

**RESOLUTION NO. 2003-262**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAY 08 2003

**A RESOLUTION RATIFYING THE NEGATIVE DECLARATION AND ADOPTING THE MITIGATION MONITORING PLAN FOR REGENCY PARK – PARCELS 2, 3, 4, 5, AND LOT L IN THE NORTHPOINTE PARK PLANNED UNIT DEVELOPMENT, LOCATED IN NORTH NATOMAS, EAST OF NATOMAS BOULEVARD AND NORTH OF CLUB CENTER DRIVE.**

(APN: 201-0540-002, -003, -004, -005, -006, -007, and -052) (P02-079)

WHEREAS, the Environmental Coordinator has prepared a Negative Declaration for the above identified project;

WHEREAS, the proposed Negative Declaration finds that the proposed project will not have a significant effect on the environment provided that mitigation measures are added to the above identified project;

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 CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:

1. The Negative Declaration for the Natomas Crossing - Area 3 (P01-028) be ratified.

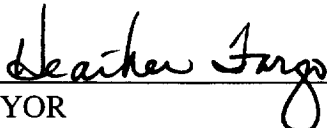
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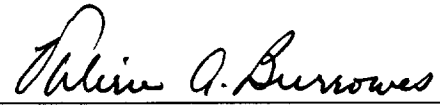
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2. The Mitigation Monitoring Plan is approved for the proposed Natomas Crossing - Area 3 project based upon the following findings:
  1. One or more mitigation measures have been added to the above-identified project;
  2. A Mitigation Monitoring Plan 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;

  
\_\_\_\_\_  
MAYOR

ATTEST:

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

P02-079

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**EXHIBIT 1 – MITIGATION MONITORING PLAN**

**REGENCY PARK, PARCELS 2, 3, 4, 5, & LOT L  
(P02-079)(Q094)  
MITIGATION REPORTING PLAN**

**FOR**  
NORTHPOINTE NORTH LLC / P02-079

**TYPE OF ENVIRONMENTAL DOCUMENT:**  
INITIAL STUDY/ADDENDUM TO THE NORTHPONITE PARK PUD  
NEGATIVE DECLARATION

**PREPARED FOR:**  
CITY OF SACRAMENTO, PLANNING AND BUILDING DEPARTMENT

**DATE:**  
March 4, 2003

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

DATE:

5-29-03

ATTEST:

*Maria C. Burrows*

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**REGENCY PARK, PARCELS 2, 3, 4, 5, & LOT L  
(P02-079)(Q094)  
MITIGATION REPORTING PLAN**

This Mitigation Reporting Plan (MRP) has been required by and prepared for the City of Sacramento Planning and Building 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:** Regency Park Parcels 2, 3, 4, 5, & Lot L / P02-079  
**Owner/Developer- Name:** Northpointe North LLC/Northpointe North LLC  
**Address:** 2240 Douglas Blvd., Suite 200  
Roseville, CA 95661

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

The project site is located north of Club Center Drive in the North Natomas Community Plan area within the City of Sacramento, CA, Sacramento County **(APN 201-0540-002 thru 007 & 052)**

**Project Description:**

The project site has been graded and is vacant with some weedy species. The proposed project consists of entitlements to allow the merging and re-subdivision of Parcels 2, 3, 4, & 5 and Lot L of the Northpointe Park Master Parcel Map. Specific entitlements include:

- 1) **General Plan Amendment** to re-designate 31.0± acres from 23.4± acres of Low Density Residential and 7.6± acres of Medium Density Residential to 23.8± acres of Low Density Residential and 7.2± acres of Medium Density Residential;
- 2) **Community Plan Amendment** to re-designate 31.0± acres from 19.3± acres of Medium Density Residential, 6.9± acres of High Density Residential, 1.0± acres of Institutional, 1.0± acres of General Public Facilities (Civic), and 2.8± acres of Major Streets to 20.4± acres of Medium Density Residential, 6.4± acres of High Density Residential, 1.4± acres of General Public Facilities (Civic), and 2.8± acres Major Streets;
- 3) **Rezone** 31.0± acres from 23.4± acres of Multi-Family (R-2A) Planned Unit Development (PUD) Zone and 7.6± acres of Multi-Family (R-3) Planned Unit Development (PUD) Zone to 23.8± acres of Multi-Family (R-2A) Planned Unit Development (PUD) Zone and 7.2± acres of Multi-Family (R-3) Planned Unit Development (PUD) Zone;
- 4) **PUD Schematic Plan Amendment** to depict 93 cluster lots, 104 45' x 75' lots, 7.2± gross acres for High Density Residential, and 1.8± gross acres for a Fire Station on 31.0± acres in the Northpointe Park Planned Unit Development (PUD);
- 5) **Tentative Subdivision Map** to subdivide 31.0± acres into 213± parcels;
- 6) **Subdivision Modification** to modify street elbow standards for Village A;

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- 7) **Lot Line Adjustment** to relocate the common property lines between two (2) vacant parcels on 18.1± acres in the proposed Multi-Family Planned (R-2A) Unit Development (PUD) zone and Multi-Family (R-3) Planned Unit Development (PUD) zone;
- 8) **Special Permit** to develop three (3) house plans on 45'x75' lots in the proposed Multi-Family Planned Unit Development (R-2A-PUD) Zone; and
- 9) **Special Permit** to develop four (4) house plans on cluster lots in the proposed Multi-Family Planned Unit Development (R-2A-PUD) Zone

## **SECTION 2: GENERAL INFORMATION**

The Plan includes mitigation for Water, Air Quality, Transportation & Circulation, Biological Resources, Hazards, 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 with the MMP. The City of Sacramento will be responsible for ensuring compliance.

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**BELLA ROSA (P02-154)  
MITIGATION MONITORING PLAN**

Mitigation Measure		Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p><b>4. Water:</b></p> <p><u>Mitigation Measure #2</u></p> <p>A Drainage Agreement ensuring the provision of stormwater drainage must be executed. An adequate stormwater drainage plan shall be designed to the satisfaction of the City Utilities Director prior to recordation of the Master Parcel Map. Construction of the drainage facilities shall be commenced prior to issuance of a building permit. Construction of the drainage facilities shall be completed prior to issuance of a certificate of occupancy for any building on the site.</p>		Applicant	City Planning & Building Dept. Dept. of Utilities	Execution of the Drainage Agreement; Design of a stormwater drainage plan; Construction of the drainage facilities	Measure shall be implemented prior to recordation of the Master Parcel Map, prior to issuance of building permit, and prior to issuance of a certificate of occupancy	
<p><u>Mitigation Measure #3</u></p> <p>The project shall comply with the applicable Residential and Non-Residential Development Guidelines in the adopted Comprehensive Flood Management Plan to the satisfaction of the Director of Planning and Building Department, including:</p> <ul style="list-style-type: none"> <li>• Provide multiple access points in subdivisions that are 10 acres or larger in size to facilitate evacuation and other emergency services.</li> <li>• New residential subdivisions shall either identify refuge areas to the satisfaction of the City Planning and Building Department or ensure that at least 50 percent of all residential units shall have a top plate above the base flood elevation</li> <li>• Major projects (40,000 square feet or larger) shall have second story construction or roof access and a top plate above the base flood elevation in order to provide adequate refuge areas. Refuge areas at private structures should be required to accommodate</li> </ul>		Applicant	City Planning & Building Dept.	Compliance with the applicable Residential and Non-Residential Development Guidelines	Prior to recordation of final Map	Applicable residential measure shall be identified on construction plans prior to issuance of building permits

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			Compliance Standards	Timing	Verification of Compliance (Initials/Date)
<p>employees only.</p> <ul style="list-style-type: none"> <li>All residential and non-residential structures must be anchored to their foundations per regulations in the City Building Code</li> <li>Gas valve shut-off keys must be attached in a visible location for all residential and commercial gas water heaters; and</li> <li>Special facilities, such as hospitals and elder care facilities, shall be required to implement flood safety measures in their designs to the satisfaction of the City Planning and Building Department</li> </ul>					
<p><b>5. Air Quality:</b></p> <ol style="list-style-type: none"> <li>The developer/contractor shall water exposed soil with adequate frequency to keep soil moist at all times.</li> <li>The developer/contractor shall cover load of haul/dump trucks securely.</li> <li>The developer/contractor shall comply with Sacramento Metropolitan Air Quality Rule 405 on dust and condensed fumes, so that emissions do not exceed hourly levels as regulated per processing weight.</li> <li>The developer/contractor shall follow the Sacramento Metropolitan Air Quality Management District's Fugitive 403 Rule in order to ensure that dust is reduced to a level of less-than-significant.</li> <li>Equipment idling shall be kept to a minimum when</li> </ol>	Applicant	City Planning and Building Department and SMAQMD	Note shall be included on the Map and within the Standard Construction Specifications	Measures shall be implemented in field during grading and construction activities	

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<p>equipment is not in use. No piece of equipment shall be left to idle in one place for more than 30 minutes.</p> <p>6. The developer/contractor shall enclose, cover, or water twice daily all soil piles.</p> <p>7. The developer/contractor shall water all haul roads twice daily.</p> <p>8. The following shall be included to ensure reduction of NOx emissions from off-road diesel-powered equipment:</p> <p>a) The prime contractor shall provide a plan for approval by the City of Sacramento and SMAQMD demonstrating that replacement heavy-duty (&gt;50 horsepower) off-road vehicles to be used in the construction of the project including owned, leased, and subcontractor vehicles, will achieve a fleet-averaged 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average.</p> <p>b) The prime contractor shall submit to the City of Sacramento and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction period. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughout for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the construction period, except that an inventory shall not be required for any 30-day period in which no activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the prime contractor shall provide</p>					

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<p>SMAQMD with the anticipated construction activity timeline including start date, and name and phone number of the project manager and on-site foreman.</p> <p>9. The following shall be included to assist in controlling visible emissions from off-road diesel powered equipment::</p> <p>a) The prime contractor shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the City of Sacramento and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.</p> <p>10. The developer/contractor shall comply with Sacramento Metropolitan Air Quality Management District rule 442 on architectural coatings. Rule 442 ensures that coatings comply with the volatile organic compound content limits.</p> <p>11. Portable electric equipment shall be used instead of</p>					

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<p>gasoline or diesel-powered generators during construction of the project.</p> <p><u>Mitigation Measure #1</u> Prior to issuance of any building permit, the applicant shall comply with the NNCP's requirement to prepare an Air Quality Mitigation Strategy that reduces ROG emissions by 20 percent for residential uses and 50 percent for non-residential uses.</p>	Applicant	City Planning & Building Dept.	Applicant shall submit copy of mitigation strategy	Prior to issuance of building permit	
<p>6. Transportation &amp; Circulation:</p> <p><u>Mitigation Measure #9</u> Prior to issuance of any building permit, the applicant of any non-residential development shall comply with the City's Transportation Systems Management Ordinance and prepare a Transportation Management Plan.</p>	Applicant	City Planning & Building Dept.	Preparation of a TMP and compliance with the TSM Ordinance	Prior to issuance of a building permit	
<p>7. Biological:</p> <p>1. The applicant/developer shall comply with Phase 2 requirements of the 5/15/01 Settlement Agreement prior to the issuance of a grading permit. The applicant shall either: (i) provide ½ acre of mitigation land for each acre of land authorized for disturbance; or (ii) pay the required HCP fees and await acquisition of the required acreage by the Natomas Basin Conservancy. No permit can be issued unless one of these has occurred. If the applicant acquires land and transfers it to the Conservancy, the applicant must pay that portion of the HCP fees other than the acquisition portion. Applicant land acquisitions must be approved in advance by the Conservancy.</p>	Applicant	City Planning and Building Department; Dept. of Public Works, USFWS, CDFG	Mitigation Measures shall be included within the Construction Specifications	Prior to issuance of any grading permit, the applicant/developer shall submit plans to building division with the measures identified on plans. Building Division shall	

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<p>2. Grading of the project site shall occur only during the grading season of May 1 to September 30.</p> <p>3. The project applicant/developer shall further: (i) comply with all requirements of the NBHCP, together with any additional requirements specified in the North Natomas Community Plan EIR; (ii) comply with any additional mitigation measures identified in the Natomas Basin HCP EIR/EIS; and (iii) comply with all conditions in the ITPs to be issued by the USFWS and CDFG, when adopted. (The Applicant/Developer has satisfied this mitigation measure. This mitigation measure is intended to be consistent with the Natomas Basin HCP Settlement Agreement.)</p> <p>4. The project applicant/developer shall complete and comply with all required preconstruction biological surveys as prescribed in the 1997 Natomas Basin Habitat Conservation Plan. A pre-construction survey shall be conducted by a qualified biological, botanical or related expert. The pre-construction survey shall determine what habitats, if any, are present on the site and if more intensive survey activities should be conducted to accurately determine the status of the covered species on the site and comply with any applicable mitigation measures that result from the survey. The pre-construction survey shall be submitted to the City prior to issuance of building permit. (The Negative Declaration for P96-058 specifically identified burrowing owls.)</p> <p>A new Agreement must be signed by each developer issued a grading permit that requires the developer to: 1) indemnify the City; 2) agree to comply with the 1997 HCP; 3) agree to comply with the revised HCP and EIR/EIS, once adopted; and 4) pay the fee increase, once adopted. (The Applicant/Developer has satisfied this mitigation measure. This mitigation measure is</p>				<p>assure that measures are identified on grading plans prior to issuance of building permit. Measures shall be implemented during construction.</p>	

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<p><i>intended to be consistent with the Natomas Basin HCP Settlement Agreement.)</i></p> <p><b>9. Hazards:</b>  <b>Mitigation Measure #10:</b> The applicant shall participate in the Mosquito Abatement Control Program Assessment District to be established by the Sacramento Yolo Mosquito Abatement District in order to provide urban standards of mosquito control in the project area.  <b>Mitigation Measure #12:</b>                      Properly destroy and abandon any well not intended for use in the future.</p>	Applicant	City Planning and Building Department Sacramento-Yolo Mosquito & Vector Control District County Environmental Management Dept.	Documentation of the establishment of the District	Prior to issuance of a building permit	
<p><b>11. Cultural Resources:</b>  <b>Mitigation Measure #13:</b> If subsurface archaeological or historical remains (including unusual amounts of bones, stones or shells) are discovered during excavation or construction of the site, work 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. Site inspections by the Building Division and the Department of Public Works shall watch for any potential archeological resources during site visits. A City contact person shall be notified (in Permit Services) in case of an archaeological discovery. The Building Division and the Department of Public Works shall attach this requirement to the approved permit plans and include this measure as a random inspection item on the Special Conditions Attachment.</p>	Applicant	City Planning and Building Department	Note shall be included on the Map and within the Standard Construction Specifications	Measures shall be implemented in field during grading and construction activities.	

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