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DEPARTMENT OF  
PLANNING AND BUILDING  
  
NORTH NATOMAS UNIT

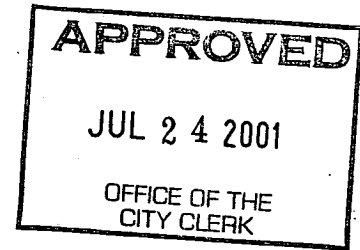
CITY OF SACRAMENTO  
CALIFORNIA

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PLANNING  
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July 11, 2001

City Council  
Sacramento, California



Honorable Members In Session:

**SUBJECT: RESOLUTION RESTRICTING LAND USE ENTITLEMENTS FOR CERTAIN PROPERTIES LOCATED OUTSIDE THE CITY'S BOUNDARY, UNTIL THE CITY'S SPHERE OF INFLUENCE STUDY IS COMPLETED**

**LOCATION: Areas to the west of the existing City limits in North Natomas adjacent to Council District 1**

**RECOMMENDATION: Staff recommends approval of the attached resolution.**

**CONTACT PERSON: Scot Mende, Senior Planner: 264-5894  
Carol Shearly, Natomas Manager: 264-5893**

**FOR CITY COUNCIL MEETING OF: July 24, 2001 (Afternoon)**

**SUMMARY: The attached resolution would temporarily restrict the ability of the City to approve "first stage" entitlements for land use projects that are located outside of the City's existing Sphere of Influence.**

**BACKGROUND: The City, developers who intervened in the federal case, and certain environmental organizations entered into an "Agreement to Settle Litigation" with respect to the Natomas Basin Habitat Conservation Plan. Section 4.c. of the Agreement provides that the City shall within 60 days following the effective date of the Agreement, initiate proceedings to establish restrictions on issuance of land use entitlements for certain properties located outside the City's boundary, until the City's Sphere of Influence study is completed. The "North Natomas Panhandle" annexation (P97-125), which is already within the existing Sphere of Influence, will not be affected by the proposed resolution.**

The specific projects that may be affected include:

- P00-027: West Lakeside (north of Del Paso Road, west of Westlake);
- Greenbriar Farms (northwest of the I-5/US99 interchange);
- Camino Norte (south of San Juan Road, east of El Centro Road);
- and any other project outside of the existing City Sphere of Influence within the Natomas Basin.

The restrictions on issuance of land use ("first stage") entitlements shall mean that development agreements, general plan or community plan amendments, rezoning, pre-zoning, or the establishment of a Planned Unit Development may not be *approved* until the completion of the Sphere of Influence Study currently underway. The resolution does not restrict the ability of the City to accept and process applications for these first stage entitlements.

**FINANCIAL CONSIDERATIONS:** None

**POLICY CONSIDERATIONS:** The resolution defers approval of first stage entitlements until such time that the City can develop and adopt policies relative to its Sphere of Influence. City Planning staff expect to bring the Sphere of Influence Study forward this winter to the City Council.


**ESBD PROGRAM:** There are no services or supplies purchased with this action.

Respectfully submitted,

  
CAROL A. SHEARLY  
Natomas Manager

FOR CITY COUNCIL INFORMATION:  
ROBERT P. THOMAS  
CITY MANAGER

APPROVED:

  
THOMAS V. LEE  
Deputy City Manager

**ATTACHMENTS**

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Resolution Establishing Restrictions on First Stage Entitlements	3
Exhibit 1: Map of Affected Projects	5
Exhibit 2: Section 4.c of the Settlement Agreement	6

**APPROVED**

JUL 24 2001

OFFICE OF THE  
CITY CLERK

**RESOLUTION NO. 2001-518**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**A RESOLUTION ESTABLISHING RESTRICTIONS ON APPROVAL OF  
FIRST-STAGE LEGISLATIVE ENTITLEMENTS  
FOR CERTAIN PROPERTY LOCATED OUTSIDE OF  
THE BOUNDARY OF THE CITY OF SACRAMENTO**

**WHEREAS:**

- A. The City, intervening developers, and certain environmental organizations have heretofore entered into an agreement entitled "Agreement to Settle Litigation" ("Agreement") with respect to litigation filed in the United States District Court (National Wildlife Federation v. Bruce Babbitt, Secretary of Interior) regarding the Natomas Basin Habitat Conservation Plan.
- B. Section 4.c. of the Agreement (as shown in Exhibit 2 attached hereto) provides that the City shall within 60 days following the effective date of the Agreement, initiate proceedings to establish restrictions on issuance of land use entitlements for certain properties located outside the City's boundary, until the City's Sphere of Influence study is completed.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF  
SACRAMENTO that:**

- 1. Pending completion of the City's currently ongoing Sphere of Influence Study, no first-stage legislative entitlements shall be approved for:
  - A. Lands located within the proposed Camino Norte, West Lakeside and Greenbriar Farms areas, as described on Exhibit A, attached hereto and incorporated herein by this reference;
  - B. Any lands otherwise located outside of the existing boundaries of the North Natomas Community Plan Area or the South Natomas Community Plan Area, except for the area included within the proposed "panhandle" annexation area (P97-125)

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DATE ADOPTED: \_\_\_\_\_

which area shall be free of the restrictions adopted by this resolution.

2. The term "first stage legislative entitlements" shall mean development agreements, general plan or community plan amendments, rezoning, prezoning, or the establishment of a Planned Unit Development.
3. The Camino Norte, Greenbriar Farms and West Lakeside areas are not included within the acreage anticipated to receive incidental take coverage under the Revised Natomas Basin Habitat Conservation Plan and the new Incidental Take Permit to be issued in conjunction therewith. If said areas are eventually issued first stage legislative entitlements by the City, any necessary incidental take coverage for such areas would have to be separately secured from the U.S. Fish and Wildlife Service and the California Department of Fish and Game.

\_\_\_\_\_  
MAYOR

ATTEST:

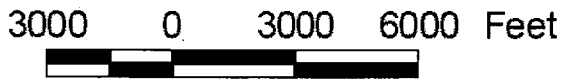
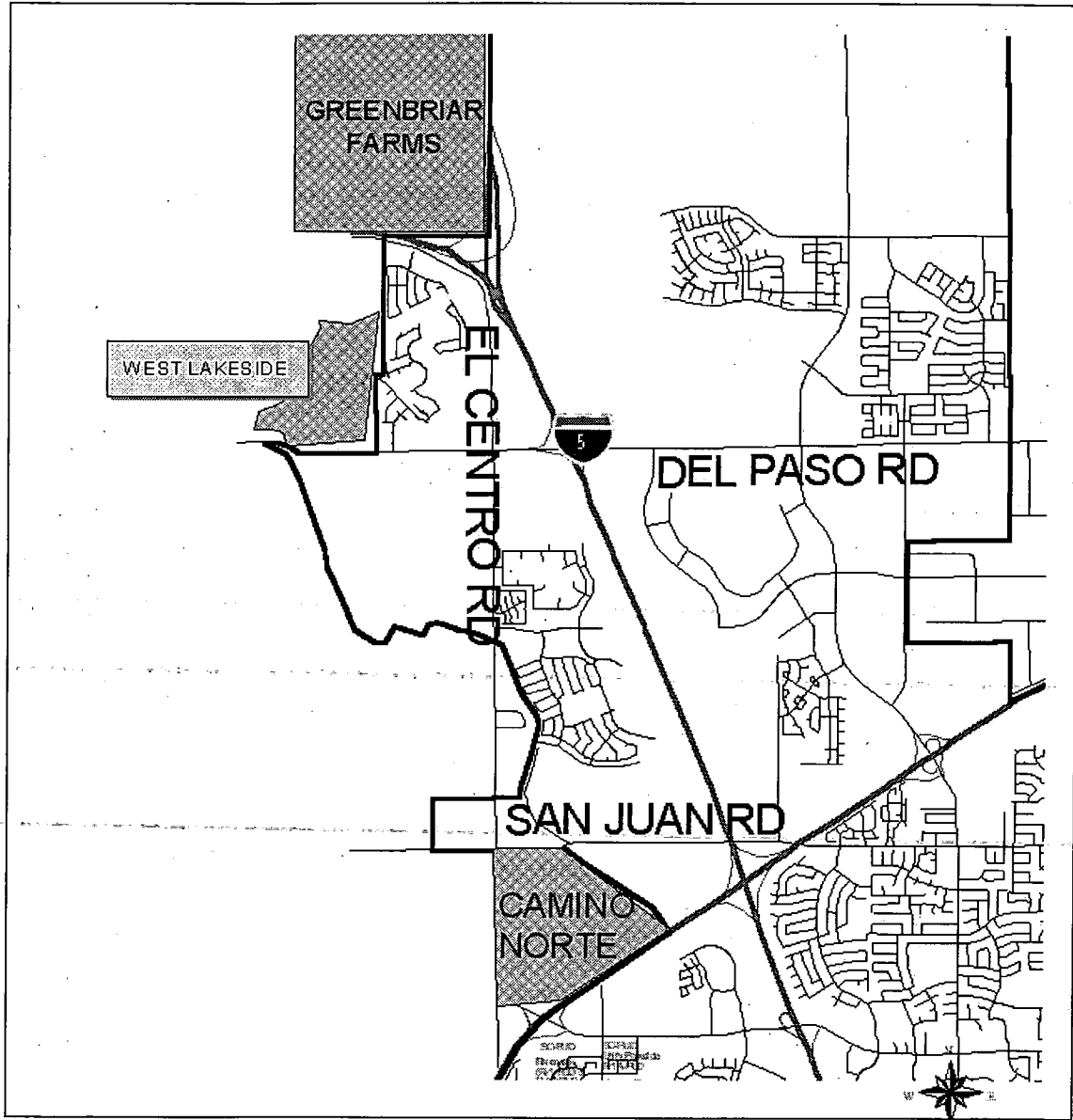
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Exhibit 1  
CAMINO NORTE, WEST LAKESIDE,  
AND GREENBRIAR FARMS AREAS



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DATE ADOPTED: \_\_\_\_\_

**EXHIBIT 2**

**Excerpt from Agreement to Settle Litigation - May 10, 2001**

**Section 4.c**

Restrictions on First-Stage Legislative Entitlements. City shall, within sixty (60) days following the Effective Date, initiate processing of a resolution providing for restrictions on its approval of "First-Stage Legislative Entitlements" for development of lands (1) located within the proposed Camino Norte, West Lakeside and Greenbriar Farms areas, described on Exhibit H, attached hereto or (2) otherwise located outside of the existing boundaries of the NNCP [The NNCP includes the currently-proposed "panhandle annexation" area] or the SNCP until completion of the SOI Study. As used herein, the term First-Stage Legislative Entitlements shall be defined to mean general plan or NNCP amendments, rezonings (including prezonings and the establishment of PUDs) and development agreements. City acknowledges and agrees that the Camino Norte, Greenbriar Farms and West Lakeside areas are not included within the acreage anticipated to receive incidental take coverage under the Revised NBHCP and New ITP and that, if such areas eventually are issued First Stage Legislative Entitlements by City, any necessary take coverage for such areas would have to be secured from the Service and CDFG.

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