

RESOLUTION NO. 2005-126

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAR 01 2005

A RESOLUTION ADOPTING THE NEGATIVE DECLARATION AND ADOPTING THE MITIGATION MONITORING PLAN FOR TREASURE HOMES AT WILLOW CREEK, LOCATED IN SOUTH NATOMAS, SOUTHEAST OF ORCHARD LANE AND WEST RIVER DRIVE, SACRAMENTO, CA.

(APN: 274-0440-005) (P04-088)

WHEREAS, the Environmental Coordinator has prepared an Initial Study and Mitigated Negative Declaration for the above identified project;

WHEREAS, the Initial Study and Mitigated Negative Declaration was prepared and circulated for the above-identified project pursuant to the requirements of CEQA;

WHEREAS, the proposed Negative Declaration and comments received during the public review process were considered prior to action being taken on the project;

WHEREAS, based upon the Negative Declaration and the comments received during the public review process, there is no substantial evidence that the project will have a significant effect on the environment, provided that mitigation measures are added to the above identified project;

WHEREAS, this Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis;

WHEREAS, the Environmental Coordinator has prepared a Mitigation Monitoring Plan for ensuring compliance and implementation of the mitigation measures as prescribed in the Initial Study for the above identified project; and

WHEREAS, in accordance with Section 21081.6 of the California Public Resources Code, the City of Sacramento requires that a Mitigation Monitoring Plan be developed for implementing mitigation measures as identified in the Initial Study for the project;

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

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2005-126

DATE ADOPTED: MAR 01 2005

1. The Negative Declaration for Treasure Homes at Willow Creek (P04-088) shall be adopted.
2. The Mitigation Monitoring Plan is approved for the proposed Treasure Homes at Willow Creek project based upon the following findings:
 - a. One or more mitigation measures have been added to the above identified project;
 - b. A Mitigation Monitoring Plan, has been prepared to ensure compliance and implementation of the mitigation measures for the above identified project, a copy of which is attached as Exhibit 1.

HEATHER FARGO

MAYOR

ATTEST:

SHIRLEY CONCOLINO

CITY CLERK

P04-088

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2005-126

DATE ADOPTED: MAR 01 2005

EXHIBIT 1 – Mitigation Monitoring Plan

**TREASURE HOMES AT WILLOWCREEK (P04-088)
MITIGATION MONITORING PLAN**

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

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

**DATE:
DECEMBER 2004**

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

DATE:

ATTEST:

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2005-126

DATE ADOPTED: MAR 01 2005

EXHIBIT 1 – Mitigation Monitoring Plan

TREASURE HOMES AT WILLOWCREEK (P04-088) MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Development Services Department, Environmental Planning Services, 1231 I Street, Room 300, Sacramento, CA 95814, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: Treasure Homes at Willowcreek (P04-088)
Owner/Developer- Name: Treasure Homes
Address: 1386 Lead Hill Blvd., Ste. 300
Roseville, CA 95661

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

The proposed project is located at the southeast corner of Orchard Lane and West River Drive, just south of Leroy Greene Middle School, in the South Natomas Community Plan area of the City of Sacramento (APN: 274-0440-005).

Project Description:

The proposed project consists of entitlements to develop a 32-unit medium density cluster residential community on 3.1± acres in the Willow Creek Planned Unit Development (PUD). Specific entitlements include:

- A. **South Natomas Community Plan Amendment** to redesignate 3.1± acres of General Public Facilities to Medium Residential (7-15 units per acre);
- B. **Rezone** of 3.1± acres of Agriculture Zone to Single Family Alternative PUD (R-1A PUD) zone;
- C. **PUD Guidelines Amendment** to provide development standards for medium density cluster products in the Willow Creek Schematic Plan;
- D. **PUD Schematic Plan Amendment** to depict the proposed project, in the Willow Creek Planned Unit Development (PUD);
- E. **Tentative Subdivision Map** to subdivide 1 existing parcel into 1 school parcel (Lot A), 32 residential parcels and 1 common parcel;
- F. **Special Permit** to construct 32 detached cluster residential units.

SECTION 2: GENERAL INFORMATION

The Plan includes mitigation for Biological Resources and Cultural Resources. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures have been taken verbatim from the Initial Study and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Sacramento will be responsible for ensuring compliance.

FOR CITY CLERK USE ONLY

RESOLUTION NO.:

2005-126

MAR 01 2005

DATE ADOPTED:

EXHIBIT 1 – Mitigation Monitoring Plan

TREASURE HOMES AT WILLOWCREEK (P04-088)
MITIGATION MONITORING PLAN

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>7. Biological:</p> <p><i>Swainson's Hawk</i></p> <p>BR-1. Prior to commencement of development activities, a pre-construction survey shall be completed by a qualified biologist to determine whether any Swainson's hawk nest trees will be removed on-site, or active Swainson's hawk nest sites occur on or within 1/2 mile of the development site. These surveys shall be conducted according to the Swainson's Hawk Technical Advisory Committee's (May 31, 2006) methodology or updated methodologies, as approved by the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Game. (CDFG), using experienced Swainson's hawk surveyors.</p> <p>BR-2. If breeding Swainson's hawks (i.e. exhibiting nest building or nesting behavior) are identified, no new disturbances (e.g. heavy equipment operation associated with construction) will occur within 1/2 mile of an active nest between March 15 and September 15, or until a qualified biologist, with concurrence by CDFG, has determined that young have fledged or that the nest is no longer occupied. If the active nest site is located within 1/4 mile of existing urban development, the no new disturbance zone can be limited to the 1/4 mile versus the 1/2 mile. Routine disturbances such as agricultural activities, commuter traffic, and routine facility maintenance activities within 1/2 mile of an active nest are not restricted.</p> <p>BR-3. If construction or other project related activities which may cause nest abandonment or forced fledgling are</p>	Applicant / developer	City Development Services Department and CA Dept. of Fish & Game.	<p>Mitigation Measures, including construction-timing restrictions shall be included on the Construction Specifications. Pre-construction biological surveys shall be completed as specified and submitted with grading/building plans.</p> <p>Prior to issuance of any grading or building permit, measures identified on plans shall be verified for compliance. The Development Services Department shall assure that measures are identified on construction plans and confirm compliance prior to issuance of any grading or building permit. Measures shall also be implemented</p>		

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2005-126

DATE ADOPTED: MAR 01 2005

EXHIBIT 1 – Mitigation Monitoring Plan

TREASURE HOMES AT WILLOWCREEK (P04-088)
MITIGATION MONITORING PLAN

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	VERIFICATION OF COMPLIANCE		
			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>proposed within the ¼ mile buffer zone, intensive monitoring (funded by the project sponsor) by a Department of Fish and Game approved raptor biologist will be required. Exact implementation of this measure will be based on specific information at the project site.</p>				concurrent with construction activities.	
<p>14. Cultural Resources:</p> <p>CR-1. If subsurface archaeological or historical remains are discovered during construction, work in the area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues.</p> <p>CR-2. If human burials are encountered, all work in the area shall stop immediately and the Sacramento County Coroner's office shall be notified immediately. If the remains are determined to be Native American in origin, both the Native American Heritage Commission and any identified descendants must be notified and recommendations for treatment solicited (CEQA Section 15064.5); Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and 5097.98.</p>	Applicant / developer	City Development Services Department	Notes shall be included on the Construction Specifications.	Measures shall be implemented in field during grading and construction activities.	

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2005-126

DATE ADOPTED: MAR 01 2005