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DIEPENBROCK, WULFF, PLANT, & HANNEGAN

LAW OFFICES

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF SACRAMENTO

455 CAPITOL MALL

SACRAMENTO, CALIFORNIA 95814

(916) 444-3910

AUG 31 10 40 AM '82

OF COUNSEL  
DOUGLAS T. FOSTER

FORREST A. PLANT  
JOHN J. HANNEGAN  
ROBERT R. WULFF  
JOHN S. GILMORE  
PETER M. DOYLE  
WILLIAM B. SHUBB  
JAMES T. FREEMAN  
DENNIS R. MURPHY  
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GREGORY J. HUGHES  
BRIAN T. REGAN  
ROBERT L. GALLAWAY  
RAYMOND M. CADEI  
THOMAS G. MOUZES  
MICHELLE E. BACH  
EDMUND K. BREHL

JOHN V. DIEPENBROCK  
R. JAMES DIEPENBROCK  
CYRUS A. JOHNSON  
THOMAS A. CRAVEN  
DAVID A. RIEGELS  
DENNIS M. CAMPOS  
JACK V. LOVELL  
JOHN E. FISCHER  
CHARITY KENTON  
KAREN O. AHERN  
PAMELA A. UNDERWOOD  
FORREST A. PLANT, JR.  
TIMOTHY K. ROAKE  
JAMES C. CONNELLY  
FRANCIS M. GOLDSBERRY II  
KEITH W. MCBRIDE

August 30, 1982

SUBJECT: Jacob Bolen & Sons -

OUR FILE NO. 15338/6j

Application for Cancellation of  
Williamson Act contract  
City Council Agenda, Tuesday  
August 31, 1981

Lorraine Magnana  
City Clerk  
915 I Street  
Sacramento, CA 95814

Dear Mrs. Magnana:

Pursuant to a conversation with your office, we advise that on behalf of our clients, Jacob Bolen & Sons, the owners of the subject property, that the owners will not be pursuing, at this time, the application made by RJB to cancel the Williamson Act contract on their property.

Very truly yours,

DIEPENBROCK, WULFF, PLANT  
& HANNEGAN

By *Robert R. Wulff*  
Robert R. Wulff

FILED  
By the City Council  
Office of the City Clerk

*withdrawn*

AUG 31 1982



CITY OF SACRAMENTO

20

CITY PLANNING DEPARTMENT  
927 TENTH STREET  
SUITE 300  
SACRAMENTO, CA 95814  
TELEPHONE (916) 449-5604

CITY MANAGER'S OFFICE  
**RECEIVED**  
AUG 25 1982  
**FILED**  
By the City Council  
Office of the City Clerk

MARTY VAN DUYN  
PLANNING DIRECTOR

August 24, 1982

City Council  
Sacramento, California

*Withdrawn*  
AUG 31 1982

Honorable Members in Session:

SUBJECT: Request for a special open window Williamson Act Contract Cancellation (P82-140)

LOCATION: Southwest corner of Del Paso Road and the Natomas East Drainage Canal (APN: 225-070-04 & 05)

SUMMARY

Jacob Bolen and Sons have submitted a request to cancel their Williamson Act Contract under the State's one-time only "window" provisions. After reviewing the application, staff informed the property owner that the request could not comply with the City's eligibility criteria now or in the immediate future, resulting in a staff determination that the application does not merit further consideration. The applicant, however, believes the application is consistent with the City's criteria for cancellation and that the application should be heard on its merits. Staff recommends the cancellations be denied because the application is substantially inconsistent with adopted eligibility criteria and, as such, the City cannot approve the request.

BACKGROUND INFORMATION

This section is divided into three parts: 1) prior action regarding one-time only Williamson Act Contract Cancellation, 2) the applicant's request, and 3) staff response.

Prior Action: On February 2, 1982, the City Council adopted guidelines and procedures for one-time only Williamson Act Contract Cancellations. This document established eligibility criteria, application requirements, a fee structure, staffing requirements and a processing schedule. The adopted eligibility criteria provides that a cancellation and alternative use can only be approved if both of the following standards are satisfied:

1. The proposed use submitted with the cancellation is consistent with the City's adopted General Plan; and
2. The cancellation and proposed use will not result in a discontiguous pattern of urban development. Since State legislation did not define this phrase, the following definition was adopted by the Council:

Discontiguous patterns of urban development are defined as meaning any property within the City that is:

- . designated for permanent agriculture on the City's General Plan; or
- . not immediately abutting to or within the City's Sphere of Influence; or
- . not within adopted assessment district abutting areas already having public services; or
- . not serviced by major water, sewer, and drainage trunk lines which can accommodate the proposed use; or
- . so situated with its proposed use as to result in an undue economic burden on the City for the premature extension of facilities and services.

If one or more of the above factors occur, the property will be deemed discontiguous.

As required by law, each property owner having a Williamson Act contract was provided with written material, prior to March 1, 1982, explaining the City's cancellation procedures. In addition, property owners were given an application form and relevant General Plan policy statements affecting their property.

The Applicant's Request: On May 28, 1982, the Planning Department received an application from Jacob Bolen and sons for a one-time only Williamson Act contract cancellation. The property owner has already filed a notice of non-renewal which will cause the contract to expire in 1992.

Rather than using the property for agricultural purposes between now and 1992, the property owner is proposing to use his land for a one million square foot high-technology research and development project (Site Plan - Exhibit A). The applicant proposes that the project to be serviced by wells, an interim septic tank system, and runoff to be discharged into the Natomas East Drainage Canal. After analyzing the application, staff found that it would be impossible, now or in the future, for the cancellation request to satisfy the State's eligibility criteria as defined by the City.

Staff's determination is based on the following facts:

1. Consistency with the General Plan
  - . The application proposes an industrial use in an area designated for commercial agriculture (General Plan, p. 26);

- . The property is not adjacent to land which has been designated for urban uses and containing a full range of municipal facilities. Thus, the alternative use will violate the City's policy of directing urban growth through an orderly expansion of development adjacent to its existing urban fringe (General Plan, p. 44).
2. Conflict with Council Resolution 82-251 - Growth Policy Recommendations for the City of Sacramento.
- . The application does not present evidence to show that there is a compelling and overriding need to convert agricultural land into an industrial use (Growth Policy Conclusions and Recommendations, p. 5);
  - . The proposed alternative use would result in the creation of an outlying urban area that is counter in principle with the Council's direction of promoting infill and reuse of the existing urban area (Growth Policy Conclusions and Recommendations, p. 4);
  - . The petition will reduce the long-term agricultural value of the subject property in particular and North Natomas in general, and will establish a high technology development area in a location not desired by the City at this point in time (Resolution 82-251).
3. Discontiguous patterns of Urban Development.

The application does not satisfy this standard because:

- . The subject property is not within, nor is the applicant proposing to form, an urban services assessment district and adjacent property does not have a full range of public services such as water, sewer, drainage and fire protection facilities; and
- . The project proposes to use wells and septic tanks which reinforces the fact that insufficient water and sewer infrastructure exists for the proposed use.

The County's Water Quality Division has informed staff that in order for the subject property to receive municipal sewer service the following must occur: 1) a 5.3 million dollar penalty must be paid or the EPA grant amended in 1984; 2) the property must be annexed into both the Regional Sanitation District and the County Sanitation District; 3) Exhibit "J" of the Master Interagency Agreement by the City of Sacramento, Folsom, and County Sanitation District No. 1 must be annexed; and 4) a sewer line must be extended approximately 1,700 feet. In the opinion of the County, it could take several years to provide sewer service to the property. In addition, LAFCO would have to approve any annexations into an existing sanitation district. However, LAFCO strongly urges, at this time, that the City oppose the cancellation because the property is prime agricultural land; North Natomas has been recommended for agricultural uses by the Board of Supervisors, the City Council and the South Natomas Planning Advisory Council; the area lacks basic services; and other areas of the City and County have been designated for industrial development.

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Knowing that the property could not be serviced by water and sewer mains, the applicant proposes to use wells and septic tanks as an interim measure until service can be provided. However, the City-County Health Department has informed staff that this interim system would be unacceptable because of the potential for disposing toxic waste in an area with a high water table and because the soil prohibits the leaching capacity of a septic system. The City Engineer's office has also stated that it has not been the policy of the City to allow septic systems in newly developing areas. Consequently, the use of wells and septic tanks as an "interim" measure will not only be inconsistent with City policy, but create a potential health risk to the public.

Besides these problems, the site is almost entirely within the 100-year flood plain of the Natomas East Drainage Canal according to the National Flood Insurance Program Map for the area. As a result, the General Manager of the State Reclamation Board - Department of Water Resources, believes that development of the site will considerably increase runoff which may exacerbate the extent and frequency of flooding as well as the potential for expensive flood damage. At this time, facilities do not exist to adequately convey the runoff from the proposed project into the Natomas East Drainage Canal. Also, the project would lead to more development proposals in North Natomas thereby further increasing the amount of runoff into the East Drainage Canal. Reclamation District 1000's proposed new drainage district will not help resolve this problem because it will only serve property east of the drainage canal. In conclusion, the General Manager of the Reclamation Board believes that other areas exist which have municipal facilities, and given the eligibility criteria, he believes approval of the cancellation would be ill-advised.

The City Engineer's office agrees that the subject property has flooding problems and lacks water and sewer services. Moreover, assuming that these problems can be resolved, Engineering staff believes it will take three or four years to satisfy environmental requirements, complete plans, obtain permits and rights-of-way, and bid and construct physical improvements. For the above reasons, the City Engineer's office believes approval of the cancellation would encourage discontinuous urban development as per the City's criteria.

Considering the potential land use and transportation impacts, the Chief of the Environmental Branch of the State Department of Transportation believes that the project would result in a discontinuous pattern of development. Since Cal Trans believes that non-contiguous or "leap-frog" developments should be discouraged, he has requested that the cancellation be denied. City Engineering staff also believes that the project is very remote from existing development and would substantially increase traffic on Del Paso Boulevard, which currently is a two-lane, two-way rural road.

Since the application cannot now, or in the immediate future, satisfy the City's eligibility criteria, staff informed the applicant on June 25, 1982, that the cancellation does not merit further consideration. On July 6, 1982, the applicant took exception to this decision on the basis that they disagreed with the Director's finding "that the application is inconsistent with criteria established by the City as a prerequisite for cancellation." The applicant believes that the application should be heard "on its merits."

Staff Response: The issue before the Council is whether the Council can approve the Williamson Act contract cancellation request as submitted and according to State law. The purpose of the Williamson Act is to encourage the preservation of productive agricultural land and to discourage the premature and unnecessary conversion of such land into urban uses. Since the property owner has entered into a contract with these objectives in mind, he is obligated to use his land for agriculture unless he files a notice of non-renewal or the City grants a cancellation of his contract.

Under the special window cancellation procedure, the Council can cancel this contract only if it finds that cancellation and the applicant's proposed use of the land is consistent with the adopted General Plan and will not result in a discontiguous pattern of urban development.

After considering the application on its merits, staff believes that the request cannot now, or in the near future, satisfy the mandatory Plan consistency or contiguous growth findings. This opinion is supported by comments received from State and local agencies which would be affected by this project.

Furthermore, staff believes that this cancellation cannot be approved without the risk of violating State law and City standards for one-time only Williamson Act cancellations. The property owner already has filed a notice of non-renewal and it would be redundant and inconsistent with General Plan policies to grant the property owner additional relief from his contractual obligations.

Attached for the Council's information are:

- Exhibit A - The Site Plan
- Exhibit B - The Appeal
- Exhibit C - Written Comments

#### RECOMMENDATION

Staff recommends that the City Council deny the cancellation request and adopt the attached Findings of Fact.

Respectfully submitted,

  
Marty Van Duyn  
Planning Director

RECOMMENDATION APPROVED:

  
Walter J. Slipe, City Manager

MVD:GZ:cp/wp#7c  
Attachments  
P82-140

August 31, 1982  
District No. 1

In the matter of a request by Jacob Bolen and Sons for a special open window Williamson Act contract cancellation. (P82-140)

NOTICE OF DECISION  
AND  
FINDINGS OF FACT

The City Council, having held a public hearing on August 31, 1982, and having reviewed and considered the oral and written evidence presented and received at said hearing and the report from the Planning Department, hereby denies the request for a special open window Williamson Act contract cancellation and finds as follows:

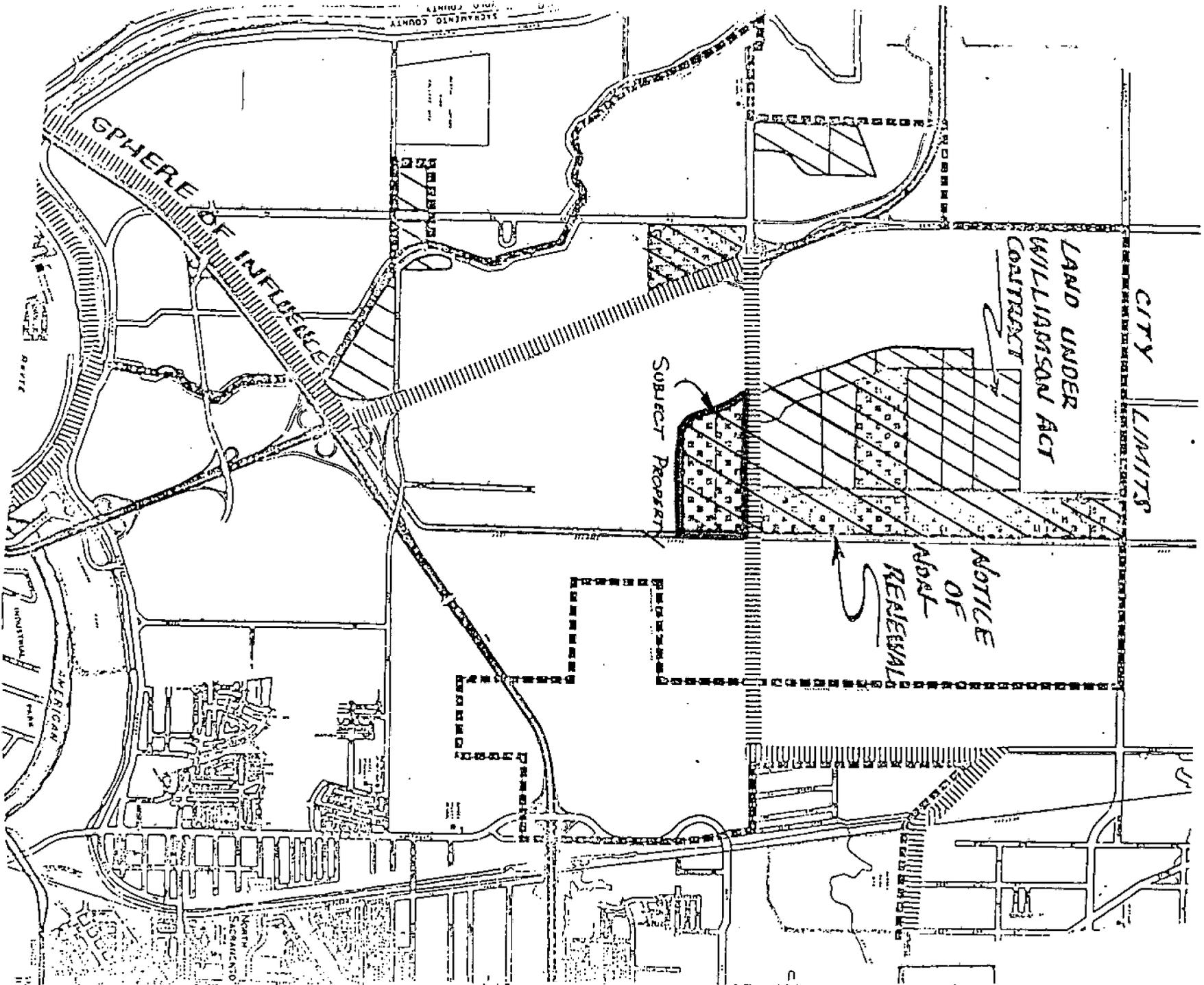
- 1. The cancellation and alternative use is inconsistent with the existing General Plan; and
- 2. The cancellation and alternative use will result in a discontinuous pattern of urban development.

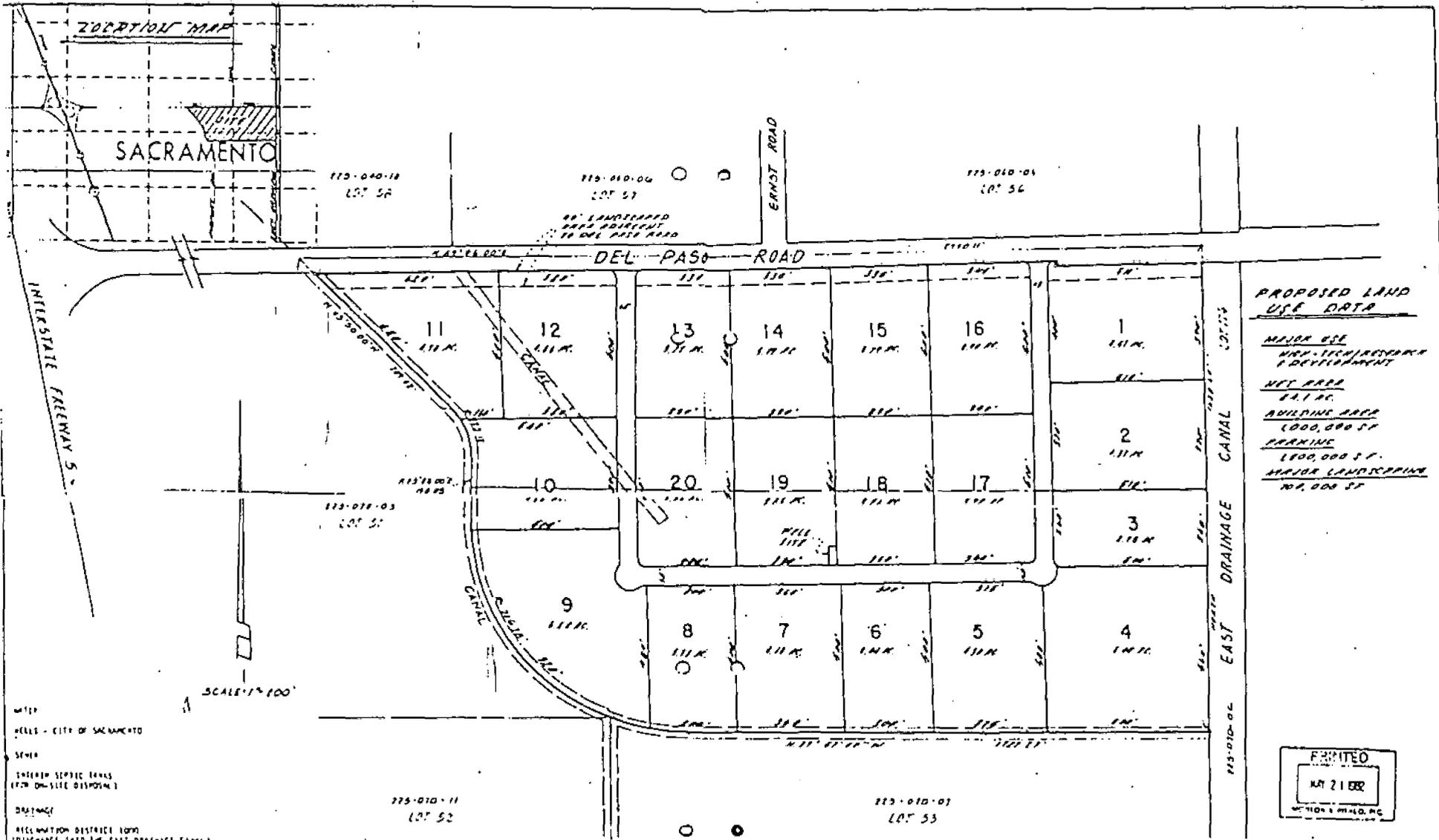
\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

VICINITY MAP





DATE  
 PERMITS - CITY OF SACRAMENTO  
 OWNER  
 EXISTING SEPTIC TANKS  
 (WITH ON-SITE DISPOSAL)  
 DRAINAGE  
 REEL WATSON DISTRICT 1000  
 (DISCHARGE TO THE EAST DRAINAGE CANAL)  
 PROPOSER'S PARCEL NO.  
 225-070-04  
 225-070-05  
 225-070-06  
 225-070-07  
 225-070-08  
 225-070-09  
 225-070-10  
 225-070-11  
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 225-070-60



<p><b>MORTON &amp; PITALO, INC.</b>          CIVIL ENGINEERING          PLANNING SURVEYING</p>	<p><b>JACOB BOLEN &amp; SONS</b>          LOTS 54-56 OF NATOMAS CENTRAL SUBDIVISION          15 8N 3          CITY OF SACRAMENTO CALIFORNIA</p>		DATE MAY 1982
	FILE NO _____		SIGNATURE _____

PRINTED  
 MAY 21 1982  
 WELDON & PHELPS, INC.

LAW OFFICES OF  
HEFNER, STARK & MAROIS  
FOURTEENTH FLOOR-PLAZA TOWERS  
555 CAPITOL MALL  
SACRAMENTO, CALIFORNIA 95814

ARCHIE HEFNER, INC  
ROBERT N. STARK  
THEODORE M. MAROIS, JR  
JAMES M. WOODSIDE  
JOHN D. BESSEY  
ROBERT W. BELL  
RICHARD K. PARK  
KENNETH R. STONE  
TIMOTHY D. TARON  
JUDY R. CAMPOS  
ROBERT S. WILLETT  
MARK W. SNAUFFER  
TIMOTHY M. CRONAN  
RAY C. THOMPSON  
CAROLE B. HOGAN  
BARRY C. BLAY  
LINDA S. PETERSON  
RANDY C. IRVINE  
JOEL S. LEVY

HUGH B. BRADFORD 1876-1951  
G. W. CROSS 1881-1956

AREA CODE 916  
TELEPHONE 444-6520

OF COUNSEL  
WILLIAM M. GALLAGHER

July 6, 1982

CITY PLANNING DEPARTMENT

JUL 6 1982

RECEIVED

Mr. Cliff Carstens  
Planning Department  
City of Sacramento  
927 10th Street  
Sacramento, CA 95814

Re: Appeal

Dear Mr. Carstens:

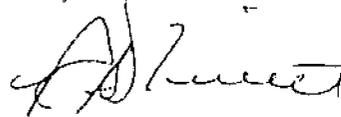
This letter will serve as an appeal to the City Council from the Planning Director's denial of the application for a Williamson Act Contract cancellation for parcels 225-070-04 & 05; Jacob Bolen and Sons, owners. (P#82-140). Randy C. Irvine for HEFNER, STARK & MAROIS is the applicant. We understand in conversation this date with Gary Ziegenfuss that the appeal fee will be deducted from the fee previously submitted with the cancellation application.

We take exception to the Director's finding that the application is inconsistent with criteria established by the City as a prerequisite for cancellation. We believe the applicant/owner should have the application heard by the City Council on the Merits.

Respectfully submitted,

HEFNER, STARK & MAROIS

By



Robert S. Willett  
for the applicant

RSW:kp

DEPARTMENT OF WATER RESOURCES  
THE RECLAMATION BOARD1416 - 9th Street, Room 335-18  
Sacramento, CA 95814  
(916) 445-9454

CITY PLANNING DEPARTMENT



JUL 14 1982

RECEIVED

JUL 13 1982

Mr. Gary Ziegenfuss  
Associate Planner  
City Planning Department  
City of Sacramento  
927 Tenth Street, Suite 300  
Sacramento, CA 95814

Dear Mr. Ziegenfuss:

The staff for The Reclamation Board has reviewed the application for a special cancellation of the Williamson Act contract under provision of AB 2074 for 91 acres of agricultural land in North Natomas and has the following comments.

The project proponent plans to develop the site into an industrial subdivision for high technology development and research organizations, should this application be approved. The proposed project site is almost entirely within the 100-year flood plain of the Natomas East Drainage Canal according to the National Flood Insurance Program Map for the area. As long as the site is used for agriculture, occasional flooding is not a significant problem. Development on the site, however, will considerably increase runoff which may exacerbate the extent and frequency of flooding as well as the potential for expensive flood damage. At this time, no facilities exist to adequately convey the runoff into the Natomas East Drainage Canal as envisioned by the proposed project.

Furthermore, approval of this application will almost certainly lead to more proposals for development in the North Natomas area. Each new project, if built, will contribute runoff to the East Drainage Canal. It is uncertain how much additional drainage the canal and its pumping plant that pumps the water into the Sacramento River can accommodate before reaching capacity. The pumps are under the jurisdiction of the Board and any project that may have an effect on them will need approval of plans from the Board prior to construction. Reclamation District 1000's proposed new drainage project (SCH 82030451) is only designed to serve the area to the east of the East Drainage Canal which does not include the proposed project site. The drainage problem on the project site, as well as in the entire North Natomas area, should be carefully considered and, if necessary, mitigated before any projects are approved there.



Mr. Gary Ziegenfuss

Page 2

JUL 13 1982

In general, the proposed project is in conflict with the City of Sacramento's stated policies to limit high technology development to South Natomas and to preserve North Natomas for agriculture. The City's general plan encourages development in areas that, unlike the proposed site, are served by or are located adjacent to areas served by municipal facilities. Since the provisions of AB 2074 require that the proposed project will not result in discontinuous patterns of urban development and that the alternative use will be consistent with the City's general plan, approval of this application appears ill-advised at this time.

Thank you for the opportunity to comment on this application.

Sincerely,

*Eldon E. Rinehart*

ELDON E. RINEHART  
General Manager

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—  
CENTRAL VALLEY REGION3201 S STREET  
SACRAMENTO, CALIFORNIA 95816  
PHONE: (916) 445-0270

CITY PLANNING DEPARTMENT

JUN 30 1982

RECEIVED

25 June 1982

City Planning Department  
927 - 10th Street, Suite 300  
Sacramento, CA 95814WILLIAMSON ACT CANCELLATION FOR PROPOSED HIGH-TECH R&D, LOTS 54 and 55,  
"NATOMAS CENTRAL SUBDIVISION", SACRAMENTO COUNTY

The applicant should contact our Board to file a Report of Waste Discharge for any wastewater treatment and disposal proposed on-site. Chemicals from the hi-tec users could find their way to the proposed septic tank system prior to the industry's connection to the Regional Sanitation District.

If you have any questions, please call me at (916) 322-9094.

A handwritten signature in cursive script, appearing to read "Greg Vaughn".

GREG K. VAUGHN  
Area Engineer

GKV:sb

cc: Sacramento County Health Department

## DEPARTMENT OF TRANSPORTATION

DISTRICT 3

P. O. BOX 911, MARYSVILLE 95901

Telephone (916) 674-4277

## CITY PLANNING DEPARTMENT



JUL 9 1982

July 8, 1982

RECEIVED

03-Sac-5  
Hefner Williamson  
Act Cancellation

Mr. Gary Ziegenfuss  
City of Sacramento  
Planning Department  
927 10th Street, Suite 300  
Sacramento, CA 95814

Dear Mr. Ziegenfuss:

Thank you for the opportunity to review the Williamson Act Cancellation application of Hefner, Stark and Marois. The property is located in the North Natomas area along Del Paso Road. The proposal would convert agricultural land into industrial land.

As a State agency, Caltrans recommends that non-contiguous or "leap-frog" developments be discouraged in urban growth. It is our understanding that one of the criteria for eligibility to cancel a Williamson Act Contract is to insure that it will not result in discontinuous patterns of development. It appears that this project does not meet this criteria.

Intensive use of this land could create a need to widen Del Paso Road to four lanes between Interstate 5 and Northgate Boulevard. This would tend to attract other development and lead to an industrial base, which would require long commute trips unless housing were built nearby. The construction of housing could then increase pressure to develop adjacent lands, all of which appear to be productive agricultural lands. In addition, the property is not presently served by public transportation and would be difficult to serve due to its isolated location.

It is estimated that this proposal could accommodate up to 1 million square feet of industrial buildings, and an additional 1.8 million square feet could be used for parking. This coverage, added to further street needs would then create approximately 75 acres of impervious surface requiring increased drainage facilities.

The southwest corner of this parcel is in line with, and about one mile from the end of the Natomas Airport. Intensive development of the subject parcel could place pressure on this airport to close.

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Mr. Gary Ziengenfuss  
Page 2  
July 8, 1982

It is recommended that this land remain agricultural as recommended by the City Council by its action of April 14, 1982, and that the request for cancellation of the Williamson Act under provisions of AB 2074 be denied.

Sincerely,

LEO J. TROMBATORE  
District Director of Transportation

By *R.D. Skidmore*  
R. D. Skidmore  
Chief, Environmental Branch

G-2



SACRAMENTO LOCAL AGENCY FORMATION COMMISSION CITY PLANNING DEPARTMENT

JUN 28 1982

Commission

June 25, 1982

RECEIVED

Public Members

Frank B. Slinson, Commission Chairman  
Barbara W. Pennington, Alternate

City Members

Ronald Jaccusen, Commission Vice Chairman  
Blaine Fisher  
George E. "Bud" Hannaford, Alternate

County Members

C. Tobias Johnson  
Bill Bryan  
Illa Coliin, Alternate

Special District Members

N. B. "Dave" Keller  
Albert Deir  
Edd Smith, Alternate  
Jesse Marks, Alternate

Staff

John S. Farrell  
Executive Officer  
Janel D. Robinson  
Assistant Executive Officer  
Marilyn Ann Flemmer  
Commission Clerk

Ms. Christine Hunter, Chairman  
Planning Commission  
City of Sacramento  
915 I Street  
Sacramento, California 95814

Dear Ms. Hunter:

The Sacramento Local Agency Formation Commission strongly urges the City Planning Department, the City Planning Commission and the City Council to oppose the cancellation of the Williamson Act Contract proposed by property owners Jacob Bolen and Sons and subsequent conversion of 90 acres of agricultural land to industrial uses.

The subject property includes "prime" agricultural land (class II soils) and class III soils. It lies outside of the City of Sacramento's Sphere of Influence (the area designated appropriate for urbanization) within the North Natomas area. North Natomas has been recommended for agricultural uses by the City and County Planning Departments, the South Natomas Planning Advisory Council, County Board of Supervisors, and just recently, by the City Council (April 13, 1982) per the conclusions of the accelerated General Plan Update (Growth Policy) study by Jenkins and Harnish.

The subject area lacks basic urban services and would, at least initially, require the use of wells and septic tanks and the disposal of wastewater directly into the East Drainage Canal.

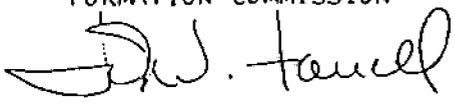
Other areas of the City and County have been designated as more appropriate for industrial development.

Again; Sacramento LAFCo urges you to preserve agricultural land in North Natomas and to oppose development of this property at this time.

If you have questions or wish to discuss this matter, please do not hesitate to call LAFCo staff at 440-6458. Thank you for your consideration.

Very truly yours,

SACRAMENTO LOCAL AGENCY  
FORMATION COMMISSION



John S. Farrell  
Executive Officer

JDR:Mag  
cc: LAFCo  
Martin Van Duyn



# COUNTY OF SACRAMENTO

CITY PLANNING DEPARTMENT

DEPARTMENT OF PUBLIC WORKS

JUN 30 1982

WATER QUALITY DIVISION . . . W. S. Hyde, Chief  
9660 ECOLOGY LANE -  
SACRAMENTO, CALIFORNIA 95827

RECEIVED

June 25, 1982  
D500.800.1

244-05 ST

City of Sacramento  
City Planning Department  
927 - 10th Street, Suite 300  
Sacramento, CA 95814

Attention: Mr. Gary Ziegenfuss

Dear Gary,

Subject: 225-070-4 & 5

We recognize that initially the development will use on-site septic tanks for sewage disposal. However, the property lies within the area known as the EPA moratorium area, and it could be 1999 before the property can receive permanent sewage services provided by the Regional Sanitation District. When E.P.A funded money for the Natomas Interceptor they placed a condition on the Grant, which basically states, "should the Regional Sanitation District allow any connection within the moratorium area during a 20 year period starting from the date the grant was awarded, they would be penalized and required to pay back the initial grant plus 7.0% interest per annum". The pay back is currently estimated at \$5,331,200 (effective 1/1/83).

In the event the Regional Sanitation District provides sewer service, for any reason, whether it be because the 20 year life of the moratorium ran out, or because the grant was paid off by the developer with interest, construction of a public line will be necessary. Currently the closest public sewer line is approximately 1700 feet from the subject property.

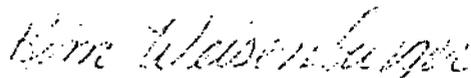
Another important point is that the property is currently outside the boundaries of the Regional Sanitation District and County Sanitation District No. 1 and must petition for annexation into both of these Districts, which requires the amendment of exhibit "J" of the Master Interagency Agreement between the Regional District and its contributing agencies before service can be provided. Amendment of exhibit "J" requires the approval of City of Sacramento, City of Folsom, and County Sanitation District No. 1.

City of Sacramento  
6/25/82  
Page 2.

In summary, public sewer service to the subject property could be several years down the road. Use of septic systems, whether it be for an interim period or for 20 years, require the Health Department's approval. There is a good chance septic systems won't be sufficient for some types of hi-tech industrial use as proposed.

Please contact me if you have any questions regarding my comments.

Very truly yours,



Kim Weisenburger

KW:mm



SACRAMENTO MUNICIPAL UTILITY DISTRICT □ 6201 S Street, Box 15830, Sacramento, California 95813; (916) 452-3211

CITY PLANNING DEPARTMENT

July 7, 1982

JUL 9 1982

RECEIVED

GARY ZIEGENFUSS ASSOCIATE PLANNER  
CITY PLANNING DEPARTMENT  
927 TENTH ST SUITE 300  
SACRAMENTO CA 95814

WILLIAMSON ACT CANCELLATION

The Sacramento Municipal Utility District (SMUD) staff has reviewed the subject application and would like to offer the following:

1. SMUD's planning relies on data supplied from the Sacramento City and County Community and General Plans. Any deviation from these documents could have an effect on SMUD's planning of electrical facilities and could require additional electrical facilities if additional growth is allowed.
2. Presently, SMUD's electrical facilities are sparse in this area. Development of the proposed 91 acre site will require the installation of at least one neighborhood substation site. This includes a transformer, switchgear, and capacitors within a 10,000-15,000 square-foot enclosed area located on or near the proposed development. Additionally, an overhead pole line along Del Paso Road would be required to supply this new substation. Service to customers in this development will consist of 12kV underground cables and pad-mounted transformers.

It should be noted that a comprehensive electric plan study is in progress for the Natomas area and that the requirements in (2) are tentative pending the completion of the electric plan study.

Thank you for the opportunity to comment.

David H. Oto  
Electrical Engineering Associate

July 14, 1982

City of Sacramento  
Planning Department  
927 - 10th Street  
Sacramento, California 95814

Attention:  
Gary Ziegenfuss,  
Associate Planner

Dear Gary:

Thank you for this opportunity to comment on the Williamson Act Cancellation as proposed by applicant Hefner, Stark and Marois for Jacob Bolen & Sons.

The South Natomas Community Association, as well as Farms in Our Future/Citizens for Sensible Group, for whom I speak here, are both in opposition to this proposed cancellation, for the following reasons:

1. There is no need for more "High-Tech R&D" land within the City and County of Sacramento. The McDonald-Nolte Report, now in your files, shows that only 230 acres are needed by the year 2000 to absorb industrial needs in Sacramento; the 352 acres soon available at Delta Shores will more than adequately supply land for light industry for the next 20 to 40 years.
2. The proposed action has industrial and residential growth inducing impacts, and will lead to leap-frog development north of I-880.
3. This action is contrary to the City General Plan as recently amended, as well as the General Plan of 1978.
4. This action is contrary to the South Natomas Community Plan of 1978.
5. Industrial development will extend City police and fire services to an unreasonable limit.
6. Industrial development will cause considerable surface water run-off, with no facilities to handle same.
7. Industrial development will take valuable farm land out of production.

In consideration of the above, the South Natomas Community Association, and Farms in Our Future/Citizens for Sensible Growth, both recommend that this application for cancellation of the Williamson Act contract be denied.

(more)

July 14, 1982

City Planning Department  
Gary Ziegenfuss, Associate Planner

Bolen Williamson Act Cancellation (cont.)

- 2 -

Again, thank you for this opportunity to let our thoughts go on the record.

Sincerely,

*Robert V. Doyle*

Robert V. Doyle  
South Natomas Community  
Association (and)  
Farms in Our Future/  
Citizens for Sensible Growth  
1209 ~~Fairweather~~ Drive  
Sacramento, California 95833

# SACRAMENTO CITY PLANNING DEPARTMENT

Application Information

Application taken by/date: 5-28-82

Project Location Southwest corner of Del Paso Boulevard and the Natomas P No 9765

Assessor Parcel No. East Drainage Canal 225-070-04 and 05

Owners Jacob Bolen and Sons Phone No. 925-2030

Address 5507 Haskell Avenue, Carmichael, Ca. 95608

Applicant Hefner, Stark and Marois Phone No. 444-6620

Address 555 Capitol Mall, Suite 1425 Sacramento

Signature \_\_\_\_\_ C.P.C. Mtg. Date \_\_\_\_\_

### REQUESTED ENTITLEMENTS

### ACTION ON ENTITLEMENTS

### Filing Fees

REQUESTED ENTITLEMENTS	Commission date	Council date	Filing Fees
<input type="checkbox"/> Environ. Determination _____	_____	_____	\$ _____
<input type="checkbox"/> General Plan Amend _____	_____	_____	\$ _____
_____	_____	Res. _____	_____
<input type="checkbox"/> Community Plan Amend _____	_____	_____	\$ _____
( ) _____	_____	Res. _____	_____
<input type="checkbox"/> Rezone _____	_____	_____	\$ _____
_____	_____	Ord. _____	_____
<input type="checkbox"/> Tentative Map _____	_____	_____	\$ _____
_____	_____	Res. _____	_____
<input type="checkbox"/> Special Permit _____	_____	_____	\$ _____
_____	_____	_____	_____
<input type="checkbox"/> Variances _____	_____	_____	\$ _____
_____	_____	_____	_____
<input type="checkbox"/> Plan Review _____	_____	_____	\$ _____
_____	_____	_____	_____
<input type="checkbox"/> PUD _____	_____	_____	\$ _____
_____	_____	_____	_____
<input type="checkbox"/> Other <u>Williamson Act Nullified 11/77</u>	_____	_____	\$ _____
		<u>REJECTION OF APPLICATION 6-25-82</u>	<u>\$ 1,510.00</u>

Sent to Applicant: July 7, 1982 Date

By: Maria M. Minkles Sec. to Planning Commission

FEE TOTAL \$ 1,510.00  
RECEIPT NO. 226  
By/date 6/3 5-28-82

### Key to Entitlement Actions

- R - Ratified
- Cd - Continued
- A - Approved
- AC - Approved W/conditions
- AA - Approved W/amended conditions
- D - Denied
- RD - Recommend Denial
- RA - Recommend Approval
- RAC - Recommend Approval W/conditions
- RMC - Recommend Approval W/amended conditions
- IAF - Intent to Approve based on Findings of Fact
- AFF - Approved based on Findings of Fact
- RPC - Return to Planning Commission
- CSR - Condition Indicated on attached Staff Report

NOTE: There is a thirty (30) consecutive day appeal period from date of approval. Action authorized by this document shall not be conducted in such a manner as to constitute a public nuisance. Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezonings, special permits and variances.

P No 9765

LAW OFFICES OF  
HEFNER, STARK & MAROIS  
FOURTEENTH FLOOR-PLAZA TOWERS  
555 CAPITOL MALL  
SACRAMENTO, CALIFORNIA 95814

ARCHIE HEFNER, INC.  
ROBERT M. STARK  
THEODORE M. MAROIS, JR.  
JAMES M. WOODSIDE  
JOHN D. BESSEY  
ROBERT W. BELL  
RICHARD K. PARK  
KENNETH R. STONE  
TIMOTHY D. TARON  
JUDY R. CAMPOS  
ROBERT S. WILLETT  
MARK W. SNAUFFER  
TIMOTHY M. CRONAN  
RAY C. THOMPSON  
CAROLE B. HOGAN  
BARRY C. BLAY  
LINDA S. PETERSON  
RANDY C. IRVINE  
JOEL S. LEVY

HUGH B. BRADFORD (1876-1955)  
S. W. CROSS (1881-1956)

AREA CODE 916  
TELEPHONE 444-6620

OF COUNSEL  
WILLIAM M. GALLAGHER

July 6, 1982

CITY PLANNING DEPARTMENT

JUL 6 1982

RECEIVED

Mr. Cliff Carstens  
Planning Department  
City of Sacramento  
927 10th Street  
Sacramento, CA 95814

Re: Appeal

Dear Mr. Carstens:

This letter will serve as an appeal to the City Council from the Planning Director's denial of the application for a Williamson Act Contract cancellation for parcels 225-070-04 & 05; Jacob Bolen and Sons, owners. (P#82-140). Randy C. Irvine for HEFNER, STARK & MAROIS is the applicant. We understand in conversation this date with Gary Ziegenfuss that the appeal fee will be deducted from the fee previously submitted with the cancellation application.

We take exception to the Director's finding that the application is inconsistent with criteria established by the City as a prerequisite for cancellation. We believe the applicant/owner should have the application heard by the City Council on the Merits.

Respectfully submitted,

HEFNER, STARK & MAROIS

By



Robert S. Willett  
for the applicant

RSW:kp

LAW OFFICES OF  
HEFNER, STARK & MAROIS  
FOURTEENTH FLOOR-PLAZA TOWERS  
555 CAPITOL MALL  
SACRAMENTO, CALIFORNIA 95814

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF SACRAMENTO  
JUL 33 8 24 AM '82

ARCHIE HEFNER, INC.  
ROBERT N. STARK  
THEODORE M. MAROIS, JR.  
JAMES M. WOODSIDE  
JOHN D. BESSEY  
ROBERT W. BELL  
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JOEL S. LEVY

BRADFORD (1876-1955)  
W. CROSS (1881-1956)

AREA CODE 916  
TELEPHONE 444-6620

OF COUNSEL  
WILLIAM M. GALLAGHER

July 30, 1982

Lorrain Magana  
City Clerk, City of Sacramento  
915 "I" Street, Room 203  
Sacramento, California 95814

RE: Request for Continuance

Dear Ms. Magana:

This letter will serve as a request to continue the Bolen application for cancellation of a Williamson Act Contract, agenda item number 14, for the City Councils' agenda of August 3, 1982. We request a continuance of application until August 31, 1982.

We understand that the staff of the Planning Department has requested that this matter be continued until August 14, 1982. We have now opposition to the continuance, however we think the matter should be continued until August 31, as requested.

Please advise the undersigned by telephone if there is any difficulty with our request.

Very truly yours,

HEFNER, STARK & MAROIS

By *Robert S. Willett by om*  
Robert S. Willett

RSW/vm  
cc: Robert Wulff  
Kris Prim  
Marty VanDuin

FILED  
By the City Council  
Office of the City Clerk  
*Cont 40*  
*8-31-82*

AUG 3 1982

LAW OFFICES OF  
HEFNER, STARK & MAROIS  
FOURTEENTH FLOOR-PLAZA TOWERS  
555 CAPITOL MALL  
SACRAMENTO, CALIFORNIA 95814

ARCHIE HEFNER, INC.  
ROBERT N. STARK  
THEODORE M. MAROIS, JR.  
JAMES M. WOODSIDE  
JOHN D. BESSEY  
ROBERT W. BELL  
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S. W. CROSS (1881-1956)

AREA CODE 916  
TELEPHONE 444-6620

OF COUNSEL  
WILLIAM M. GALLAGHER

August 2, 1982

Lorrain Magana  
City Clerk, City of Sacramento  
915 I Street, Room 203  
Sacramento, CA 95814

Re: Request for Continuance

Dear Ms. Magana:

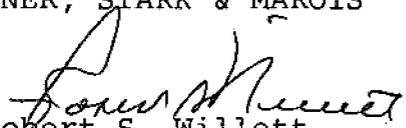
This letter will serve as a request to continue the Bolen application for cancellation of a Williamson Act Contract, agenda item number 14, for the City Council's agenda on August 3, 1982. We request a continuance of application until August 31, 1982.

We understand that the staff of the Planning Department has requested that this matter be continued until August 14, 1982. We have no opposition to the continuance proposed by the staff, however, we believe the matter should be continued until August 31, as requested.

Please advise the undersigned by telephone if there is any difficulty with our request.

Very truly yours,

HEFNER, STARK & MAROIS

By   
Robert S. Willett

RSW:mw

cc: Robert R. Wulff  
Christina Prim  
Marty Van Duyn

Jacob Bolen and Sons  
5507 Haskell Avenue  
Carmichael CA 95608

July 15, 1982

On July 8, 1982, the following matter was filed with my office to set a hearing date before the City Council:

P82-140 Appeal of Planning Director's decision to reject the application for Williamson Act Contract Cancellation for property located at southwest corner of Del Paso Boulevard and the Natomas East Drainage Canal (D1)

This hearing has been set for August 3, 1982, 7:30 p.m., Council Chamber, Second Floor, City Hall, 915 "I" Street, Sacramento, California. Interested parties are invited to appear and speak at the hearing.

Pursuant to Council Rules of Procedure 4.5, continuance of the above matter may be obtained only by the property owner of the above property, applicant, or appellant, or their designee, by submitting a written request delivered to this office no later than 12:00 Noon the day prior to the scheduled hearing date. If written request is not delivered to this office as specified herein, a continuance may only be obtained by appearing before the City Council at the time of the hearing and submitting a verbal request to the Council.

Any questions regarding this hearing should be directed to the **City Planning Department, 927 Tenth Street, Sacramento, California, phone 449-5604.**

Sincerely,

Lorraine Magana  
City Clerk

LM/mlt

cc: Hefner, Stark and Marois, 555 Capitol Mall Ste 1425, Sacramento 95814  
P82-140 Mailing List (30)