DENSITY BONUS. UP TO 300 M.M.D.B. UNITS MAY BE ADDED TO LDR, LMDR, AND MDR PARCELS AS DUPLEX, TRIPLEX OR FOURPLEX UNITS TO BRING THE TOTAL BACK TO 9,356 UNITS.
(7) BLUE CROSS-HATCH IN OPEN SPACE INDICATES THE LOCATION OF BASINS WHERE WATER SURFACE INCREASES DURING STORMWATER EVENTS.

Natomas Joint Vision

One-Mile Buffer Alternative

LEGEND

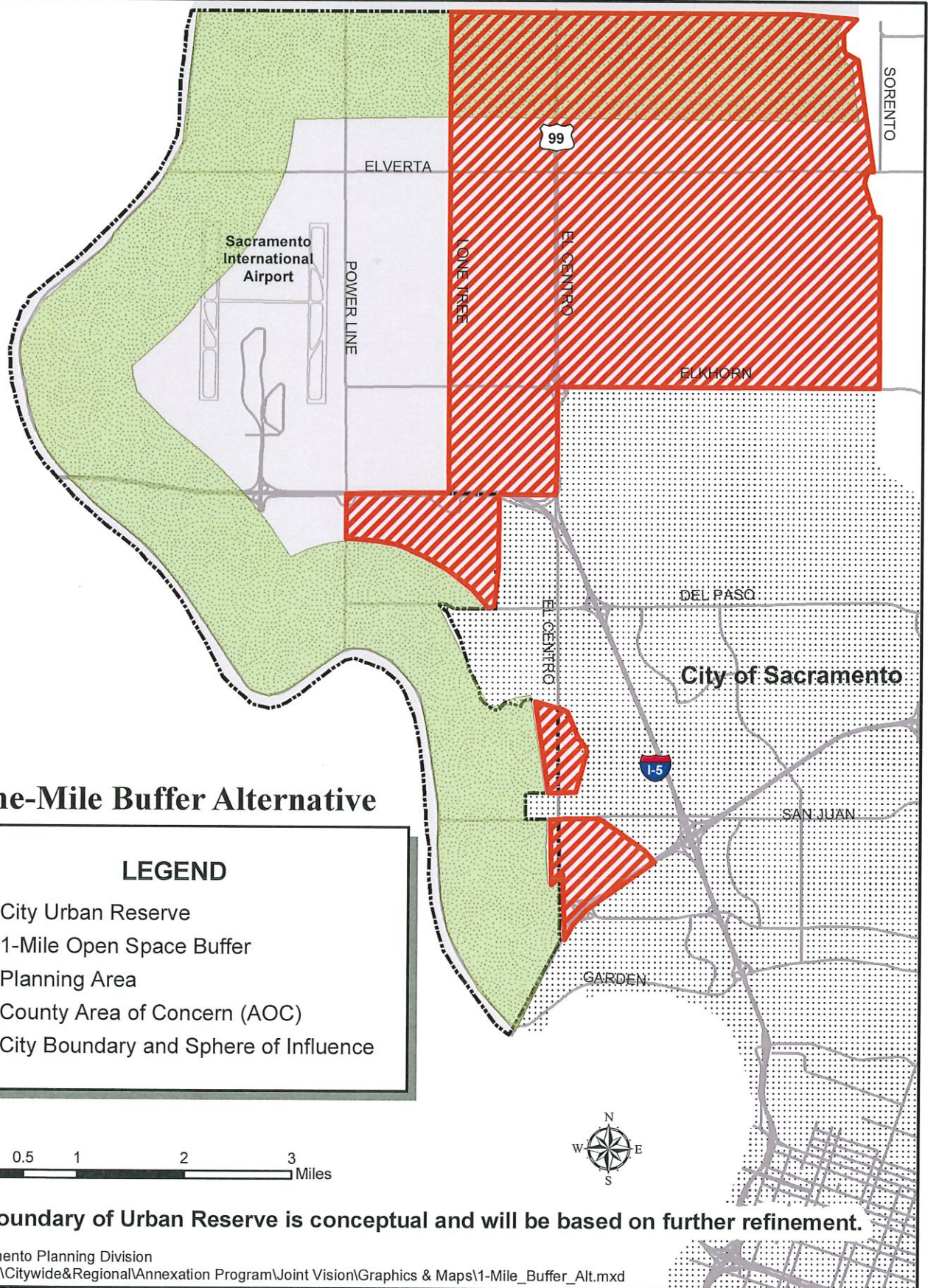
-  City Urban Reserve
-  1-Mile Open Space Buffer
-  Planning Area
-  County Area of Concern (AOC)
-  City Boundary and Sphere of Influence

0 0.5 1 2 3 Miles



Note: Boundary of Urban Reserve is conceptual and will be based on further refinement.

City of Sacramento Planning Division
S:\LongRange\Citywide&Regional\Annexation Program\Joint Vision\Graphics & Maps\1-Mile_Buffer_Alt.mxd





OFFICE OF THE
CITY MANAGER

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 101
SACRAMENTO, CA
95814-2684

PH 916-264-5704
FAX 916-264-7618

November 28, 2000

Terry Schutten, County Executive
Sacramento County
700 H Street, Suite 7650
Sacramento, CA 95814

Dear Terry:

Subject: Natomas Basin Habitat Conservation Plan—Revisions to Plan and
Preparation of Plan EIS/EIR.

The purpose of this letter is again to invite Sacramento County to partner with Sutter County, Reclamation District 1000, Natomas Central Mutual Water Company and the City of Sacramento in revising the Natomas Basin Habitat Conservation Plan (NBHCP) and preparing new NEPA and CEQA documents for the Plan.

As you are aware, United States District Judge David F. Levi has issued a Memorandum of Opinion and Order in the case National Wildlife Federation v. Bruce Babbitt. In his Order, Judge Levi noted that while the NBHCP was designed to be a basin-wide plan, only the City of Sacramento of the five agencies, was participating as a permittee. Throughout his Order, Judge Levi questioned the viability of the NBHCP if only the City participated. The Court also found that the Fish and Wildlife Service should have prepared and EIS for the Plan and it's Incidental Take Permit(ITP).

The final drafting of the NBHCP was a cooperative effort by the three land use agencies coordinated by SAFCA and their consultant Thomas Reid Associates. Mr. Patrick Groff was the County's representative. As the final draft neared completion, and the SAFCA Board relinquished the document to the three land use agencies for ITP application, it became obvious that the agency applications were governed by different time lines. The City's need was immediate, while the two Counties preferred to proceed more cautiously. To this end the City applied for and received a ITP. It was always assumed the Counties would participate as their needs demanded. Likewise, RD1000 and NCMWC were proceeding independently to complete HCP's governing their maintenance practices. If not for the lawsuit and Court Order, this approach would have continued.

We now have an opportunity to once again partner to ensure the success of the NBHCP. Sutter County and the City have agreed to be the lead agencies for the revision of the NBHCP, and preparation of the new CEQA documentation. While FWS will be the lead agency for NEPA, both the EIR and EIS will be prepared by CH2MHill, under contract with the City. The CH2MHill contract costs will be borne by the City, Sutter County, RD1000 and NCMWC. Upon completion of the NBHCP revision and environmental process, all four agencies will apply for ITPs. We would like to invite Sacramento County to participate with Sutter County and the City as lead agencies, and to join us in applying for ITPs.

We realize the Board of Supervisors will need to take action on the proposed County participation. In the mean time, we would encourage assignment of senior County staff, to attend the team meetings and to speak to the issues of importance to the County.

Please contact me or Tom Lee if you have further questions regarding our proposal. Ms. Carol Shearly, Natomas Manager, of my staff, will be coordinating all team activities. She may be reached at 264-5893.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. P. Thomas', with a stylized flourish extending from the end.

Robert P. Thomas
City Manager