



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

# Agenda

## City Council Regular Meeting

City Council Chambers | 50 Natoma Street, Folsom CA 95630

March 28, 2023  
6:30 PM

### Welcome to Your City Council Meeting

We welcome your interest and involvement in the city’s legislative process. This agenda includes information about topics coming before the City Council and the action recommended by city staff. You can read about each topic in the staff reports, which are available on the city website and in the Office of the City Clerk. The City Clerk is also available to answer any questions you have about City Council meeting procedures.

### Participation

If you would like to provide comments to the City Council, please:




- Fill out a blue speaker request form, located at the back table.
- Submit the form to the City Clerk before the item begins.
- When it’s your turn, the City Clerk will call your name and invite you to the podium.
- Speakers have three minutes, unless the presiding officer (usually the mayor) changes that time.

### Reasonable Accommodations

In compliance with the Americans with Disabilities Act, if you are a person with a disability and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk’s Office at (916) 461-6035, (916) 355-7328 (fax) or [CityClerkDept@folsom.ca.us](mailto:CityClerkDept@folsom.ca.us). Requests must be made as early as possible and at least two full business days before the start of the meeting.

### How to Watch

The City of Folsom provides three ways to watch a City Council meeting:

In Person	Online	On TV
		
City Council meetings take place at City Hall, 50 Natoma Street	Watch the livestream and replay past meetings on the city website, <a href="http://www.folsom.ca.us">www.folsom.ca.us</a>	Watch live and replays of meetings on Sac Metro Cable TV, Channel 14

**More information about City Council meetings is available at the end of this agenda**



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**City Council Regular Meeting**  
**City Council Chambers | 50 Natoma Street, Folsom CA 95630**  
[www.folsom.ca.us](http://www.folsom.ca.us)

**Tuesday, March 28, 2023 6:30 PM**

*Rosario Rodriguez, Mayor*

*YK Chalamcherla, Vice Mayor*  
*Mike Kozlowski, Councilmember*

*Sarah Aquino, Councilmember*  
*Anna Rohrbough, Councilmember*

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**REGULAR CITY COUNCIL AGENDA**

Effective July 7, 2022, the City of Folsom returned to all in-person City Council, Commission, and Committee meetings. Remote participation for the public will no longer be offered. Everyone is invited and encouraged to attend and participate in City meetings in person.

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**CALL TO ORDER**

**ROLL CALL:**

**Councilmembers:** Kozlowski, Rohrbough, Aquino, Chalamcherla, Rodriguez

The City Council has adopted a policy that no new item will begin after 10:30 p.m. Therefore, if you are here for an item that has not been heard by 10:30 p.m., you may leave, as the item will be continued to a future Council Meeting.

**PLEDGE OF ALLEGIANCE**

**AGENDA UPDATE**

**BUSINESS FROM THE FLOOR:**

Members of the public are entitled to address the City Council concerning any item within the Folsom City Council's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda.

**SCHEDULED PRESENTATIONS:**

1. Folsom Tourism and Economic Development Corporation (TEDCorp) Quarterly Report



## **CONSENT CALENDAR:**

Items appearing on the Consent Calendar are considered routine and may be approved by one motion. City Councilmembers may pull an item for discussion.

- [2.](#) Approval of March 14, 2023 Special and Regular Meeting Minutes
- [3.](#) Ordinance No. 1337 - An Uncodified Ordinance of the City of Folsom Approving Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement Between the City of Folsom and Eagle Commercial Properties, LLC Relative to the Folsom South Specific Plan (Second Reading and Adoption)
- [4.](#) Resolution No. 11006 - A Resolution Authorizing the City Manager to Execute an Agreement with McGuire and Hester for the Construction of the Greenback Sewer and Lift Station No. 3 Project and Appropriation of Funds
- [5.](#) Resolution No. 11008 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees (CFFDMME)
- [6.](#) Resolution No. 11009 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding between the City of Folsom and the Folsom Middle Management Group (FMMG)
- [7.](#) Resolution No. 11013 - A Resolution Authorizing the City Manager to Execute an Agreement with NBS Government Financing Group for Assessment Engineering Services
- [8.](#) Resolution No. 11014 - A Resolution Directing the Preparation of Engineer's Report for the Following Landscaping and Lighting Districts for Fiscal Year 2023-2024 American River Canyon North, American River Canyon North No. 2, American River Canyon North No. 3, Blue Ravine Oaks, Blue Ravine Oaks No. 2, Briggs Ranch, Broadstone, Broadstone No. 4, Broadstone Unit No. 3, Cobble Ridge, Cobble Hills Ridge II/Reflections II, Folsom Heights, Folsom Heights No. 2, Hannaford Cross, Lake Natoma Shores, Los Cerros, Natoma Station, Natoma Valley, Prairie Oaks Ranch, Prairie Oaks Ranch No. 2, Prospect Ridge, Sierra Estates, Silverbrook, Steeplechase, The Residences at American River Canyon, The Residences at American River Canyon II, Willow Creek Estates East, Willow Creek Estates East No. 2, Willow Creek Estates South, and Willow Springs
- [9.](#) 2022 General Plan (and Housing Element) Annual Progress Report

## **PUBLIC HEARING:**

- [10.](#) Amendment to City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 2
  - i. Resolution No. 11010 - A Resolution of the City Council of the City of Folsom Calling a Special Mailed-Ballot Election Related to Change Proceedings for Improvement Area No. 2 within City of Folsom Community Facilities District No. 23 (Folsom Ranch)
  - ii. Resolution No. 11011 – A Resolution of Change of the City Council of the City of Folsom Relating to Improvement Area No. 2 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)
  - iii. Ordinance No. 1338 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2023-2024 and Following Fiscal Years Solely within and Relating to Improvement Area No. 2 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Introduction and First Reading)

**NEW BUSINESS:**

- 11. Proposed Historic Folsom Property & Business Improvement District
  - i. Resolution 11007 – A Resolution Authorizing the City Manager to Sign the Petition and Ballot on Behalf of the City of Folsom in Support of the Renewal of the Historic Folsom Property and Business Improvement District
- 12. Housing Element Program H-2 - Additional Housing Capacity Buildout Assumptions Analysis and Recommendations
- 13. Appeal by Katharine Gray of Decisions by the Planning Commission Adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Approving a Conditional Use Permit, Planned Development Permit, and Density Bonus for Development of the 136-unit Vintage Senior Apartments project (PN 21-259) Located at 103 East Natoma Street

**OLD BUSINESS:**

- 14. Resolution No. 11015 - A Resolution Adopting the City of Folsom Strategic Plan, FY2023-24 through FY2027-28

**COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS:**

**CITY MANAGER REPORTS:**

**COUNCIL COMMENTS:**

**ADJOURNMENT**

*NOTICE: Members of the public are entitled to directly address the City Council concerning any item that is described in the notice of this meeting, before or during consideration of that item. If you wish to address Council on an issue, which is on this agenda, please complete a blue speaker request card, and deliver it to a staff member at the table on the left side of the Council Chambers prior to discussion of the item. When your name is called, stand to be recognized by the Mayor and then proceed to the podium. If you wish to address the City Council on any other item of interest to the public, when the Mayor asks if there is any "Business from the Floor," follow the same procedure described above. Please limit your comments to three minutes or less.*

*NOTICE REGARDING CHALLENGES TO DECISIONS: Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.*

*As presiding officer, the Mayor has the authority to preserve order at all City Council meetings, to remove or cause the removal of any person from any such meeting for disorderly conduct, or for making personal, impertinent, or slanderous remarks, using profanity, or becoming boisterous, threatening or personally abusive while addressing said Council, and to enforce the rules of the Council.*

*PERSONS INTERESTED IN PROPOSING AN ITEM FOR THE CITY COUNCIL AGENDA SHOULD CONTACT A MEMBER OF THE CITY COUNCIL.*

*The meeting of the Folsom City Council is being telecast on Metro Cable TV, Channel 14, the Government Affairs Channel, and will be shown in its entirety on the Friday and Saturday following the meeting, both at 9 a.m. The City does not control scheduling of this telecast and persons interested in*

*watching the televised meeting should confirm this schedule with Metro Cable TV, Channel 14. The City of Folsom provides live and archived webcasts of regular City Council meetings. The webcasts can be found on the online services page of the City's website [www.folsom.ca.us](http://www.folsom.ca.us).*

*In compliance with the Americans with Disabilities Act, if you are a person with a disability and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (916) 461-6035, (916) 355-7328 (fax) or [CityClerkDept@folsom.ca.us](mailto:CityClerkDept@folsom.ca.us). Requests must be made as early as possible and at least two full business days before the start of the meeting.*

*Any documents produced by the City and distributed to the City Council regarding any item on this agenda will be made available at the City Clerk's Counter at City Hall located at 50 Natoma Street, Folsom, California and at the Folsom Public Library located at 411 Stafford Street, Folsom, California during normal business hours.*

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to facilitate double-sided printing.*



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# Folsom City Council Staff Report



<b>MEETING DATE:</b>	3/28/2023
<b>AGENDA SECTION:</b>	Scheduled Presentations
<b>SUBJECT:</b>	Folsom Tourism and Economic Development Corporation (TEDCorp) Quarterly Report
<b>FROM:</b>	City Clerk's Department

### CITY COUNCIL ACTION

Representatives from Folsom Tourism and Economic Development Corporation (TEDCorp) will provide a quarterly report. No action is requested of the City Council.

Respectfully submitted,

Christa Freemantle, CMC  
City Clerk

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to facilitate double-sided printing.*



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# City Council Special Meeting

## MINUTES

Tuesday, March 14, 2023 6:00 PM

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### CALL TO ORDER

The special City Council meeting was called to order at 6:15 p.m. with Mayor Rosario Rodriguez presiding.

### ROLL CALL:

Councilmembers Present: Mike Kozlowski, Councilmember  
Anna Rohrbough, Councilmember  
YK Chalamcherla, Vice Mayor  
Sarah Aquino, Councilmember  
Rosario Rodriguez, Mayor

Councilmembers Absent: None

Participating Staff: City Manager Elaine Andersen  
City Attorney Steve Wang  
City Clerk Christa Freemantle

### ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:

1. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code section 54956.9(d)(1): Brittany Nikol and Michael Nikol v. City of Folsom, Sacramento County Superior Court Case No. 34-2023-00335185

**Motion by Councilmember Sarah Aquino, second by Vice Mayor YK Chalamcherla, to adjourn to closed session for the above referenced item. Motion carried with the following roll call vote:**

**AYES:** Councilmember(s): Chalamcherla, Kozlowski, Rohrbough, Aquino, Rodriguez  
**NOES:** Councilmember(s): None  
**ABSENT:** Councilmember(s): None  
**ABSTAIN:** Councilmember(s): None

### RECONVENE

City Attorney Steven Wang announced that no final action was taken during closed session.

**ADJOURNMENT**

The special meeting was adjourned to the regular City Council meeting at 6:30 p.m.

SUBMITTED BY:

\_\_\_\_\_  
Christa Freemantle, City Clerk

ATTEST:

\_\_\_\_\_  
Rosario Rodriguez, Mayor



# City Council Regular Meeting

## MINUTES

**Tuesday, March 14, 2023 6:30 PM**

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### **CALL TO ORDER**

The regular City Council meeting was called to order at 6:30 pm with Mayor Rosario Rodriguez presiding.

### **ROLL CALL:**

Councilmembers Present:      YK Chalamcherla, Vice Mayor  
   Mike Kozlowski, Councilmember  
   Anna Rohrbough, Councilmember  
   Sarah Aquino, Councilmember  
   Rosario Rodriguez, Mayor

Councilmembers Absent:      None

Participating Staff:            City Manager Elaine Andersen  
   City Attorney Steven Wang  
   City Clerk Christa Freemantle  
   Finance Director/CFO Stacey Tamagni  
   Senior Trails Planner Brett Bollinger  
   Parks and Recreation Director Lorraine Poggione  
   Public Works Director Mark Rackovan  
   Environmental and Water Resources Director Marcus Yasutake  
   Principal Planner Desmond Parrington

### **PLEDGE OF ALLEGIANCE**

The pledge of allegiance was recited.

### **AGENDA UPDATE**

City Attorney Steven Wang announced that there was an additional information for item 12.

### **BUSINESS FROM THE FLOOR:**

The following speakers addressed the City Council:

1. Shagun Juthani regarding SB-54
2. Steve Walsh regarding development of the River District

**SCHEDULED PRESENTATIONS:**

1. Proclamation of the Mayor of the City of Folsom Proclaiming the Month of March 2023 as American Red Cross Month in the City of Folsom

Mayor Rosario Rodriguez presented the proclamation to Roxanne Gould, Chair of the Board and Eileen Reynolds, Immediate Past Chair of the California Gold Country Region of Red Cross.

2. City Manager's Fiscal Year 2022-23 Second Quarter Financial Report

Finance Director/CFO Stacey Tamagni made a presentation and responded to questions from the City Council.

3. Presentation on the Folsom Boulevard Pedestrian and Bicycle Overcrossing Feasibility Study

Senior Trails Planner Brett Bollinger made a presentation and responded to questions from the City Council. Parks and Recreation Director Lorraine Poggione provided additional clarification.

**CONSENT CALENDAR:**

Items appearing on the Consent Calendar are considered routine and may be approved by one motion. City Councilmembers may pull an item for discussion.

4. Approval of January 18, 2023 Special Meeting Minutes
5. **pulled for comment**
6. Approval of February 28, 2023 Special and Regular Meeting Minutes
7. Resolution No. 10999 – A Resolution Authorizing the City Manager to Execute Amendment No. 2 to the Agreement (Contract No. 173-21 18-035) with West Yost & Associates, Inc. for Design Services for the Greenback Sewer and Lift Station No. 3 Project
8. Resolution No. 11000 – A Resolution Authorizing the City Manager to Execute Amendment No. 2 to the Agreement (Contract No. 173-21 20-034) with Water Works Engineers, LLC for Design Services for the Folsom Boulevard 27-Inch Trunk Sewer Project (SECAP Project)
9. Resolution No. 11001 – A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 173-21 21-006) with Inferrera Construction Management Group, Inc. for Construction Management and Inspection Services for the Oak Avenue Pump Station Peak Wet Weather Flow Relief Project and Appropriation of Funds
10. Resolution No. 11002 – A Resolution Authorizing the City Manager to Execute an Agreement with Olin Corporation, DBA Olin Chlor Alkali Products for the Supply of Sodium Hypochlorite for the Water Treatment Plant and Appropriation of Funds
11. Resolution No. 11003 – A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 173-21 22-029) with HDR Engineering, Inc. for Engineering

Services for the Water Treatment Plant Backwash and Recycled Water Upgrades Project and Appropriation of Funds

- 12. pulled for comment
- 13. pulled for comment

**Motion by Councilmember Sarah Aquino, second by Vice Mayor YK Chalamcherla, to approve items 4 and 6-11 of the Consent Calendar.**

**Motion carried with the following roll call vote:**

**AYES: Councilmember(s): Chalamcherla, Kozlowski, Rohrbough, Aquino, Rodriguez**  
**NOES: Councilmember(s): None**  
**ABSENT: Councilmember(s): None**  
**ABSTAIN: Councilmember(s): None**

**CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:**

- 5. Approval of February 16, 2023 Special Meeting Minutes

Councilmember Sarah Aquino pulled this item to suggest correction of a typo and to add the consultant firm name.

**Motion by Councilmember Sarah Aquino, second by Councilmember Mike Kozlowski, to approve the special meeting minutes of February 16, 2023 as amended.**

**Motion carried with the following roll call vote:**

**AYES: Councilmember(s): Chalamcherla, Kozlowski, Rohrbough, Aquino, Rodriguez**  
**NOES: Councilmember(s): None**  
**ABSENT: Councilmember(s): None**  
**ABSTAIN: Councilmember(s): None**

- 12. Resolution No. 11004 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with McGuire and Hester, Inc. for the Folsom Lake Crossing and East Natoma Street Friction Enhancement Project

Councilmember Mike Kozlowski commented regarding concerns from a resident and asked for clarification from staff. Public Works Director Mark Rackovan responded, followed by further discussion and clarification between the City Council and staff regarding the project.

**Motion by Councilmember Mike Kozlowski, second by Councilmember Sarah Aquino, to approve Resolution No. 11004.**

**Motion carried with the following roll call vote:**

**AYES: Councilmember(s): Chalamcherla, Kozlowski, Aquino, Rodriguez**

**NOES:** Councilmember(s): Rohrbough  
**ABSENT:** Councilmember(s): None  
**ABSTAIN:** Councilmember(s): None

13. Resolution No. 11005 - A Resolution Authorizing the City Manager to Execute an Agreement with West Yost & Associates, Inc. for Construction Management and Inspection Services for the Greenback Sewer and Lift Station No. 3 Project

Vice Mayor YK Chalamcherla asked for clarification regarding the prequalification list for the project. Environmental and Water Resources Director Marcus Yasutake responded.

**Motion by Vice Mayor YK Chalamcherla, second by Councilmember Sarah Aquino, to approve Resolution No. 11005.**

**Motion carried with the following roll call vote:**

**AYES:** Councilmember(s): Chalamcherla, Kozlowski, Rohrbough, Aquino, Rodriguez  
**NOES:** Councilmember(s): None  
**ABSENT:** Councilmember(s): None  
**ABSTAIN:** Councilmember(s): None

**PUBLIC HEARING:**

14. Folsom Ranch Apartments Development Agreement Amendment – Northwest Corner of Alder Creek Parkway and Westwood Drive (MSTR 22-218)

i. Ordinance No. 1337 - An Uncodified Ordinance of the City of Folsom Approving Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement Between the City of Folsom and Eagle Commercial Properties, LLC Relative to the Folsom South Specific Plan (Introduction and First Reading)

Principal Planner Desmond Parrington made a presentation and responded to questions from the City Council. City Attorney Steve Wang noted that the developer, Eagle Commercial Properties, voluntarily offered affordable housing without requesting a City subsidy. Eagle Commercial Properties representative Chad Roberts thanked the City Council.

**Motion by Councilmember Mike Kozlowski, second by Vice Mayor YK Chalamcherla to introduce and conduct the first reading of Ordinance No. 1337.**

**Motion carried with the following roll call vote:**

**AYES:** Councilmember(s): Chalamcherla, Kozlowski, Rohrbough, Aquino, Rodriguez  
**NOES:** Councilmember(s): None  
**ABSENT:** Councilmember(s): None  
**ABSTAIN:** Councilmember(s): None

**CONVENE JOINT MEETING**

**JOINT AGENDA**

Joint City Council / Folsom Redevelopment Successor Agency / Folsom Public Financing Authority /  
Folsom Ranch Financing Authority / South of 50 Parking Authority Meeting

**ROLL CALL:**

Councilmembers/Board Members Present:	YK Chalamcherla, Vice Mayor Mike Kozlowski, Councilmember Anna Rohrbough, Councilmember Sarah Aquino, Councilmember Rosario Rodriguez, Mayor
Councilmembers/Board Members Absent:	None
Participating Staff:	City Manager Elaine Andersen City Attorney Steven Wang City Clerk Christa Freemantle CFO/Finance Director Stacey Tamagni

**CONSENT CALENDAR:**

- 15. Approval of the December 13, 2022 Joint City Council / Redevelopment Successor Agency / Public Financing Authority / Folsom South of 50 Parking Authority / Folsom Ranch Financing Authority Meeting Minutes
- 16. Receive and File the City of Folsom, the Folsom Redevelopment Successor Agency, the Folsom Public Financing Authority, the Folsom Ranch Financing Authority, and the South of 50 Parking Authority Monthly Investment Reports for the Month of December 2022

**Motion by Councilmember Sarah Aquino, second by Vice Mayor YK Chalamcherla, to approve the Consent Calendar.**

**Motion carried with the following roll call vote:**

**AYES:** Council/Boardmember(s): Chalamcherla, Kozlowski, Rohrbough, Aquino, Rodriguez  
**NOES:** Council/Boardmember(s): None  
**ABSENT:** Council/Boardmember(s): None  
**ABSTAIN:** Council/Boardmember(s): None

**COUNCIL REQUEST FOR FUTURE AGENDA ITEMS**

Councilmember Mike Kozlowski asked for a workshop session regarding the East Natoma corridor, from Green Valley to Folsom Boulevard. He asked for future discussion with the Traffic Safety Committee and City Council regarding corridor improvement along Folsom Boulevard from Granite Bay to Highway 50. There was Council consensus to add this as a future agenda item.

Vice Mayor YK Chalamcherla asked for a presentation from Hope Cooperative about their operation. There was Council consensus to add this as a future agenda item.

Councilmember Sarah Aquino asked for an item regarding the Folsom Plan Area financing plan. There was Council consensus to add this as a future agenda item.

Councilmember Anna Rohrbough asked for an item regarding CalPERS unfunded liabilities. There was Council consensus to add this as a future agenda item.

City Attorney Steve Wang explained the process of adding future agenda items and the necessity of having City Council consensus.

**CITY MANAGER REPORTS:**

City Manager Elaine Andersen announced upcoming events including the Landscape Festival, a workshop to consider increases to multi-family housing capacity and spring break camps.

**COUNCIL COMMENTS:**

Councilmember Anna Rohrbough spoke of attending the International Council for Shopping Centers conference and that she just celebrated her 25<sup>th</sup> wedding anniversary.

Councilmember Mike Kozlowski stated he would be attending the Ad Hoc Regional Transit and SACOG board meetings and will report back at the next meeting.

Vice Mayor YK Chalamcherla discussed Cable Commission and Regional Water Authority meetings. He spoke of the Powerhouse Ministries meeting and the Caps Volunteers event.

Mayor Rosario Rodriguez discussed meetings she attended which included the Sacramento Transportation Authority meeting, Sacramento Homeless Council, Citizen's Academy training kickoff, and Citizen's Advisory Committee for Folsom Prison. She spoke of upcoming events at the Folsom History Museum speaker events, Chamber of Commerce annual award ceremony and the opening day for Little League.

**ADJOURNMENT**

There being no further business to come before the Folsom City Council, Mayor Rosario Rodriguez adjourned the meeting at 8:33 pm.

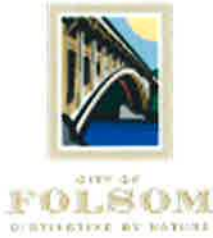
SUBMITTED BY:

\_\_\_\_\_  
Christa Freemantle, City Clerk

ATTEST:

\_\_\_\_\_  
Rosario Rodriguez, Mayor





# Folsom City Council Staff Report



<b>MEETING DATE:</b>	3/28/2023
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Folsom Ranch Apartments Development Agreement Amendment – Northwest corner of Alder Creek Parkway and Westwood Drive (MSTR 22-218)  i. Ordinance No. 1337 - An Uncodified Ordinance of the City of Folsom Approving Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement Between the City of Folsom and Eagle Commercial Properties, LLC Relative to the Folsom South Specific Plan (Second Reading and Adoption)
<b>FROM:</b>	Community Development Department

**RECOMMENDATION / CITY COUNCIL ACTION**

Staff recommends the City Council conduct the second reading and adopt Ordinance No. 1337 - An Uncodified Ordinance of the City of Folsom Approving Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement between the City of Folsom and Eagle Commercial Properties relative to the Folsom South Specific Plan (Second Reading and Adoption).

**BACKGROUND / ISSUE**

On February 15, 2023, the Planning Commission held a public hearing to consider a request from Lewis Management Corporation for approval of a Conditional Use Permit, Planned Development Permit, Development Agreement Amendment, and Minor Administrative Modification for development of a 238-unit market-rate apartment community on a 15.8-acre site situated at the northwest corner of the intersection of Alder Creek Parkway and Westwood Drive within the Folsom Plan Area.

The Planning Commission was fully supportive of the proposed apartment project and adopted a motion (7-0-0-0) to approve a Conditional Use Permit, Planned Development Permit and Minor Administrative Modification for the Folsom Ranch Apartments project. The Commission also recommended that the City Council Approve Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement by and between the City of Folsom and Eagle Commercial Properties, LLC relative to the Folsom South Specific Plan.

The Planning Commission was fully supportive of the proposed apartment project and adopted a motion (7-0-0-0) to approve a Conditional Use Permit, Planned Development Permit and Minor Administrative Modification for the Folsom Ranch Apartments project. The Commission also moved to recommend that the City Council Approve Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement by and between the City of Folsom and Eagle Commercial Properties, LLC relative to the Folsom South Specific Plan.

On March 14, 2023, the City Council introduced and conducted the first reading of Ordinance 1337. No changes have been made to the ordinance since the first reading.

### **POLICY / RULE**

As set forth in the State Planning and Zoning Law, approval of, or amendments to, a Development Agreement is a legislative act which requires approval by the City Council following review and recommendation by the Planning Commission.

### **PROJECT ENTITLEMENTS**

As noted above, the applicant requested approval of three entitlements to allow for development of the proposed Folsom Ranch Apartments project.

The first entitlement requested was for approval of a Conditional Use Permit to allow for development and operation of a paired, townhome-style apartment buildings on the project site. **This entitlement was approved by the Planning Commission on February 15, 2023.**

The second entitlement was a request for approval of a Planned Development Permit to establish project-specific development standards, review the project site design, evaluate the architectural design of the multi-family apartment buildings and clubhouse, and establish signage criteria. **This entitlement was approved by the Planning Commission on February 15, 2023.**

The third entitlement was a request for approval of a Minor Administrative Modification for the transfer of development rights to move 221 MHD units from the project site to Parcel 61 within the Folsom Plan Area, to move 116 MMD units from Parcel 61 to the project site, and to move 3.3-acres of parkland (PARK) from the project site to Parcel 61. **This entitlement was approved by the Planning Commission on February 15, 2023.**



The fourth entitlement requested was for approval of a Development Agreement Amendment (Amendment No. 2) to the First Amended and Restated Tier 1 Development Agreement between the City of Folsom and Eagle Commercial Properties, LLC relative to the Folsom South Specific Plan. The purpose of this Amendment is to deed restrict 64 affordable housing units on a remainder portion of Parcel 61 located within in the Folsom Plan Area owned by Eagle Commercial Properties, LLC. The purpose of the Amendment is also to memorialize that the landowner will receive credits for a total of 64 deed-restricted multi-family housing units and that these Affordable Housing Credits may be transferred to and used to satisfy and/or offset the inclusionary and/or affordable housing obligation for other residential projects on specific parcels owned by Eagle Commercial Properties in the Folsom Plan Area. **The Planning Commission voted on February 15, 2023 to recommend that the City Council approve the proposed amendment to the development agreement.**

### **PROJECT OVERVIEW**

The Folsom Ranch Apartments project, which includes development of 119 two-story townhome-style apartment buildings and a one-story clubhouse building, is comprised of 238 market-rate apartments within a gated community. The two-story apartment buildings include a total of 104 two-bedroom units (1,175 square feet) and 134 three-bedroom units (1,611 to 1,829 square feet). All apartment units are proposed to be accessible from exterior doorways and include a full kitchen, living space, washer/dryer, storage closets, bedrooms, bathrooms, and an outdoor balcony/patio. The one-story clubhouse building features a fitness studio, an office, a reception lounge, an equipment room, and restroom facilities. Outdoor amenities associated with the clubhouse building include a pool, a spa, sun deck, seating areas, barbecue areas, tot lot, and a dog park.

In relation to site design, the townhome-style apartment buildings are distributed evenly throughout the project site, with the clubhouse building, tot lot, and dog park being situated in the northern portion of the project site. With respect to architectural style, the proposed project features a contemporary Spanish Colonial design theme featuring stucco exteriors, tile roofs, wood trim, decorative iron detailing, and an earthtone color scheme.

Primary vehicle access to the project site includes two new driveways, both located on the west side of Westwood Drive respectively. The two primary access driveways will accommodate all turning movements into and out of the project site. Emergency vehicle access is provided by a gated driveway on the east side of McCarthy Way and a gated driveway on the west side of Placerville Road. Proposed internal vehicle circulation consists of a series of 27-foot-wide drive aisles that provide access in and around the project site.

Pedestrian circulation is provided by new sidewalks located along the street frontages of Alder Creek Parkway, Westwood Drive, McCarthy Way, Mercy Drive, and Placerville Road, with seven pedestrian gates providing access from the project site to the adjacent sidewalks. Internal pedestrian circulation is accommodated by a series of new pedestrian pathways that provide connectivity to the apartment buildings, the clubhouse building, and the perimeter sidewalks. Additional site improvements include: 597 parking spaces (includes combination

of garage and uncovered parking spaces), bicycle parking spaces, electric vehicle charging stations, underground utilities, drainage swales, site lighting, site landscaping, retaining walls, fencing, and project identification signs.

The project was evaluated by the Planning Commission at their February 15, 2023 meeting. No members of the public spoke regarding the proposed project during the public comment portion of the meeting. The Planning Commission indicated that they were fully supportive of a market rate rental community at this specific location in the Folsom Plan Area and adopted a motion (7-0-0-0) to Approve a Conditional Use Permit, Approve a Planned Development Permit, and Approve a Minor Administrative Modification for the Folsom Ranch Apartments project. The Commission also recommended that the City Council Approve Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement Relative to the Folsom South Specific Plan. It is important to note that the applicant (Lewis Management Corporation) was in agreement to the “green sheet” modifications proposed at the Planning Commission meeting and has not objected to nor filed an appeal on any of the conditions of approval placed on the project.

### **ANALYSIS**

The City and Landowner’s predecessor (Eagle Commercial Partners, LLC) previously entered into the First Amended and Restated Tier 1 Development Agreement By and Between the City of Folsom and Landowner Relative to the Folsom South Specific Plan on July 15, 2014. Section 1.5 of the Restated Development Agreement allows the Restated Development Agreement to be amended from time to time by mutual written consent of the parties. On November 12, 2015, Eagle Commercial Partners, LLC and the City entered into Amendment No. 1 to First Amended and Restated Tier 1 Development Agreement Relative to the Folsom South Specific Plan. The applicant is proposing Amendment No. 2 to the First Amended and Restated Development Agreement by and between the City of Folsom and Eagle Commercial Properties, LLC relative to the Folsom South Specific Plan for the purpose of deed restricting 64 affordable housing units on a portion of the Remainder within Parcel 61 located within in the Folsom Plan Area.

As described above, the Landowner is proposing to deed restrict 64 multi-family housing units on a portion of the Remainder within Parcel 61, located within in the Folsom Plan Area, for the purpose of assisting the City in meeting its Regional Housing Needs Allocation (RHNA) assigned by the State Department of Housing and Community Development. The 64 multi-family housing units, which would be made available to low-, very-low, and/or extremely-low income households, will be deed restricted for a period of 55 years from the date of recording. The deed restriction must be recorded prior to issuance of a building permit for the Folsom Ranch Apartments Project.

In exchange for perfecting the deed restriction, the landowner will receive credits for a total of 64 deed-restricted multi-family housing units. In the event that Landowner (or a successor in interest) proposes residential development on Parcel 61 in the future, any applicable requirement for inclusionary and/or affordable housing will be offset by 64 units.

Alternatively, the Affordable Housing Credits may be transferred to and used to satisfy and/or offset the inclusionary and/or affordable housing obligation for other residential projects owned by Eagle Commercial Properties on Parcels 77, 85A-3, or 85A-4 in the Folsom Plan Area.

There is no inclusionary or affordable housing requirement applicable to the proposed Folsom Ranch Apartments project. In the unlikely event that the City passes an inclusionary housing ordinance applicable to rental units, the proposed project would be subject to it, unless a complete application for a building permit is submitted before the new ordinance takes effect.

Staff recommends that the form of deed restriction be submitted with owner/applicant's application for a building permit and will be subject to the City Attorney's approval, which shall not be unreasonably withheld. Condition No. 7 is included to reflect this requirement. City staff has conducted a thorough review of the proposed modifications to the Development Agreement and is supportive of the Development Agreement amendment as proposed by the applicant.

**FINANCIAL IMPACT**

No financial impact is anticipated with approval of the Development Agreement Amendment associated with the Folsom Ranch Apartments Project as the project will not result in any change in the total amount of commercial square footage or residential unit count within the Folsom Plan Area.

**ENVIRONMENTAL REVIEW**

A CEQA Exemption and Streamlining Analysis and Checklist was prepared for the Folsom Ranch Apartments Project in October 2022 in accordance with the California Environmental Quality Act. The City reviewed the applicant's analysis and concurred that the project is exempt from additional environmental review as provided in CEQA Guidelines 15182(c). On February 15, 2023, the Planning Commission found that the project was exempt from CEQA pursuant to Public Resources Code section 65457 and CEQA Guidelines section 15182(c). The Development Agreement Amendment was considered by staff and the Planning Commission as a part of the determination that the project is exempt. No additional environmental review is required.

**ATTACHMENTS**

1. Ordinance No. 1337 - An Uncodified Ordinance of the City of Folsom Approving Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement between the City of Folsom and Eagle Commercial Properties relative to the Folsom South Specific Plan (Second Reading and Adoption)

2. Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement by and between the City of Folsom and Eagle Commercial Properties relative to the Folsom South Specific Plan

Submitted,



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PAM JOHNS  
Community Development Director

## Attachment 1

**Ordinance No. 1337 – An Uncodified Ordinance of the City  
of Folsom Approving Amendment No. 2 to the First  
Amended and Restated Tier 1 Development Agreement  
between the City of Folsom and Eagle Commercial Properties  
relative to the Folsom South Specific Plan  
(Second Reading and Adoption)**

**ORDINANCE NO. 1337****AN UNCODIFIED ORDINANCE OF THE CITY OF FOLSOM APPROVING AMENDMENT NO. 2 TO THE FIRST AMENDED AND RESTATED TIER 1 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FOLSOM AND EAGLE COMMERCIAL PROPERTIES, LLC RELATIVE TO THE FOLSOM SOUTH SPECIFIC PLAN**

**WHEREAS**, a Final Environmental Impact Report/Environmental Impact Statement for the Folsom Plan Area Specific Plan was prepared and certified by the City Council on June 11, 2011, and the Sacramento Local Agency Formation Commission approved the City's annexation of the Folsom Plan Area on January 18, 2012; and

**WHEREAS**, pursuant to the authority in Sections 65864 through 65869.5 of the Government Code, the City Council, following a duly notified public hearing on June 28, 2011, approved the Tier 1 Development Agreement relative to the Folsom South Specific Plan (Tier 1 DA) for the development of the Folsom Plan Area by adopting Ordinance No. 1149 on July 12, 2011; and

**WHEREAS**, the City Council, following a duly noticed public hearing on May 27, 2014, approved a request to amend the Tier 1 DA to the development of the Westland/Eagle Project by approving a First Amended and Restated Tier 1 Development Agreement (ARDA) between the City and the developer of the Westland/Eagle Project, Eagle Commercial Partners, LLC, by adopting Ordinance No. 1204 on June 10, 2014; and

**WHEREAS**, the City Council, following a duly noticed public hearing on September 22, 2015, approved a request to amend the ARDA to the development of the Westland/Eagle Project by approving Amendment No. 1 to ARDA between the City and the developer of the Westland/Eagle Project, Eagle Commercial Partners, LLC, by adopting Ordinance No. 1237 on October 13, 2015; and

**WHEREAS**, the proposed Folsom Ranch Apartments Project consists of the development of a 238-unit market rate apartment community on a 15.8-acre site situated at the northwest corner of the intersection of Alder Creek Parkway and Westwood Drive within the Folsom Plan Area; and

**WHEREAS**, the City and the landowner of the Folsom Ranch Apartments project site (Parcels 85A-3 and 85A-4) and Folsom Plan Area Parcels 61 and 77 desire to further amend the ARDA in order to deed restrict 64 multi-family housing units on a remainder portion of Parcel 61 for development of low-, very-low, and/or extremely-low income households; and

**WHEREAS**, the Planning Commission, at its regular meeting on February 15, 2023, considered Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement by and between the City of Folsom and Eagle Commercial Properties, LLC relative



to the Folsom South Specific Plan at a duly noticed public hearing as prescribed by law, and recommended that the City Council approve said Amendment No. 2; and

**WHEREAS**, all notices have been given at the time and in the manner required by State Law and the Folsom Municipal Code.

**NOW, THEREFORE**, the City Council of the City of Folsom hereby does ordain as follows:

**SECTION 1 FINDINGS**

- A. The above recitals are true and correct and incorporated herein by reference.
- B. The Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement by and between the City of Folsom and Eagle Commercial Properties, LLC is consistent with the objectives, policies, general land uses and programs specified in the City's General Plan and the Folsom Plan Area Specific Plan.
- C. The Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement is in conformity with public convenience, general welfare, and good land use practices.
- D. The Amendment No. 2 will not be detrimental to the health, safety, and general welfare of persons residing in the immediate area, nor be detrimental or injurious to property or persons in the general neighborhood or to the general welfare of the residents of the City as a whole.
- E. The Amendment No. 2 will not adversely affect the orderly development of property or the preservation of property values.
- F. The Amendment No. 2 has been prepared in accordance with, and is consistent with, Government Code Sections 65864 through 65869.5, and City Council Resolution No. 2370.
- G. All notices have been given at the time and in the manner required by State Law and the Folsom Municipal Code.
- H. The Amendment No. 2 is consistent with the Environmental Impact Report/Environmental Impact Statement for the Folsom Plan Area Specific Plan certified by the City Council on June 11, 2011, which is incorporated herein by reference. None of the events in Sections 15162 and 15163 of the CEQA Guidelines exists which warrant the preparation of a subsequent EIR or supplemental EIR.

**SECTION 2 APPROVAL OF AMENDMENT TO DEVELOPMENT AGREEMENT**

The Mayor is hereby authorized and directed to execute the Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement by and between the City of Folsom and Eagle Commercial Properties, LLC on behalf of the City after the effective date of this Ordinance.

**SECTION 3 SEVERABILITY**

If any section, subsection, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council declares that it would have passed each section irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared unconstitutional, invalid, or ineffective.

**SECTION 4 EFFECTIVE DATE**

This Ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

This Ordinance was introduced and the title thereof read at the regular meeting of the City Council on March 14, 2023 and the second reading occurred at the regular meeting of the City Council on March 28, 2023.

On a motion by Council Member \_\_\_\_\_ seconded by Council Member \_\_\_\_\_, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 28<sup>nd</sup> day of March 2023, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Rosario Rodriquez, MAYOR

ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK



## Attachment 2

# Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement between the City of Folsom and Eagle Commercial Properties relative to the Folsom South Specific Plan

FOR THE BENEFIT OF THE CITY OF FOLSOM  
PURSUANT TO GOVERNMENT CODE §6103

RECORDING REQUESTED BY CITY CLERK

WHEN RECORDED MAIL TO:

City Clerk  
City of Folsom  
50 Natoma Street  
Folsom, CA 95630

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

**AMENDMENT NO. 2 TO FIRST AMENDED AND RESTATED TIER 1 DEVELOPMENT  
AGREEMENT BY AND BETWEEN  
THE CITY OF FOLSOM AND EAGLE COMMERCIAL PARTNERS, LLC  
RELATIVE TO THE FOLSOM SOUTH SPECIFIC PLAN**

This Amendment No. 2 to First Amended and Restated Tier 1 Development Agreement ("Amendment No. 1") is entered into this day of \_\_\_\_\_, 2023, by and between the City of Folsom ("City") and Eagle Commercial Partners, LLC, a Delaware limited liability company ("Landowner"), pursuant to the authority of Sections 65864 through 65869.5 of the Government Code of California.

**RECITALS**

- A. ARDA. City and Landowner entered into that certain First Amended and Restated Tier 1 Development Agreement Relative to the Folsom South Specific Plan recorded on July 15, 2014, in the Official Records of the County Recorder of Sacramento County in Book 20140715 on Page 0517 (the "ARDA").
- B. Amendment No. 1 to ARDA. City and Landowner entered into that certain Amendment No. 1 to First Amended and Restated Tier 1 Development Agreement Relative to the Folsom South Specific Plan recorded on January 29, 2016, in the Official Records of the County Recorder of Sacramento County in Book 20160129 on Page 0385 ("Amendment No. 1" and collectively with the ARDA, the "Development Agreement").
- C. Property. This Amendment No. 2 affects certain of the Property (as defined in the Development Agreement), which portions of the Property are described in Exhibit "B-1" and shown in Exhibit "B-2" to this Amendment No. 2 ("Amendment No. 2 Property").
- D. Purpose of Amendment No. 2. The purpose of this Amendment No. 2 is to include certain additional entitlements within the scope and definition of Entitlements (as defined in the Development Agreement) and define Landowner's affordable housing obligations with respect to the Property as described in this Amendment No. 2.
- E. Hearings. On February 15, 2023, the City Planning Commission, designated as the planning agency for purposes of development agreement review pursuant to Government Code Section 65867, in a duly noticed and conducted public hearing, considered this Amendment No. 2 and recommended that the City Council approve the same.

F. Consistency with General Plan and Specific Plan. Having duly examined and considered this Amendment No. 2, the City finds and declares that this Amendment No. 2 is consistent with the General Plan and the Specific Plan, as amended.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants, promises, and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and agreed, the parties hereto do hereby agree to amend the Development Agreement as follows:

1. Amendment of Development Agreement.

a. The term Entitlements (as defined in the Development Agreement) is hereby revised to add the following:

i. This Amendment No. 2 as approved by Ordinance No. \_\_\_\_\_.

b. A new Section 1.7 is hereby added to the Development Agreement as follows:

**Anticipated Changes to the City’s Inclusionary Housing Ordinance.** The City has amended its Inclusionary Housing Ordinance (Folsom Municipal Code Chapter 17.104) by Ordinance No. 1243 to eliminate Second Dwelling Units (also referred to as “granny flats”) as an alternative means of meeting the City’s inclusionary housing requirements. Landowner acknowledges there is no vested right to use this alternative means for meeting the City’s inclusionary housing requirements and that this alternative shall not be available to Landowner from and after the effective date of Ordinance No. 1243. Landowner further acknowledges those certain amendments to Section 65850 of the California Government Code (specifically, subsection 65850(g)), effective January 1, 2018, which allow for the implementation of inclusionary housing requirements in residential rental units, upon adoption of an ordinance by the City. In the event the City amends its Inclusionary Housing Ordinance with respect to rental housing pursuant to Section 65850(g) and such amendments are applicable to the Property and effective prior to Landowner (or a successor in interest) submitting a complete application for its first building permit for a residential rental project on Parcel 61, Parcel 77, Parcel 85A-3 or Parcel 85A-4, Landowner agrees the Property shall be subject to such amendments.

c. A new Section 3.14 is hereby added to the Development Agreement as follows:

**Satisfaction of Affordable Housing Obligations; Credits.** Landowner shall create and record a deed restriction against a certain portion of the Property within Parcel 61 as described in Exhibit “B-1” and depicted on “Exhibit B-2” to this Amendment No. 2 to restrict use of such property to affordable housing purposes only (“Affordable Housing Parcel”). Said deed restriction shall require the Affordable Housing Parcel to include 64 deed-restricted multi-family housing units available for low-, very-low, and/or extremely-low income households (as those terms are defined in Sections 50079.5, 50093, 50105, and 50106 of the Health and Safety Code), which shall remain in place for at least 55 years from the date of recording. The 64 units are anticipated to be located on a site of approximately 2.5 acres but no more than 3 acres with MHD zoning that is expected to accommodate

25 to 35 units per acre. A large lot parcel map will be processed through the City to create the ultimate deed restricted Affordable Housing Parcel. A site plan will be submitted with the Large Lot Parcel Map to verify that the deed restricted affordable parcel is sized to accommodate the 64 affordable units. The Affordable Housing Parcel will be located within a portion of Parcel 61 shown and designated as the Remainder on Parcel Map PN 21-043 filed for record on October 12, 2021 in Book 245 of Parcel Maps at Page 2 in the official records of Sacramento County. Said deed restriction shall be in a form reasonably approved by City and shall be recorded against the Affordable Housing Parcel upon creation of the same and prior to issuance of a building permit for any portion of Parcel 85A-3 or 85A-4 within the Property. Unless City amends its Inclusionary Housing Ordinance as described in Section 1.7 prior to Landowner (or a successor in interest) submitting a complete application for its first building permit for a residential rental project on Parcel 61, Landowner's compliance with this Section shall fully satisfy Landowner's obligations with respect to inclusionary and/or affordable housing under the General Plan Housing Element, Specific Plan, Folsom Municipal Code, and Entitlements for any residential rental project on Parcel 61. In the event (i) City amends its Inclusionary Housing Ordinance as described in Section 1.7 prior to Landowner (or a successor in interest) submitting a complete application for its first building permit for a residential rental project on Parcel 61 or (ii) Landowner (or a successor in interest) proposes a for-sale residential project on Parcel 61, then Landowner's compliance with this Section shall instead offset Landowner's obligations with respect to inclusionary and/or affordable housing under the General Plan Housing Element, Specific Plan, Folsom Municipal Code, and Entitlements on Parcel 61 within the Property and Landowner shall receive credits for a total of 64 deed-restricted multi-family housing units ("Affordable Housing Credits"). City agrees that any such Affordable Housing Credits may be transferred to and used to satisfy and/or offset the inclusionary and/or affordable housing obligation for any residential project on Parcel 61, 77 or 85A-3 or 85A-4.

2. Effect of Amendment. This Amendment No. 2 amends, but does not replace or supersede, the Development Agreement. Except as modified hereby, all other terms and provisions of the Development Agreement shall remain in full force and effect. In accordance with the provisions of Section 1.5.3 of the Development Agreement, Landowner hereby reaffirms its agreement to abide by the provisions of the Development Agreement, as modified by this Amendment No. 2, and the conditions of approval imposed in connection with the Entitlements as applicable to the Property.

3. Form of Amendment; Execution in Counterparts. This Amendment No. 2 is executed in duplicate originals, each of which is deemed to be an original, and may be executed in counterparts.

[Remainder of Page Intentionally Left Blank; Signatures Follow on Next Page]

IN WITNESS WHEREOF, the City of Folsom has authorized the execution of this Amendment No. 2 in duplicate by its Mayor and attested to by the City Clerk under the authority of Ordinance No. \_\_\_\_\_ adopted by the City Council on \_\_\_\_\_.

CITY:

LANDOWNER:

CITY OF FOLSOM  
a municipal corporation

Eagle Commercial Partners, LLC,  
a Delaware limited liability company

By: \_\_\_\_\_

By: \_\_\_\_\_

Mayor

James Galovan  
Authorized Signer

APPROVED AS TO CONTENT;

By: \_\_\_\_\_

Elaine Anderson  
City Manager

APPROVED AS TO FORM;

By: \_\_\_\_\_

Steven Wang  
City Attorney

ATTEST:

By: \_\_\_\_\_

Christa Freemantle  
City Clerk

**EXHIBIT B-1**

**Legal Description of Affordable Housing Parcel**

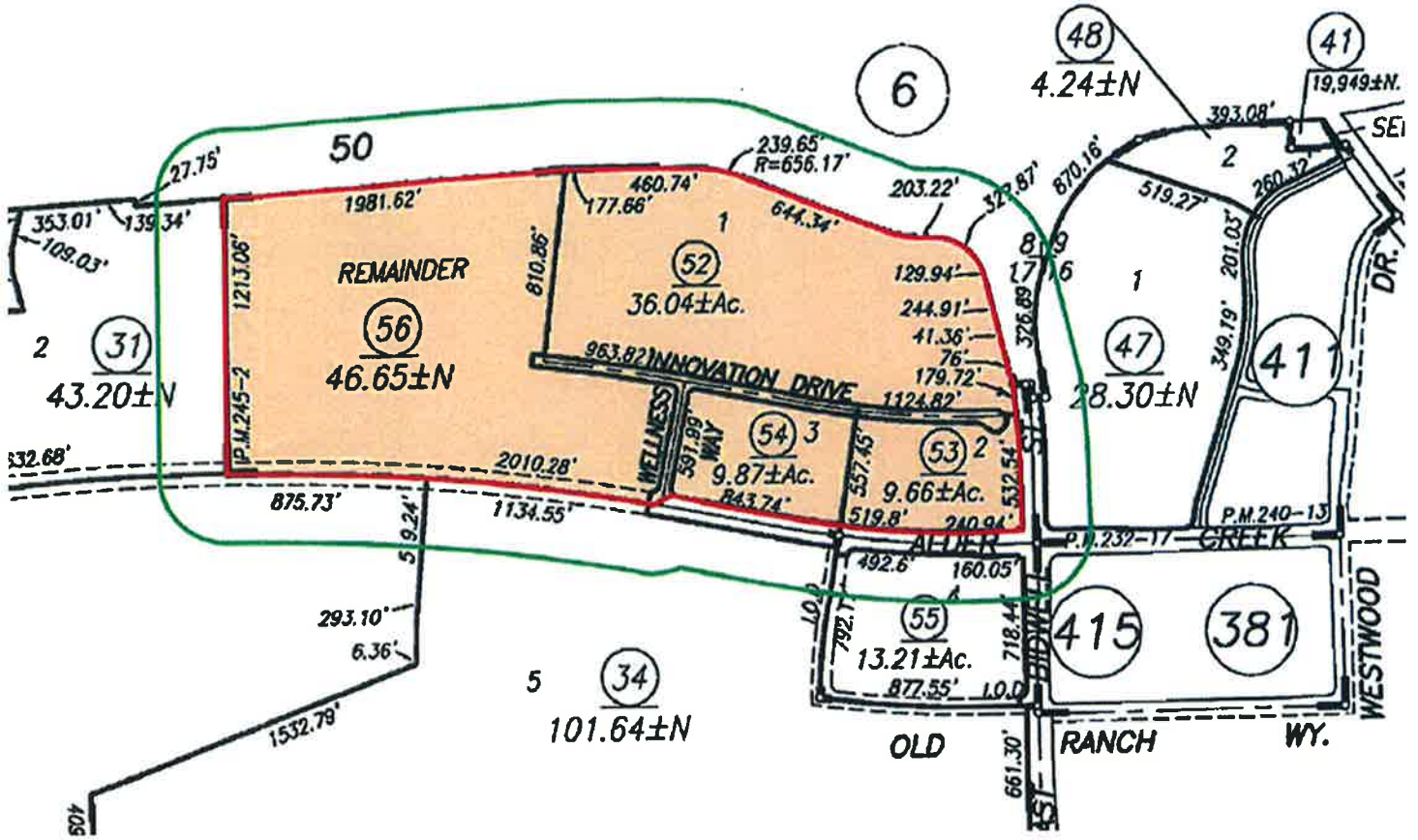
The land described herein is situated in the State of California, County of Sacramento, City of Folsom, described as follows:

That portion of the designated Remainder lot, as shown on that certain map entitled "PN 21-043 Parcel Map, Parcel 61" filed for record in the office of the Recorder of the County of Sacramento, on October 12, 2021, in Book 245 of Parcel Maps, at Page 2, Sacramento County Records.

APN: 072-3190-056

**EXHIBIT B-2**

**Depiction of Affordable Housing Parcel**



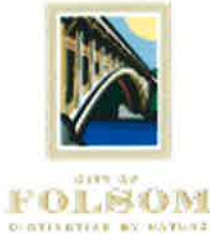


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to facilitate double-sided printing.*



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE





# Folsom City Council Staff Report



<b>MEETING DATE:</b>	3/28/2023
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11006 - A Resolution Authorizing the City Manager to Execute an Agreement with McGuire and Hester for the Construction of the Greenback Sewer and Lift Station No. 3 Project and Appropriation of Funds
<b>FROM:</b>	Environmental and Water Resources Department

### RECOMMENDATION / CITY COUNCIL ACTION

The Environmental and Water Resources Department recommends the City Council pass and adopt Resolution No. 11006 - A Resolution Authorizing the City Manager to Execute an Agreement with McGuire and Hester for the Construction of the Greenback Sewer and Lift Station No. 3 Project and Appropriation of Funds.

### BACKGROUND / ISSUE

The Environmental and Water Resources (EWR) Department identifies sewer infrastructure rehabilitation and replacement projects through sewer master plans and ongoing sewer condition assessment programs. As a condition of the City’s State permit for its wastewater collection system, the EWR Department is required to perform ongoing condition assessments on the wastewater system and correct any defects/deficiencies identified through this process. Through these efforts, City staff identified the Greenback Sewer and Lift Station as needing rehabilitation or replacement.

This project involves the decommissioning of the existing, active Pump Station 3, installing a flow diversion structure, and other miscellaneous sewer system modifications. By modifying the existing sewer infrastructure and installing the flow diversion structure, the small volume of flow that is sent to Pump Station 3 can be diverted to Pump Station 2 which will allow Pump Station 2 to run more efficiently. For potential emergency and operational purposes, the City

will purchase and install a new trailer mounted portable bypass pump at the Pump Station 3 facility. The portable bypass pump and existing ancillary equipment associated with Pump Station 3 will serve as a backup to Pump Station 2 in the event that Pump Station 2 needs to be taken out of service. This will allow the city to save the costs of rehabilitating the existing Pump Station 3 while increasing efficiency of Pump Station 2 and increasing the sewer systems operational flexibility.

This resolution will authorize the City Manager to execute an agreement with McGuire and Hester for the construction of the Greenback Sewer and Lift Station No. 3 Project in the amount of \$2,595,790, and the budget for this agreement to include a 10% contingency in the amount of \$259,579 and Appropriation of Funds.

**POLICY / RULE**

In accordance with Chapter 2.36 of the Folsom Municipal Code, supplies, equipment, services, and construction with a value of \$70,952 or greater shall be awarded by City Council.

**ANALYSIS**

The City completed plans and specifications for the Greenback Sewer and Lift Station No. 3 Project and publicly advertised for bids on January 23, 2023. In addition, the City provided these documents to www.ciplist.com which is also picked up by several area builders' exchanges and the City of Folsom's website. The Environmental and Water Resources Department received the following bid on March 3, 2023, for construction of the Greenback Sewer and Lift Station No. 3 Project:

Contractor	Bid Amount
McGuire and Hester	\$2,595,790

Staff has reviewed the bid submitted and has determined that McGuire and Hester is the lowest responsible and responsive bidder who meets the requirements and specifications set forth in the invitation for bids.

**FISCAL IMPACT**

The EWR Department recommends that the contract be awarded to the lowest responsible, responsive bidder, McGuire and Hester for \$2,595,790 with the project budgeted for this agreement in the amount of \$2,855,369 which will include a 10% contingency in the amount of \$259,579.

Approximate project costs to date include design, construction administration services, construction management and inspection services, legal advertising, and easement valuation and acquisition, and total approximately \$1,199,452.08 The Greenback Sewer and Lift Station No. 3 Project was included in the FY 2022-23 Capital Improvement Plan with a total project budget of \$2,724,674. Therefore, an additional appropriation will be needed for construction

costs, and staff is requesting an appropriation of \$1,330,147 in the Sewer Operating Fund (Fund 530) for a total project budget of \$4,054,821. Funds are available in Fund 530 for this additional appropriation.

### **ENVIRONMENTAL REVIEW**

This project is replacement and/or improvement of existing infrastructure with negligible or no expansion of use and therefore is categorically exempt from environmental review under the California Environmental Quality Act as noted in Title 14 – California Code of Regulations, Chapter 3 – Guidelines for Implementation of the California Environmental Quality Act, Article 19 – Categorical Exemptions, Sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction), and/or 15304 (Minor Alterations to Land).

### **ATTACHMENT**

Resolution No. 11006 - A Resolution Authorizing the City Manager to Execute an Agreement with McGuire and Hester for the Construction of the Greenback Sewer and Lift Station No. 3 Project and Appropriation of Funds

Submitted,

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Marcus Yasutake, Director  
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

**RESOLUTION NO. 11006****A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH MCGUIRE AND HESTER FOR THE CONSTRUCTION OF THE GREENBACK SEWER AND LIFT STATION NO. 3 PROJECT AND APPROPRIATION OF FUNDS**

**WHEREAS**, the City is currently implementing its Sewer System Management Plan (SSMP) which consists of condition assessment, as well as operation and system improvements; and

**WHEREAS**, the City has identified this project as a priority to maintain integrity and operation of the sanitary sewer collection system; and

**WHEREAS**, the project is categorically exempt from environmental review under the California Environmental Quality Act; and

**WHEREAS**, plans and specifications were prepared for this work and publicly advertised for bids on January 23, 2023; and

**WHEREAS**, McGuire and Hester was the lowest responsible and responsive bidder, with an amount of \$2,595,790; and

**WHEREAS**, this project was included in the FY 2022-23 Capital Improvement Plan with a project budget of \$2,724,674, staff is now projecting the total project costs will be \$4,054,821; and

**WHEREAS**, an additional appropriation of funds in the amount of \$1,330,147 is needed for a revised project budget of \$4,054,821 and sufficient funds are available in the Sewer Operating Fund (Fund 530) for this additional appropriation; and

**WHEREAS**, the agreement will be in a form acceptable to the City Attorney:

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom authorizes the City Manager to execute an agreement with McGuire and Hester for the construction of the Greenback Sewer and Lift Station No. 3 Project for a not-to-exceed amount of \$2,595,790 with the budgeted amount to include a 10% contingency of \$259,579 for a total of \$2,855,369; and

**BE IT FURTHER RESOLVED** that the Finance Director is authorized to appropriate \$1,330,147 for this agreement. The appropriation will be from the Sewer Operating Fund (Fund 530) fund balance in the amount of \$1,330,147.

**PASSED AND ADOPTED** this 28<sup>th</sup> day of March 2023, by the following roll-call vote:

**AYES:** Councilmember(s):  
**NOES:** Councilmember(s):  
**ABSENT:** Councilmember(s):  
**ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Rosario Rodriguez, MAYOR

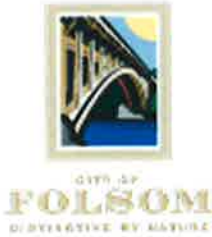
ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK

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to facilitate double-sided printing.*



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE



# Folsom City Council Staff Report



<b>MEETING DATE:</b>	3/28/2023
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11008 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees (CFFDMME)
<b>FROM:</b>	Human Resources Department

**RECOMMENDATION / CITY COUNCIL ACTION**

The Human Resources Director recommends that the City Council pass and adopt Resolution No. 11008 – A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees (CFFDMME).

**BACKGROUND / ISSUE**

The existing Memorandum of Understanding (MOU) between the City of Folsom and the City of Folsom Fire Department Middle Management Employees (CFFDMME) expired on December 31, 2022. The parties began negotiations on a new MOU on September 27, 2022, and reached a tentative agreement on February 7, 2023. CFFDMME ratified the tentative agreement on February 7, 2023. The new proposed successor MOU is being presented to the City Council on March 28, 2023, for consideration and approval.

**POLICY / RULE**

Government Code Title 1, Division 4, Chapter 10 commonly known as the Meyers-Milias-Brown Act requires that representatives of the Governing Body of a public agency shall meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. Both parties shall endeavor to reach a tentative agreement within the scope of representation, and, if a tentative agreement is reached and ratified by the respective parties, they shall prepare a written memorandum of understanding.



### **ANALYSIS and FINANCIAL IMPACT**

A tentative agreement was reached by the parties and the proposed successor Memorandum of Understanding, which will be effective January 1, 2023, contains the following changes that have some economic impact, as outlined below. The changed provisions are as follows:

1. The MOU term will be for three (3) years: January 1, 2023, through December 31, 2025.
2. The classes of Fire Battalion Chief and Fire Division Chief shall each have one salary range, consisting of five (5) steps, with five (5) percent between steps.
  - Employee step assignment in the new range shall be equal to the salary the employee is assigned as of December 31, 2022. The cost for the adjustment to the salary ranges will be approximately \$8,266 in the first year in salary and benefit costs.
3. A cost-of-living adjustment (COLA) is provided for each year of the agreement:
  - Year 1: Effective January 1, 2023
    - 3.5% for Fire Battalion Chief and Fire Division Chief employees
    - The cost for the first year of the COLA will increase salary and benefits approximately \$53,819.
  - Year 2: Effective January 1, 2024
    - 3% for Fire Battalion Chief and Fire Division Chief employees
    - The cost for the second year of the COLA will increase salary and benefits approximately \$50,133.
  - Year 3: Effective January 1, 2025
    - 3% for Fire Battalion Chief and Fire Division Chief employees
    - The cost for the third year of the COLA will increase salary and benefits approximately \$51,637.
4. Effective January 1, 2023, the classes of Fire Battalion Chief and Fire Division Chief shall receive a special salary increase of 5%. The cost of the special salary increase will be approximately \$79,576 in the first year in salary and benefits.
5. Paramedic License Pay
  - The City will increase paramedic license pay per employee from \$425 per month, to \$550 per month.
6. Uniform Allowance
  - The City will increase uniform allowance per employee to \$2,000 per year (currently at \$1,075 per year) for purchase of approved on-duty uniforms and attire.
7. Tuition/Books Reimbursement
  - The City will increase reimbursable costs per employee for books, tuition, and lodging up to \$1,500 per fiscal year (currently at \$900 per fiscal year).



8. A variety of non-economic and clarification language changes were also agreed upon.

**ATTACHMENTS**

1. Resolution No. 11008 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding between the City of Folsom and City of Folsom Fire Department Middle Management Employees.
2. Proposed Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees for the term of January 1, 2023, through December 31, 2025.

Submitted,



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Allison Garcia  
Human Resources Director

**Attachment 1**

**RESOLUTION NO. 11008**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FOLSOM AND THE CITY OF FOLSOM FIRE DEPARTMENT MIDDLE MANAGEMENT EMPLOYEES**

**RESOLUTION NO. 11008**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FOLSOM AND THE CITY OF FOLSOM FIRE DEPARTMENT MIDDLE MANAGEMENT EMPLOYEES**

**WHEREAS**, the City of Folsom and the City of Folsom Fire Department Middle Management Employees have met and conferred in good faith since September 27th, 2022; and

**WHEREAS**, the parties reached a tentative agreement on February 7th, 2023; and

**WHEREAS**, the members of the City of Folsom Fire Department Middle Management Employees ratified the tentative agreement on February 7th, 2023; and

**WHEREAS**, the City Manager and the City’s negotiation team recommend the City Council adopt the tentative agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FOLSOM**, that the City Council adopts the tentative agreement between the City of Folsom and the City of Folsom Fire Department Middle Management Employees for the period of January 1, 2023, to December 31, 2025; and

**BE IT FURTHER RESOLVED**, that the City Council of the City of Folsom authorizes the City Manager to execute a Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees.

**PASSED AND ADOPTED** on this 28th day of March 2023, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Rosario Rodriguez, MAYOR

ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK

**Attachment 2**

**PROPOSED MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FOLSOM AND THE CITY OF FOLSOM FIRE DEPARTMENT MIDDLE MANAGEMENT EMPLOYEES FOR THE TERM OF JANUARY 1, 2023, THROUGH DECEMBER 31, 2025.**



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
CITY OF FOLSOM FIRE DEPARTMENT  
MIDDLE MANAGEMENT EMPLOYEES  
(CFFDMME)  
AND  
CITY OF FOLSOM**

**January 1, ~~2020-2023~~ - December 31, ~~2022~~2025**

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PREAMBLE

On the date hereinafter subscribed, authorized representatives of the City of Folsom, herein called "City", and authorized representatives of the City of Folsom Fire Department Mid-Management Employees, herein called "CFFDMME", made and entered into this Memorandum of Understanding, hereinafter referred to as "Agreement" or "MOU." Pursuant to Section 3500 et seq. of the Government Code of the State of California, an agreement between the aforementioned parties has as its purpose the promotion of harmonious labor relations; establishment of an equitable and peaceful procedure for the resolution of differences; and the establishment of rates of pay, hours of work, and other terms and conditions of employment.

The term "agreement" as used herein means the written agreement provided under Section 3505.1 of the Government Code.

It is understood and agreed that this Memorandum of Understanding supersedes and replaces all previous such actions on these points by and between the City of Folsom and the CFFDMME.

## ARTICLE I. RECOGNITION AND COVERAGE

### 1. RECOGNITION

The CFFDMME is recognized as the exclusive representative, as provided in the City's Employer-Employee Relations Policy, for all employees assigned to the Fire Mid-Management Bargaining Unit in the following classifications:

- Battalion Chief
- Fire Division Chief

In the event new classifications are established which are appropriate for this unit, the parties agree to meet and confer for the purpose of including such in the Fire Mid-Management Bargaining Unit.

### 2. CONTINUATION OF BENEFITS

- A. This Memorandum of Understanding is intended both as the final expression of the agreement between the parties with respect to the included terms and as a complete and exclusive statement of the terms of this Memorandum of Understanding. No amendment, alteration, understanding, variation, waiver or modification of any terms or provisions of this Memorandum of Understanding shall in any manner be binding upon the parties unless made and executed in writing between the parties hereto and approved and implemented by the City Council.
- B. Terms and conditions of employment as specified in this Memorandum of Understanding shall remain in full force and effect during the term of this Memorandum of Understanding unless modified pursuant to the above paragraph. Where ordinances, rules, and policies conflict with this Memorandum of Understanding, the Memorandum of Understanding shall

prevail.

3. MEETING AND CONFERRING DURING THE TERM OF THE MOU

This Memorandum of Understanding shall be effective January 1, ~~2020~~2023, and shall expire December 31, ~~2022~~2025. Unless specifically agreed otherwise, this Memorandum of Understanding sets forth the full and entire understanding of the parties regarding the matters contained in this Memorandum of Understanding and supersedes and cancels all prior or existing understandings or agreements between the parties, whether formal or informal.

During the term of this Memorandum of Understanding, representatives of the City and CFFDMME may meet and confer on matters of mutual concern. Any agreement reached between the parties shall be memorialized in writing and be deemed a "Side Letter" to this Memorandum of Understanding.

The City Manager is authorized to enter into a Side Letter on behalf of the City for purposes of the interpretation or administration of this Memorandum of Understanding. A Side Letter to this Memorandum of Understanding shall not be deemed valid until signed by the City Manager or designee, approved as to form by the City Attorney, and signed by an authorized representative of CFFDMME. Side Letters agreed to during the term of this Memorandum of Understanding may be incorporated into any successor Memorandum of Understanding.

The parties agree to begin negotiations on a successor Memorandum of Understanding not later than 120 calendar days prior to the expiration of this Memorandum of Understanding.

4. SEVERANCE

Should any provision of this Agreement be found unlawful or unenforceable by a court of competent jurisdiction, or invalidated by subsequent enacted legislation, the remainder of the Agreement shall continue in force. Upon occurrence of such an event, the parties shall meet and confer as soon as practical to renegotiate the invalidated provision(s).

Upon a change in the dental, vision, short term, long term, or life insurance plans provided in this Agreement, the parties agree to meet and confer over the impact of the change on employees in the Fire Mid-Management Bargaining Unit.

ARTICLE II. MANAGEMENT RIGHTS

To ensure that the City is able to carry out its statutory functions and responsibilities, nothing contained in this article shall be construed to require the City to negotiate on

matters which are solely a function of management, or not otherwise assigned as an employee right, including the following:

1. To manage the City generally and to determine issues of policy.
2. To determine the existence of facts which are the basis of management decisions.
3. To determine the necessity for and organization of any service or activity conducted by the City, and to expand or diminish services.
4. To determine the nature, manner, means, technology, and extent of services to be provided to the public.
5. To determine methods of financing.
6. To determine types of equipment or technology to be used.
7. To determine and/or change the facilities, methods, technology, means, organizational structure, and size and composition of the work force, and to allocate and assign the work which the City operations are to be conducted.
8. To determine and change the number of locations, relocations, and types of operations, processes, and materials to be used in carrying out all City functions, including, but not limited to, the right to contract for or sub-contract any work or operation of the City.
9. To assign work to and schedule employees in accordance with requirements as determined by the City, and to establish and change work schedules and assignments upon reasonable notice and good faith meet and confer.
10. To lay off employees from duties because of lack of work or funds, or under conditions where continued work would be ineffective or non-productive.
11. To establish and modify productivity and performance programs and standards.
12. To dismiss, suspend without pay, demote, reprimand, without salary step increases, or otherwise discipline employees for cause.
13. To determine minimum qualifications, skills, abilities, knowledge, selection procedures and standards, and job classifications, and to reclassify employees.
14. To hire, transfer, promote and demote employees for non-disciplinary reasons.
15. To determine policies, procedures, and standards for selection, training and promotion of employees.



- 16. To establish reasonable employee performance standards, including, but not limited to, quality and quantity standards, and to require compliance therewith.
- 17. To maintain order and efficiency in City facilities and operations.
- 18. To establish, publish, and/or modify rules and regulations to maintain order and safety and health in the City. The City agrees to meet and confer on any items that fall within the scope of Government Code Section 3500 et, seq.
- 19. To restrict the activity of an employee organization on the municipal property and on municipal time except as set forth in the City’s Personnel Rules and Regulations.
- 20. To take all necessary actions to carry out the mission of the City in emergencies.

### ARTICLE III. SALARY AND OTHER COMPENSATION

#### 1. ~~IMPLEMENTATION OF NEW SALARY RANGE~~

A. The salary ranges for the CFFDMME represented classes are attached to this Memorandum of Understanding (Attachment A). These salary ranges shall be effective January 1, ~~2020~~2023. These ~~new~~ salary ranges include Education Incentive Pay ~~that was~~ previously paid as additional compensation, which was incorporated into base pay under the 2020 – 2022 MOU.

B. Salary range steps shall be approximately 5% between steps.

C. Employees will be moved to the new salary range that is closest to their base salary (base salary as of December 31, 2022) without being lower.

Procedures for step advancement, promotion, demotion, transfer, and layoff as set forth in the City of Folsom Personnel Rules and Regulations, and this MOU, shall apply. Anniversary dates shall remain the same.

Salary Range Advancement:

~~Anyone appointed to CFFDMME classes on or after January 1, 2020 shall advance one (1) salary step upon receipt of a merit increase at their anniversary date. All salary step advancement criteria contained in City Personnel Rules shall continue to apply~~

Salary Range Advancement – Incumbents as of January 1, 2020:

~~Incumbent Fire Division Chiefs as of January 1, 2020 will advance two (2) steps upon receipt of a merit increase, until reaching the top of the range. Incumbent Fire Battalion Chief as of January 1, 2020, will advance two (2) steps upon receipt of a merit increase, up to Step 6, and then will advance one (1) salary~~

~~step per merit increase thereafter. Future incumbents will advance one salary step per merit increase.~~

## 2. SALARY ADJUSTMENTS

- A. Effective ~~as of~~ January 1, ~~2020-2023~~, all employees shall receive a salary increase of ~~23.5~~%.
- B. Effective January 1, ~~2021-2024~~, all employees shall receive a salary increase of ~~2.253~~%.
- C. Effective January 1, ~~2022-2025~~, all employees shall receive a salary increase of ~~2.53~~%.

## 3. SPECIAL SALARY INCREASE

Effective January 1, 2023, the classes of Division Chief and Battalion Chief shall receive a special salary increase of 5%.

## 43. MARKET SURVEY

Should the City conduct a market survey of the CFDDMME classes, the study shall determine the relationship of the total compensation for the City of Folsom job classifications when compared to comparable job classifications in the following agencies: City of Davis, City of Rocklin, City of West Sacramento, City of Sacramento, Sacramento Metropolitan Fire Protection District, City of Roseville, El Dorado Hills Fire District, and Cosumnes Community Services District.

## 45. LONGEVITY PAY

- A. Subject to subsection B below, employees shall be eligible to receive longevity pay beginning with ten (10) or more years of City service. ~~Longevity pay is contingent upon the fact that the eligible employee has received an overall satisfactory or above rating in his/her last annual performance evaluation.~~ The longevity pay formula is based on 2.5% increments and is as follows:
- ~~2.5~~  $1\frac{1}{2}$ % after ten (10) continuous years of city service
  - an additional  $2\frac{1}{2}$ % for a total of 5% after fifteen (15) continuous years of city service
  - an additional  $2\frac{1}{2}$ % for a total of ~~7.5~~  $7\frac{1}{2}$ % after twenty (20) continuous years of city service

- B. Employees hired after July 1, 2010, shall not be eligible to receive Longevity Pay.

## 56. DEFERRED COMPENSATION

For employees participating in the City's deferred compensation program, the City agrees to make the following matching contributions in accordance with the following schedule:

<u>Length of Service</u>	<u>Maximum City Matching Contribution</u>
0 -10 years	\$250.00 per month
10 -15 years	\$275.00 per month
15 -20 years	\$300.00 per month
20+ years	\$350.00 per month

**67. VEHICLE ASSIGNMENT**

With the recommendation of the Fire Chief and approval of the City Manager, employees may be provided a department vehicle for transportation to and from job-related activities.

**78. CELLULAR TELEPHONE ASSIGNMENT**

At the discretion of the Fire Chief, employees may be assigned a cellular telephone for communications accessibility.

**89. RETIREMENT**

**A. Public Employees Retirement System (PERS) – Formula**

All safety employees hired prior to June 30, 2010, shall receive the retirement benefit of 3% @ 50. All safety employees hired on or after July 1, 2010, shall receive the retirement benefit of 2%@50. Pursuant to the California Public Employee's Pension Reform Act of 2013 (AB 340), all employees hired after January 1, 2013, shall receive the retirement benefit of 2.7@57.

All employees hired prior to June 30, 2010, shall receive the retirement benefit (subject to PERS limits) based on the single highest twelve (12) months of compensation. All employees hired on or after July 1, 2010, shall receive the retirement benefit (subject to PERS limits) based on the employee's highest average monthly compensation during thirty-six (36) consecutive months of employment as provided in state law pertaining to PERS.

**B. Public Employees Retirement System (PERS) -- Contributions**

The City agrees to pay the full cost of employer contributions to the Public Employees' Retirement System (PERS) for all employees in the CFFDMME bargaining unit, as currently contracted with PERS. Employees shall pay the employee share of retirement according to the following schedule:

- Classic safety employees shall pay 9% as the employee share of retirement.
- PEPRA safety employees pay the employee share of retirement as specified and adjusted by PERS.



### 910. PRE-RETIREMENT OPTIONAL SETTLEMENT 2W DEATH BENEFIT (SURVIVORS)

The City's contract with the Public Employees' Retirement System (PERS) includes Government Code Section 21548, Pre-Retirement Optional Settlement 2W Death Benefit.

### 1011. EMT 1A CERTIFICATION / PARAMEDIC LICENSE

The parties agree that an Emergency Medical Technician 1 (EMT 1A) certification is required for all CFFDMME positions and that a Paramedic License is optional but preferred. Employees shall receive \$250.00 per month in addition to in their base salary for a valid EMT 1A Certificate or ~~\$425-550.00~~ per month for a Paramedic License.

## ARTICLE IV. OVERTIME

### 1. OVERTIME COMPUTATION

- A. Employees assigned to a 56-hour workweek shall be compensated at the rate of time and one-half of the total hourly compensation rate for all hours worked in emergency response that are not part of the employee's normally assigned work schedule.
- B. Employees assigned to a 40-hour work week and assigned to work overtime in a 56-hour shift position shall be compensated at one and one-half times the employee's straight time hourly rate of pay based on a 56-hour work week (2912 hours worked per year rather than 2080 hours).
- C. Employees assigned to work a special event for which the City is reimbursed for the cost of City fire personnel shall be compensated at one and one-half times the employee's straight time hourly rate of pay based on either a 40 hour or 56-hour work schedule, depending on the employee's normal assigned work week.
- D. For purposes of this section, total hourly compensation shall include base salary, longevity pay, paramedic pay, EMT pay and 40-hour work schedule salary differential received by an employee.

## ARTICLE V. HOURS OF WORK

### 1. SHIFTS

- A. Employees shall work either a 56-hour workweek or a 40-hour workweek. Employees working a 56-hour workweek shall work the following work shift:

- (1) Personnel working a 56-hour workweek (2,912 hours per year) will work a total of four shifts within a twelve (12) day cycle. Each shift shall be for 24 hours in duration and shall be scheduled back-to-back, contiguously. A shift rotation is defined as two (2) back-to-back, contiguous 24-hour shifts.
  - (2) The twelve (12) day cycle shall start at 0800 hours.
  - (3) Pursuant to Article II, Management Rights, of this MOU work schedules shall continue to be at the discretion of the Fire Chief in consultation with the City Manager, upon reasonable notice and good faith meet and confer with the CFFDMME. The City also reserves the right to review this shift schedule on a periodic basis in order to address any potential inequities or problems.
- B. Employees assigned to a 40-hour workweek may work a flexible schedule upon approval of the Fire Chief. Telecommuting may be considered as part of this flexible schedule for assignments that may be applicable.

## ARTICLE VI. LEAVES

### 1. ANNUAL LEAVE

- A. Employees shall receive the following Annual Leave credits.

Non-shift personnel (40-hour work week):

<u>Length of Service</u>	<u>Annual Leave Allowance</u>
0 - 5 years	16 hours per month
5 - 10 years	19 hours per month
10 - 15 years	22 hours per month
15+ years	25 hours per month

Shift personnel (56-hour work week):

<u>Length of Service</u>	<u>Annual Leave Allowance</u>
0 - 5 years	23 hours per month
5 - 10 years	28 hours per month
10 - 15 years	32 hours per month
15+ years	35 hours per month

- B. Except as specified in Article VI, Section C (1) below, employees shall not accrue sick leave. However, employees who have accumulated sick leave hours shall retain such hours and may use such leave credits pursuant to Article VI, Section 4, Sick Leave, of this MOU.

C. Employees with annual leave balances that exceed the annual leave caps of 320 for non-shift/~~448-480~~ for shift employees as of the date of ratification by City Council of this MOU, may retain such balances until the annual leave balances are reduced to the new caps.

(1) To avoid exceeding the maximum of 320/~~448-480~~ hours of accumulated annual leave, the City may direct an employee to take time off on annual leave. However, in the event the City does not approve annual leave for an employee in an amount sufficient to reduce accumulated annual leave to 320/~~448-480~~ hours, the number of hours that exceed 320/~~448-480~~ hours shall be rolled over into sick leave until the annual leave balance is reduced to the cap.

(2) Employees may cash out up to 40 hours of annual leave for non-shift personnel, and 56 hours of annual leave for shift personnel per fiscal year. Annual leave shall be cashed out pursuant to procedures established by the City Human Resources Department.

(3) Accrued annual leave shall be cashed out upon separation of employment with City on an hour for hour basis.

## 2. MANAGEMENT LEAVE

Employees shall receive management leave at a rate of 80 hours annually based on a fiscal calendar. Such leave shall be posted to affected employees on July 1<sup>st</sup> each year. Employees promoted with less than 12 months' service in a CFFDMME shall accrue management leave on a prorated basis.

A member of CFFDMME who works substantially more than 80 hours per pay period without compensation, may be allocated up to a total of 100 hours per year of management leave. Annually, the Fire Chief may provide a list to the City Manager of those employees who they feel are deserving of the additional management leave. A list of regularly performed duties in excess of compensated hours shall be included with each employee's name. The list shall be submitted for the City Manager's review and approval no later than July 1 of each year. All such requests are subject to final approval by the City Manager.

## 3. LEAVE CONVERSIONS

Effective January 1, 2023, the City and CFFDMME agree to the following terms related to the conversion of annual leave hours by employees when they are placed in temporary and permanent assignments within the department.

A. Conversion from 56 Hour to 40 Hour Work Week Assignments. Employees temporarily or permanently assigned to staff positions on a 40-hour work week schedule shall have ~~all-annual~~ leave usage banks converted using a division factor of 1.4 for each hour available in the leave

bank. As an example, a 56-hour employee with 100 hours of annual leave would see their annual leave bank adjusted to 71.43 hours when the employee is assigned to a 40-hour work assignment.

B. Conversion from 40 Hour to 56 Hour Work Week Assignments. Employees temporarily or permanently assigned to line positions on a 56-hour work week schedule shall have ~~all-annual~~ leave usage banks converted using a multiplier factor of 1.4 for each hour available in the annual leave bank. As an example, a 40-hour employee with 71.43 hours of annual leave would see their annual leave bank adjusted to 100 hours when the employee is assigned to a 56-hour work assignment.

C. Leave usage rates shall be applied at the hourly rate used by the employee during the temporary or permanent assignment.

D. Leave conversion rates shall be applied to ~~all-annual~~ leave accrual banks provided to the employee by the City.

D.E. As of January 1, 2023, the City agrees it will not convert sick leave banks.

#### 4. SICK LEAVE

A. Sick leave may be used by employees for purposes enumerated in City Personnel Rules.

B. Consistent with PERS law, sick leave shall be converted to service credit for purposes of retirement (Government Code section 20965).

C. Accrued sick leave shall not be cashed out.

D. There shall be no maximum on the number of hours of sick leave an employee may accrue (bank).

#### 5. HOLIDAY PAY

Employees shall receive a 6% Holiday Pay differential. Holiday Pay shall be multiplied by the employee's salary step. Employees with accrued Holiday Leave credits on the books may take such time off in the same manner as Annual Leave. Holiday Pay shall be compensable for retirement (PERS) purposes.

#### 6. VACATION SCHEDULING

The City and CFFDMME agree to establish a vacation scheduling procedure as noted below:

A. No more than one (1) employee shall be granted leave for vacation purposes at the same time; provided, however, that on holidays the Fire Chief may authorize more than one employee.

- B. Employees shall not be granted leave for vacation purposes for more than forty-five (45) consecutive calendar days. Employees must return to duty for at least fourteen (14) calendar days before being eligible to take additional leave for vacation purposes.
- C. Employees will not be contacted during vacation periods to work overtime during their vacation and will not be force hired to maintain normal day-to-day minimum staffing during their scheduled vacation period. Employees may be subject to vacation cancellation and recall pursuant to City Personnel Rules and Regulations.

## 7. BEREAVEMENT LEAVE

Classified permanent or promotional probationary employees may be granted a maximum of ninety-six (96) hours or four (4) shifts from accrued leave time for each instance to deal with matters related to the funeral, death, or critical illness (where death appears imminent) of any member of the employee's immediate family, including aunt, uncle, brother-in-law, sister-in-law, daughter-in-law and son-in-law.

Annual Leave usage for Bereavement Leave shall be taken by the employee in twelve hour or greater increments.

## 8. PERSONAL LEAVE TIME

- A. Any Personal Leave Time (PLT) remaining on the books may be used by employees for time off on an hour for hour basis until the employee has exhausted the bank. Use of PLT time shall be subject to the following:
  - (1) Use of PLT shall be subject to the operating needs of the Fire department.
  - (2) Use of PLT shall not cause the Fire department to backfill behind an employee using PLT.
  - (3) PLT shall have no cash value and may not be cashed out. If an employee terminates employment with the City or retires, any PLT remaining in the bank shall be surrendered with no value to the employee.

## ARTICLE VII. INSURANCE

The City's obligation for health, dental, vision, life and disability insurance coverage is limited to plan contribution. Plan content, including eligibility criteria, is determined by the respective carriers.

## 1. HEALTH INSURANCE

- A. Effective April 1, 2011, as demonstrated in the example below, employees shall be included in the same health plan design as the majority of City employees, including copayments. The City's maximum monthly contribution for active employee health insurance coverage shall be adjusted annually to an amount equal to 50% of the increase, if any, above the prior year's Kaiser monthly premium rate combined with the City's prior year contribution amount for employee only, employee plus 1, and employee plus 2 or more (rounded to the next whole number). The employee is responsible for the difference between the applicable premium and the City's contribution.

### Example:

**Employee only category:** The 2010 monthly premium for Kaiser employee only is \$507.89 and the City's maximum monthly contribution is \$486.00. If this premium increases by 10% for 2011, or to \$558.68, the City's contribution for 2011 for the employee only category would be computed as follows:  $\$558.68 - \$507.89 = \$50.79$ ,  $\$50.79 \times 50\% = \$23.40$ ,  $\$486.00 + \$23.40 = \$509.40$ . After rounding to the next whole number, the City's maximum contribution for health insurance for the employee only category would be \$509 per month. If the premium increases by 10% for 2012, or to \$614.55, the City's contribution for 2012 for the employee only category would be computed as follows:  $\$614.55 - \$558.68 = \$55.87$ ,  $\$55.87 \times 50\% = \$27.93$ ,  $\$509.00 + \$27.93 = \$536.93$ . After rounding to the next whole number, the City's maximum contribution for health insurance for the employee only category would be \$537 per month.

**Employee plus 1 category:** The 2010 monthly premium for Kaiser employee plus 1 is \$1,015.78 and the City's maximum monthly contribution is \$972.00. If this premium increases by 10% for 2011, or to \$1,117.36, the City's contribution for 2011 for the employee plus 1 category would be computed as follows:  $\$1,117.36 - \$1,015.78 = \$101.58$ ,  $\$101.58 \times 50\% = \$50.79$ ,  $\$972.00 + \$50.79 = \$1,022.79$ . After rounding to the next whole number, the City's maximum contribution for health insurance for the employee plus 1 category would be \$1,023 per month. If the premium increases by 10% for 2012, or to \$1,229.10, the City's contribution for 2012 for the employee plus 1 category would be computed as follows:  $\$1,229.10 - \$1,117.36 = \$111.74$ ,  $\$111.74 \times 50\% = \$55.87$ ,  $\$1,023.00 + \$55.87 = \$1,078.87$ . After rounding to the next whole number, the City's maximum contribution for health insurance for the employee plus 1 category would be \$1,079 per month.

**Employee plus 2 or more category:** The 2010 monthly premium for Kaiser employee plus 2 or more is \$1,320.52 and the City's maximum monthly contribution is \$1,263.00. If this premium increases by 10% for



2011, or to \$1,452.57, the City's contribution for 2011 for the employee plus 2 or more category would be computed as follows:  $\$1,452.57 - \$1,320.00 = \$132.57$ ,  $\$132.57 \times 50\% = \$66.29$ ,  $\$1,263 + \$66.29 = \$1,329.29$ . After rounding to the next whole number, the City's maximum contribution for health insurance for the employee plus 2 or more category would be \$1,329 per month. If the premium increases by 10% for 2012, or to \$1,597.83, the City's contribution for 2012 for the employee plus 2 or more category would be computed as follows:  $\$1,597.83 - \$1,452.57 = \$145.26$ ,  $\$145.26 \times 50\% = \$72.63$ ,  $\$1,329 + \$72.63 = \$1,401.63$ . After rounding to the next whole number, the City's maximum contribution for health insurance for the employee plus 2 or more category would be \$1,402 per month.

- B. Employees who select a health plan with higher monthly premiums than the maximum monthly premium paid by the City (Section A above) shall pay the difference through payroll deduction. Should employees select a health plan with lower monthly premiums than the maximum monthly premium paid the City, the City's contribution shall be limited to the cost of the monthly premium.
- C. Notwithstanding Section 1, Item A, the City's maximum monthly contribution for active employee health insurance coverage shall not be reduced more than eighty percent (80%) of the Kaiser premium cost for the employee only category, employee plus 1 category, or employee plus 2 or more category.
- D. High Deductible Health Plans
- (1) The City agrees to offer High Deductible Health Benefit Plans offered by the health benefit plan carriers.
  - (2) The City agrees to make available a Health Savings Account (HSA) to eligible active employees who select a High Deductible Health Benefit Plans.
  - (3) Fifty percent (50%) of the difference between the City's monthly contribution towards the cost of the Kaiser HMO Health plan premiums as set forth in Article VII, Section 1 of the MOU and the monthly premium for a High Deductible Health Plan shall be contributed into the employee's HSA. Tax status of contributions, contribution amounts, and use of HSA funds shall be in accordance with federal and state law.
- E. The City will maintain an IRS 125 Medical Reimbursement Account. Employees may participate in the account pursuant to administrative procedures established by the City.



E.F. Health Insurance – Cash Back

- (1) Probationary or permanent employees, who certify to the Human Resources Department that they have group health insurance coverage with comparable benefits to health plans offered by City, may decline to participate in City health insurance coverage.
- (2) Employees who decline to participate in City health insurance coverage shall receive a cash back payment from the City of \$300.00 per month for each month the employee does not participate in City health insurance coverage.
- (3) Employees who have declined to participate in City health plan coverage pursuant to this section may enroll in City health plan coverage only during the annual open enrollment period, or other qualifying life event as determined by the California Department of Insurance.
- (4) This section shall be administered pursuant to procedures established by the City Human Resources Department.
- (5) Employees who decline health insurance coverage shall continue to be eligible to participate in the City's vision and dental plans.
- F.(6) An employee whose spouse is employed by the City and receives health insurance is also eligible to receive the cash back payment.

**2. DENTAL INSURANCE**

Dental insurance will be provided by Delta Dental Services, Inc. The City will contribute 80% of the monthly premium for an employee, employee and dependent or an employee plus family as set forth in the plan document. Employees will contribute 20% of the monthly premium. The Delta Dental Preferred Provider Program shall provide coverage maximum of \$1,750 per year for employees/dependents who patronize Preferred Provider Program participating dentists. Employees/dependents that choose non-participating dentists shall have a coverage maximum of \$1,500 per year.

**3. VISION CARE**

Vision insurance will be provided by Vision Services Plan (VSP). The City will contribute 80% of the monthly premium for an employee, employee and dependent or an employee plus family as set forth in the plan document. Employees will contribute 20% of the monthly premium.

The following elements shall provide the basis of VSP coverage:

- A. One eye exam every 12 months;
- B. One set of lenses every 12 months;
- C. ~~\$100~~ \$150 allowance/wholesale basis for frames; and
- D. A co-pay of \$5.00 per visit.

#### 4. LIFE INSURANCE

The City agrees to provide \$60,000 life insurance coverage and \$60,000 accidental death and dismemberment coverage for employees covered by this MOU. Eligible dependents shall receive \$2,000 life insurance coverage.

#### 5. SHORT TERM DISABILITY PROGRAM

The City agrees to provide a Short Term Disability Insurance Program, with the City paying 100% of the premium rate for the weekly indemnity insurance program (short-term disability) of up to 60% of salary, subject to the plan maximum, for up to sixty (60) calendar days. The waiting period for initiation of benefits shall be twelve (12) calendar days. Otherwise, the City's obligation to provide Short Term Disability insurance coverage is limited to plan contributions. The Short Term Disability insurance carrier shall determine plan content. Any change in the Short Term Disability Insurance plan that results in changes to the disability benefit is subject to meeting and conferring.

#### 6. LONG TERM DISABILITY PROGRAM

The City agrees to provide a long-term disability program for employees in the CFFDMME Bargaining Unit as provided in the plan document. Plan coverage shall provide a maximum benefit of up to 60% of salary, up to age 65. The maximum payment on this plan is subject to plan agreement.

#### 7. RETIREE HEALTH INSURANCE

- A. Effective May 8, 2007, existing employees as of that date who retire<sup>1</sup> from City service may participate in the health insurance plans made available by the City for active employees until age 65 when they move to a Medicare Advantage Plan per subsection 42.A.ii.b.v. of this section. The amount of the City's monthly contribution shall be determined as set forth below. Any costs that exceed the maximum paid by the City towards retiree health insurance costs shall be borne by the retiree.

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<sup>1</sup> "Existing employees" are exclusively permanent and/or probationary employees of the City of Folsom on the date the Addendum was approved by the Folsom City Council (May 8, 2007). "Retire" or "retiree" is defined as any classified City employee who (1) applies for retirement with the Public Employees' Retirement System (PERS) within ninety (90) days after terminating employment with the City; and (2) receives a PERS retirement benefit.

- (1) Employees who retire with less than 5 years of service<sup>2</sup> shall not be eligible to receive any City contribution toward the cost of retiree health insurance.
- (2) Employees who retire with more than 5 years of service shall qualify for a monthly City retiree health insurance contribution.
  - i. Subject to the maximum set forth in Item 3 below, the City retiree health insurance contribution shall be as follows:
    - ii. Retiree only – an amount equal to the City’s contribution towards active employee health insurance for the category of “employee only.”
    - iii. Retiree and one dependent – an amount equal to the City’s contribution towards active employee health insurance for the category of “employee plus one.”
    - iv. Retiree and two or more dependents – an amount equal to the City’s contribution towards active employee health insurance for the category of “employee plus two or more” until the retiree reaches age 55. Thereafter, the City’s contribution towards a retiree with two or more dependents shall be an amount equal to the City’s contribution towards active employee health insurance for the category of “employee plus one” plus \$100.
    - v. Retirees and their covered family members who are Medicare eligible must move to an offered Medicare Advantage Plan option when they reach Medicare eligibility. These plans require that they enroll and pay for Medicare parts A and B. Retirees are responsible for showing proof of Medicare enrollment as required by the carrier. Medicare eligible retirees will be dropped from the City’s non-Medicare plan upon Medicare eligibility and/or charged any additional costs associated for noncompliance by the plan carrier.
- (3) The City’s monthly contribution toward the cost of retiree health insurance shall not exceed the maximum monthly contribution paid by the City to active employee health insurance for the categories of employee only (for retiree only), employee plus one (for retiree plus one dependent), and employee plus one plus \$100 (for retiree plus two or more dependents), as of January 1, 2012.

---

<sup>2</sup> “Service” is defined as full time (or equivalent) continuous permanent and/or probationary employment status with the City of Folsom.

- i. The January 1, 2012 cap for each category shall be adjusted each January thereafter by an amount not to exceed 3%, depending on the percent increase in the Consumer Price Index (CPI), U.S. Department of Labor, for November - November of the previous year, Index CPI-W, Urban Wage Earners and Clerical Workers, Series #CWUR0400SA0, United States. (Example, if the cost of living for the specified period increases by 2%, the cap shall be increased by 2%. If the cost of living for the specified period increases by 4%, the cap shall be increased by 3% (cost of living increases in the cap shall be rounded to the nearest tenth.)

(4) The City contributes \$25 per pay period into an HRA for each probationary/permanent employee hired after July 1, 2008.

- C. Employees who retire from City service as of January 1, 2020, must have at least 120 months of continuous service as a City employee to qualify for dental and vision insurance benefits provided to active employees. For those retiring on or after October 1, 2020, the City shall contribute 5% of the premium per year of City service, up to an 80% City contribution.

## ARTICLE VIII. ALLOWANCES AND REIMBURSEMENTS

### 1. UNIFORM ALLOWANCE

- A. The City agrees to pay employees the sum of ~~one-two~~ thousand dollars (\$2,000.00) and ~~seventy-five (\$1075)~~ per fiscal year for the purchase of approved on duty uniforms and attire. All uniforms purchased shall comply with the most current regulations and specifications as identified in Standard Operating Procedures (SOP).
- B. The City agrees to continue providing employees covered by this MOU the current uniform laundering services, with costs being assumed by the City.

### 2. TUITION/BOOKS REIMBURSEMENT

Employees who attend job related classes/training programs that are approved by the department shall be entitled to reimbursement of costs for books, tuition, and lodging (pursuant to the City's lodging reimbursement schedule) up to ~~nine hundred dollars (\$900.00)~~ one thousand, five hundred dollars (\$1,500.00) per fiscal year. The Fire Chief may authorize additional employee reimbursement costs above this limit, when requested by the employee, should said request not exceed the budgeted amount of the department for this program.

Approval shall be given by the department Training Officer prior to the beginning of the class/training program. The City shall implement a procedure that allows for payment of an authorized class up front when requested by the employee.

An employee may repeat a job-related course to maintain or upgrade his/her knowledge, skills and abilities.

Attendance in job related classes/training programs will be non-mandatory and will not include overtime payment or reimbursement for costs of transportation, meals, or other incidental expenditures, unless otherwise specified prior to the course and approved by the department.

Employees who fail to attend or satisfactorily complete a job-related class/training program shall reimburse the department for all costs incurred by the City. The City shall deduct the total amount of monies spent by the department from the employee's paycheck over the next four (4) pay periods.

### 3. SCBA OPTICS REIMBURSEMENT

Optical wear (lenses) suitable for insertion into SCBA mask are reimbursable by the City. Employees should use the claim reimbursement form and submit it within thirty (30) days using the chain of command.

## ARTICLE IX. MISCELLANEOUS

### 1. JOB CLASSIFICATIONS

- A. The City recognizes that CFFDMME has a vital interest in the content of fire job specifications, including minimum qualifications and promotional patterns, for classifications represented by CFFDMME.
- B. The City agrees to notify CFFDMME anytime the City proposes to recruit and examine for, or to modify, fire job classifications represented by CFFDMME. The City agrees to meet and consult with CFFDMME over such proposed changes if CFFDMME so requests.
- C. On its own initiative, CFFDMME may at any time notify the City Human Resources Director that CFFDMME requests to meet and consult with the City over CFFDMME proposed modifications to the recruitment and examination procedure, and/or job specifications for fire classifications represented by CFFDMME. The City shall schedule a meet and consult session in response to such request.
- D. Nothing in this provision shall be construed as to require the City to divulge information or change procedures that in any way would compromise the integrity of the City's merit system.



## 2. SHORT TERM SUSPENSION

The parties agree that the members of this unit are not subject to short-term suspension as defined by the Personnel Rules and Regulations of the City of Folsom.

## 3. FITNESS / WELLNESS

A. The City and CFFDMME agree to support a comprehensive, mandatory annual medical examination for all uniformed employees represented by CFFDMME, as a component of the fitness/wellness program.

B. The City agrees an established a fitness/wellness work out period for all CFFDMME employees during the normal work shift.

## 4. SENIORITY FOR PURPOSES OF LAYOFF

Seniority for purposes of layoff shall be defined by the date of the most recent appointment to the classification. Time served as a probationary employee in the class shall be included in determining seniority.

## 5. SALARY UPON PROMOTION

An employee who is promoted to a position in a classification with a higher salary range shall be placed in the step in the new salary range that is at least 5% above the current base salary. An employee thus promoted is therefore assigned a new salary anniversary date effective of the date of promotion.

## ARTICLE X. SIGNATURE CLAUSE

The terms and conditions of this Memorandum of Understanding are executed this \_\_\_\_\_ day of \_\_\_\_\_, ~~2020~~2023, by the Employer-Employee representatives whose signatures appear below on behalf of their respective organizations.

City of Folsom

CFFDMME

\_\_\_\_\_  
Elaine Andersen  
City Manager

\_\_\_\_\_  
Chad Wilson  
CFFDMME Representative

\_\_\_\_\_  
~~Jim Francis~~Allison Garcia  
Human Resources Director

\_\_\_\_\_  
~~Mark Piacentini~~Ken Cusano  
CFFDMME Representative

\_\_\_\_\_  
~~Felipe Rodriguez~~Ken Cusano  
Fire Chief

~~Mark Piacentini~~

\_\_\_\_\_  
Dennis Batchelder  
City Representative

~~Chris Fletchall~~

\_\_\_\_\_  
~~Kristine Haile~~John Spittler  
City RepresentativeHR Advisor



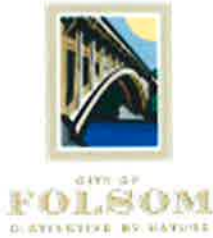
## ATTACHMENT A --- SALARY RANGES

**Fire Mid-Management Salary Ranges**

	4	2	3	4	5	6	7	8
<b><del>Fire Battalion Chief</del></b>								
1/1/2020	\$135,893	\$139,290	\$142,772	\$146,342	\$150,000	\$153,750	\$157,594	\$161,534
1/1/2021	\$138,950	\$142,424	\$145,985	\$149,634	\$153,375	\$157,210	\$161,140	\$165,168
1/1/2022	\$142,424	\$145,985	\$149,634	\$153,375	\$157,210	\$161,140	\$165,168	\$169,298
<b><del>Fire Division Chief</del></b>								
1/1/2020	\$157,594	\$161,534	\$165,572	\$169,711	\$173,954	\$178,303	\$182,760	
1/1/2021	\$161,140	\$165,168	\$169,297	\$173,530	\$177,868	\$182,315	\$186,873	
1/1/2022	\$165,168	\$169,297	\$173,530	\$177,868	\$182,315	\$186,873	\$191,544	

	E92	1	2	3	4	5
<b>Fire Battalion Chief</b>	Eff 1/1/23	\$ 151,364	\$ 158,933	\$ 166,879	\$ 175,223	\$ 183,984
	Eff 1/1/24	\$ 155,905	\$ 163,700	\$ 171,886	\$ 180,480	\$ 189,504
	Eff 1/1/25	\$ 160,582	\$ 168,611	\$ 177,042	\$ 185,894	\$ 195,189

	E93	1	2	3	4	5
<b>Fire Division Chief</b>	Eff 1/1/23	\$ 171,254	\$ 179,817	\$ 188,808	\$ 198,248	\$ 208,161
	Eff 1/1/24	\$ 176,392	\$ 185,212	\$ 194,472	\$ 204,196	\$ 214,406
	Eff 1/1/25	\$ 181,684	\$ 190,768	\$ 200,306	\$ 210,322	\$ 220,838



# Folsom City Council Staff Report



<b>MEETING DATE:</b>	3/28/2023
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11009 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding between the City of Folsom and Folsom Middle Management Group (FMMG)
<b>FROM:</b>	Human Resources Department

**RECOMMENDATION / CITY COUNCIL ACTION**

The Human Resources Director recommends that the City Council pass and adopt Resolution No. 11009 – A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding between the City of Folsom and the Folsom Middle Management Group (FMMG).

**BACKGROUND / ISSUE**

The existing Memorandum of Understanding (MOU) between the City of Folsom and the Folsom Middle Management Group (FMMG) expired on December 31, 2022. The parties began negotiations on a new MOU on October 13, 2022, and reached a tentative agreement on February 27, 2023. FMMG ratified the tentative agreement on March 8, 2023. The new proposed successor MOU is being presented to the City Council on March 28, 2023, for consideration and approval.

**POLICY / RULE**

Government Code Title 1, Division 4, Chapter 10 commonly known as the Meyers-Milias-Brown Act requires that representatives of the Governing Body of a public agency shall meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. Both parties shall endeavor to reach a tentative agreement within the scope of representation, and, if a tentative agreement is reached and ratified by the respective parties, they shall prepare a written memorandum of understanding.

## **ANALYSIS and FINANCIAL IMPACT**

A tentative agreement was reached by the parties and the proposed successor Memorandum of Understanding, which will be effective January 1, 2023, (unless otherwise notated) contains the following changes that have some economic impact, as outlined below. The changed provisions are as follows:

1. The MOU term will be for three (3) years: January 1, 2023, through December 31, 2025.
2. Each job classification shall have one salary range containing between six to nine steps, with approximately 3% between steps.
  - Employee step assignment in the new range shall be equal to the salary the employee is assigned as of December 31, 2022. The cost for the adjustment to the salary ranges will be approximately \$55,714 in the first year in salary and benefit costs.
3. A cost-of-living adjustment (COLA) is provided for each year of the agreement:
  - Year 1: Effective January 1, 2023
    - 3% for all classifications
    - The cost for the first year of the COLA will increase salary and benefits approximately \$266,618.
  - Year 2: Effective January 1, 2024
    - 3% for all classifications
    - The cost for the second year of the COLA will increase salary and benefits approximately \$278,239.
  - Year 3: Effective January 1, 2025
    - 3% for all classifications
    - The cost for the third year of the COLA will increase salary and benefits approximately \$286,586.
4. Effective January 1, 2023, the following classifications shall be increased by 5%:
  - Water Treatment Plant Supervisor
  - Water Distribution Supervisor
  - Wastewater Collections Supervisor
  - Utility Maintenance Supervisor
  - Utility Maintenance Supervisor – Water Meters
  - Streets Operation Supervisor
  - Solid Waste Operations Supervisor
  - Facilities Maintenance Supervisor
  - Maintenance Supervisor

The cost of the special salary increase will be approximately \$64,977 in the first year in salary and benefits.

5. Retention Pay
  - Employees with ten (10) or more years of continuous City service shall be eligible to receive 2 ½% of base salary. Employees currently receiving Longevity Pay shall not be eligible to receive this benefit.
  - The cost to add Retention Pay is not expected to increase salary and benefit costs in the first year.
6. Deferred Compensation
  - Effective the first full pay period following Folsom City Council ratification of this MOU, the City will increase Deferred Compensation City-matching contributions by an additional \$50.00 per month for employees participating in the City's deferred compensation program.
7. Annual Leave Cash Out
  - The City will allow employees to cash out 60 hours of annual leave only after an employee has used 40 hours of annual leave in the same fiscal year.
8. A variety of non-economic and clarification language changes were also agreed upon.

#### **ATTACHMENTS**

1. Resolution No. 11009 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding between the City of Folsom and the Folsom Middle Management Group.
2. Proposed Memorandum of Understanding between the City of Folsom and the Folsom Middle Management Group for the term of January 1, 2023, through December 31, 2025.

Submitted,



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Allison Garcia  
Human Resources Director

**Attachment 1**

**RESOLUTION NO. 11009**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A  
MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FOLSOM AND  
THE FOLSOM MIDDLE MANAGEMENT GROUP**

**RESOLUTION NO. 11009**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FOLSOM AND THE FOLSOM MIDDLE MANAGEMENT GROUP**

**WHEREAS**, the City of Folsom and the Folsom Middle Management Group have met and conferred in good faith since October 13th, 2022; and

**WHEREAS**, the parties reached a tentative agreement on February 27th, 2023; and

**WHEREAS**, the members of the Folsom Middle Management Group ratified the tentative agreement on March 8th, 2023; and

**WHEREAS**, the City Manager and the City’s negotiation team recommend the City Council adopt the tentative agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FOLSOM**, that the City Council adopts the tentative agreement between the City of Folsom and the Folsom Middle Management Group for the period of January 1, 2023, to December 31, 2025; and

**BE IT FURTHER RESOLVED**, that the City Council of the City of Folsom authorizes the City Manager to execute a Memorandum of Understanding between the City of Folsom and the Folsom Middle Management Group.

**PASSED AND ADOPTED** on this 28th day of March 2023, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Rosario Rodriguez, MAYOR

ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK



**Attachment 2**

**PROPOSED MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FOLSOM AND THE FOLSOM MIDDLE MANAGEMENT GROUP FOR THE TERM OF JANUARY 1, 2023, THROUGH DECEMBER 31, 2025.**



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
CITY OF FOLSOM  
AND  
FOLSOM MIDDLE MANAGEMENT GROUP**

January 1, ~~2020~~2023 – December 31, ~~2022~~2025

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## **PREAMBLE**

On this date hereinafter subscribed, authorized representatives of the City of Folsom, herein called "City", and authorized representatives of the Folsom Middle Management Group, herein called "FMMG", made and entered into this Memorandum of Understanding (MOU).

It is understood and agreed that this agreement supersedes and replaces all prior agreements between the City and FMMG covering the matters contained herein. Where ordinances and policies conflict with this Memorandum of Understanding, the Memorandum of Understanding shall prevail.

The term "Agreement" or "Memorandum of Understanding" as used herein means the written agreement provided under Section 3505.1 of the Government Code.

This MOU is subjected to all existing State laws and ordinances, resolutions and personnel rules of the City, except as expressly provided to the contrary by this MOU.

## **ARTICLE I – RECOGNITION AND COVERAGE**

### **1. Recognition**

FMMG is recognized as the exclusive representative group, as provided in the City's Employer-Employee Relations Rules, for all employees assigned to the Middle Management Bargaining Unit. The City recognizes the Folsom Middle Management Group as a unique employee group and acknowledges their contributions and dedication to the achievement of the City's goals. In recognition, the City agrees to ensure that FMMG's benefit package differentiates from those of other employee groups. Classifications included in the Middle Management Bargaining Unit are listed in Appendix A to this MOU. All classifications listed in "Appendix A - List of Classes in Bargaining Unit", and any successor classifications, are included in this bargaining unit.

Classes will be added or deleted from the Middle Management Bargaining Unit pursuant to City Personnel Rules. The City agrees to notify FMMG at such time as the City creates, deletes, or modifies a job classification. Upon request of FMMG, the City agrees to meet and confer on assignment of the classification to the Middle Management Bargaining Unit.

On a monthly basis the City shall provide FMMG with a list of City employees within the Middle Management Bargaining Unit by class, name, hourly wage, step placement, anniversary date, and employment status (permanent, full-time, or part-time).

The City agrees to establish payroll deductions for normal and regular monthly FMMG

membership dues and assessments, should FMMG choose to implement such deductions with the signed approval of each FMMG member to be assessed.

## ARTICLE II – NO STRIKE OR LOCKOUT

### 1. No Strike

FMMG agrees that during the term of this Agreement, neither it nor its officers, employees, representatives, or members will engage in, encourage, sanction, support or suggest any strikes, work stoppages, boycotts, slow downs, mass resignations, mass absenteeism, picketing or any other similar actions which would involve suspension of, or interference with, the normal work of the City of Folsom. In the event that FMMG members participate in such activities in violation of this provision, FMMG shall notify those members so engaged to cease and desist from such activities and shall instruct the members to return to their normal duties.

### 2. Lockout

No lockout of employees shall be instituted by the City during the term of this MOU.

## ARTICLE III – COMPENSATION

### 1. Salary Increases

- A. Effective January 1, ~~2020~~2023, all employees represented by FMMG shall receive a salary increase of ~~2.53~~%.
- B. Effective January 1, ~~2021~~2024, all employees represented by FMMG shall receive a salary increase of ~~2.53~~%.
- C. Effective January 1, ~~2022~~2025, all employees represented by FMMG shall receive a salary increase of ~~2.253~~%.

### 2. Salary Ranges

- A. Effective January 1, 2023, Appendix B shows the new salary ranges for each job classification. Salary range steps shall be approximately 3% between steps. The range and steps include any salary increase received pursuant to Article III, Section 1.
- B. Employees will be moved to the new salary range step that is closest to their base



salary (base salary as of December 31, 2022) without being lower.

Procedures for step advancement, promotion, demotion, transfer, and layoff as set forth in City of Folsom Personnel Rules and Regulations, and this MOU, shall apply. Anniversary dates shall remain the same.

Effective January 1, 2020 all job classifications represented by FMMG shall have one salary range. Salary Range A and B shall no longer exist.

### **3. Salary Range Adjustments**

A. Effective January 1, 2023, the salary ranges for the following classifications shall be increased by 5%:

- 1. Water Treatment Plant Supervisor
- 2. Water Distribution Supervisor
- 3. Wastewater Collections Supervisor
- 4. Utility Maintenance Supervisor
- 5. Utility Maintenance Supervisor – Water Meters
- 6. Streets Operations Supervisor
- 7. Solid Waste Supervisor
- 8. Facilities Maintenance Supervisor
- 9. Maintenance Supervisor

~~1. Salary Ranges T84 and T86 will have 12 steps.~~

~~2. Salary Ranges T89, T94, T95, and T98 will have 10 steps.~~

~~3. Salary Ranges T104 and T107 will have 8 steps.~~

~~Appendix B, attached, shows the new salary ranges effective January 1, 2020. The range and steps include the 2.5% salary increase as of January 1, 2020, contained in Article III, Section 1A.~~

~~The positions represented by FMMG are located on the Salary Scales shown in Appendix B.~~

~~Employees will be moved to the new salary range step that is closest to their salary (salary as of December 31, 2019 with the January 1, 2020, 2.5% increase added) without being lower.~~

### **Salary Step Movement**

~~For the duration of the January 1, 2020 – December 31, 2022 MOU, employees who were on Salary Scale A prior to January 1, 2020 shall, on their review date, if~~

~~recommended and approved, move to the nearest step that is closest to that which would have been their step increase on the "A" scale.~~

~~3.4.~~ **Deferred Compensation**

- A. Effective the first full pay period following Folsom City Council ratification of this MOU, For employees participating in the City’s deferred compensation program, the City agrees to make the following matching contributions in accordance with the following schedule:

Length of Service	Maximum City Matching Contribution
0 –10 years	<del>\$250300.00</del> per month
10 <del>–</del> 15 years	<del>\$275325.00</del> per month
15 <del>–</del> 20 years	<del>\$300350.00</del> per month
20+ years	<del>\$350400.00</del> per month

~~4.5.~~ **Bi-Lingual Pay**

Should the need arise, the parties agree during the term of this Agreement to set up a process whereby employees may track the use of bilingual skills, and to meet and confer if the use of bilingual skills become a regular part of the employee’s duties and responsibilities.

~~5.6.~~ **Public Employees Retirement System (PERS)**

A. Retirement Formula

- (1) All FMMG miscellaneous employees hired prior to June 30, 2010, shall receive the retirement benefit of 2.7%~~@55~~. All FMMG miscellaneous employees hired on or after July 1, 2010, and before January 1, 2013, shall receive the retirement benefit of 2%~~@55~~. All employees hired on or after January 1, 2013, shall receive retirement benefits pursuant to the California Public Employees’ Pension Reform Act of 2013 (AB 340).
- (2) All employees hired prior to June 30, 2010, shall receive the retirement benefit based on the single highest twelve (12) months of compensation. All employees hired on or after July 1, 2010, shall receive the retirement benefit based on the employee’s highest average monthly compensation during thirty-six (36) consecutive months of employment as provided in state law pertaining to PERS.

- (3) Should another employee organization representing a City bargaining unit agree to a retirement benefit formula for miscellaneous employees that is different than the benefit formula in Article III, Section 7A, Item (1) or (2), FMMG shall be given the option to amend the appropriate retirement benefit formula contained herein to match the retirement benefit formula agreed to with the other employee organization. Any change shall be applied prospectively.

**B. Retirement Contributions**

- (1) FMMG "classic" employees shall pay 8% towards their PERS retirement plan.
- (2) FMMG PEPRA employees hired under the 2%@62 formula shall pay the employee share of retirement as specified and adjusted by PEPRA.

**C. EPMC**

Pursuant to Government Code section 20691, the City agrees to include the amount of the City's payment of the employee's final year of compensation for PERS retirement computation purposes.

**~~6.7.~~ Retirement Optional Settlement  
~~2~~ **Death Benefits (Survivors)****

The City agrees to continue to provide the Pre-Retirement Optional Settlement 2 Death Benefit pursuant to Government Code Section 21548.

**~~7.8.~~ Retiree Health Insurance**

- A. Employees hired on or prior to May 8, 2007, who retire<sup>1</sup> from City service may participate in the Kaiser or other City insurance plans made available by the City for active employees. The amount of the City's monthly contribution shall be determined as set forth below. Any costs that exceed the maximum paid by the City towards retiree health insurance costs shall be borne by the retiree.

<sup>1</sup> "Employees" are exclusively permanent and/or probationary employees of the City of Folsom hired on or before May 8, 2007. "Retire" or "retiree" is defined as any classified City employee who (1) applies for retirement with the Public Employees' Retirement System (PERS) within ninety (90) days after terminating employment with the City; and (2) receives a PERS retirement benefit.

- (1) Employees who retire with less than 5 years of service<sup>2</sup> shall not be eligible to receive any City contribution toward the cost of retiree health insurance.
- (2) Employees who retire with more than 5 years of service shall qualify for a monthly City retiree health insurance contribution.
- (3) Subject to the maximum set forth in Section 8A(4) below, the City retiree health insurance contribution shall be as follows:
  - a. Retiree only – an amount equal the City’s contribution towards active employee health insurance for the category of “employee only.”
  - b. Retiree and one dependent – an amount equal to the City’s contribution towards active employee health insurance for the category of “employee plus one.”
  - c. Retiree and two or more dependents – an amount equal to the City’s contribution towards active employee health insurance for the category of “employee plus two or more” until the retiree reaches age 55. Thereafter, the City’s contribution towards a retiree with two or more dependents shall be an amount equal to the City’s contribution towards active employee health insurance for the category of “employee plus one” plus \$100.
- (4) Effective January 1, 2012, the City’s monthly contribution toward the cost of retiree health insurance shall not exceed the maximum monthly contribution paid by the City to active employee health insurance for the categories of employee only (for retiree only), employee plus one (for retiree plus one dependent), and employee plus two or more until age 55 and employee plus one plus \$100 after age 55 (for retiree plus two or more dependents).
- (5) The January 1, 2012, cap for each category shall be adjusted each January thereafter by an amount not to exceed 3%, depending on the percent increase in the Consumer Price Index (CPI), U.S. Department of Labor, for November – November of the previous year, Index CPI-W, Urban Wage Earners and Clerical Workers, Series #CWUR0400SA0, United States. (Example, if the cost of living for the specified period increases by 2%, the cap shall be increased by 2%. If the cost of living

<sup>2</sup> “Service” is defined as full time (or equivalent) continuous permanent and/or probationary employment status with the City of Folsom.



for the specified period increases by 4%, the cap shall be increased by 3% (cost of living increases in the cap shall be rounded to the nearest tenth).

- B. The City shall contribute \$25 per pay period into a Health Retirement Account (HRA) for each permanent employee hired after May 8, 2007. The principles governing the HRA shall be established by the Internal Revenue Service (IRS) and the City Human Resources Department.

### 8.9. Retiree Dental and Vision Insurance

Effective January 1, 2020, employees who retire from City service must have at least 120 months of continuous service as a City employee to qualify for dental and vision insurance benefits provided to active employees. The City shall contribute 5% of the premium per year of City service, up to an 80% City contribution.

### 10. Out of Area Health Premium Plan

- A. OAHPP shall work in conjunction with the Health Retirement Account (HRA) provided by the City to active employees. Each OAHPP retiree will obtain a participant account.
- B. Only retirees who (a) live outside of the plan area; (b) qualify for Retiree health Coverage pursuant to Article III, Section 7; and (c) agree to disenroll from the current group medical benefit plan for retiree health coverage may participate in OAHPP.
- C. Once a retiree opts to participate in OAHPP, the retiree shall thereafter be prohibited from returning to retiree health coverage.
- D. The City will contribute to the retiree's participant account on a monthly basis in an amount equal to the amount of the City's contribution for employee only or employee plus 1 coverage, based on the retiree's marital status at the time of OAHPP election. Spouses may not be added later. The City's contribution would be used for premiums to obtain health coverage. Under no circumstances shall the contribution be higher than the City paid premiums for similarly situated in-area employees. The retiree shall be responsible for administrative costs established by the HRA plan administrator.
- E. Upon the death of, or marital dissolution from, the retiree's spouse on record at the time of election to participate in the OAHPP, the funding level will be adjusted to employee only. Subsequent spouse(s) from any subsequent

marriage(s) (i.e. post initial OAHPP election) shall not be eligible to participate and funding will remain at employee only. In the event of the retiree's death, surviving spousal benefits will conform to City practices applicable to employees participating in City plans. Should the retiree obtain coverage from another source (e.g. coverage by spouse), the funding will cease and will not be reinstated.

F. Rules and procedures governing OAHPP shall be determined and administered by the City Human Resources Department. Disputes regarding the OAHPP shall be appealed to the City Manager or designee and shall not be subject to arbitration.

G. As an option to the OAHPP, retirees who qualify for retiree health coverage pursuant to Article III, Section 7, may elect the Aetna PPO plan during annual enrollment and prior to moving out of state. The retiree must then keep Aetna as their provider until such time as they move back into the regions covered by whoever are the City health providers at the time, and may elect another provider during the next open enrollment. It is understood by both parties that this option is available only in accordance with the rules and procedures of Aetna and only as long as Aetna chooses to be a provider for the City.

## ~~9.11.~~ Use of Accrued Leave Time Pending Retirement

- A. With prior approval of the City Manager or designee and pursuant to procedures established by the Human Resources Director, employees who have declared their intention to retire from employment with the City of Folsom may use accrued Annual Leave or Administrative Leave to extend their retirement date beyond the last day worked.
- B. Notwithstanding any other provision of this MOU, accrued Annual Leave or Administrative Leave used to extend a retirement date shall not result in the accrual of additional Annual Leave, Sick Leave, or Administrative Leave.
- C. Requests to extend a retirement date pursuant to this section shall be submitted to the City Human Resources Department. This provision shall be administered pursuant to procedures established by the City Human Resources Department.

## ~~10.12.~~ Education Incentive Pay

- A. For employees hired on January 1, 2020, or later, education incentive pay is



limited to job related degrees not required in their classification description and approved by the employee's department head and the City's Human Resources Director. The incentives listed below are non-cumulative and paid at the highest rate:

- Bachelor's degree: \$300 per month.
  - Master's degree: \$300 per month.
  - Bachelor's/Master's (in unrelated field): \$150.00 per month.
- B. For employees hired before January 1, 2020, educational incentive pay is frozen at the dollar amount paid on December 31, 2019. No increase in this dollar amount will occur unless this amount is less than the amount listed in subparagraph A above, at which point the amount will be adjusted to the higher level.
- C. Payment of education incentive will begin effective the first pay period after the employee provides the Human Resources Department with the appropriate documentation, which includes a copy of transcripts or diploma. It is the responsibility of each employee to notify the Human Resources Department of his/her eligibility for education incentive and to provide the appropriate documentation.
- D. Employees who qualify for the education incentive and who received City paid tuition reimbursement (Article V, Section 8) will not receive education incentive pay until they have reimbursed the City for the cost of the tuition reimbursement. Once payment is made in full for tuition reimbursement, the education incentive will start and be paid directly to the employee. Reimbursing the City will consist of delaying the incentive pay until an amount equivalent to the tuition reimbursement has been withheld. For example, if an employee qualified for \$300 per month in education incentive payment, but had received \$3,000 in tuition reimbursement, the employee's incentive payment would be delayed 10 months from the education incentive effective date.

### ~~11.13.~~

### Cell Phone

A department head, with City Manager approval, may approve the issuance of a city cell phone or may authorize the use of the employee's personal cell phone for work purposes. If an employee opts to use his/her personal phone for work purposes the City will provide employee with a maximum monthly cell phone stipend of \$50.00. The monthly stipend shall cover expenses, charges, maintenance and replacement of the employee's phone including damage, loss, theft or other operational issues affecting the phone during private use or during the course and scope of employment. The City shall have no further liability

for these items beyond the stipend amount. If an employee opts to use his/her personal cell phone, employee will provide the cellular phone record of business calls during work hours upon request of the City.

## ARTICLE IV – INSURANCE

### 1. Health Insurance

- A. As demonstrated in the example below, the City's maximum monthly contribution for active employee health insurance coverage shall be adjusted annually to an amount equal to 50% of the increase, if any, above the prior year's Kaiser monthly premium rate combined with the City's prior year contribution amount for employee only, employee plus 1, and employee plus 2 or more (rounded to the next whole number). The employee is responsible for the difference between the applicable premium and the City's contribution.

Example:

Employee only category: The 2010 monthly premium for Kaiser employee only is \$507.89 and the City's maximum monthly contribution is \$486.00. If this premium increases by 10% for 2011, or to \$558.68, the City's contribution for 2011 for the employee only category would be computed as follows:  $\$558.68 - \$507.89 = \$50.79$ ,  $\$50.79 \times 50\% = \$23.40$ ,  $\$486.00 + \$23.40 = \$509.40$ . After rounding to the next whole number, the City's maximum contribution for health insurance for the employee only category would be \$509 per month. If the premium increases by 10% for 2012, or to \$614.55, the City's contribution for 2012 for the employee only category would be computed as follows:  $\$614.55 - \$558.68 = \$55.87$ ,  $\$55.87 \times 50\% = \$27.93$ ,  $\$509.00 + \$27.93 = \$536.93$ . After rounding to the next whole number, the City's maximum contribution for health insurance for the employee only category would be \$537 per month.

Employee plus 1 category: The 2010 monthly premium for Kaiser employee plus 1 is \$1,015.78 and the City's maximum monthly contribution is \$972.00. If this premium increases by 10% for 2011, or to \$1,117.36, the City's contribution for 2011 for the employee plus 1 category would be computed as follows:  $\$1,117.36 - \$1,015.78 = \$101.58$ ,  $\$101.58 \times 50\% = \$50.79$ ,  $\$972.00 + \$50.79 = \$1,022.79$ . After rounding to the next whole number, the City's maximum contribution for health insurance for the employee plus 1 category would be \$1,023 per month. If the premium increases by 10% for 2012, or to \$1,229.10, the City's contribution for 2012 for the employee plus 1 category would be computed as follows:  $\$1,229.10 - \$1,117.36 = \$111.74$ ,  $\$111.74 \times 50\% = \$55.87$ ,  $\$1,023.00 + \$55.87 = \$1,078.87$ . After rounding to the next

whole number, the City's maximum contribution for health insurance for the employee plus 1 category would be \$1,079 per month.

Employee plus 2 or more category: The 2010 monthly premium for Kaiser employee plus 2 or more is \$1,320.52 and the City's maximum monthly contribution is \$1,263.00. If this premium increases by 10% for 2011, or to \$1,452.57, the City's contribution for 2011 for the employee plus 2 or more category would be computed as follows:  $\$1,452.57 - \$1,320.00 = \$132.57$ ,  $\$132.57 \times 50\% = \$66.29$ ,  $\$1,263 + \$66.29 = \$1,329.29$ . After rounding to the next whole number, the City's maximum contribution for health insurance for the employee plus 2 or more category would be \$1,329 per month. If the premium increases by 10% for 2012, or to \$1,597.83, the City's contribution for 2012 for the employee plus 2 or more category would be computed as follows:  $\$1,597.83 - \$1,452.57 = \$145.26$ ,  $\$145.26 \times 50\% = \$72.63$ ,  $\$1,329 + \$72.63 = \$1,401.63$ . After rounding to the next whole number, the City's maximum contribution for health insurance for the employee plus 2 or more category would be \$1,402 per month.

- B. Employees who select a health plan with higher monthly premiums than the maximum monthly premium paid by the City (Section A above) shall pay the difference through payroll deduction. Should employees select a health plan with lower monthly premiums than the maximum monthly premium paid the City, the City's contribution shall be limited to the cost of the monthly premium.
- C. The City will continue an IRS 125 Medical Reimbursement Account. Employees may participate in the account pursuant to administrative procedures established by the City.
- D. The City's maximum monthly contribution for active employee health insurance coverage shall not be reduced below eighty percent (80%) of the health benefit plan that represents the lower overall premium cost to the City (not including any High Deductible plans).
- E. High Deductible Health Plans
  - i. The City agrees to offer High Deductible Health Benefit Plans in addition to the HMO plans offered by the health benefit plan carriers.
  - ii. The City agrees to make available a Health Savings Account (HSA) to employees who select either of the High Deductible Health Benefit Plans.
  - iii. Fifty percent (50%) of the difference between the City's

monthly contribution towards the cost of the Kaiser HMO Health plan premiums as set forth in Article IV, Section 1 of the MOU and the monthly premium for a High Deductible Health Plan shall be contributed into the employee's HSA. Tax status of contributions, contribution amounts, and use of HSA funds shall be in accordance with federal and state law.

~~F. Effective January 1, 2020, employees who retire from City service must have at least 120 months of continuous service as a City employee to qualify for dental and vision insurance benefits provided to active employees. The City shall contribute 5% of the premium per year of City service, up to an 80% City contribution.~~

## 2. Health Insurance – Cash Back

- A. Probationary or permanent employees, who certify to the Human Resources Department that they have group health insurance coverage with comparable benefits to health plans offered by City, may decline to participate in City health insurance coverage.
- B. Employees who decline to participate in City health insurance coverage shall receive a cash back payment from the City of \$250 per month for each month the employee does not participate in City health insurance coverage.
- C. Employees who have declined to participate in City health plan coverage pursuant to this section may enroll in City health plan coverage only during the annual open enrollment period.
- D. This section shall be administered pursuant to procedures established by the City Human Resources Department.
- E. Employees who decline health insurance coverage shall continue to be eligible to participate in the City's vision and dental plans.
- F. An employee whose spouse is employed by the City and receives health insurance is also eligible to receive the cash back payment.

## 3. Health Benefits Labor-Management Committee

The parties agree to participate in a joint Health Benefits Labor-Management Committee to review existing health benefit programs, including, but not limited to, the cost containment, direct contracting for health benefit plans, and creation of a health benefits cafeteria plan. The Health Benefits Labor-Management Committee shall be open to all employee organizations representing City employees. FMMG may select up to two City employees to participate in Committee meetings. Employees who participate in Committee meetings shall do so without loss of compensation.

#### 4. Dental Insurance

Dental insurance will be provided by Delta Dental. The City will contribute 80% of the monthly premium for an employee, employee and dependent, or employee and family as set forth in the plan document. Employees will contribute 20% of the monthly premium. The Plan will be the Delta Dental Preferred Provider Program, with a coverage maximum of \$1,750 per year for employees/dependents who patronize Preferred Provider Program participating dentists. Employees/dependents who choose non-participating dentists shall have a coverage maximum of \$1,500 per year.

#### 5. Vision Plan

Vision coverage will be provided by Vision Services Plan (VSP). The City will contribute 80% of the monthly premium for an employee, employee and dependent, or employee and family as set forth in the plan document. Employees will contribute 20% of the monthly premium. The following elements shall provide the basis of VSP coverage:

- One eye exam every 12 months;
- One set of lenses every 12 months;
- \$100 allowance/wholesale basis for frames; and
- A co-pay of \$5.00 per visit.

#### 6. Short Term Disability Insurance

The City agrees to provide a Short Term Disability Insurance Program as provided in the plan document, with the City paying 100% of the premium rate for the weekly indemnity insurance program (short-term disability) of 60% of salary for 26 weeks. The maximum payment is subject to plan agreement. The waiting period for initiation of benefits under the plan shall be 12 calendar days.

#### 7. Long Term Disability Insurance

The City agrees to provide a long-term disability program for employees in the Middle Management Bargaining Unit as provided in the plan document. Plan coverage shall provide a maximum benefit of up to 60% of salary, up to age 65. The maximum payment on this plan is subject to plan agreement.

#### 8. Life Insurance

The City agrees to provide \$60,000 of life insurance coverage to each employee in the Middle Management Bargaining Unit, and \$1,000 for each dependent. Employees may purchase additional life insurance coverage for themselves and/or their dependents



through the City's life insurance carrier pursuant to procedures established by the City's Human Resources Department. The City's obligation to life insurance coverage is limited to the plan contribution.

## 9. Domestic Partner

For purposes of insurance coverage, "dependent" shall include a domestic partner who has been certified by the Secretary of State's Office pursuant to Family Code Sections 297 et seq.

## ARTICLE V – HOURS, HOLIDAYS AND LEAVES

### 1. Management Leave

Employees in the Middle Management Bargaining Unit shall receive 80 hours per year of management leave. Current rules governing the use of accrued management leave (formerly known as administrative leave) shall continue to apply.

An employee in the Middle Management Bargaining Unit who is required by his or her department head to regularly attend meetings during non-work hours may be allocated up to a total of 100 hours per year of management leave. Annually, department heads shall provide a list to the City Manager of those employees who they feel are deserving of the additional management leave. A list of meetings requiring routine attendance by the employee shall be included with each employee's name. The list shall be submitted for the City Manager's review and approval no later than July 1 of each year, and employees on the list notified by August 15. An employee who has not been included on the list may request that he/she be permitted to accrue additional management leave time. Such requests are subject to final approval by the City Manager.

This section shall not be subject to the Grievance/Arbitration provisions of this Agreement.

### 2. Longevity Pay

- A. Subject to subsection B below, employees hired on or before July 1, 2010, in the FMMG bargaining unit shall be eligible to receive longevity pay beginning with ten (10) or more years of City service. ~~Longevity Pay is contingent upon the fact that the eligible employee has received an overall satisfactory or above rating in his/her last annual performance evaluation.~~ The Longevity Pay formula is based on 2 1/2% increments and is as follows:

2½% after ten (10) years of City service;  
 an additional 2½% for a total of 5% after fifteen (15) years of City service;  
 an additional 2½% for a total of 7½% after twenty (20) years of City service.

- B. Employees hired after July 1, 2010, shall not be eligible to receive Longevity Pay.

**3. Retention Pay**

- A. Subject to subsection c. below, employees in the FMMG bargaining unit shall be eligible to receive Retention Pay beginning with ten (10) or more years of continuous City service.
- B. Retention Pay shall be 2 ½% of the employees' base salary.
- C. Employees receiving Longevity Pay (Article V, Section 2) shall not be eligible to receive Retention Pay.

All special pay in this Section shall be deemed longevity pay and reported to CalPERS as special compensation pursuant to C.C.R. Section 571.

**~~3.4.~~ Management/Supervisory  
Employee Hours of Work**

Consistent with City Policy #204 (Management Leave Policy) or as modified, management and supervisory employees who are exempt from the Fair Labor Standards Act (FLSA) shall work an average workweek of 40 hours. The salary received by those employees shall be considered full compensation for all time that is required for the employee to perform the duties of the position to which he/she is assigned.

Management and supervisory employees may be required to work hours in excess of the average workweek of 40 hours. The City Manager may approve additional compensation for management and supervisory employees in recognition of a large number of hours worked in a workweek due to a long-term, extreme emergency situation. Otherwise, hours worked in excess of the average workweek are not compensable.

Management and supervisory employees who are not required to work a normal workday or part thereof shall receive full compensation without deduction if the absence does not reduce the employees average work week below 40 hours within the 24 pay periods ending the pay period in which the absence occurred.

**~~4.5.~~ Annual Leave**

- A. Employees shall receive the following Annual Leave credits:

Length of Service	Annual Leave Allowance
-------------------	------------------------



0 – 5 years	16	hours per month
5 –10 years	18.68	hours per month
10-15 years	21.34	hours per month
15+ years	24	hours per month

- B. Except as specified in Article V, Section 6 below, employees shall not accrue sick leave. However, employees who have accumulated sick leave hours shall retain such hours and may use such leave credits pursuant to Article V, Section 6, Sick Leave, of this MOU. All Vacation Leave shall be converted to Annual Leave on an hour for hour basis<sup>3</sup>.
- C. Annual leave credits may be used for any approved absence, including vacation and illness or injury. When annual leave is used for vacation, it shall be scheduled pursuant to City Personnel Rules. When annual leave is used for illness or injury leave (e.g., sick leave) purposes, it shall be taken pursuant to City Personnel Rules.
- D. There shall be an annual leave cap of 320 hours. Employees with annual leave balances that exceed the annual leave cap of 320 hours as of the date of ratification of this MOU may retain such balances until the annual leave balances are reduced to the 320-hour cap.
  - 1) In the event the City does not approve annual leave for an employee in an amount sufficient to reduce accumulated annual leave to 320 hours, the number of hours that exceed 320 hours shall be rolled over into sick leave until the annual leave balance is reduced to the 320-hour cap.
- E. Employees may continue to cash-out annual leave per ~~calendar~~ fiscal year on an hour-for-hour basis at the employee’s regular straight-time hourly rate pursuant to procedures established by the Human Resources Department.
- G. Employees may request one cash out per fiscal year (July 1 – June 30) of not more than 60 hours of annual leave only after an employee has used 40 hours of annual leave in the same fiscal year. ~~cash out not more than 40 hours of annual leave per fiscal year.~~
- H. Accrued annual leave shall be cashed out upon separation of employment with the City on an hour for hour basis.

**5.6. Sick Leave**

<sup>3</sup> The parties agree that "vacation Leave" shall henceforth mean "annual leave".

- A. Sick leave may be used by employees for purposes enumerated in City Personnel Rules.
- B. Consistent with PERS law, the City has amended the City's contract with CalPERS to permit sick leave to be converted to service credit for purposes of retirement (Government Code section 20965).
- C. Accrued sick leave shall not be cashed out.
- D. There shall be no maximum on the number of hours of sick leave an employee may accrue (bank).

### **6.7. Compensation Upon Service Separation**

Probationary employees in the classified service who separate from city service shall be entitled to payment for accrued annual leave and holiday hours earned on a pro-rata basis up to the date of separation.

Regular full-time employees in the classified service, regardless of service length, shall be entitled to payment for annual leave and holiday time up to their date of separation. Payment shall be made on an hour-for-hour basis at the employee's regular straight-time hourly rate of pay.

### **7.8. FMMG Catastrophic Leave Bank**

The purpose of the FMMG catastrophic time bank is to enable employees to receive and donate accrued annual leave and compensating time off (CTO) credits to assist employees who have no leave and who will suffer a financial hardship due to a prolonged illness or injury to themselves or a member of the immediate family as defined in City Personnel Rules. The following conditions shall apply:

- A. Individuals who request donated leave must do so in writing and have proper certification of need on file with Human Resources.
- B. Catastrophic Leave will be available only to employees who are unable to work due to a prolonged catastrophic non-industrial illness or injury which is estimated to last for at least thirty (30) calendar days and have exhausted all of their own paid leave through a bona fide serious illness or injury.
- C. The time bank shall be administered by the City.
- D. An employee may be on disability insurance and use the time bank credits in the same manner that annual leave is used to supplement disability insurance benefits.

- E. All donations are to be confidential between the donating employee and the City.
- F. Donations are limited to annual leave and compensatory time. Sick leave may not be donated under this plan. Employees donating to the time bank must have eighty (80) hours of annual leave available after making a donation. Donations are capped at no more than 320 hours total per calendar year to the individual requesting donations. Distribution will be on a payroll to payroll basis.
- G. Donations should be a minimum of four (4) hours per each donation form submitted.
- H. Donating employees must sign an authorization form (prepared by the City) and specify the number of hours and type of leave donated to the catastrophic leave bank. These hours are allocated to employees as needed, subject to the cap. Employees who donate leave cannot designate which co-worker should receive the donated hours. Employees relinquish all rights and claims to hours donated.
- I. Hours of donated leave shall be valued at the recipient's regular base wage.
- J. Donations shall be subject to applicable tax laws. An employee donating accrued leave or an employee receiving donated leave shall waive all tax liability of the City through the establishment of the catastrophic time donation program.
- K. Availability of catastrophic leave time shall not delay or prevent the City from taking action to medically separate or disability retire an employee.
- L. The City may require a physician's statement stating that the presence of the employee who is requesting catastrophic leave time to care for an ill or injured immediate family member is necessary.

### **8.9. Tuition Reimbursement Policy**

With the advance written approval of an employee's department director and the Human Resources Director, and upon satisfactory completion with a grade "B" or better, the City shall reimburse an eligible, permanent unit member for the cost of tuition from a recognized college or university (on a course-by-course basis) for courses having a strong nexus to the employee's job classification and will benefit the City. All classes will be taken on the employee's own time.

A. Eligibility:

1. In order to qualify for tuition reimbursement, an employee shall have attained permanent status (successfully completed entry-level probation). No reimbursement will be made for classes taken during the eligibility period or prior to attaining permanent status. Classes successfully challenged will not be eligible for reimbursement.
2. Recognized colleges or universities are those accredited by Regional Accrediting Organizations as recognized by the Council for Higher Education Accreditation (CHEA). Current (2019-2020) regional accrediting organizations are: Accrediting Commission for Community and Junior Colleges (ACCJC); Western Association of Schools and Colleges; Higher Learning Commission (HLC); Middle States Commission on Higher Education (MSCHE); New England Commission of Higher Education (NECHE); Northwest Commission on Colleges and Universities (NWCCU); Southern Association of Colleges and Schools Commission on Colleges (SACSCOC); WASC Senior College and University Commission (WSCUC).

B. Tuition shall be reimbursed as follows:

1. Fifty percent (50%) of the cost of tuition, up to a maximum of \$4,000 per fiscal year for employees working towards a Bachelor of Arts, Bachelor of Science, Masters of Art, or Masters of Science degree at an accredited college or university.

C. Approval of a claim for tuition reimbursement shall be as follows:

1. Claims for tuition reimbursement will be denied for any course or class that has not received prior written approval by the employee's department director and City.
2. Tuition reimbursement shall be on a course by course basis by the employee's department head and Human Resources Director and should have a strong nexus to the employee's job classification, the employee's career development at the City or is a requirement for a degree program that has a strong nexus to the employee's job.
3. All requests for tuition reimbursement are subject to available funds as determined by the City. Approval for any program does not guarantee approval or available funds for any subsequent class.
4. Reimbursement requests and grade reports must be turned in to the employee's department and the Human Resources Department within ninety

(90) days of course completion.

5. Any employee voluntarily terminating their employment within twenty-four (24) months of receiving reimbursement under this section will be responsible for repaying the City of Folsom the full amount of the reimbursement received. An employee involuntarily separated (termination, lay-off or industrial disability retirement) will not be required to reimburse the City.

#### D. Student Loan Repayment Option

Effective January 1, 2020, tuition reimbursement may be used for the purpose of repaying student loans incurred prior to or during City employment with the following conditions:

1. The expense was from a recognized college or university that is accredited by an accrediting organization approved by the City.
2. The request shall be toward an unpaid student loan balance at the time of the request.
3. The education/degree has a strong nexus to the employee's job classification or the employee's career development or will be of benefit to the City all of which shall be determined solely by the City.
4. The maximum reimbursement shall be up to \$3,000 per fiscal year or \$9,000 in total over the employee's entire length of service with the City.
5. Reimbursement by the City shall be on a 50/50 matching basis with the employee. For example, the employee must pay \$6,000 to get \$3,000 of reimbursement from the City.
6. All requests are subject to available funds as determined by the City.
7. Documentation of the employee payment toward the debt shall be furnished at the request of the City and no reimbursement will be approved unless such documentation is acceptable to the City.
8. Reimbursement will be subject to IRS regulations.
9. Employee may not receive both student loan debt reduction payment and tuition reimbursement at the same time, during any fiscal year.
10. Any employee terminated for cause or voluntarily terminating their employment (including retirement), within thirty-six (36) months of receiving

reimbursement under this section will be responsible for repaying the City the full amount of the reimbursement received. Any employee involuntarily separated by layoff or disability retirement will not be required to reimburse the City.

11. This Section shall not be subject to Article X, Grievance Procedure, of this MOU.

## **7.10. Holidays**

- A. The City shall observe the following holidays:
- New Year's Day (January 1)
  - Martin Luther King Day
  - President's Day (Washington's Birthday)
  - Memorial Day
  - Independence Day
  - Labor Day
  - Veterans Day
  - Thanksgiving Day
  - Friday following Thanksgiving Day
  - December 24
  - Christmas Day
  - December 31
  - Personal Holiday
- B. Classified employees shall be entitled to one (1) personal holiday (8 hours) per calendar year. Personal holiday shall be taken in the same manner and under the same rules as vacation leave. Employees on their initial probationary period must complete probation before they can take their personal holiday.

## **ARTICLE VI – POSITION CLASSIFICATION**

### **1. Employee Classification Study Requests**

- A. A.—During the month of June, an employee may request a classification study of his/her position. Such requests shall be submitted in writing to the City Human Resources Department. After submittal, the Human Resources Department will collaboratively meet and discuss with a designee(s) from the Folsom Middle Management Group FMMG, in order to narrow the number of classification requests down to the numbers listed below.



- ~~a. FMMG may select up to six requests in calendar year 2023;~~
- ~~b. FMMG may select up to four requests in calendar year 2024;~~
- ~~c. FMMG may select up to four requests in calendar year 2025;~~

~~—The classification requests to be evaluated will be determined chosen by July 31 of the same calendar year, and the City will complete such classification studies not later than December of the year the request was submitted. If the study recommends a change in classification and an associated salary increase for the affected employee, the effective date of the salary increase shall be June-July 1 of the year the request is-was submitted by the employee to the City Human Resources Department. The City agrees to notify FMMG of the classification study results and meet with FMMG upon request to share and discuss study findings.If the City Human Resources Department recommends classification changes, the City shall meet and confer with FMMG. January, an employee may request a classification study of his/her position. Such requests shall be submitted to the City Human Resources Department. The City will endeavor to complete such classification studies not later than July of the year the request is submitted. If the study recommends a change in classification and an associated salary increase for the affected employee, the effective date of the salary increase shall be January 1 of the year the request is submitted by the employee to the City Human Resources Department. If the City Human Resources Department recommends classification changes, the City shall meet and confer with FMMG.~~

B.

~~3. The City agrees to notify FMMG of the classification study results and meet with FMMG upon request to share and discuss study findinIf an FMMG employee submits a classification study and their submittal is accepted for review, that employee may not submit another classification study request during the term of this MOUfor three years from initial request.~~

C. Disputes regarding the findings of the Human Resources Department on FMMG position classification study requests may be appealed to the City Manager or designee. The City Manager or designee's decision shall be final.

~~—Those employees who submitted a request for a classification study of his/her position in January 2023, shall not have their request counted as one of the six maximum studies for 2023. The City will endeavor to complete these classification studies not later than July of 2023. If the study recommends a change in classification and an associated salary increase for the affected employee, the effective date of the salary increase shall be January 1, 2023. If the City Human~~



~~Resources Department recommends classification changes, the City shall meet and confer with FMMG.2. Classification Survey~~

- ~~A. The City will conduct a classification survey of benchmark classes represented by FMMG. The classification survey shall be concluded not later than 180 days prior to the expiration of this MOU. The parties agree to meet to determine benchmark classes to be surveyed.~~
- ~~B. The purpose of the classification survey is to identify the duties and responsibilities of each benchmark classification, and the skills, abilities, education and experience necessary to perform the duties of the benchmark classification.~~

**2. ~~2~~Market Survey**

- ~~A. Within 120 days after City Council ratification of this MOU, the City of Folsom will complete a market survey for positions 1-7 in Article III, Section 3.
 
  - ~~a. Upon completion of the market survey, the City will notify FMMG of the results and meet with FMMG upon request to share and discuss study findings.~~
  - ~~a.b. Disputes regarding the findings of the Human Resources Department may be appealed to the City Manager or designee. The City Manager or designee's decision shall be final.~~~~

~~A.B. A. The City will conduct a market survey of benchmark classes as determined by FMMG and the City of Folsom. in Section 2, item A above. The market survey shall be concluded not later than 120 days prior to the expiration of this MOU.~~

~~B.C. B. The purpose of the market survey is to determine the relationship of the total compensation for employees in the job classifications identified in Article III, Section 3 -above when compared to comparable job classifications in the following agencies: City of Davis, City of Fairfield, City of Rocklin, City of Roseville, City of Sacramento, City of West Sacramento, County of Sacramento, El Dorado Irrigation District, San Juan Water District, Sacramento Suburban Water District and Nevada Irrigation District.~~

- ~~D.~~
- ~~C. Compensation, for purpose of this survey, shall constitute the following elements and criteria:
 
  - ~~1. Monthly base salary (top step in the salary range).~~
  - ~~2. Maximum monthly contribution to health insurance (medical, dental and vision).~~
  - ~~3. Maximum Education Incentive Pay, broken into monthly equivalents.~~~~

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4. Any significant special pays, broken into monthly equivalents.
  5. Items 3 & 4 are for informational purposes only, not to be used in the calculation of total compensation.
- E. The market survey will include base salary and total compensation, by classification, comparing the City of Folsom to those agencies identified in this Article VI, Section 2, subsection C. The parties agree to meet and confer over survey results.
- ~~B. Notwithstanding subsection A above, the parties agree to freeze submission and consideration of Employee Classification Study Requests beginning January 1, 2020 and ending December 31, 2022. No request subsequent to December 31, 2022 shall be applied retroactively.~~

## ARTICLE VII – MISCELLANEOUS

### 1. Salary on Status Changes

- A. Promotion: An employee who is promoted to a position in a classification with a higher salary range shall be placed in the step in the new salary range that is at least 5% above the current base salary. ~~step in the new higher range which is at least equal to an advancement of a full step over the step held in the former range in the basic salary schedule.~~ An employee thus promoted is therefore assigned a new salary anniversary date effective of the date of promotion.

An employee who is promoted to a higher class effective within thirty (30) calendar days of a step increase within the lower class range shall be eligible first to receive the within range increase and then the higher step as provided in this section, providing that the employee's performance was satisfactory for salary advancement in the lower class and that the higher class is reasonably within the career path of the lower class which shall be determined by the City Manager.

- B. Demotion: Employees may only be demoted for purposes of employee discipline or layoff. An employee who is demoted to a position in a class with a lower salary range shall be reduced in salary to the step in the lower class salary range as follows:
- i. Disciplinary demotions may be assigned to any salary step in the lower class range which is at least one (1) step less than that received in the class from which demoted. A new anniversary date shall be established on the effective date of the demotion.

- C. Transfer: An employee who is transferred from one position to another position in the same class, or to another position in a class having the same salary range and substantially similar duties, shall be compensated at the same step in the salary range as previously received without a change in the anniversary date.
- D. Reinstatement/Reemployment: An employee who is reinstated or reemployed in a position previously occupied pursuant to the City's Personnel Rules and Regulations shall receive not more than the step in the salary range received prior to separation, and a new anniversary date shall be assigned based on the reinstatement or reemployment date.
- E. Range Assignment Change
- i. Whenever a class is reassigned to either a higher or lower salary range by the City Council, the salary of each incumbent in such class on the effective date of the reassignment shall be adjusted accordingly. If the position is reassigned or reclassified to a higher range, and the incumbent is appointed to the position, the incumbent's salary shall be the step ~~in the new range that is closest to their current salary without being lower and the same anniversary date shall be retained.~~ that is at least 5% above the current base salary. If the position is reassigned to a class having a lower salary range, the salary and anniversary date of the employee shall not change, and the salary of the employee shall be designated as a "Y" rate and shall not change during continuous regular service until the salary of the new position exceeds the employee's present salary.
  - ii. When a salary range reassignment becomes effective within thirty (30) calendar days of an employee's salary anniversary date, the employee shall first receive the within range step increase and then receive the corresponding step adjustment, provided that the employee's performance was satisfactory for salary advancement upon eligibility for step increases.
- F. Compensation Upon Reclassification: The salary of an employee in a position that is reclassified shall be determined as follows:
- i. If the position is reclassified to a class with the same salary range as the previous class, and if the incumbent is appointed to the reclassified position, the salary rate shall apply to a change of class title.
  - ii. If the position is reclassified to a class with a higher salary range, and



the incumbent is appointed to the position, the incumbent's salary shall be the step ~~in the new range that is closest to their current salary without being lower as of the date upon which the reclassification becomes effective that is at least 5% above the current base salary.~~ The employee shall receive a new anniversary date upon reclassification in this manner.

- iii. If the position is reclassified to a class with a lower salary range than the previous class, and if the incumbent is appointed to the reclassified position, the employee's salary shall not change. If the employee's salary is greater than the maximum step of the lower salary range, the employee's salary shall be "Y" rated until such time as any general cost-of-living increase, inequity adjustment, or other salary increase results in a monthly salary appropriate for the class. The employee's salary anniversary date shall not change and shall not require a new probationary period.

G. Compensation for Working in A Higher Classification (Acting Pay)

- i. On occasion an employee may be required to perform duties of another classification with a higher salary range because of a temporary vacancy in that position. The employee's salary will be adjusted to compensate for the higher level of duties. In such cases, the City will adhere to CalPERS regulations regarding these types of assignments (i.e., out-of-class assignments, temporary upgrade pay, or non-pensionable extra duty pay) and assign appropriately per these regulations (Government Code section 20480).

In order to receive adjusted compensation for working in a higher classification the employee must be assigned in writing by the department head, assume and perform substantially all the duties and responsibilities of the position, and perform them for at least one week (five consecutive working days).

Compensation for working in a higher classification shall consist of a flat five percent (5%) increase above the employee's current salary or the lowest salary within the higher salary range, whichever is greater, but not to exceed the maximum of the range established for the higher classification.

- ii. Work periods in higher-class assignments shall not apply toward seniority or time-in-class consideration for promotional or layoff purposes as regard the higher class.

- iii. If an employee and his/her department head agree that the employee be assigned on a temporary basis for training purposes, no compensation will be due the temporarily assigned employee. In no case shall such training be for more than thirty (30) calendar days. After two (2) weeks a progress report will be given to the employee in order to evaluate the employee's success in the training program.

## 2. Bi-Weekly Pay Schedule/Alternate Work Schedules

Should the City decide to implement a bi-weekly pay schedule (26 pay periods per year) in lieu of the current bi-monthly pay schedule (24 pay periods per year), the City agrees to notify FMMG and meet and confer with FMMG on the impact on employees in the Middle Management Bargaining Unit. The parties also agree to meet and confer over alternate work schedules, including, but not limited to, 4/10 and 9/80 work schedules.

## 3. Employee Wellness

The City agrees to work with FMMG towards the goal of implementing an employee wellness program. The City and FMMG agree to create a Wellness Advisory Committee. The Committee shall hold regular meetings to explore maximizing current health benefit programs and incentives to achieve such elements as a tobacco-free lifestyle and other healthy choices.

# ARTICLE VIII – PERFORMANCE EVALUATIONS

## 1. Performance Evaluations

- A. When an employee's scheduled step increase is withheld due to unsatisfactory performance, the employee shall retain his/her salary anniversary date.
- B. Denial of a step increase may be appealed to the Human Resources Director. This section shall not be subject to the Grievance and Arbitration provisions of this MOU.

# ARTICLE IX – EMPLOYEE DISCIPLINE

## 1. Employee Discipline

- A. Policy: It is the policy of the City that discipline of City employees be imposed on an appropriate and consistent basis. When an employee engages in misconduct or when job performance is unsatisfactory in the

judgment of the City, disciplinary action may be initiated.

B Definition: As used herein, "disciplinary action" means written reprimand, suspension without pay, reduction in pay, demotion, or dismissal (see City Personnel Rules).

C. Application:

- (1) Permanent Status: This provision shall only apply to employees with permanent status with the City.
- (2) Probationary Status: An employee in probationary status shall have no right to grieve or arbitrate release from probationary appointment.
- (3) Temporary Employee: An employee in a temporary position shall have no right to grieve or arbitrate release from temporary appointment.
- (4) Temporary Upgrade (Out of Class): An employee in a temporary upgrade status shall have no right to grieve or arbitrate release from temporary upgrade status.
- (5) A written reprimand shall be appealable only to the City Manager or his/her designee with the right to present the employee's position and supporting evidence, but no right to present evidence or confront or cross examine witnesses. The decision of the City Manager of designee shall be final.
- (6) Upon the request of an employee, a written reprimand shall be removed from an employee's personnel file after two (2) years from the original date of issuance; provided, however, that the employee has not been subject to formal disciplinary action during the two (2) year period.
- (7) A counseling memo or letter of instruction shall not be considered disciplinary action and shall not be appealable.

D. Cause for Disciplinary Action:

Discipline shall be for cause. (Personnel Rules, Section 1.08.110). Examples of conduct or performance deficiencies that may warrant discipline include, but are not limited to:

- (1) Misstatement of facts during the hiring process



- (2) Falsification of an entry on a City document (e.g., time card, expense report)
- (3) Disclosure of confidential information
- (4) Insubordination or willful disobedience
- (5) Incompetence, inefficiency or unsatisfactory job performance
- (6) Discriminatory, discourteous, or unbecoming behavior
- (7) Theft, misuse or unauthorized use or possession of City property
- (8) Dishonesty
- (9) Misconduct, i.e., any behavior that brings harm or discredit to the City
- (10) Being under the influence of illegal drugs or alcohol or possessing illegal drugs while on City property or on official business
- (11) Possession of a firearm, weapon, or hazardous or dangerous device while on City property or on official business
- (12) Conviction of a felony or misdemeanor that involves moral turpitude, or any other conviction or pleas of nolo contendere or diversion for such offense, which adversely affects, or brings discredit to, the City
- (13) Excessive absence or tardiness
- (14) Absence without approved leave
- (15) Violation of a City rule, policy, or procedure
- (16) Soliciting outside work for personal gain during the conduct of City business; engaging in outside employment for any business under contract by the City; participating in any outside employment that adversely affects the employee's City work performance; and engaging in unauthorized outside employment.
- (17) Loss or failure to maintain any license, certification, and/or clearance which is required as a minimum qualification or condition or employment for the employee's position.
- (18) Abusive conduct or "bullying" that a reasonable person would find

hostile, offensive, and unrelated to an employer's legitimate business interests. This may include repeated infliction of verbal abuse such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating or humiliating, or the gratuitous sabotage or undermining of a person's work performance.

E. Preliminary Notice of Disciplinary Action

- (1) Prior to taking disciplinary action with a regular employee to suspend without pay, reduce pay, demote (except for demotion in lieu of layoff), or dismiss, the Department Head will provide the employee with a written preliminary notice of disciplinary action which shall contain the charges, the specific factual basis for the charges, and the nature of the proposed disciplinary action. A copy of the notice of disciplinary action shall be served upon the employee either personally or via e-mail or U.S. Mail, to the last known address of the employee. The last known address shall be deemed to be the address that is within the employee's official personnel file. If notice is provided by mail, the employee should be deemed to have received notice ten (10) calendar days after the date of mailing.
- (2) The Preliminary Notice of Disciplinary Action shall include:
  - a. A statement of the nature of the disciplinary action;
  - b. The effective date of the disciplinary action;
  - c. A statement of the reasons for the disciplinary action;
  - d. Any supporting material or documentation and a statement of the employee's right to review all relevant documents and materials;
  - e. A statement advising the employee of the right to appeal the action, the manner and time of which the appeal must be made, and the required content of the appeal; and
  - f. The name and address of the person to whom all written communication regarding this appeal shall be sent.

F. Appeal of Disciplinary Actions

## (1) Skelly Meeting

- a. An employee who is subject to disciplinary action of suspension without pay, reduction in pay, demotion, or dismissal, shall have the right, within five (5) workdays after receiving a Preliminary Notice of Disciplinary Action to request a Skelly Meeting by filing a written request for a meeting signed by the employee or the employee's representative with the employee's consent with the City Human Resources Director.
  - i. The right to request a Skelly Meeting does not apply to a Written Reprimand. An employee who is subject to disciplinary action of a Written Reprimand and disagrees with the discipline is encouraged to discuss with their Department Manager. The employee may also, within five (5) days after receiving a Written Reprimand, request a meeting with the City Manager or designee by filing a written request with the Human Resources Director.
  - ii. The City Manager or designee shall have final authority to sustain, modify, or dismiss the Written Reprimand. This decision may be communicated orally or in writing. A Written Reprimand is not appealable beyond the City Manager or designee whose decision is final. In addition, a Written Reprimand may be removed from the employee's personnel file after two years if subsequent disciplinary action has not occurred within that timeframe.
- b. Failure to respond or inaction within the specified time will result in the waiver of the right to a Skelly meeting, or, in the case of a Written Reprimand, a meeting with the City Manager or designee, and the proposed discipline becoming final.
- c. Upon a written request for a Skelly meeting, the City shall appoint a "Skelly Officer". The Skelly Officer will meet with the employee, listen to arguments and receive documents presented by the employee. Within a reasonable time and in writing, the Skelly Officer shall respond to the City, with a copy to the employee and the employee's representative, if applicable. The Skelly Officer may recommend that the City dismiss, modify, or sustain the proposed discipline.

If the proposed discipline is sustained or modified by the City after the Skelly Meeting, the disciplinary action shall be implemented. A Final Notice of Disciplinary Action shall be served in the same manner as the Preliminary Notice of Disciplinary Action, except that the Final Notice of Disciplinary Action shall include a statement advising the employee of the right to appeal the action, the manner and time in which the appeal must be made, the required content of the appeal, and name and address of the person to whom all communication regarding the appeal shall be sent.

(1) Arbitration Hearing

- a. Within ten (10) calendar days after receipt of the Skelly Officer's response, disciplinary actions may be appealed to arbitration. If the employee fails to file a notice of appeal to arbitration within this time period, the disciplinary action shall become final and there shall be no further appeal.
- b. The decision of the arbitrator shall be final and binding on the parties. No appeal or review of the arbitrator's decision by Writ or other mechanism before any court, administrative tribunal or any other forum on any legal theory or basis shall be possible.
- c. Appeals of disciplinary actions to arbitration shall be pursuant to the Grievance and Arbitration provisions of this MOU, except that on disciplinary appeals:
  - i. An appeal of a disciplinary action is a complaint of a permanent employee of whether there was cause for the disciplinary action taken against the employee.
  - ii. The parties to the hearing and to the selection of the arbitrator shall be the employee, who may be represented by FMMG or independent counsel, and the City.
  - iii. The employee may be represented by FMMG; or, if the employee chooses not to be represented by FMMG, the employee may be self-represented or represented by independent counsel at the employee's own expense.
  - iv. The employee shall be entitled to appear personally at the hearing and produce evidence.

- v. The fees and expenses of the arbitrator, a court reporter and transcript if required by the arbitrator, shall be shared equally by the parties involved.

## ARTICLE X – GRIEVANCE PROCEDURE

1. **Definition:** A grievance is a complaint of an affected employee or group of employees resulting from interpretation or application of this Agreement, or City rules.
2. **Time Limits:** Grievances not presented within the time limits established for each step of this procedure shall not be considered. Should the City fail to answer within the established time limits, the grievance may be appealed to the next step of the grievance procedure.

When days are used in this article for the purpose of establishing time limits, those limits will be presumed to have been met when the appropriate forms are either personally delivered to the affected party or deposited in the U.S. mail, as evidenced by the appropriate postmark.

Time limits may be waived or extended by mutual agreement between the parties. As referred to in this article, all “days” are “work days.”

3. **Presentation:** An employee and/or FMMG representative may present a grievance during work time provided such presentations and discussions do not disrupt City operations and are kept to a reasonable minimum.
4. **Procedure:** All grievances as defined herein shall be processed in accordance with this procedure. All grievances, beginning at Step 1 shall be filed on a form provided by the City for that purpose. FMMG may refuse to represent a grievant and the City may refuse to consider a grievance where the aggrieved party has not followed this procedure.
  - A. **INFORMAL STEP.** Within fifteen (15) days of the event or circumstance giving rise to the grievance or within fifteen (15) days of the time the affected employee or FMMG should reasonably have been aware of the event or circumstance, the grievance shall be discussed informally with the person or persons most directly responsible for the event or circumstances which gave rise to the grievance. If the grievance is not resolved within five (5) days of the date on which it is first presented at the Informal Step, the grievant may proceed to Step 1 and file a formal grievance.

B. FORMAL. If there is no agreement at the informal level:

STEP 1. A formal grievance shall be presented in writing to the grievant's department head. The department head shall conduct such investigation as is deemed appropriate and shall issue a written determination within ten (10) days of the date on which the grievance was appealed to the department head.

STEP 2. Within five (5) days of the Step 1 response or, if no Step 1 response is received, within twenty (20) days of the date of the Step 1 appeal, the grievance may be appealed to the City Manager or designee. The City Manager or designee shall conduct such investigation as is deemed appropriate and shall issue a written determination within ten (10) days of the date on which the grievance is first presented at Step 2. If the City Manager or designee fails to issue a written determination within the prescribed period of time or if the determination is not satisfactory to the grievant, only FMMG may request the matter of contract provision be submitted to binding arbitration. Individual employees may submit grievances relating to discipline to binding arbitration.

STEP 3. A request for binding arbitration shall be made in writing to the City Manager within fifteen (15) days of the date which the grievant received a copy of the written determination of Step 2, or in the event that no Step 2 answer is received, within twenty (20) days of the date of the Step 2 appeal.

An arbitrator may be selected by mutual agreement between the parties. However, should the parties fail to voluntarily agree upon an arbitrator, the parties shall make a joint request to the California State Mediation and Conciliation Service. The parties shall request a list of five (5) qualified arbitrators. Each party shall alternately strike one name from the list and the last remaining name shall serve as arbitrator. The first party to strike a name shall be determined by the toss of a coin.

The arbitrator's decision shall be final and binding on the City, FMMG, and the grievant(s). The arbitrator shall have no authority to add to or delete from the terms of this Agreement, or City Personnel Rules. All fees and costs of the arbitrator and court reporter, if any, shall be borne equally by the parties.

## 5. Letters of Reprimand

Upon request of an employee, a written reprimand shall be removed from an employee's personnel file after two (2) years from the original date of issuance;



provided, however, that the employee has not been subject to formal disciplinary action during the two (2) year period.

A written reprimand shall be appealable only to the Human Resources Director and then to the City Manager with the right to present the employee's position and supporting evidence, but no right to confront or cross examine witnesses. The decision of the City Manager shall be final.

## 6. Short Term Suspension

The parties agree that the members of this unit are not subject to short-term suspension as defined by the Personnel Rules and Regulations of the City of Folsom.

## ARTICLE XI – TERM OF AGREEMENT

### 1. Term of MOU

Unless specified otherwise herein, this MOU shall be effective January 1, ~~2020-2023~~, to December 31, ~~2022-2025~~. The parties agree to begin negotiations on a successor Memorandum of Understanding no later than 120 calendar days prior to expiration of this Memorandum of Understanding.

### 2. Total Agreement

This Memorandum of Understanding (MOU) constitutes a full and complete agreement by the parties and contains all the matters upon which the parties reached agreement. Therefore, except as provided herein, the City and FMMG, for the duration of this Agreement, each voluntarily and unqualifiedly waives the right and each agrees that the other should not be obligated to meet and confer with respect to any subject or matter whether or not referred to or covered in this agreement.

FMMG Memorandum of Understanding  
January 1, ~~2020-2023~~ – December 31, ~~2022-2025~~

Page 39

The terms and conditions of this MOU are executed this \_\_\_\_\_ day of \_\_\_\_\_, ~~2019-2023~~ by the Employer-Employee Representatives whose signatures appear below on behalf of their respective organizations.

For the City:

For FMMG:

\_\_\_\_\_  
Elaine Andersen  
City Manager

\_\_\_\_\_  
Ryan Neves  
FMMG President

\_\_\_\_\_  
Allison Garcia  
Human Resources Director

\_\_\_\_\_  
Josh Johnsrud  
FMMG Representative

\_\_\_\_\_  
Dennis Batchelder  
City Representative

\_\_\_\_\_  
Todd Eising  
FMMG Representative

\_\_\_\_\_  
John Spittler  
Human Resources Advisor

\_\_\_\_\_  
Robert Rediger  
Business Representative

## **APPENDIX A – List of Occupied Classes in Bargaining Unit**

Associate Civil Engineer  
 Building Official/Building Services Supervisor  
 Chief Building Official  
 City Engineer  
 Code Enforcement Supervisor  
 Community & Cultural Services Manager  
 Deputy Fire Marshal  
 Environmental Specialist Supervisor  
 Facilities Maintenance Manager  
 Facilities Maintenance Supervisor  
 Fire Protection Engineer  
 Information Services Manager  
 Library Supervisor  
 Lighting & Landscape District Manager  
 Maintenance Supervisor  
 Management Analyst  
 Park Planning Manager  
 Plan Check Engineer  
 Planning Manager  
 Principal Civil Engineer  
 Principal Planner  
 Public Works/Utilities Section Manager  
 Public Works/Utilities Section Manager - Engineer  
 Recreation Manager  
 Recreation Supervisor  
 Senior Civil Engineer  
 Senior Management Analyst  
 Senior Park Planner  
 Senior Planner  
 Senior Trails Planner  
 Solid Waste Supervisor  
 Solid Waste/Fleet Manager  
 Streets Operations Manager  
 Streets Operations Supervisor  
 Traffic/Control/Lighting Supervisor  
 Utility Maintenance Supervisor  
 Utilities Manager  
 Wastewater Collection Supervisor  
 Water Distribution Supervisor  
 Water Treatment Plant Supervisor  
 Zoo Supervisor  
 Zoo Manager

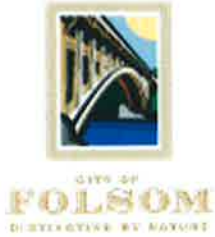
## APPENDIX B – FMMG Salary Ranges

Salary Range	Salary	1	2	3	4	5	6	7	8	9
T84	Eff 1/1/23	\$ 88,259	\$ 90,907	\$ 93,634	\$ 96,443	\$ 99,336	\$ 102,317	\$ 105,386	\$ 108,548	\$ 111,804
	Eff 1/1/24	\$ 90,907	\$ 93,634	\$ 96,443	\$ 99,336	\$ 102,317	\$ 105,386	\$ 108,548	\$ 111,804	\$ 115,158
	Eff 1/1/25	\$ 93,634	\$ 96,443	\$ 99,336	\$ 102,317	\$ 105,386	\$ 108,548	\$ 111,804	\$ 115,158	\$ 118,613
T86	Eff 1/1/23	\$ 92,727	\$ 95,509	\$ 98,374	\$ 101,326	\$ 104,365	\$ 107,496	\$ 110,721	\$ 114,043	\$ 117,464
	Eff 1/1/24	\$ 95,509	\$ 98,374	\$ 101,326	\$ 104,365	\$ 107,496	\$ 110,721	\$ 114,043	\$ 117,464	\$ 120,988
	Eff 1/1/25	\$ 98,374	\$ 101,326	\$ 104,365	\$ 107,496	\$ 110,721	\$ 114,043	\$ 117,464	\$ 120,988	\$ 124,618
T89	Eff 1/1/23	\$ 95,045	\$ 97,897	\$ 100,834	\$ 103,859	\$ 106,975	\$ 110,184	\$ 113,489	\$ 116,894	\$ 120,401
	Eff 1/1/24	\$ 97,897	\$ 100,834	\$ 103,859	\$ 106,975	\$ 110,184	\$ 113,489	\$ 116,894	\$ 120,401	\$ 124,013
	Eff 1/1/25	\$ 100,834	\$ 103,859	\$ 106,975	\$ 110,184	\$ 113,489	\$ 116,894	\$ 120,401	\$ 124,013	\$ 127,733
<i>TBD range for Art. III, Sect. 3 titles</i>	Eff 1/1/23	\$ 97,364	\$ 100,285	\$ 103,293	\$ 106,392	\$ 109,584	\$ 112,871	\$ 116,257	\$ 119,745	\$ 123,337
	Eff 1/1/24	\$ 100,285	\$ 103,293	\$ 106,392	\$ 109,584	\$ 112,871	\$ 116,257	\$ 119,745	\$ 123,337	\$ 127,038
	Eff 1/1/25	\$ 103,293	\$ 106,392	\$ 109,584	\$ 112,871	\$ 116,257	\$ 119,745	\$ 123,337	\$ 127,038	\$ 130,849
T94	Eff 1/1/23	\$ 107,535	\$ 110,761	\$ 114,084	\$ 117,507	\$ 121,032	\$ 124,663	\$ 128,403	\$ 132,255	\$ 136,222
	Eff 1/1/24	\$ 110,761	\$ 114,084	\$ 117,507	\$ 121,032	\$ 124,663	\$ 128,403	\$ 132,255	\$ 136,222	\$ 140,309
	Eff 1/1/25	\$ 114,084	\$ 117,507	\$ 121,032	\$ 124,663	\$ 128,403	\$ 132,255	\$ 136,222	\$ 140,309	\$ 144,518
T95	Eff 1/1/23	\$ 110,224	\$ 113,530	\$ 116,936	\$ 120,444	\$ 124,058	\$ 127,779	\$ 131,613	\$ 135,561	\$ 139,628
	Eff 1/1/24	\$ 113,530	\$ 116,936	\$ 120,444	\$ 124,058	\$ 127,779	\$ 131,613	\$ 135,561	\$ 139,628	\$ 143,817
	Eff 1/1/25	\$ 116,936	\$ 120,444	\$ 124,058	\$ 127,779	\$ 131,613	\$ 135,561	\$ 139,628	\$ 143,817	\$ 148,131
T98	Eff 1/1/23	\$ 118,699	\$ 122,260	\$ 125,928	\$ 129,705	\$ 133,597	\$ 137,604	\$ 141,733	\$ 145,985	\$ 150,364
	Eff 1/1/24	\$ 122,260	\$ 125,928	\$ 129,705	\$ 133,597	\$ 137,604	\$ 141,733	\$ 145,985	\$ 150,364	\$ 154,875
	Eff 1/1/25	\$ 125,928	\$ 129,705	\$ 133,597	\$ 137,604	\$ 141,733	\$ 145,985	\$ 150,364	\$ 154,875	\$ 159,521
T104	Eff 1/1/23	\$ 139,678	\$ 143,869	\$ 148,185	\$ 152,630	\$ 157,209	\$ 161,926			
	Eff 1/1/24	\$ 143,869	\$ 148,185	\$ 152,630	\$ 157,209	\$ 161,926	\$ 166,783			
	Eff 1/1/25	\$ 148,185	\$ 152,630	\$ 157,209	\$ 161,926	\$ 166,783	\$ 171,787			
T107	Eff 1/1/23	\$ 150,418	\$ 154,931	\$ 159,579	\$ 164,366	\$ 169,297	\$ 174,376			
	Eff 1/1/24	\$ 154,931	\$ 159,579	\$ 164,366	\$ 169,297	\$ 174,376	\$ 179,608			
	Eff 1/1/25	\$ 159,579	\$ 164,366	\$ 169,297	\$ 174,376	\$ 179,608	\$ 184,996			

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CITY OF  
**FOLSOM**  
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# Folsom City Council Staff Report



<b>MEETING DATE:</b>	3/28/2023
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11013 – A Resolution Authorizing the City Manager to Execute an Agreement with NBS Government Financing Group for Assessment Engineering Services
<b>FROM:</b>	Parks and Recreation Department

### RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 11013 - A Resolution Authorizing the City Manager to Execute an Agreement with NBS Government Financing Group (NBS) for assessment engineering services.

### BACKGROUND / ISSUE

The City of Folsom is responsible for the maintenance and servicing of thirty landscaping and lighting districts throughout the City. Part of that responsibility is producing an engineer’s report annually to describe the budgets for each district, and to comply with the Streets and Highways Code. We recently put this scope of work out to receive new proposals as our agreement with our previous consultant had expired.

### POLICY / RULE

In accordance with Chapter 2.36.090 (A)(1) and 2.36.120 of the Folsom Municipal Code, professional services are not subject to competitive sealed bidding requirements, and those costing \$70,952 or greater shall be awarded by City Council.

### ANALYSIS

On March 1, 2023, the Parks and Recreation Department advertised a Request for Proposal (RFP) for assessment engineering services. The RFP was posted on CIPList.com as well as the City of Folsom website with responses due back to the City by 4:00 pm March 10, 2023. An internal review team was assembled of Parks and Recreation Staff. The criteria for ranking the proposals



was based on the following areas: relevant experience and staffing, demonstrated ability to complete work in a timely fashion, and total cost. We only received one response, and after reviewing the submittal, staff concluded that NBS demonstrated that they are qualified based on the advertised scoring criteria. In addition, NBS is a known entity to the City in that they provide other assessment-related services for the City's community facility districts.

**FINANCIAL IMPACT**

Funds are budgeted in the Fiscal Year 2022-23 within the Landscaping and Lighting District budget's and will be accounted for in future budget years.

**ATTACHMENT**

Resolution No. 11013 - A Resolution Authorizing the City Manager to Execute an Agreement with NBS Government Financing Group for Assessment Engineering Services

Submitted,

---

Lorraine Poggione,  
Parks & Recreation Director

**RESOLUTION NO. 11013**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH NBS GOVERNMENT FINANCING GROUP FOR ASSESSMENT ENGINEERING SERVICES**

**WHEREAS**, the City of Folsom desires to enter into a professional services agreement for an initial period beginning April 1, 2023 through March 31, 2026, for assessment engineering services; and

**WHEREAS**, the City of Folsom can, at its discretion based on successful completion of the initial agreement, extend the contract for up to two additional one-year extensions; and

**WHEREAS**, proposals were solicited in accordance with Folsom Municipal Code Section 2.36.100 and advertised on March 1, 2023; and

**WHEREAS**, NBS Government Finance Group (NBS) was the most qualified consultant; and

**WHEREAS**, the estimate for the initial term of the agreement for three years will be \$94,500; and

**WHEREAS**, funds are budgeted in the amount of \$30,000 in the Fiscal Year 2022-23 budget in the thirty different Landscaping and Lighting Districts that will be covered by said report; and

**WHEREAS**, the agreement will be in a form acceptable to the City Attorney; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom authorizes the City Manager to execute an Agreement with NBS Government Financing Group for assessment engineering services.

**PASSED AND ADOPTED** this 28<sup>th</sup> day of March, 2023, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Rosario Rodriguez, MAYOR

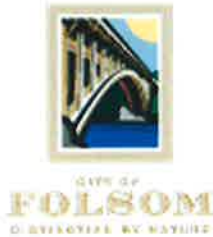
ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK

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CITY OF  
**FOLSOM**  
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# Folsom City Council Staff Report



<b>MEETING DATE:</b>	3/28/2023
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11014 – A Resolution Directing the Preparation of Engineer’s Report for the following Landscaping and Lighting Districts for Fiscal Year 2023-2024 American River Canyon North, American River Canyon North No. 2, American River Canyon North No. 3, Blue Ravine Oaks, Blue Ravine Oaks No. 2, Briggs Ranch, Broadstone, Broadstone No. 4, Broadstone Unit No. 3, Cobble Ridge, Cobble Hills Ridge II/Reflections II, Folsom Heights, Folsom Heights No. 2, Hannaford Cross, Lake Natoma Shores, Los Cerros, Natoma Station, Natoma Valley, Prairie Oaks Ranch, Prairie Oaks Ranch No. 2, Prospect Ridge, Sierra Estates, Silverbrook, Steeplechase, The Residences at American River Canyon, The Residences at American River Canyon II, Willow Creek Estates East, Willow Creek Estates East No. 2, Willow Creek Estates South, and Willow Springs
<b>FROM:</b>	Parks and Recreation Department

**RECOMMENDATION / CITY COUNCIL ACTION**

Staff recommends the City Council adopt Resolution No. 11014 – A Resolution Directing the Preparation of Engineer’s Report for the following Landscaping and Lighting Districts for Fiscal Year 2023-2024 American River Canyon North, American River Canyon North No. 2, American River Canyon North No. 3, Blue Ravine Oaks, Blue Ravine Oaks No. 2, Briggs Ranch, Broadstone, Broadstone No. 4, Broadstone Unit No. 3, Cobble Ridge, Cobble Hills Ridge II/Reflections II, Folsom Heights, Folsom Heights No. 2, Hannaford Cross, Lake Natoma Shores, Los Cerros, Natoma Station, Natoma Valley, Prairie Oaks Ranch, Prairie Oaks Ranch No. 2, Prospect Ridge, Sierra Estates, Silverbrook, Steeplechase, The Residences at American River Canyon, The Residences at American River Canyon II, Willow Creek Estates East, Willow Creek Estates East No. 2, Willow Creek Estates South, and Willow Springs.

**BACKGROUND / ISSUE**

The City of Folsom has thirty existing Landscaping and Lighting Districts. Each year, as part of the annual assessment process, an Engineer's Report must be prepared in accordance with the requirement of Article 4 of Chapter 1 of Part 2 of Division 15 of the *Streets and Highways Code* and the *Landscaping and Lighting Act of 1972*.

The Engineer's Report for Fiscal Year 2023-2024 will address all thirty districts in one report and will be submitted for final approval to the City Council.

**POLICY / RULE**

Section 22622 of the *Streets and Highways Code* requires the City Council to adopt a resolution directing the preparation of the Engineer's Report as part of the annual assessment process for landscaping and lighting districts.

**ANALYSIS**

The Engineer's Report for the thirty Landscaping and Lighting Districts for Fiscal Year 2023-2024 will be prepared by NBS Government Financing Group (NBS). The Preliminary Engineer's Report is expected to be submitted for City Council review and approval on May 23, 2023 and the final Engineer's Report and public hearing is scheduled for July 11, 2023.

Included within the report for each district will be the following:

- A. Plans and specifications for the maintenance of the improvements (on file in the Parks and Recreation Department)
- B. Estimate of the cost of maintaining the improvements
- C. Diagrams of the assessment districts
- D. Assessment of the estimated costs for maintaining the improvements

**FINANCIAL IMPACT**

Each Landscaping and Lighting District levies and collects funds to cover operating and maintenance costs. The Fiscal Year 2023-2024 budget for the Landscaping and Lighting Districts includes funding for the preparation of the Engineer's Report. There is no fiscal impact to the City of Folsom General Fund.

**ENVIRONMENTAL REVIEW**

N/A (This does not apply as there is no environmental review aspect to the engineer's report.)

**ATTACHMENTS**

1. Resolution No. 11014 – A Resolution Directing the Preparation of Engineer’s Report for the following Landscaping and Lighting Districts for Fiscal Year 2023-2024 American River Canyon North, American River Canyon North No. 2, American River Canyon North No. 3, Blue Ravine Oaks, Blue Ravine Oaks No. 2, Briggs Ranch, Broadstone, Broadstone No. 4, Broadstone Unit No. 3, Cobble Ridge, Cobble Hills Ridge II/Reflections II, Folsom Heights, Folsom Heights No. 2, Hannaford Cross, Lake Natoma Shores, Los Cerros, Natoma Station, Natoma Valley, Prairie Oaks Ranch, Prairie Oaks Ranch No. 2, Prospect Ridge, Sierra Estates, Silverbrook, Steeplechase, The Residences at American River Canyon, The Residences at American River Canyon II, Willow Creek Estates East, Willow Creek Estates East No. 2, Willow Creek Estates South, and Willow Springs

Submitted,

---

Lorraine Poggione, Parks & Recreation Director



**RESOLUTION NO. 11014**

**A RESOLUTION DIRECTING THE PREPARATION OF ENGINEER’S REPORT FOR THE FOLLOWING LANDSCAPING AND LIGHTING DISTRICTS FOR FISCAL YEAR 2023-2024 AMERICAN RIVER CANYON NORTH, AMERICAN RIVER CANYON NORTH NO. 2, AMERICAN RIVER CANYON NORTH NO. 3, BLUE RAVINE OAKS, BLUE RAVINE OAKS NO. 2, BRIGGS RANCH, BROADSTONE, BROADSTONE NO. 4, BROADSTONE UNIT NO. 3, COBBLE RIDGE, COBBLE HILLS RIDGE II/REFLECTIONS II, FOLSOM HEIGHTS, FOLSOM HEIGHTS NO. 2, HANNAFORD CROSS, LAKE NATOMA SHORES, LOS CERROS, NATOMA STATION, NATOMA VALLEY, PRAIRIE OAKS RANCH, PRAIRIE OAKS RANCH NO. 2, PROSPECT RIDGE, SIERRA ESTATES, SILVERBROOK, STEEPLECHASE, THE RESIDENCES AT AMERICAN RIVER CANYON, THE RESIDENCES AT AMERICAN RIVER CANYON II, WILLOW CREEK ESTATES EAST, WILLOW CREEK ESTATES EAST NO. 2, WILLOW CREEK ESTATES SOUTH, AND WILLOW SPRINGS**

**WHEREAS**, the City Council of the City of Folsom, has established thirty Landscaping and Lighting Assessment Districts described as follows:

- |                                      |  |
|--------------------------------------|--|
| American River Canyon North          | Natoma Station                             |
| American River Canyon North No. 2    | Natoma Valley                              |
| American River Canyon North No. 3    | Prairie Oaks Ranch                         |
| Blue Ravine Oaks                     | Prairie Oaks Ranch No. 2                   |
| Blue Ravine Oaks No. 2               | Prospect Ridge                             |
| Briggs Ranch                         | Sierra Estates                             |
| Broadstone                           | Silverbrook                                |
| Broadstone No. 4                     | Steeplechase                               |
| Broadstone Unit No.3                 | The Residences at American River Canyon    |
| Cobble Ridge                         | The Residences at American River Canyon II |
| Cobble Hills Ridge II/Reflections II | Willow Creek Estates East                  |
| Folsom Heights                       | Willow Creek Estates East No. 2            |
| Folsom Heights No. 2                 | Willow Creek Estates South                 |
| Hannaford Cross                      | Willow Springs                             |
| Lake Natoma Shores                   |  |
| Los Cerros                           |  |
| ; and                                |  |

**WHEREAS**, pursuant to the Landscape and Lighting Act of 1972 ("Act"), Division 15, Part 2 of the *Streets and Highway Code*, the assessment is for the maintenance of public areas including, but not limited to, landscaped areas, street corridors, project entryways, certain parks, parkways, medians, statuary, residential village entryways, sound walls, fences, project signage, streetscapes, landscape, lighting maintenance and lighting, water and utility bills; and

**WHEREAS**, the City Council of the City of Folsom has determined that said territories will be specifically benefited by the maintenance and servicing of said landscape and appurtenant

improvements; and

**WHEREAS**, Sections 22620 through 22631 of the Act provide for annual assessments after the formation of said districts; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom authorizes the City Manager to have the City’s engineer prepare the Engineer’s Report and file the same with the Clerk for submission to the City Council, and that NBS Government Financing Group is hereby designated as Engineer of Work for purposes of these proceedings and is hereby ordered to prepare an Engineer's Report in accordance with Article 4 of Chapter 1 of the Act and Article XIIID of the California Constitution. Upon completion, the Engineer shall file the Engineer's Report with the Clerk of the Council for submission to the Council; and

**PASSED AND ADOPTED** this 28<sup>nd</sup> day of March 2023, by the following roll-call vote:

- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Rosario Rodriguez, MAYOR

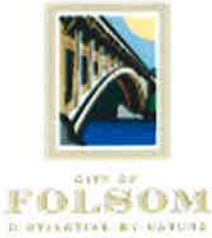
ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK

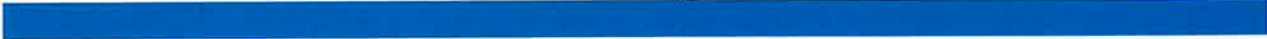
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CITY OF  
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# Folsom City Council Staff Report



<b>MEETING DATE:</b>	3/28/2023
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	2022 General Plan (and Housing Element) Annual Progress Report
<b>FROM:</b>	Community Development Department

**RECOMMENDATION / CITY COUNCIL ACTION**

Staff respectfully requests that the City Council receive and accept the 2022 General Plan Annual Progress Report and Housing Element Annual Progress Report. Upon acceptance, staff will forward copies to the Governor’s Office of Planning and Research and Department of Housing and Community Development accordingly.

**BACKGROUND / ISSUE**

The purpose of this General Plan Annual Progress Report (APR) is to update the City Council on the status of implementing programs contained within the City’s 2035 Folsom General Plan, including the 2021-2029 Housing Element.

State law requires all counties and general law cities to submit an annual report on the status of the jurisdiction’s General Plan as it pertains to all general plan elements to the Governor’s Office of Planning and Research (OPR).

Additionally, State law (California Government Code §65400) requires all cities and all counties to submit a Housing Element Annual Progress Report (APR) to the Department of Housing and Community Development (HCD) and OPR to report progress that the jurisdiction has made toward implementing the Housing Element of their General Plan.

Prior to submittal to the State, the annual report must be presented to the City Council for review and acceptance. The 2022 General Plan APR (Attachment 1) includes a summary of General Plan Amendments processed and actions or activities relating to implementation of each of the City’s General Plan Elements. The Housing Element portion of the report consists of several standardized State-produced tables that quantify the number of dwelling units

entitled and constructed during the reporting period and the status of Housing Element programs.

**POLICY / RULE**

Government Code Section 65400 and 65700 mandates that all cities and counties submit an annual report on the status of the General Plan and progress in its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR), and the Housing and Community Development (HCD) by April 1 of each year.

**ANALYSIS**

The General Plan APR assists OPR in identifying statewide trends in local land use decision making. Furthermore, the report assists the City in evaluating how the goals and policies of the general plan are being implemented through various programs, planning activities and land development projects (both public and private). While OPR provides general guidance on the preparation of APRs, local jurisdictions are encouraged to develop their General Plan APR in a manner that is useful to the specific jurisdiction.

The attached General Plan APR summarizes the City's General Plan implementation progress for 2022. The report is not an exhaustive inventory of Folsom's general plan implementation efforts, but rather a focused account of relevant activities of citywide significance, including land development projects requiring discretionary review, long-rang planning efforts, City capital improvement projects and other action items that specifically address implementation of the General Plan.

The Housing Element APR is attached to the General Plan APR and utilizes building permits issued as the basis for counting progress toward achieving its share of the identified Regional Housing Needs Assessment (RHNA). In addition, the Housing Element APR describes the City's accomplishments toward achieving its housing goals and includes a status report on implementation of the City's housing related policies, ordinances, and programs to facilitate efforts to remove constraints to the production of affordable housing.

**ATTACHMENT**

- 1. 2022 General Plan Annual Progress Report

Submitted,



Pam Johns, Community Development Director



2022 General Plan Annual Progress Report  
City of Folsom  
March 2023



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- D. STATUS OF THE ADOPTED ELEMENTS

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- A. AMENDMENTS TO THE GENERAL PLAN
- B. GENERAL PLAN PROGRAM IMPLEMENTATION HIGHLIGHTS FOR 2019

### CHAPTER 3 – IMPLEMENTATION OF THE HOUSING ELEMENT

### CHAPTER 4 – 2022 PROJECTS AND ACCOMPLISHMENTS

- A. MAJOR DEVELOPMENT APPLICATIONS
- B. NOTABLE PROJECTS AND ACCOMPLISHMENTS

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EXHIBIT 2: REGIONAL HOUSING NEEDS ALLOCATION TABLE

EXHIBIT 3: SUMMARY OF ENTITLED UNITS AND SUBMITTED APPLICATIONS

## CHAPTER 1 – INTRODUCTION AND SUMMARY

### A. Purpose of the Annual Progress Report (APR)

The primary purpose of this Annual Progress Report (APR) is to summarize the activities that took place between January 1, 2022 and December 31, 2022 to implement the City of Folsom’s 2035 General Plan. This report will be provided to the City Council for their review and acceptance. In addition, the APR will be submitted to the Governor’s Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

### B. Background

The City of Folsom adopted a comprehensive update to the General Plan on August 28, 2018 and updated several elements (Housing, Land Use, Safety and Noise and Implementation) in 2021 as part of the 2021-2029 Housing Element Update. The Folsom 2035 General Plan is the result of over 6 years of public input from stakeholders, the community, City Commissioners, and the City Council. The updated plan replaced and reformatted the previous General Plan that was adopted in 1988 and includes key planning concepts such as developing urban centers offering an urban lifestyle in a suburban community, moving toward mixed use on the East Bidwell corridor, providing opportunities for transit-oriented development, and following retail trends to provide for new shopping and converting old retail centers to productive use. Other key planning concepts embraced in the Folsom 2035 General Plan are complete streets including all modes of transportation and a focus on healthy lifestyles

### C. Purpose of the General Plan

The General Plan is the foundational land use document for the City of Folsom and includes goals, policies, and programs on a wide range of topics. Every city and county in California must have a General Plan, which is the local government’s long-term framework or “constitution” for future development. The General Plan represents the community’s view of Folsom’s future and expresses the community’s development goals. The Folsom 2035 General Plan establishes the framework for land use decisions in the City of Folsom over the next 20 plus years and includes goals, policies, and programs on a wide range of topics. All new land use and development, as well as modifications to existing use and development must be consistent with the City’s General Plan.

### D. Status of Adopted Elements

The General Plan is made up of eight elements, of which seven are mandated by the State. Except for the Housing Element, all other elements of the City of Folsom General Plan were adopted as a single document on August 28, 2018. State requirements for housing elements are more detailed and specific than for the other general plan elements, and housing elements are required to be updated on a fixed schedule set by the State. The most recent City of Folsom Housing Element was adopted by the City Council on August 24, 2021 and certified by the State Department of Housing and Community Development (HCD) on October 22, 2021. The 2021 Housing Element is a comprehensive update of the 2013 Housing Element and covers an eight-year period from May 15, 2021 to May 15, 2029.

The seven State-mandated elements are: Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety (California Government Code Section 65302). Communities may include other elements

that address issues of particular local concern, such as economic development or urban design. Communities can also organize their General Plan anyway they choose, as long as the required issue areas are addressed.

The following table shows how the elements of the Folsom 2035 General Plan are organized to meet the mandatory requirements of State law:

ELEMENTS OF THE FOLSOM 2035 GENERAL PLAN								
Folsom 2035 General Plan Elements	General Plan Elements Required by State Law							Optional Elements Allowed by State Law
	Land Use	Circulation	Housing	Conservation	Noise	Open Space	Safety	
Land Use	■							
Mobility		■						
Economic Prosperity								■
Housing			■					
Natural and Cultural Resources					■			
Public Facilities and Services								■
Parks and Recreation						■		
Safety and Noise					■		■	

Source: Folsom General Plan 2035 -Adopted August 28, 2018

## CHAPTER 2 - IMPLEMENTATION OF THE GENERAL PLAN

To help ensure that appropriate actions are taken to implement the 2035 General Plan, the Plan includes a set of implementation programs. The implementation programs identify specific actions to be taken by the City to implement the General Plan policies.

### A. Amendments to the General Plan

General Plan Amendments may be proposed and acted upon at any time during the year and one action may include multiple amendments. General Plan amendments are subject to environmental review, public notice and hearing requirements and must not create inconsistencies with other parts of the plan. Some of the amendments will be policy changes, while others will be changes to the General Plan Land Use Diagram.

### *2022 General Plan Amendments*

1. Folsom Corporate Center Apartments General Plan Amendment, Rezone and Planned Development Permit - On May 10, 2022 the City Council approved a General Plan Amendment, Rezone, and Planned Development Permit Modification for development of a 253-unit market rate apartment community on two sites (Lot 1: 7.24-acre parcel and Lot 6: 4.68-acre parcel) within the Folsom Corporate Center, which is located on the south side of Iron Point Road, slightly east of the intersection of Iron Point Road and Oak Avenue Parkway. The purpose of the General Plan Amendment was to change the two project parcels (Lot 1 and Lot 6) from IND (Industrial/Office Park) to MHD (Multi-Family High Density).

### *2021 General Plan Amendments*

1. Alder Creek Apartments General Plan Amendment, Specific Plan Amendment, Planned Development Permit, and Minor Administrative Modification - On February 21, 2021 the City Council approved a General Plan Amendment, Specific Plan Amendment, Planned Development Permit, and Minor Administrative Modification for development and operation of a 265-unit market rate apartment community (Alder Creek Apartments) on a 10.8-acre site located at the southeast corner of the intersection of Alder Creek Parkway and Westwood Drive within the Mangini Ranch Phase 2 portion of the Folsom Plan Area. The purpose of the General Plan Amendment was to change the General Plan land use designation for a 5.0-acre portion of the project site from MLD (Multi-Family Low Density) to MHD (Multi-Family High Density).
2. 2021 Housing Element Update and Related Actions - The City Council approved a General Plan Amendment on August 24, 2021 to update the following Elements: Housing Element, Land Use Element, Safety and Noise Element, and Implementation Element.

Housing Element - In accordance with State law the City was required to adopt the sixth cycle Housing Element, which covers the May 15, 2021 through May 15, 2029 planning period and reassesses the community's housing-related goals and objectives, while addressing issues and establishing objectives with respect to a wide range of housing related programs. The sixth cycle also responds to challenges associated with meeting an increased Regional Housing Needs Assessment (RHNA) of 6,363 housing units and to new state laws pertaining to housing, including, but not limited to the SB 166 (2017) "no-net-loss" law that requires land inventory and site identification programs in a Housing Element to always include sufficient sites to accommodate the unmet RHNA, as well as AB 686 (2018) which requires affirmatively furthering fair housing as a part of a jurisdiction's Housing Element planning process and guiding documents for community development.

Land Use Element – The City amended two sections of the Land Use Element. The first amendment corrected the East Bidwell Mixed-use boundary associated with the Land Use Diagram and the second amendment removed and outdated policy, policy LU9.1.10 Renewable and Alternative Energy Generation.

Safety and Noise Element – In conjunction with the Housing Element Update, and in compliance with State law, the City updated the Safety and Noise Element of the General Plan to address climate adaptation and resilience strategies. The update added new emergency preparedness and evacuation route policies, new

climate change policies to address flood hazards, wildfires and wildfire smoke and a new Extreme Heat section that includes a new goal statement and several new policies. The update also included a Climate Adaptation and Resilience Report, which serves as a climate change vulnerability assessment and is included in the General Plan as Appendix D.

Implementation Element – The City updated the Implementation Element to support the Safety and Noise Element Update. Revisions to the Implementation Element included new implementation programs to address evacuation routes, stormwater and flood management, wildfire and wildfire smoke protection, and extreme heat.

#### *2020 General Plan Amendments*

1. Toll Brothers: General Plan Amendment, Specific Plan Amendment, Small-Lot Vesting Tentative Map and Design Planned Development Permit – The City Council approved a General Plan Amendment on March 10, 2020 to modify land use designations in the Folsom Plan Area. The land use designations associated with the 314-acre site include SFHD, MLD, MMD, OS, and P.
2. 709 Natoma Street: General Plan Amendment – The City Council approved a General Plan Amendment on June 23, 2020 to change the land use designation from SFHD (Single-Family High Density) to CC (Community Commercial) in order to correct General Plan inconsistencies that resulted in the single parcel having two incompatible land uses (SFHD/CC).

#### *2019 General Plan Amendments*

1. Canyon Terrace Apartments Expansion and Remodel: General Plan Amendment and Design Review – The City Council approved a General Plan Amendment on July 9, 2019 to change the land use designation from MLD (Multi-Family Low Density) to MHD (Multi-Family High Density) in order to accommodate the increased residential density associated with the project expansion.

## **B. General Plan Program Implementation Highlights for 2022**

The following are highlights of the implementation program progress made in calendar year 2022 organized by Element.

#### *Land Use Element:*

LU-2 Vacant and Underutilized Sites - In 2022, the Parks and Recreation Department was tasked with evaluating city-owned vacant and underutilized properties. In addition, on February 2, 22, 2022 the City Council adopted Resolution No. 10809 creating an Ad Hoc City Council Subcommittee to review City Properties. The Ad-Hoc Subcommittee reviewed and visited 13 vacant city-owned parcels and presented its various recommendations at the November 11, 2022 City Council Meeting.

LU-5 River District Master Plan - On April 12, 2022 the City Council approved the use of American Recovery Plan Act (ARPA) funds in the amount of \$362,500 for project management services and retention of a planning/environmental consultant to conduct the River District Master Plan Planning and Community Engagement Process. The primary project goal is to activate the City's expansive waterfront for recreation and economic development through strategic partnerships and land use opportunities. The planning effort for the River District Master Plan will kick off in early 2023, with an anticipated two-year completion timeline.

*Mobility Element:*

M-2. Intelligent Transportation Systems (ITS) Master Plan – In 2021, the Public Works Department Successfully obtained over \$3 million in SACOG funding for Implementation of the ITS Master Plan. This is a multi-year project and in 2022 the design phase for the ITS was implemented. Upon completion the ITS Master Plan will provide connectivity to all traffic control devices to the City’s Traffic Management System. Elements of the ITS Master Plan include a fiber optic system with regional connectivity, upgrades to signal cabinet hardware, replacement of inductive vehicle detection loops with a detection camera system and PTZ cameras at each signalized intersection.

M-4. Electric Vehicle Charge Stations at City Facilities – In 2022, the Municipal Landscape Services Division Shop and the Facilities Maintenance yard both installed Class II EV chargers at their respective facilities.

M-5 Pedestrian Master Plan and M-6 Bikeway Master Plan - The Public Works and Parks and Recreation successfully obtained grant funding to consolidate the Pedestrian Master Plan and Bike Master Plan into an Active Transportation Plan (ATP) in 2020. Public outreach for the project began in Spring of 2021. The ATP was adopted by City Council on June 14, 2022 and will serve as a long-range compass for creating the future of walking, biking, and rolling through Folsom.

M-7 Bicycle Safety Education - In 2022, the Folsom Police Department obtained Selective Traffic Enforcement Program (STEP) grant funding from the Office of Traffic Safety (OTS) to perform multiple traffic education and enforcement operations targeting pedestrian and bicycle safety. The enforcement efforts were conducted around schools with the city during the months of May and September. The Police Department used social media (Facebook) campaigns to promote bicycle safety to children.

M-8 Bicycle and Pedestrian Improvements – In 2022, three miles of bike trail and a bridge were installed adjacent to the Southeast Connector; buffered bike lanes we installed on Iron Point Road; and approximately 1.5 miles of new Class 1 trail segments were accepted in the White Rock Springs Ranch Neighborhood in the Folsom Plan Area.

M-10 Capital Southeast Connector - The APWA award winning Capital Southeast Connector Segment D3(A) Project was completed and open for traffic on October 22, 2022 including three miles of four-lane expressway and class I multiuse bike/pedestrian trail with three signalized intersections. An additional segment connecting Scott Road to the White Rock Road/Prairie City Road signalized intersection was bid as a separate project and substantially completed in December 2022, opening to traffic in February 2023. Grant applications for Segment D3(B) from East Bidwell Street to El Dorado County will be submitted early 2023.

*Housing Element: See Chapter 3*



*Natural and Cultural Resources Element:*

NCR-3 – Creek Week – In 2022, Creek Week was cancelled for the second year in a row as a result of the Covid-19 pandemic. As an alternative to Creek Week, a creek maintenance project was included as part of the 2022 Community Services Day projects. In addition, the Public Works Department provided supplies and support to residents that volunteered to maintain various creeks during the year.

NCR-4 – Cultural Resources Inventory – On July 20, 2022, the Historic District Commission approved the Folsom State Prison for listing on the City of Folsom Cultural Resource Inventory List.

*Public Facilities and Services Element:*

PFS-8 Maintenance Permits - The City has an active City's Routine Maintenance Agreement (1600-2014-0197-R2) with California Department of Fish and Wildlife for the express purpose of conducting routine maintenance activities within the City of Folsom and its natural watercourses and tributaries, including detention basins. In 2022, seven projects were undertaken by the City utilizing the City's Routine Maintenance Agreement. The projects included using professional grazing services for invasive plant control in open spaces including some detention basins and clearing beaver dams and other obstructions from sections of Humbug Creek, Willow Creek, and their associated tributaries.

PFS-13. Streetlight Retrofit - In 2022, the Public Works Department converted 90 streetlights to LED along major corridors and city-maintained neighborhoods. In addition, the Municipal Landscape Services Division retrofitted approximately 150 streetlights from 100W HPS to 66W LED in various landscape and lighting districts.

PFS-14. Energy Efficient Fleet – In 2021, the Waste and Recycling Division received the City's first all-electric vehicle, and the water conservation division received a hybrid. The Fleet division is continuing to transition the light duty fleet to energy efficient alternatives. Four hybrid orders and seven all electric orders, including 6 patrol vehicles were completed in 2021. Delivery of 7 of these vehicles were expected in 2022 but delayed due to supply chain issues. In addition, the Parks and Recreation Departments placed an order for 4 EV replacement vehicles in 2022. Again, supply chain issues have delayed receipt of these EVs.

PFS-15 Reduce VMT in City Operations - In 2022, the Community Development Department launched its online electronic permitting and plan review system (ComDev). This system enables applicants to submit applications and plans electronically to the City for review instead of requiring them to print them out and deliver them to City Hall. These measures not only reduce vehicle miles traveled (VMT), but also lessen the cost and time involved in the development review process.

PFS-18. Neighborhood Cleanup Program - In 2022, the Solid Waste Division of the Public Works Department completed over 9,944 bulky waste pickups and collected nearly 1,680 tons of waste.

PFS-19 Recycling Containers - State Senate Bill 1383 required that by January 1, 2022 the city must provide a program to collect and recycle food and green waste from all residential and commercial customers. In early 2022, the Waste and Recycling Division completed the distribution of organic waste recycling containers to all City facilities.

PFS-22 Renewable Energy in City-Operated Buildings - In 2022, the Fire Department completed design concepts for Fire Station 34 in the Folsom Plan Area. The new 13,932-square-foot fire station has been designed to be solar panel ready for future rooftop solar panel installation.

*Safety and Noise Element:*

SN-4 Multi-Hazard Mitigation Plan – In 2021, the City participated with Sacramento County and other local jurisdictions to update the Sacramento County Local Hazard Mitigation Plan (LHMP). The updated LHMP was adopted by City Council in February 2022.

SN- 15 Conduct Educational Outreach on Extreme Heat Events - In 2022, Folsom Police and Fire personnel, in conjunction with other city departments worked collaboratively to advertise, staff and open cooling centers when sustained high temperatures gripped the city. Outreach was accomplished via social media accounts (including Facebook, Nixle, and Instagram) and the city opened cooling centers five times during extreme heat events in 2022.

### CHAPTER 3 - IMPLEMENTATION OF THE HOUSING ELEMENT

In accordance with State law (California Government Code §65400), the City is required to report certain housing information, including the City's progress in meeting its share of regional housing needs, actions taken towards completion of housing element programs and the city's efforts to remove governmental constraints to the development of housing.

The State of California Department of Housing and Community Development requires that the Housing Element Annual Progress Report consists of 6 Excel spreadsheets, which are attached as Appendix B.

#### Housing Element Implementation

The 2022 APR provides the number of housing units for which the City issued building permits in 2022 both in the aggregate and by affordability levels, according to state-defined income levels. In 2022, building permits were issued for the production of 1243 residential dwelling units consisting of 831 above moderate single-family units, 367 multifamily units, including 110 low and very-low-income senior apartment units and 45 (moderate, low- and very-low) accessory dwelling units (ADUs) and multi-generational units.

With regards to development applications, the City received a total of 53 housing development applications in 2022, which included 34 custom home and 10 ADU design review applications. The total proposed housing units associated with these housing development applications is 1,464 units.

The 2021 Housing Element builds on the policies and programs of the 2013 Housing Element and the City's success in implementing these policies and programs. In addition, the City added a number of new innovative programs to encourage and support the development of affordable housing and to respond to new State requirements. In 2022, the City has demonstrated solid progress in implementing the programs in its 2021-2029 Housing Element. Below is a list of Housing Element implementation highlights.

Program H-2 Create Additional Lower-Income Housing Capacity – In order to create additional opportunities to ensure the City maintains adequate capacity to meet the lower-income RHNA throughout the planning period, the City proposes to increase maximum allowable densities in the East Bidwell Mixed Use Overlay, SACOG Transit Priority Areas outside the Historic District, and the Folsom Plan Area Specific Plan Town Center. To advance this effort, the City applied for and received three Regional Early Action

Planning Grant Program (REAP) grants that will fund projects aimed at exploring increased densities and updating development standards for the City's Transit Priority Areas, the East Bidwell Mixed Use Corridor, and the Town Center area of the Folsom Plan Area Specific Plan (FPASP). In 2022, the first part of this effort was initiated through a Targeted Multi-family and Mixed-use Study. Key elements of this study were understanding how design, density, and development standards affect development economics. Future tasks associated with this effort include: 1) Amendments to the General Plan and Zoning Code to increase the maximum density and floor area ratio (FAR) standards for the East Bidwell Corridor Mixed-Use Overlay; 2) Establish a new Transit Development (TD) overlay designation that would allow for increased densities and FAR for parcels around the Glenn and Iron Point light rail stations; 3) Amend the General Plan and FPASP to increase opportunities for multi-family high density development and amend the existing Town Center District (TCD) overlay designation to allow for increased densities and FAR for parcels in the TCD overlay area; 4) Identify Zoning Code Amendments and corresponding General Plan Amendments necessary to create a TD overlay, necessary zoning map changes, and revisions to design and development standards; 5) Conduct technical analyses to support the environmental review process; and 6) Prepare the appropriate environmental document to address the changes to the General Plan, FPASP, and Zoning Code.

Program H-3 Standards for Transit Oriented Development - As part of the Zoning Code update, which is currently underway, the City will consider zoning code amendments that facilitate mixed-use and high-density residential TOD opportunities. In 2022, the City initiated a Targeted Multi-family and Mixed-use Housing Study. The study included an analysis of the economic feasibility of multi-family and residential mixed-use development at different densities and the results of the study will be used to establish development standards for multi-family, mixed-use, and transit-oriented development. To help fund this effort, the City applied for a \$243,000 SACOG Green Means Go Planning Grant. Grant awards will be announced in Spring of 2023.

Program H-11 Local Funding for Affordable Housing Development - In 2022, the city provided a loan in the amount of \$588,265 to off-set unanticipated Quimby fees for the 100% affordable, 75-unit Bidwell Place Apartment project.

Program H-15 Affordable Development at the Glenn/Robert G Holderness Station - As part of the 2022 Targeted Multi-family and Mixed-use Housing Study public outreach efforts, the City initiated conversations with Sacramento Regional Transit regarding the future affordable housing development opportunities at the Glenn/Robert G Holderness Station parking lot site and the need to maintain park and ride spaces on site or adjacent to the site.

Program H-22 Additional State, federal, and Regional Funding - In November of 2022, the City received a SACOG Green Means Go Early Activation Grant in the amount of \$374,000 to fund non-transportation site specific infrastructure associated the Habitat Persifer Street Project. In 2021, the City Council approved the sale of the surplus land located at 300 Persifer Street to Habitat for Humanity of Greater Sacramento, Inc. for the purpose of developing for-sale affordable housing units, which will include five accessory dwelling units.

Program H-27 Seniors Helping Seniors Program - The Seniors Helping Seniors Program aids with minor home repairs to extremely low-, very low-, and low-income seniors in Folsom. In 2022, the Seniors Helping Seniors program provided over \$138,475 in funding to assist 79 eligible senior households with minor home repairs.

## CHAPTER 4 – 2019 PROJECTS AND ACCOMPLISHMENTS

In addition to implementation of specific programs, the City of Folsom implemented a number of General Plan policies and goals through a variety of actions in 2022. The following sections provide an overview of some of these actions.

### A. Major Development Applications

The following development applications were reviewed by the Planning Commission and/or City Council during 2022.

#### *Mangini Ranch Phase 2, Villages 3-3A Design Review*

On May 4, 2022, the Planning Commission approved a Residential Design Review to develop 53-single-family homes for Villages 3 and 3A of Mangini Phase 2 of the Folsom Plan Area.

#### *1136 Sibley Street Commercial Design Review*

On May 4, 2022 the Planning Commission approved a request from Gekkeikan Sake Inc. for Commercial Design Review for a 9,885 square-foot warehouse building addition located at the existing Gekkeikan Sake industrial complex at 1136 Sibley Street.

#### *Folsom Corporate Center Apartments*

On May 10, 2022 the City Council approved a General Plan Amendment, Rezone, and Planned Development Permit Modification for development of a 253-unit market rate apartment community on two sites (Lot 1: 7.24-acre parcel and Lot 6: 4.68-acre parcel) within the Folsom Corporate Center, which is located on the south side of Iron Point Road, slightly east of the intersection of Iron Point Road and Oak Avenue Parkway.

#### *6987 Oak Avenue Tentative Parcel Map*

On May 18, 2022 the Planning Commission approved a Tentative Parcel Map to subdivide a 1.03-acre single-family residential property located at 6987 Oak Avenue into two individual parcels.

#### *AC Hotel by Marriott Tentative Parcel Map and Planned Development Permit Modification*

On May 18, 2022 the Planning Commission approved a request from Insignia Hospitality Groups, Inc. for approval of a Tentative Parcel Map and a Planned Development Permit Modification application for development of a five-story hotel (AC Marriott) on a 1.45-acre portion of an existing 14.22-acre parcel (APN 072-3080-042) within a parking lot area at the Palladio at Broadstone Shopping Center.

#### *Bidwell Place Tentative Parcel Map*

On July 20, 2022, the Planning Commission approved a Tentative Parcel Map to subdivide an existing 3.24-acre property located at 403 and 425 East Bidwell Street into two individual parcels.

#### *Toll Brothers at Folsom Ranch Phase 3 Subdivision Planned Development Permit Modification and Design Review*

On July 20, 2022 the Planning Commission approved a request from Toll Brothers, Inc. for approval of a Planned Development Permit Modification and Design Review for 211 previously approved residential lots located within Phase 3 of the Toll Brothers Subdivision located at the southeast corner of Oak Avenue Parkway and Mangini Parkway within the Folsom Plan Area.

*Mangini Ranch Phase 3 Village 1-3 Subdivision Residential Design Review*

On July 20, 2022, the Planning Commission approved a Design Review application for 218 traditional single-family residential units located within Villages 1-3 of the previously approved Mangini Ranch Phase 3 Subdivision.

*Mangini Ranch Phase 3 Village 4 Subdivision Residential Design Review*

On July 20, 2022 the Planning Commission approved a Design Review application for 42 traditional single-family residential units located within Village 4 of the previously approved Mangini Ranch Phase 3 Subdivision.

*281 Iron Point Road Tentative Parcel Map*

On August 17, 2022, the Planning Commission approved a Tentative Parcel Map to subdivide an existing single-story, 22,500-square-foot commercial building located within the Natoma Station Shopping Center at 281 Iron Point Road into 11 commercial condominium units for future sale and operation.

*715 East Bidwell Street Design Review*

On August 17, 2022, the Planning Commission approved request from Commonwealth Square Station, LLC for Design Review approval for remodeling of an existing 95,000-square-foot multi-tenant commercial building situated on a 9.86-acre site within the Commonwealth Square Shopping Center.

*905 East Bidwell Street Tentative Parcel Map*

On November 16, 2022 the Planning Commission approved a Tentative Parcel Map to subdivide an existing single-story, 39,404-square-foot commercial building located within the Bidwell Center at 905 East Bidwell Street into 2 commercial condominium units for future sale and operation.

## B. Notable Projects and Accomplishments

During 2022, there were a number of notable projects and accomplishments related to the City's General Plan goals and policies which the City expended substantial efforts on. The following provides brief summaries of some of these accomplishments and is not intended to be exhaustive.

**National Incident-Based Reporting System (NIBRS)** – In an effort to improve the overall quality of crime report data collected by law enforcement the former Universal Crime Reporting (UCR) was discontinued and replaced with the National Incident Based Reporting (NIBRS). This project was mandated by the US Department of Justice. NIBRS is more robust and requires officers to document additional data when writing crime reports. This new system mandated the retraining of both records and field personnel.

**Online Crime Reporting** – In 2022, the Police Department launched an online crime reporting system. This system allows citizens to self-report certain crimes without having to wait for an officer to respond to their home/place of business. Since launching the new system, the Police Department began regularly receiving reports from citizens who preferred to use the new online system.



**Significant Arrests** – Throughout 2022, the Folsom Police Department continued to serve with purpose and pursue criminal behavior. The Police Department enforcement efforts of Illegal drug and firearms offenses resulted in 40 crime guns being taken off the street and several seizures of more than a pound of illegal drugs.

**Police Department Succession Planning** - With numerous retirements occurring in late 2021 and throughout 2022, the Folsom Police Department implemented a leadership and succession plan. Two commanders, four lieutenants, seven sergeants, four corporals and other professional staff members were hired, promoted, and placed in training during 2022. Other supervisor/management personnel were given new roles within the department as the Police Department moved forward and worked to optimize operations. These assignment changes and training will help the department move through 2023 and beyond.

**Fire Station 34 Design and Civil Improvements** – Strategically located in the Folsom Plan Area, Fire Station 34 architectural design work was completed along with phase 1 construction, site improvements, and grading. This new station will ensure optimum delivery of emergency fire and medical services to the community in the future.

**Folsom Fire Department Therapy Dog** – Therapy dog “Blitz” was added to the Folsom Fire Family in February 2022 as part of the peer support group to provide comfort to employees. Health research on Animal Assisted Therapy (<https://www.uclahealth.org/pac/animal-assisted-therapy>) substantiated that therapy dogs provide tremendous benefits for both mental health and physical health. During 2022, Blitz was part of multiple incidents to assist with the emotional support to city firefighters.

**Folsom Reservoir Raw Water Delivery Project** – The Environmental and Water Resources Department began the planning of alternative water supply delivery projects from Folsom Reservoir. This planning effort will identify two project alternatives for the delivery of raw water from Folsom Reservoir to the Cities of Folsom and Roseville, Folsom State Prison, and San Juan Water District.

**Water Treatment Plant Pre-Treatment System Improvement Project** – In 2022, the Environmental and Water Resources Department completed the Water Treatment Plant Pre-Treatment System Improvement Project. This project involved increasing the current Actiflo production capabilities at the Water Treatment Plant. This project will allow the City to meet capacity during buildout conditions and development in the Folsom Plan Area, as well as provide redundancy in the event that any one of the three pre-treatment facilities were offline.

**Oak Avenue Pump Station Peak Wet Weather Flow Relief Project** – In 2022, the Environmental and Water Resources Department constructed approximately 1,500 feet of 12-inch sewer force main parallel to the City’s existing force main. The secondary parallel sewer force main provides the City with redundant pipeline capacity and operational flexibility for diverting sewer flow during dry and wet weather flow conditions to help minimize the risk of a sanitary sewer overflow.

**Highway50/Empire Ranch Road Interchange** - The Empire Ranch Road Interchange project is nearing completion of preliminary design and environmental phase. Funding to implement the final design is available upon approval of the Project Study Report. Additional grant funding applications have been submitted for Right-of-Way acquisition and completion of Plans, Specifications, and Estimate. The



interchange will include a four-lane overpass with roundabouts at the intersections, full ramp connections to westbound and eastbound Highway 50, and bicycle and pedestrian facilities. This project will connect with the existing Empire Ranch Road/Iron Point Road intersection to the north, and the future extension of Empire Ranch Road to the south. This project will reduce congestion, improve connectivity, safety, reduce travel time and delay for commuter, recreational, and freight traffic.

**Federal Emergency Management Agency Grant** - In June of 2022, the Municipal Landscape Services Division was notified of the approval of a FEMA grant application for Defensible Space and Vegetation Management in the amount of \$279,000. This grant does have a 25% match obligation with the City's obligation being \$93,000. These funds will be used for the implementation of the City of Folsom's Ladder Fuel Program and will ultimately create fuel breaks and defensible space in areas deemed by the Fire Department to have a high hazard rating.

**Prospector Park** - In 2022, the construction documents for Prospector Park in Folsom Ranch, were completed. City staff and the design consulting team held public workshops in summer 2021 to provide an overview of the potential features and amenities to be considered in the design of the park. Based on community input received at the meetings, a Preferred Master Plan was developed and final City Council approval was made in October 2021. The 11.8-acre neighborhood park will include a children's play area; a field for soccer, rugby, and a Farmer's Market; a lighted ball field; sports courts; and a dog park. Project completion is expected in late 2023 or early 2024.

**Benevento Family Park** - The planning process for Benevento Family Park (adjacent to Vista del Lago High School) is currently underway. In December of 2022, the City Council awarded a contract to an environmental consultant to initiate the CEQA compliance process for the project. CEQA and construction documents will be prepared in 2023. This new park in the Empire Ranch neighborhood will feature a children's play area, sand volleyball courts, and a food truck area. Project completion is expected in 2024.

**Lembi Park Renovation** - In 2022, the city completed the conversion of two tennis courts to eight dedicated pickleball courts at Lembi Community Park. Staff worked with the Folsom Pickleball Club in a public/private partnership to fund the renovation project.

**Urban Land Institute Advisory Services Panel** - In November of 2022, the City participated in a ULI Advisory Services Panel on Attainable Housing Along Commercial Corridors. The SACOG initiated panel studied Folsom's Central Business District and Sacramento County's North Watt Avenue corridor, and offered recommendations that would support development of mixed-income, infill housing along these corridors with the goal of creating vibrant, walkable, mixed-use communities. Panelists recommendations will assist SACOG in allocation up to \$40 million in state planning and infrastructure funding to expedite housing production in designated green zones.

**Targeted Multi-family and Mixed-use Study and Implementation** - In 2021, the City received a grant to analyze density increases and to prepare the necessary changes and environmental analysis to implement Program H-2 of the Housing Element. Phase 1 was a Targeted Multi-Family and Mixed-Use Housing Study prepared by Opticos Design, Inc. In July of 2022, the City Council reviewed the study conclusions and provided direction to staff to move forward with modest increases to allowed densities within the following three targeted areas of the City: East Bidwell Street Corridor, areas around Glenn and Iron Point light rail stations, and the Folsom Plan Area Town Center. Phase 2 of the project involves General Plan,

Specific Plan, and Zoning Code amendments and associated technical and environmental analyses. Phase 2 is currently underway with an estimated completion of December 2023

**River District and Central District Revitalization Plans** - On April 12, 2022, City Council authorized the use of American Recovery Plan Act funding for economic development purposes, including the creation of a River District Master Plan and Central District Revitalization Plan. The General Plan provides guidance and policies for these two areas of the City. There are also zoning regulations, special studies, and recent development and redevelopment successes and challenges in these areas. Each district plan is intended to refine and expand vision and key principles to better guide and inform future actions and priorities for Folsom. Both planning efforts were kicked off in early 2023, with an anticipated two-year completion timeline (completion by December 31, 2024)

**Electronic Permitting Portal** - On March 14, 2022, the Community Development Department launched its new electronic development permit and processing system, (ComDev) which allows for the submittal, payment, and issuance of building permits completely paperless. The convenient new digital ComDev portal is a one-stop shop for all development-related permits, plans, and activities.

**Organics Recycling** - In March of 2022 the City started rolling out a new organics recycling program for restaurants, businesses, and apartment communities. The city's residential program is right around the corner and kicks off July 1. This program ensures that the city complies with a California law that requires all residents and businesses to recycle organic waste, including food waste, food-soiled paper (napkins, coffee filters), yard waste, and wood scraps.

APPENDIX A

GENERAL PLAN ANNUAL IMPLEMENTATION REPORT

# General Plan Implementation; January 1 - December 31, 2022

## Appendix A

Action No.	Implementation Action	Timeframe	Status of Implementation	Responsible Dept./Support Dept.
<b>Land Use Element</b>				
LU-1	<p><b>Update the Zoning Ordinance</b></p> <p>Develop a priority list for how sections of the Folsom Zoning Ordinance and applicable guidelines will be updated consistent with the General Plan. The City shall review and update the Folsom Zoning Ordinance and applicable guidelines, consistent with the policies and diagrams of the General Plan. The update shall include developing appropriate standards to encourage mixed use within the East Bidwell Overlay area and transit-oriented development around light rail stations, including restrictions on automobile-oriented uses within one-quarter mile of light rail stations. The City shall review and update the Historic District Design and Development Guidelines.</p>	2018-2020/ Ongoing	<p>During 2022, the Community Development Department (CDD) continued public outreach efforts to encourage public involvement in the comprehensive Zoning Code Update, which is scheduled to be completed in Fall of 2023. As part of this effort, a Targeted Mixed-Use and Multi-Family Housing Study was conducted to inform future development standards within the East Bidwell Street Mixed-use Corridor, areas around the city's light rail stations, and the Folsom Plan Area Town Center.</p> <p>The primary goals of the zoning ordinance update include the following: Implement 2035 General Plan land use policies; ensure consistency with State and federal law; be intuitive, graphic, and user-friendly; create a transparent, predictable, and consistent process; promote high quality design; respond to community concerns; promote infill, mixed-use, and transit-oriented development in Transit Priority Areas and mixed-use overlay areas; and standardize and simplify development review.</p>	CDD
LU-2	<p><b>Vacant and Underutilized Sites</b></p> <p>Develop and maintain a citywide database of vacant and underutilized sites to monitor the city's growth and change. The City shall prepare an annual report to the Planning Commission and City Council on the number of vacant sites and underutilized sites that were developed during the previous year.</p>	2018-2020/ Annual	<p>The Community Development Department has developed a citywide database of vacant and underutilized sites in the city, for both commercial and residentially zoned land.</p> <p>Bi-annually, the Community Development Department gives a detailed and comprehensive presentation to City Council on development activity in the Folsom Plan Area.</p> <p>In 2022, the Parks and Recreation Department was tasked with evaluating city-owned vacant and underutilized</p>	<p>CDD</p> <p>IS (Supporting Dept.)</p>

# General Plan Implementation; January 1 - December 31, 2022

## Appendix A

Action No.	Implementation Action	Timeframe	Status of Implementation	Responsible Dept./Support Dept.
			properties. In addition, on February 2, 22, 2022 the City Council adopted Resolution No. 10809 creating an Ad Hoc City Council Subcommittee to review City Properties. The Ad-Hoc Subcommittee reviewed and visited 13 vacant city-owned parcels and presented its various recommendations at the November 11, 2022 City Council Meeting.	
LU-3	<b>Corporation Yard Special Study</b> Develop and adopt a study of the current City of Folsom corporation yard to determine appropriate uses and projects after the City relocates the corporation yard.	2021-2025	No action taken in 2022.	CDD
LU-4  LU-4 Cont.	<b>Property Owner Outreach on Overlay Designations</b> Reach out to property owners within the East Bidwell Mixed Use Overlay and Transit-Oriented Development Overlay areas to explain the options available to property owners and developers in this area, and provide technical assistance, as appropriate, to facilitate development within these areas.	2018-2020/ Ongoing	The property owner outreach effort was started by Community Development Department staff in March 2019 as part of the zoning code update process to educate property owners about the East Bidwell Street Mixed-use and light rail TOD overlay areas. Additional outreach efforts occurred in 2020 as part of the 2021-2029 Housing Element update process.  In 2022, there was additional East Bidwell Street Mixed-use Overlay property owner and Sacramento Regional Transit outreach conducted as part of the Targeted Mixed-Use and Multi-Family Housing Study.	CDD
LU-5	<b>River District Master Plan</b> Prepare a River District Master Plan for Folsom’s riverfront area that is based on widespread community engagement as well as coordination with the California Department of Parks and Recreation.	2018-2020/ 2021-2025	On April 12, 2022 the City Council approved the use of American Recovery Plan Act (ARPA) funds in the amount of \$362,500 for project management services and retention of a planning/environmental consultant to conduct the River District Master Plan Planning and Community Engagement Process. The planning effort for the River District Master Plan will kick off in early 2023, with an anticipated two-year completion timeline.	CDD

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Action No.	Implementation Action	Timeframe	Status of Implementation	Responsible Dept./Support Dept.
LU-6	<p><b>Adopt Green Building</b></p> <p>Encourage new residential and non-residential construction projects to adopt and incorporate green building features included in the CALGreen Tier 1 checklist in project designs; and, encourage projects to seek LEED rating and certification that would meet equivalent CALGreen Tier 1 standards or better. Consider future amendments to City code to adopt CALGreen Tier 1 requirements consistent with State building code. For projects subject to CEQA seeking to streamline GHG analysis consistent with the General Plan, CALGreen Tier 1 compliance would be required.</p>	Ongoing	In January of 2020 the City of Folsom adopted the 2019 California Green Code (CALGreen) at the Mandatory level. The City of Folsom continues to encourage new construction projects to adopt and incorporate green building features. In 2018, the Community Development Department prepared a GHG Reduction Strategy Consistency Checklist. The Checklist is required only for projects subject to CEQA review. The Checklist streamlines GHG analysis and contains measures that are required to be implemented on a project-by-project basis to ensure that the specified emissions targets identified in the General Plan are achieved. Implementation of these measures would ensure that new development is consistent with the General Plan's assumptions for achieving the identified GHG reduction targets.	CDD
LU-7	<p><b>Encourage Zero Net Energy</b></p> <p>Encourage Zero Net Energy (ZNE) building design for new residential and non-residential construction projects. Consider future amendments to City code to adopt ZNE requirements consistent with the State building code. For projects subject to CEQA seeking to streamline GHG analysis consistent with the general plan, achievement of ZNE would be required consistent with provisions in the State building code under California Code of Regulations, Title 24, Part 6.</p>	Ongoing	In January of 2020, the City of Folsom adopted the 2019 California Energy Code which incorporated the State of California's energy efficiency goal to have 100% of new homes in California achieve ZNE. In addition, the 2020 cycle of the California Energy Code stepped up energy efficiency of commercial buildings and has targeted ZNE for commercial construction in 2030.	CDD
<b>Mobility Element</b>				
M-1	<p><b>Transportation Demand Management</b></p> <p>Adopt a citywide Transportation Demand Management (TDM) program that encourages residents to reduce the number of trips taken with single-occupancy vehicles. The program shall be designed to achieve an overall 15 percent</p>	2021-2025	No action taken in 2022.	CDD  Public Works (Supporting Dept.)



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	vehicle mile traveled (VMT) reduction over 2014 levels and a 20 percent reduction in City-employee commute VMT. The City shall coordinate with employers to develop a menu of incentives and encourage participation in TDM programs.			
<b>M-2</b>	<p><b>Intelligent Transportation Systems (ITS) Master Plan</b></p> <p>Adopt and periodically update an ITS Master Plan to prioritize the deployment of technology designed to maximize the efficiency of the City’s traffic signal systems. Implement the ITS Master Plan that may include the following:</p> <ul style="list-style-type: none"> <li>• Installing closed-circuit television (CCTV) cameras at designated traffic signals as defined in the ITS Master Plan.</li> <li>• Collaborating with neighboring jurisdictions to develop ITS standards and specifications; participate in the Highway 50 Fiberoptic Interconnection Group (50-FIG).</li> <li>• Deploying Dynamic Message Signs (DMS) at major decision points and key traveler information locations.</li> <li>• Developing and maintain a Traffic Operations Center to facilitate the sharing of traffic information between City staff, the public, and neighboring agencies.</li> <li>• Creating an ITS Operations and Maintenance Plan, including steps for replacing legacy equipment and systems</li> </ul>	2026-2040	<p>In 2022, the Public Works Department implemented the design phase for the ITS Master Plan. This will be a multi-year project.</p> <p>The Public Works Department continues to work with the Police Department to allow dispatch live access to the CCTV network. Folsom PD dispatchers utilized the CCTV network during calls for service. This enabled patrol officers to modify their response to calls and aided in the apprehension of fleeing criminals. In addition, the police department actively partnered with Traffic Engineering personnel during special events to coordinate traffic signals thereby reducing traffic congestion during events.</p>	<p><b>Public Works</b></p> <p><b>IS</b> <b>(Supporting Dept.)</b></p>
<b>M-3</b>	<p><b>Electric Vehicle Charge Stations in Public Places</b></p> <p>Develop and implement a citywide strategy to install electric vehicle charging stations</p>	2021-2025	No action taken in 2022.	<p><b>CDD</b></p> <p><b>Public Works</b> <b>(Supporting Dept.)</b></p>

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	in public places where people shop, dine, recreate, and gather.			
M-4	<b>Electric Vehicle Charge Stations at City Facilities</b> Explore options to install electric vehicle quick charge stations at City facilities.	2021-2025	In 2021 the City installed an electric vehicle charging station at the Waste and Recycling administrative office in the Corporation Yard. This charger is also used by the Water Conservation Division.  In 2022, the Municipal Landscape Services and Parks and Recreation Department Maintenance Shops both installed Class II EV chargers at their respective facilities.	<b>Public Works</b>  P & R (Supporting Dept.)
M-5	<b>Pedestrian Master Plan</b> Review and update its pedestrian master plan every five years to ensure it remains current and continues to provide sound guidance in creating links between Folsom's destinations.	2021-2025/ 2026-2040	The Public Works and Parks and Recreation Departments successfully obtained grant funding to consolidate the Pedestrian Master Plan and Bike Master Plan into an <b>Active Transportation Plan (ATP)</b> in 2020.  The ATP was adopted in June of 2022.	<b>P &amp; R</b>  CDD (Supporting Dept.)
M-6	<b>Bikeway Master Plan</b> Review and update its bikeway master plan every five years to ensure it remains current and continues to provide sound guidance in creating links between Folsom's destinations	2021-2025/ 2026-2040	The Public Works and Parks and Recreation Departments successfully obtained grant funding to consolidate the Pedestrian Master Plan and Bike Master Plan into an <b>Active Transportation Plan (ATP)</b> in 2020.  The ATP was adopted in June of 2022.	<b>P &amp; R</b>  Public Works CDD (Supporting Dept.)
M-7	<b>Bicycle Safety Education</b> Continue to implement a bicycle-safety education program for cyclists and motorists.	Ongoing	In 2020, the Parks and Recreation Department developed a video series (hosted on the City's website) that explains trail etiquette between cyclists and pedestrians. In addition, periodic trail etiquette articles are included in the City's e-newsletter and bi-monthly printed newsletter.  In 2022, the Police Department obtained Selective Traffic Enforcement Program (STEP) grant funding from the Office of Traffic Safety (OTS) to perform multiple traffic education and enforcement operations targeting pedestrian and bicycle safety. Enforcement efforts were	<b>P &amp; R</b>  Public Works Police Department (Supporting Dept.)



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	intersections with a lack of safety features, street where disruption in sidewalks or bicycle lanes occurs, areas of highest vehicle traffic near commercial centers and transit facilities, where increased use of pedestrian/bicycle facilities would be most used.			
M-9	<p><b>Safe Routes to School</b> Coordinate with the Folsom Cordova Unified School District to pursue Safe Routes to School grants to fund programs and projects that ensure Folsom children can walk or bike to school safely.</p>	Ongoing	<p>In 2022, the Police Department met with school officials prior to and during the school year identifying areas of concern. Officers assisted with parking issues surrounding campuses and performed education and enforcement efforts to ensure students were able to walk or bike to school safely. Officers also partnered with school bus drivers and performed enforcement and education campaigns targeting motorists who illegally passed school buses when they were actively loading/unloading children.</p> <p>In 2022, Public Works staff submitted a Highway Safety Improvement Program (HSIP) grant including elements that would be previously submitted to the Safe Routes to School Program. The HSIP is now the grant program that addresses safe routes to school.</p>	<p><b>Public Works P &amp; R</b></p> <p><b>CDD (Supporting Dept.)</b></p>
M-10	<p><b>Capital Southeast Connector</b> Coordinate with other members of the Capital Southeast Connector Joint Powers Authority (JPA) to ensure the connector is constructed. The City shall continue to assign a Folsom representative to the JPA board.</p>	Ongoing	<p>City staff continues to take the lead in managing the construction of Folsom's segment of the Connector.</p> <p>In 2022, the Public Works Department completed construction of Connector Segment D3a (Prairie City Road to East Bidwell Street).</p> <p>Substantial completion of the Scott Road Extension Project to tie Scott Road to the Prairie City Road/White Rock Road traffic</p>	<p><b>Public Works</b></p> <p><b>CDD (Supporting Dept.)</b></p>

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			signal along the future corporation yard was attained.	
<b>M-11</b>	<b>Parking Standards</b> Review and update its parking standards as necessary to reduce the amount of land devoted to parking and encourage shared parking arrangements, particularly in mixed-use and transit-oriented developments.	2018-2020	The City will be updating its parking requirements as part of the Zoning Code update which is scheduled to be completed in Fall of 2023. The City is proposing to reduce parking requirements along the East Bidwell Street Mixed-use Corridor and within the TOD overlay areas.	<b>CDD</b>
<b>M-12</b>	<b>Commercial Truck Routes</b> Review and update its commercial truck routes map to ensure it meets the economic needs of the community and includes STAA routes.	2018-2020	In 2021, the Folsom Police Officers worked to ensure the STAA routes were followed by commercial trucks. These enforcement efforts helped to reduce congestion, abate noise, and protect city roadways from disrepair caused by the heavy trucks.  No action in 2022.	<b>Public Works</b>  <b>CDD</b> <b>(Supporting Dept.)</b>
<b>M-13</b>	<b>Quarry Truck Management Plan</b> Maintain and implement a Quarry Truck Management Plan.	Annual	In 2022, the Public Works Department staff started communications with Sacramento County to develop the Quarry Truck Management Plan and Memorandum of Understanding with the County.	<b>Public Works</b>  <b>CDD</b> <b>(Supporting Dept.)</b>
<b>Economic Element</b>				
<b>EP-1</b>	<b>Industry Cluster Analysis</b> Coordinate with the Folsom Chamber of Commerce to conduct an analysis of the industry clusters that exist in Folsom and the emerging or potential clusters in Folsom.	2018-2020	No action taken in 2022.	<b>City Manager</b>  <b>CDD</b> <b>(Supporting Dept.)</b>
<b>EP-2</b>	<b>Customer Service Survey</b> Develop and implement a customer service survey to better understand the customer service relationship between the City and business community.	2018-2020	In 2022, the City conducted the "Folsom Listens" community survey to determine priorities for essential city services.	<b>City Manager</b>
<b>EP-3</b>	<b>Folsom Accelerated Small Tenant Improvement Review (FASTIR)</b> Continue to maintain and implement a program to help tenants obtain building permits in a timely manner, with a goal of	2018-2020	The FASTIR program has been active since July 2010. In 2020, the pandemic reduced the demand for opening new tenant spaces resulting in a sharp decrease in the use of the FASTIR program. In addition, the process changed with the launch of	<b>CDD</b>



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	providing building permits within one to two days.		ePermit Center and ProjectDox which limited the face-to-face meetings. Currently the program is operating electronically and is experiencing a moderate level of use.	
EP-4	<b>Inventory of Developable Sites</b> Develop and maintain an inventory of developable sites to encourage the development of key new industries.	Ongoing	The Community Development Department has developed a citywide database of vacant and underutilized land and broken it into separate categories for commercial and residential land.	<b>CDD</b>  <b>IS</b> <b>(Supporting Dept.)</b>
EP-5	<b>Folsom Tourism Bureau</b> Coordinate with the Folsom Tourism Bureau on strategies to attract visitors to Folsom. The City shall invite representatives from the Folsom Tourism Bureau to regularly brief the Folsom City Council on programs and strategies.	Ongoing	The City coordinates regularly with the Folsom Tourism Bureau, the Folsom Historic District Association, and the History District Marketing Coalition on partnership opportunities to attract visitors to Folsom. Initiatives since 2020/2021 included a shop/support local campaign, joint social media tourism marketing campaigns, new "visitors" section of the City of Folsom website, and an economic development website.	<b>City Manager</b>  <b>CDD</b> <b>P &amp; R</b> <b>(Supporting Dept.)</b>
<b>Natural and Cultural Element</b>				
NCR-1	<b>Urban Forest Plan</b> Develop and maintain an Urban Forest Plan.	2021-2025	No action taken in 2022.	<b>CDD</b>
NCR-2	<b>Maintain GHG Emissions Inventory</b> Review and update the City's GHG emissions inventory for municipal and communitywide GHG emissions every five years at a minimum.	2021-2025/ 2026-2040	No action taken in 2022.	<b>CDD</b>
NCR-3	<b>Creek Week</b> Sponsor a citywide volunteer creek clean-up day during "Creek Week."	Annual	Creek Week organized activities and clean-up events were again cancelled in 2022 as a result of Covid-19.  As an alternative, a creek maintenance project was included as part of the 2022 Community Service Day projects. Additionally, in 2022 the Public Works Department provided supplies and support to residents that volunteered to maintain various creeks during the year.	<b>Parks and Rec</b> <b>Public Works</b>



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NCR-4	<b>Cultural Resources Inventory</b> Maintain and implement a cultural resource inventory to identify, evaluate, register, and protect Folsom's cultural resources.	Ongoing	<p>The City continues to maintain and implement a cultural resource inventory to protect Folsom's cultural resources.</p> <p>In 2022, the Historic District Commission approved the <b>Folsom State Prison</b> for listing on the City of Folsom Cultural Resource Inventory.</p> <p>In addition, the City of Folsom recently accepted a declaration of covenants and restrictions in the Folsom Plan Area White Rock Springs Ranch neighborhood that encompasses the white rocks of white rock road as well as interpretive signage around the homestead that previously occupied that area.</p>	<p><b>CDD</b></p> <p><b>P &amp; R</b> <b>(Supporting Dept.)</b></p>
NCR-5	<b>Historic Preservation Master Plan</b> Maintain and implement the Historic Preservation Master Plan.	Ongoing	<p>The City continues to maintain and implement the Historic Preservation Master Plan.</p> <p>Due to existing and future maintenance needs, a Historic Building assessment was completed for the city-owned Depot Building in the Historic District.</p>	<p><b>CDD</b></p>
NCR-6	<b>Lighting Design Standards</b> Establish consistent lighting standards for outdoor lighting of city development to reduce high-intensity nighttime lighting and glare. These standards shall be consistent with the Folsom Plan Area Specific Plan Community Design Guidelines. Additional standards shall be considered, including the use of automatic shutoffs or motion sensors for lighting features to further reduce excess nighttime light.  To reduce impacts associated with light and glare, the City will require the following lighting standards:	2021-2025	<p>The Parks and Recreation Department has developed outdoor sports field lighting system standards that require high quality on-field performance, environmental sensitivity to the surrounding area, energy efficiency, spill and glare control and field management solutions including remote monitoring and management of sports field lighting. In addition, the Parks and Recreation Department has developed lighting standards for park facilities, including parking-lot lighting. All lighting systems are required to be LED, capable of going into energy conservation mode (reduced power use) and include spill and glare control.</p>	<p><b>CDD</b></p> <p><b>P &amp; R</b> <b>(Supporting Dept.)</b></p>

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<p><b>NCR-6</b> <i>Cont.</i></p>	<ul style="list-style-type: none"> <li>Shield or screen lighting fixtures to direct the light downward and prevent light spill on adjacent properties.</li> <li>Place and shield or screen flood and area lighting needed for construction activities and/or security so as not to disturb adjacent residential areas and passing motorists.</li> <li>For public street, building, parking, and landscape lighting in residential neighborhoods, prohibit the use of light fixtures that are of unusually high intensity or brightness (e.g., harsh mercury vapor, low-pressure sodium, or fluorescent bulbs) or that blink or flash. For public parks and sports facilities, the City will use the best light and glare control technology feasible, along with sensitive site design.</li> </ul> <p>Use appropriate building materials (such as low-glare glass, low-glare building glaze or finish, neutral, earth-toned colored paint, and roofing materials), shielded or screened lighting, and appropriate signage in the office/commercial areas to prevent light and glare from adversely affecting motorists on nearby roadways.</p>			
<p><b>NCR-7</b></p>	<p><b>Management of Inadvertently Discovered Cultural Resources</b></p> <p>Develop a program for the management of inadvertently discovered cultural resources. The program will consist of, but will not necessarily be limited to the following standards:</p>	<p>2018-2020</p>	<p>The Community Development Department requires (as a condition of approval for tentative maps) that projects conduct construction worker awareness training, conduct on-site monitoring if required, stop work if cultural resources are discovered, assess the significance of the find, and perform treatment or avoidance as required.</p>	<p style="color: red; text-align: center;"><b>CDD</b></p> <p style="text-align: center;"><b>P &amp; R</b> <b>(Supporting Dept.)</b></p>

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Action No.	Implementation Action	Timeframe	Status of Implementation	Responsible Dept./Support Dept.
NCR-7 Cont.	<p>The City will require, through permit or tentative map conditions or contractual obligations, that in the event of any inadvertent discovery of archaeological resources, all such finds will be subject to PRC 21083.2 and CEQA Guidelines 15064.5. Procedures for inadvertent discovery are listed below.</p> <p>In the event of the inadvertent discovery of previously unknown archaeological sites during excavation or construction, all construction affecting the site shall cease and the contractor shall contact the City.</p> <ul style="list-style-type: none"> <li>All work within 100 feet of the find will be halted until a professional archaeologist can evaluate the significance of the find in accordance with NRHP and CRHR criteria.</li> </ul> <p>If any find is determined to be significant by the archaeologist, representatives of the City will meet with the archaeologist to determine the appropriate course of action. If necessary, a Treatment Plan will be prepared by an archeologist, outlining recovery of the resource, analysis, and reporting of the find. The Treatment Plan will be submitted to the City for review and approval prior to resuming construction.</p>		No cultural resources were inadvertently discovered through any City construction project or maintenance activities in 2022.	
NCR-8	<p><b>Management of Paleontological Resources</b></p> <p>Develop a program for the management of paleontological resources. The program will consist of, but will not necessarily be limited to, the following standards and requirements: Prior to approval of a discretionary project, it shall be determined through literature review and records research, the paleontological sensitivity of the geologic units affected by</p>	2018-2020	The Community Development Department requires (as a condition of approval for tentative maps) that projects conduct construction worker awareness training, stop work if paleontological resources are discovered, assess the significance of the find, and prepare and implement a recovery plan as required.	<b>CDD</b>  <b>P &amp; R</b> <b>(Supporting Dept.)</b>

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	the project. If paleontological resources may be present, conditions will be added to the project approval to monitor for and salvage paleontological resources during ground-disturbing activities.		No paleontological resources were discovered through any City construction projects or maintenance activities in 2022.	
<b>Public Facilities and Services Element</b>				
<b>PFS-1</b>	<b>Capital Improvement Plan</b> Update the Capital Improvement Plan (CIP) biannually to ensure the implementation and adequacy of the plan.	2018-2020/ 2021-2025/ 2026-2040	<p>The City's Capital Improvement Plan was updated in conjunction with the annual FY 2022-23 Budgeting process.</p> <p>In 2022, the Fire Department completed design concepts for Fire Station 34 in the Folsom Plan Area. The new 13,932-square-foot fire station has been designed to be consistent with Fire Station 39 in Empire Ranch. The construction phase will commence in Spring of 2023 with an anticipated completion late December of 2023.</p> <p>In addition, the Police Department continued efforts in 2022 for a 12,000-square-foot addition to the Police Department facility. When funded, this addition will house a state-of-the-art communications center and fulfill future needs of the department. Additionally, PD researched other options including utilizing vacant city buildings to create police substations allowing for improved response times and higher visibility for PD staff.</p>	<p><b>Public Works</b></p> <p><b>Finance</b></p> <p><b>P &amp; R</b></p> <p><b>EWR</b></p> <p><b>(All Departments are supporting)</b></p>
<b>PFS-2</b>	<b>Arts and Culture Master Plan</b> Review and update an Arts and Culture Master Plan every five years. As part of the Plan, prepare guidelines for plaques, signs, and other displays in public spaces to increase awareness of such cultural and historic sites and events.	2018-2020/ 2021-2025/ 2026-2040	<p>The Arts and Culture Master Plan was updated and approved on March 8, 2018. The master plan determines the vision, value, and goals in providing art and cultural services to the city. The master plan is on a schedule to update every 10 years with the next update to occur prior to 2028.</p>	<p><b>P &amp; R</b></p> <p><b>CDD</b> <b>(Supporting Dept.)</b></p>

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PFS-3	<b>Public Art Guidelines</b> Review and update every five years guidelines regarding permanent artwork in public spaces.	2018-2020/ 2021-2025/ 2026-2040	The Parks and Recreation Department currently has public art guidelines for all proposed permanent artwork in public spaces in the city. These guidelines were reviewed and updated in 2018. The 2018 guidelines were reviewed and approved with no changes by the Folsom Arts and Cultural Commission on September 8, 2022.	<b>P &amp; R</b>  CDD (Supporting Dept.)
PFS-4	<b>Water Master Plan</b> Continue to review and update the City's Water Master Plan at least every five years consistent with the land use patterns and densities/intensities provided for in the General Plan.	2021-2025/ 2026-2040	The Water Master Plan was updated in 2017 and approved by City Council on November 11, 2017 by Resolution No. 10028. The next update will occur sometime in 2023.	<b>EWR</b>  Public Works (Supporting Dept.)
PFS-5	<b>Urban Water Management Plan</b> Review and update the Urban Water Management Plan at least every five years, as required by the Urban Water Management Planning Act.	2021-2025/ 2026-2040	The Urban Water Management Plan (UWMP) was updated in 2021 and approved by City Council on June 8, 2021 by Resolution No. 10643. The next update is currently in process and scheduled to be completed by July 1, 2026.	<b>EWR</b>  Public Works P & R (Supporting Dept.)
PFS-6  PFS-6 Cont.	<b>Water Management Programs</b> Maintain its water management programs, including its commercial water audits, large landscape irrigation audits, rebates, and education.	Ongoing	<p><b>Audits</b> In 2022, the Water Management Division completed 256 Audits (Water Wise Housecalls).</p> <p><b>Rebates and Education</b> In 2022, the Water Management Division conducted 3435 water waste interventions with 306 formal water waste citations; conducted 10 community outreach events, reaching about 1218 people; and staff attended 34 educational events. In addition, rebates were issued for 190 high efficiency toilets, 105 turf replacements, and 49 irrigation efficiency upgrades. Also, in 2022, direct purchase programs accounted for 210 Rachio Wi-Fi Irrigation controllers and 403 Flume flow measuring devices installed.</p>	<b>EWR</b>  P & R (Supporting Dept.)



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PFS-7	<b>Sanitary Sewer Management Plan</b> Review and update Sanitary Sewer Management Plan at least every two years as required by State Water Resources Control Board's General Waste Discharge Requirement Order.	2018-2020/ 2021-2025/ 2026-2040	The Sanitary Sewer Management Plan was updated on July 23, 2019 by Resolution No. 10312. The next update will occur sometime in 2024.	Public Works
PFS-8	<b>Maintenance Permits</b> Obtain State and Federal permits for maintaining all floodways and detention basins and keep these facilities free of flood obstructions.	Ongoing	The City has an active City's Routine Maintenance Agreement (1600-2014-0197-R2) with California Department of Fish and Wildlife for the express purpose of conducting routine maintenance activities within the City of Folsom and its natural watercourses and tributaries, including detention basins.  In 2022, seven projects were undertaken by the City utilizing the City's Routine Maintenance Agreement. The projects included using professional grazing services for invasive plant control in open spaces including some detention basins and clearing beaver dams and other obstructions from sections of Humbug Creek, Willow Creek, and their associated tributaries.	Public Works
PFS-9	<b>Fire Service Delivery Plan</b> Review and update every three years the Fire Service Delivery Plan to define the future fire protection service needs of the city.	Ongoing	The Fire Service Delivery Plan (now known as the "Fire Department Strategic Plan") was completed in 2020 and is posted on the City's website.	Fire Department
PFS-10	<b>City Energy Use Procedures</b> Develop energy use/plug load procedures for City facilities and engage employees in the implementation process.	Ongoing	In 2020, the city hired a new Facilities Supervisor and began to explore an HVAC Control System for City Hall and implementing appropriate load standards to be more efficient.	P & R
PFS-11	<b>Evaluate Automating Energy Use</b> Systematically evaluate effectiveness of existing systems to automate energy use and implement energy conservation measures such as automatic HVAC system shutdowns, additional room lighting	Ongoing	In 2021 the City received \$550,000 in ARPA funding to replace and modernize the HVAC system at City Hall which will allow for automating the energy use with improved software control systems.	P & R



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	sensors, automatic computer shutdowns, or any other identified energy reduction opportunities.		Facilities maintenance staff is currently working with a consultant on design and engineering for a replacement HVAC and boiler system for City Hall.	
<b>PFS-12</b>	<b>Evaluate Energy Use</b> Evaluate facilities energy use to identify key areas where energy upgrades are needed and consider lighting retrofits, building weatherization, and mechanical/HVAC upgrades	Ongoing	The City plans to replace and update the HVAC at City Hall. Once the unit is replaced and modernized, the energy use at City Hall will be re-evaluated to show the improvements that were achieved.  Facilities maintenance staff is currently working with a consultant on design and engineering for a replacement HVAC and boiler system for City Hall.	<b>P &amp; R</b>
<b>PFS-13</b>	<b>Streetlight Retrofit</b> Continue to retrofit streetlights with light-emitting diode (LED) fixtures for energy efficiency and reduced maintenance	Ongoing	In 2022, the Municipal Landscape Services Division retrofitted approximately 150 streetlights from 100W HPS to 66W LED in various landscape and lighting districts. In addition, the Public Works Department converted 90 streetlights to LED along major corridors and city-maintained neighborhoods.	<b>Public Works P &amp; R</b>
<b>PFS-14</b>	<b>PFS-14. Energy Efficient Fleet</b> Continue purchasing alternative fuel/technology vehicles when replacing vehicles in existing fleet. Use high-performance renewable diesel in 100 percent of existing (2014) and future diesel on-road vehicles and convert entire on-road gasoline vehicles to electric by 2035	Ongoing	In 2021, the Waste and Recycling Division received the City's first all-electric vehicle, and the Water Conservation Division received a hybrid. The Fleet Division is continuing to transition the light duty fleet to energy efficient alternatives. Four additional hybrid orders and seven all electric orders, including six patrol vehicles, were completed in 2021. Delivery of all seven of these were expected within 2022 but delayed due to supply chain issues.  In addition, the Parks and Recreation Departments placed an order for four EV replacement vehicles in 2022. Again, supply chain issues have delayed receipt of these EVs.	<b>Public Works  P &amp; R CDD EWR (Supporting Dept.)</b>

# General Plan Implementation; January 1 – December 31, 2022

## Appendix A

Action No.	Implementation Action	Timeframe	Status of Implementation	Responsible Dept./Support Dept.
PFS-15	<p><b>Reduce VMT in City Operations</b></p> <p>Take actions to reduce vehicle miles traveled related to city operations. Potential actions may include:</p> <ul style="list-style-type: none"> <li>Install timer locks on all City owned restroom facilities – reducing the vehicle travel needed to manually lock/unlock these facilities.</li> <li>Revise City Design Review process so employees only need to post a notice at the site once.</li> </ul> <p>Allow online credit card payments for certain CDD Permits - reducing applicant need to drive to City Hall.</p>	Ongoing	<p>The City of Folsom continues to take actions to reduce VMT related to city operations.</p> <p>In 2022, the Community Development Department launched its new electronic permitting and plan review system (ComDev). This system in conjunction with ProjectDox (plan review system launched in 2020) enables applicants to submit applications and plans electronically to the City for review instead of requiring them to print them out and deliver them to City Hall. These measures not only reduce VMT, but also lessen the cost and time involved in the development review process.</p> <p>In addition, Public Works Traffic Signal Maintenance continues to expand its remote monitoring system to allow for remote access to traffic signals in the event of calls for service. This allows Traffic Signal Technicians remote access to traffic signals from anywhere in the City so they do not have to drive to the specific location for certain maintenance calls.</p>	<p><b>Public Works</b></p> <p><b>CDD P &amp; R (Supporting Dept.)</b></p>
PFS-16	<p><b>PACE Program</b></p> <p>Continue to assist in implementing the Property Assessed Clean Energy (PACE) programs to facilitate energy conservation financing in Folsom.</p>	2018-2020	<p>The City of Folsom continues to assist in implementing Property Assessed Clean Energy (PACE) programs to facilitate energy conservation financing in Folsom. There are currently several PACE programs available to Folsom homeowners and businesses.</p>	<b>CDD</b>
PFS-17	<p><b>Partnerships for Energy Conservation</b></p> <p>Work with regional partners and local energy utilities (e.g., Sacramento Municipal Utility District [SMUD] and Pacific Gas &amp; Electric Company [PG&amp;E]) to promote, develop, maintain, and implement energy conservation and efficiency programs. These could include residential and commercial programs that provide rebates</p>	Ongoing	<p>The City of Folsom continues to work with regional partners and local energy utilities to promote, develop, and implement energy conservation and efficiency programs.</p>	<p><b>Public Works CDD</b></p> <p><b>P &amp; R (Supporting Dept.)</b></p>

# General Plan Implementation; January 1 - December 31, 2022

## Appendix A

Action No.	Implementation Action	Timeframe	Status of Implementation	Responsible Dept./Support Dept.
	and financing for energy efficiency upgrades to existing homes and commercial buildings, SMUD's Greenergy and carbon off-set program, photovoltaic system retrofits, and other applicable programs.			
PFS-18	<b>Neighborhood Cleanup Program</b> Collect bulky waste (e.g., lumber, furniture, tires) from Folsom residents to maintain a clean, attractive city.	Ongoing	The City of Folsom continues to provide bulky waste collection to Folsom residents. In 2022, the Waste and Recycling Division completed over 9,944 bulky waste pickups and collected 1,680 tons of waste. The Division also began separating the organic waste from this program for recycling.	Public Works
PFS-19	<b>Recycling Containers</b> Expand the number of recycling containers at City facilities and properties to capture more recyclables that are currently going to the landfill.	2018-2020	In early 2022 the Waste and Recycling Division completed the distribution of organics containers to all City facilities.	Public Works
PFS-20	<b>Reduce Waste in City Facilities</b> Reduce waste diverted to the landfill by expanding the use of automatic hand dryers in bathrooms, as well as setting printer defaults to double-sided printing.	2018-2020	In 2022, the City continued the waste reduction practices in accordance with the procurement policy revised in 2021. In 2020, the CDD Department implemented electronic plan check through the use of ProjectDox, which reduces the amount paper printed and diverted to landfills. In March of 2022, the City launched the new ComDev permitting system, which allows for the submittal, payment, and issuance of building permits completely paperless.  In 2022, the Parks and Recreation Department adopted a new standard that requires all new park facilities to include recycling facilities in addition to solid waste facilities.	Public Works  P & R (Supporting Dept.)
PFS-21	<b>M.O.W.E.R. Program</b> Provide education on composting and grass cycling to the public through the Minimizing Organic Waste with Education and Recycling (M.O.W.E.R.) program.	Ongoing	The Waste and Recycling Division hosted two public workshops in 2022 to educate residents about backyard composting and grass cycling.	Public Works
PFS-22	<b>Renewable Energy in City-Operated Buildings</b>	Ongoing	In 2022, the Fire Department completed design concepts for Fire Station 34 in the	P & R

# General Plan Implementation; January 1 - December 31, 2022

## Appendix A

Action No.	Implementation Action	Timeframe	Status of Implementation	Responsible Dept./Support Dept.
	Strive to supplement 25 percent of City-owned building energy demand through on-site or off-site renewable energy sources. On-site sources may include solar panels or other types of renewable energy systems on rooftops or parking areas, and on-site energy storage. Off-site sources could include combinations of equivalent renewable energy generation systems, power purchase agreements, or other off-site programs offered by energy utilities (e.g., SMUD's Greenergy or SolarShares programs).		Folsom Plan Area. The new 13,932-square-foot fire station has been designed to be solar panel ready for future rooftop solar panel installation.	Public Works (Supporting Depart)
PFS-23	<b>High-Efficiency or Alternately-Powered Water Heater Replacement Program</b> Provide educational material and information on the City's website, as well as through the permit and building department, on the various high-efficiency and alternately-powered water heat replacement options available to current homeowners considering water heater replacement; develop appropriate financial incentives, working with energy utilities or other partners; and, streamline the permitting process. Replacement water heaters could include high-efficiency natural gas (i.e., tankless), or other alternately-powered water heating systems that reduce or eliminate natural gas usage such as solar water heating systems, tankless or storage electric water heaters, and electric heat pump systems.	Ongoing	The City hosts relevant links on the city website directing people to the SMUD program for water heater rebates for efficient replacement units.	CDD Public Works (Supporting Depart.)
PFS-24	<b>Energy Efficiency and Renewable Energy Retrofits and Programs</b> Strive to increase energy efficiency and renewable energy use in existing buildings through participation in available programs. Actions include: <ul style="list-style-type: none"> <li>Establish a dedicated City program with a clear intent to provide</li> </ul>	Ongoing	The City continues to limit the Building Permit fee for PV solar retrofit projects as determined by State legislation. In addition, the City created and maintains streamlined plan review and processing service for Residential Electric Vehicles and Residential Solar Photovoltaic and ESS systems. The streamlined service includes step-by-step guides, checklists	CDD Public Works (Supporting Depart.)

# General Plan Implementation; January 1 - December 31, 2022

## Appendix A

Action No.	Implementation Action	Timeframe	Status of Implementation	Responsible Dept./Support Dept.
	<p>support and promote available green building and energy retrofit programs for existing buildings.</p> <ul style="list-style-type: none"> <li>• Incentivize solar installation on all existing buildings that undergo major remodels or renovations and provide permit streamlining for solar retrofit projects.</li> <li>• Provide rebates or incentives to existing SMUD customers for enrolling in the existing Greenergy program.</li> <li>• Provide education to property owners on low-interest financing and/or assist property owners in purchasing solar photovoltaics through low-interest loans or property tax assessments.</li> </ul> <p>Continue to work with SMUD and other private sector funding sources to increase solar leases or power purchase agreements (PPAs).</p>		<p>and key information required to ensure complete submittals are provided to expedite the intake, plan review and processing process. Plan review timelines for both projects are reduced to up to 4 days and fees are in alignment with State legislation.</p> <p>For new residential projects, the City informs and educates applicants on cost saving programs such as the SMUD SolarShares Program.</p>	
PFS-25	<p><b>Zero Net Energy Development</b> Adopt an ordinance to require ZNE for all new residential construction by 2020 and commercial construction by 2030, in coordination with State actions to phase in ZNE requirements through future triennial building code updates.</p>	2018-2020/ 2026-2040	In January of 2020, the City of Folsom adopted the 2019 California Energy Code which has incorporated the State of California’s energy efficiency goal to have 100% of new homes in California achieve ZNE. In addition, this cycle of the California Energy Code stepped up energy efficiency of commercial buildings and has targeted ZNE for commercial construction in 2030.	<b>CDD</b>
PFS-26	<p><b>Renewable Diesel</b> Revise the City of Folsom’s Standard Construction Specifications to require that all construction contractors use high-performance renewable diesel for both private and City construction. Phase in targets such that high-performance renewable diesel would comprise 50</p>	2026-2040	In 2020, the City revised Folsom’s Standard Construction Specifications to require all construction contractors to use high-performance renewable diesel for both private and City construction. As such, high-performance renewable diesel must comprise 50 percent of construction equipment diesel usage for projects	<b>CDD</b>



# General Plan Implementation; January 1 - December 31, 2022

## Appendix A

Action No.	Implementation Action	Timeframe	Status of Implementation	Responsible Dept./Support Dept.
	<p>percent of construction equipment diesel usage for projects covered under the specifications through 2030, and 100 percent of construction equipment diesel usage in projects covered under the specifications by 2035.</p> <p><i>For projects subject to CEQA seeking to streamline GHG analysis consistent with the General Plan, the use of high-performance renewable diesel would be required consistent with the above targets.</i></p>		covered under the specifications through 2030.	
PFS-27	<p><b>Reduce Water Consumption in New Development</b></p> <p>Encourage water efficiency measures for new residential construction to reduce indoor and outdoor water use. Actions include promote the use of higher efficiency measures, including: use of low-water irrigation systems, and installation of water-efficient appliances and plumbing fixtures. Measures and targets can be borrowed from the latest version of the Guide to the California Green Building Standards Code (International Code Council)</p> <p><i>For projects subject to CEQA seeking to streamline GHG analysis consistent with the general plan, compliance with CALGreen Tier 1 Water Efficiency and Conservation measures would be required.</i></p>	Ongoing	The Community Development Department requires (as a condition of approval) that all new residential developments install water-efficient fixtures and appliances and that landscape plans comply and implement water efficient requirements as adopted by the State of California (Assembly Bill 1881) (State Model Water Efficient Landscape Ordinance).	CDD
<b>Parks and Recreation Element</b>				
PR-1	<p><b>Parks and Rec Master Plan</b></p> <p>Review and update every five years the Parks and Recreation Master Plan to carry out the goals of the General Plan and ensure that the parkland resources and recreation programs are sufficient to maintain Folsom's high quality of life.</p>	2021-2025/ 2026-2040	The Parks and Recreation Master Plan is proposed to be updated in 2023-24. The updated master plan will reevaluate the status of park development, the estimated cost of developing remaining parks, and recommendations on the prioritization of undeveloped parks.	P & R



# General Plan Implementation; January 1 - December 31, 2022

## Appendix A

Action No.	Implementation Action	Timeframe	Status of Implementation	Responsible Dept./Support Dept.
PR-2	<b>Alternative Funding Sources</b> Examine the feasibility of establishing alternative sources of funding for the acquisition, development, and renovation of parklands and financing for expanded recreation programs.	2021-2025	In 2019, the Parks and Recreation Department identified a significant funding gap for future park development and renovation. The Parks and Rec Master Plan Update (planned for completion in 2023-24) will inform future funding priorities for the completion of unfinished parks and development of new parks.	P & R
PR-3	<b>Governmental Coordination</b> Coordinate with County, State, Federal, and regional agencies to achieve the goals and policies of the Parks and Recreation Element, including improved public access to the riverfront area for recreation.	Ongoing	In 2022, The Community Development Department acquired a consultant to steward the river district master plan.	P & R
PR-4	<b>Recreation Activity Guide</b> Maintain and implement an activity guide for recreation programs, leagues, and special events at a minimum of two times per year.	Ongoing	In 2022, the Parks and Recreation Department published 4 editions (summer camps, fall, winter/spring) of the Recreation Activity Guide.	P & R
<b>Safety and Noise Element</b>				
SN-1	<b>Adopt a Noise Reduction Program</b> Adopt a citywide noise reduction program to reduce traffic noise levels along roadways where significant increases in traffic noise levels are expected to occur. The program shall include, but shall not be limited to, the following specific elements for noise abatement consideration where reasonable and feasible: <ul style="list-style-type: none"> <li>Noise barrier retrofits;</li> <li>Truck usage restrictions;</li> <li>Reduction of speed limits;</li> <li>Use of quieter paving materials;</li> <li>Building façade sound insulation;</li> <li>Traffic calming;</li> <li>Additional enforcement of speed limits and exhaust noise laws; and</li> <li>Signal timing.</li> </ul>	2021-2025	In 2020, the Public Works Department completed a citywide update of posted speed limits and continued to adjust signal timing based on changes in traffic conditions.  The Folsom Police Department continues to educate drivers on and enforce traffic laws within the City. These laws include driving off posted truck routes, speed limits, and modified exhaust. The traffic bureau performed selected enforcement of motorcycle safety/motorcycle exhaust violations during the months of May and August of 2022. Violators cited for vehicle codes regarding modified exhaust systems are sent to the Bureau of Automotive Repair (BAR) for inspection and compliance under the vehicle code.	CDD  Public Works Police Department (Supporting Dept.)

# General Plan Implementation; January 1 – December 31, 2022

## Appendix A

Action No.	Implementation Action	Timeframe	Status of Implementation	Responsible Dept./Support Dept.
SN-2	<b>Emergency Operations Plan</b> Review and update every five years the emergency operations plan, which addresses medical care, escape routes, mutual aid agreements, temporary housing and communications.	2018-2020/ 2021-2025	The Fire Department completed the Emergency Operations Plan in 2020 and it is posted on the City's website. Both the Police and Fire Departments referred to portions of this plan during the COVID-19 pandemic and it was utilized for obtaining and distributing personal protective equipment to our residents.	<b>Police Dept</b> <b>Fire Dept</b>  (All Departments are Supporting)
SN-3	<b>Community Emergency Response Team</b> Support the Community Emergency Response Team (CERT) program to prepare residents in the event of a disaster.	Ongoing	The Fire Department trains community members every year as part of the CERT team. The Folsom CERT team activates multiple times every year to support the Fire Department and the City of Folsom on multiple emergency and non-emergency events. In 2022 there were approximately 40 active CERT team members.	<b>Police Dept</b> <b>Fire Dept</b>
SN-4	<b>Multi-Hazard Mitigation Plan</b> Review and update every five years the ongoing hazard assessment as part of the Sacramento County Multi-Hazard Mitigation Plan.	Ongoing	The City participated with Sacramento County and other local jurisdictions to update the Sacramento County Multi-Jurisdictional Local Hazard Mitigation Plan (LHMP). The updated plan was completed in September 2021 and approved pending adoption by FEMA in December 2021. The updated LHMP was adopted by City Council in February 2022.	<b>Public Works</b>
SN-5	<b>Community Wildfire Preparedness Plan</b> Review and update every five years the Community Wildfire Preparedness Plan (CWPP) to help reduce the risk of catastrophic wildfires in the community.	Ongoing	The Fire Department updated the Community Wildfire Protection Plan and incorporated it into the City Emergency Operations Plan as an Appendix. The review process is scheduled for 2023.  Members of the Police Department's Neighborhood Services Bureau were deployed to educate and enforce city ordinances prohibiting camping in open spaces that were deemed as high danger areas. Due to these campaigns, the number of wildfires seen within the City was drastically reduced. From 2021 to 2022, there was about an 85% drop in vegetation fire responses.	<b>Fire Dept</b>  P & R (Supporting Depart.)

# General Plan Implementation; January 1 - December 31, 2022

## Appendix A

Action No.	Implementation Action	Timeframe	Status of Implementation	Responsible Dept./Support Dept.
			<p>In addition, the Parks and Recreation Department continues implementation of the Defensible Space and Vegetation Management Plan to address ladder fuel and open space management by focusing on the use of sustainable sources such as goats/sheep for weed abatement and staggered work zones to spread out the impact of traditional means of ladder fuel work. The Plan is an on-going collaboration with City Fire Department and Cal Fire.</p> <p>On June 23, 2022, the received a \$279,000 grant from FEMA (with the City matching \$93,000) for reduction of ladder fuels and creation of defensible space.</p>	
SN-6	<p><b>Hazardous Materials</b> Maintain a hazardous materials program that ensures residents and businesses dispose of hazardous materials properly. The program should allow residents and businesses to schedule pick up of their hazardous materials by the City and educate residents on what the City considers hazardous waste.</p>	Ongoing	The City of Folsom continues to provide education and collection of household hazardous materials to Folsom residents and businesses. The Waste and Recycling Division completes approximately 4,000 appointments each year.	Public Works
SN-7	<p><b>Reduce Aircraft Noise</b> Continue to collaborate with Sacramento County to reduce noise levels from air traffic in Folsom.</p>	Ongoing	The City of Folsom continues to collaborate with Sacramento County to reduce noise levels from air traffic in Folsom.	CDD
SN-8	<p><b>Review Evacuation Plan and Routes</b> Analyze the capacity, safety, and viability of the City's evacuation routes under a range of emergency scenarios annually, as part of the annual review of the City's Emergency Operations Plan</p>	Annual	The Folsom Police and Fire Departments continually review and update evacuation routes within the City in order to mitigate potential bottlenecks should an emergency evacuation become necessary.	<p>CDD</p> <p>Fire Dept Police Dept Public Works (Supporting Dept)</p>
SN-9	<p><b>Update Stormwater and Flood Standards</b> Review and update, as needed, the City's Design and Procedures Manuals and Improvement Standards to address the increased intensity, duration, and</p>	2021-2025	No action taken in 2022.	<p>CDD</p> <p>Public Works (Supporting Dept.)</p>

# General Plan Implementation; January 1 - December 31, 2022

## Appendix A

Action No.	Implementation Action	Timeframe	Status of Implementation	Responsible Dept./Support Dept.
	frequency of future flood events.			
SN-10	<b>Conduct Outreach on Wildfire Smoke Protection</b> Conduct outreach to educate all residents including vulnerable populations (e.g., youth and seniors) with strategies to protect themselves and their homes from the increased impacts from wildfire smoke.	2026-2040	The Sacramento Metropolitan Air Quality Management District published its Wildfire Smoke Air Pollution Emergency Plan for Sacramento in September 2022. Staff provides information, shelter locations, and personal protective equipment to affected community members when needed.	<b>Fire Dept Police Dept</b>
SN-11	<b>Upgrade Existing Heat Sensitive Infrastructure</b> Upgrade existing heat-sensitive infrastructure (e.g., roadways, bridges) in the city to withstand the future intensity and frequency of extreme heat events	2026-2040	New Program. No action taken in 2022.	<b>Public Works EWR</b>
SN-12	<b>Update Design Standards</b> Review and update, as needed, relevant climate-related design standards (e.g., heating and cooling) and building code requirements to ensure development can withstand future extreme heat events	2021-2025	New Program. No action taken in 2022.	<b>CDD Public Works</b>
SN-13	<b>Coordinate with Regional Agencies</b> Coordinate with regional service providers including Sacramento Municipal Utility District and Sacramento Regional Transit District to implement infrastructure updates for systems outside the City's jurisdiction to prepare for climate change impacts (e.g., extreme heat, larger storm events)	2026-2040	New Program. No action taken in 2022.	<b>Public Works</b>
SN-14	<b>Implement a Cool City Strategy</b> Develop and implement a Cool City Strategy, in coordination with the Sacramento Metropolitan Air Quality Management District, to reduce the impacts of the Urban Heat Island effect. The strategy shall include various measures including increasing the urban tree canopy and use of cool roofs and cool pavements as well as increasing green space in the city	2021-2025	New Program. No action taken in 2022.	<b>CDD Public Works  P &amp; R (Supporting Depart)</b>

# General Plan Implementation; January 1 - December 31, 2022

## Appendix A

Action No.	Implementation Action	Timeframe	Status of Implementation	Responsible Dept./Support Dept.
SN-15	<p><b>Conduct Educational Outreach on Extreme Heat Events</b></p> <p>Implement an education and outreach program to relevant businesses and institutions such as residential care facilities and schools to help protect vulnerable populations from the increasing intensity of extreme heat events</p>	Ongoing	In 2022, Folsom Police and Fire personnel assisted with education and outreach programs designed to protect community members during heat related events. Outreach was accomplished via social media accounts (including Facebook, Nixle, and Instagram) and through word of mouth primarily through our Community Crime Suppression Team. Police and Fire personnel also assisted in staffing Community Cooling Centers that were set up in response to high heat wave risk issued by the National Weather Service. During 2022, the city opened the Cooling Center five times with an average of 4-8 residents visiting.	<p><b>Fire Dept</b></p> <p><b>Police Dept</b></p>
SN-16	<p><b>Promote Cost Benefits of Reducing Electricity Use</b></p> <p>Work with the Sacramento Municipal Utility District (SMUD) to promote and help educate residents about SMUD's time-of-day energy rates and the cost benefits of reducing electricity use during peak demand periods</p>	2021-2025	New Program. No Action taken in 2022.	<b>CDD</b>

APPENDIX B

HOUSING ELEMENT ANNUAL PROGRESS REPORT  
(EXHIBITS)



EXHIBIT 1  
HOUSING ELEMENT IMPLEMENTATION TABLE

**ANNUAL ELEMENT PROGRESS REPORT  
Housing Element Implementation**

(CCR Title 25 §6202)

<b>Jurisdiction</b>	<b>Folsom</b>
<b>Reporting Year</b>	<b>January 1, 2022 through December 31, 2022</b>

**Table D**  
**Program Implementation Status pursuant to GC Section 65583**  
**Housing Programs Progress Report**  
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
H-1 Adequate Sites Monitoring	The City shall annually update the vacant and underutilized sites inventory and make the updated inventory available on the City website. The City shall maintain adequate sites to accommodate 2,226 very low-income units, 1,341 low-income units, and 829 moderate-income units within the planning period. The City shall make findings related to the potential impact on the City's ability to meet its share of the regional housing need when approving applications to rezone residentially designated properties or develop a residential site with fewer units or at a higher income than what is assumed for the site in the Housing Element sites inventory, consistent with "no-net-loss" zoning requirements in Government Code Section 65863.	Annually	Annually - The City continues to update the residential vacant land inventory. The Vacant Land Inventory was updated in 2021 as part of the Housing Element update and is currently available on the City's website. For each project proposal to rezone residentially designated properties or develop a residential site with fewer units or at a higher income than what is assumed for the site in the Housing Element sites inventory, the City includes findings related to the potential impact on the City's ability to meet its share of the regional housing need, consistent with "no-net-loss" zoning requirements.
H-2 Create Additional Lower-Income Housing Capacity	The City shall create additional opportunities for high-density housing to ensure the City maintains adequate capacity to meet the lower-income RHNA throughout the planning period. The City shall increase maximum allowable densities in the East Bidwell Mixed Use Overlay, SACOG Transit Priority Areas outside the Historic District, and Folsom Plan Area Specific Plan Town Center. In implementing this program, the City shall strive to disperse affordable housing opportunities and avoid fair housing issues related to overconcentration. The City shall coordinate with property owners along the East Bidwell Street corridor and within the Transit Priority Areas to identify and pursue residential development opportunities. The City shall review and revise Policy 4.7 of the Folsom Plan Area Specific Plan to increase the total number of dwelling units allowed in the Plan Area in order to satisfy the RHNA, as long as infrastructure needs are met. In addition, the City shall coordinate with property owners in the Folsom Plan Area to mitigate for the loss of lower-income housing sites to market rate housing.	Increase maximum allowable densities by 2022; reach out to property owners at least annually	Underway - In 2021, the City received three separate Regional Early Action Planning Grant Program (REAP) grants from Sacramento Area Council of Governments (SACOG). The three REAP grant projects awarded will advance the City's Housing Element goal of exploring increased densities and updated development standards for the City's Transit Priority Areas, the East Bidwell Mixed Use Corridor, and the Town Center area of the Folsom Plan Area Specific Plan (FPASP). Key elements of this effort are understanding appropriate design for each area, establishing design standards, and understanding how design, density, and development standards affect development economics. In 2022, Community Development staff presented key findings from the Targeted Multi-Family and Mixed-Use Development Study to Planning Commission and City Council. Based on City Council feedback staff and the consultant team began the process of identifying the maximum allowable densities in each targeted area in order to begin the CEQA analysis. The project is scheduled to be completed late 2023.

Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
H-3 Standards for Transit Oriented Development	The City shall establish development standards for transit-oriented development located within SACOG Transit Priority Areas as part of the comprehensive zoning code update. Development standards should promote sustainable land use practices that reduce vehicle trips and should allow for mixed-use developments as well as stand-alone residential. In addition, the City shall provide for CEQA streamlining consistent with the provisions of SB 375.	2021 and Ongoing	Underway - As part of the Zoning Code update, the City will consider zoning code amendments that facilitate mixed-use and high-density residential TOD opportunities. In 2021, the City received a \$90,000 non-competitive Regional Early Action Planning Grant Program (REAP) from Sacramento Area Council of Governments (SACOG). This grant was used to fund a Targeted Multi-family and Mixed-use Housing Study. The study included an analysis of the economic feasibility of multi-family and residential mixed-use development at different densities and the results of the study will be used to establish development standards for transit-oriented development.
H-4 Accessory Dwelling Unit Tools and Resources	The City shall develop an ADU Design Workbook that provides illustrated examples of the design standards and styles, as well as other design ideas to assist property owners, developers, and architects and to encourage thoughtful, context-sensitive design. The City shall promote ADU tools and resources to homeowners throughout the city to promote mixed-income neighborhoods. The City shall target the production of 194 ADUs by 2029.	2022	Completed. The City of Folsom developed a two-part design workbook as a resource for those interested in designing and building an Accessory Dwelling Unit (ADU). In addition to providing information on design ideas, the workbook explains the City's review and approval process, illustrates the City's objective design standards set forth in Chapter 17.105 of the Folsom Municipal Code, and identifies recommended design styles for the Historic District.
H-5 Accessory Dwelling Unit Incentives	The City shall incentivize and encourage the construction of accessory dwelling units through development fee reductions and/or waivers. The City shall pursue the development of pre-approved plans dependent on available grant funding or opportunities for regional coordination through SACOG. In addition, the City shall reach out to local lenders to encourage them to provide funding for accessory dwelling units. The City shall target the production of 194 ADUs by 2029.	2024	No Action in 2022.
H-6 Track and Monitor Accessory Dwelling Units and Multi-Generational Units	The City shall track new accessory dwelling units and multi-generational housing units and shall conduct a survey every two years to collect information on the use and affordability of these units. Halfway through the projection period (2025) if determined these units are not meeting a lower-income housing need, the City shall ensure other housing sites are available to accommodate the unmet portion of the lower-income RHNA. The City shall target the production of 194 ADUs and 387 multi-generational housing units by 2029.	Monitor on an ongoing basis and determine affordability by 2025	The City tracks accessory dwelling units and multi-generational housing units as part of the Housing Element Annual Report. In 2022, the City issued building permits for 17 ADUs and 28 multi-generational housing units.
H-7 Development Impact and Permit Fees	The City shall undertake a review of its development impact and permit fees to reconfirm the relationship between required services and fees paid. As part of this study, the City shall review the financial needs of affordable housing projects, determine whether or not City fees can be reduced to facilitate affordable housing development, and identify options for the City to offset the foregone revenues from other sources.	2022	No Action in 2022. Currently, the City does not charge impact fees on accessory dwelling units. In addition, the City allows a 50% reduction in City impact fees for multi-family project studio apartment units.
H-8 Objective Design Standards for Multifamily Housing	The City shall rescind the Design Guidelines for Multifamily Development upon adoption of the Housing Element and shall adopt objective design standards for multifamily development, as part of the comprehensive zoning code update.	2021	The City plans to adopt objective design standards for multifamily development, as part of the comprehensive zoning code update. Upon adoption of the zoning code, the City will rescind the Design Guidelines for Multifamily Development.

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
H-9 Conduct Inclusionary Housing Fee Study	The City shall prepare a fee study on the City's inclusionary housing in-lieu fee to determine the financing gap or subsidy required to produce affordable units and the appropriate fee that may be charged to new housing developments if the developer chooses to satisfy its inclusionary requirement through in-lieu fees. Depending on the findings from the study, the City may consider revising the Ordinance to update the methodology for calculating the inclusionary housing in-lieu fee.	2022	In 2021, the City contacted consulting firm, EPS, to conduct an inclusionary housing in-lieu fee study. To date, the City has not considered new revisions to the Housing Inclusionary Ordinance.
H-10 Provide Information on Affordable Housing	The City shall create and distribute educational materials, including a page on the City website, social media posts, and/or brochures, to provide information on the needs and benefits of affordable housing and available resources in the city. The City shall collaborate with local homeless service providers to provide information on homeless needs in the city.	Create educational materials by September 2022	Ongoing - The City distributes educational materials, including information on the City website, social media posts, and/or brochures, to provide information on the needs and benefits of affordable housing and available resources in the city. The City website also includes homeless resource information and referral.
H-11 Local Funding for Affordable Housing Development	As available, the City shall allocate funds from the City's Housing Fund toward the development of affordable housing units for low-, very low-, and extremely low-income households. The City shall explore the possibility of establishing priorities for the distribution of funds, which may include criteria such as income targeting, housing for special needs including seniors and persons with disabilities, number of bedrooms, amenities, support services, and target geographies that serve to affirmatively further fair housing. The City shall provide funding to support approximately 580 affordable units by 2029.	Establish priorities by 2024	Ongoing - The City continues to use the Housing Fund toward the development of affordable housing units for low-, very-low, and extremely low households. In 2021, two multi-family affordable apartment projects (Sage at Folsom and Mangini Place) received project approval and loan commitments from the City. The 100% multifamily senior Sage at Folsom apartment project received a \$2,750,000 loan from the City for the construction of 110 affordable units. The 100% affordable multifamily Mangini Place project received a \$6,860,000 loan from the City for the construction of 150 affordable units. In 2022, the City provided a secondary affordable housing loan in the amount of \$588,265.55 to the 100% affordable 75-unit Bidwell Place Apartment project to offset unanticipated Quimby parkland dedication in lieu fees.
H-12 Incentives for Affordable Housing Development	The City shall provide incentives for affordable housing development, including density bonus, fee deferrals or reductions, and reduced fees for studio units (e.g., two-for-one studio fee rate program described in Chapter 16.70 of the Folsom Municipal Code). The City shall also provide outreach to attract and support affordable housing developers in the city, including developers of senior housing, extremely low-income units, and permanent supportive housing for persons with disabilities and developmental disabilities. The City shall target production of 2,150 affordable units by 2029. This will serve to affirmatively further fair housing within the region by providing affordable housing within places of high opportunity.	Provide outreach annually; ongoing	Ongoing - The City continues to provide incentives for affordable housing developments. In 2021 the 152-unit, 100% affordable Mangini Place Apartments project received fee deferral approval and a density bonus. In addition, the 111-unit Sage at Folsom 100% senior apartment project received a few deferral.
H-13 Update Density Bonus Ordinance	The City shall update the City's density bonus ordinance, as part of the comprehensive zoning code update, to reflect recent changes in State law.	2021	Planned for completion as part of the Zoning Code update, which is currently underway.



**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
H-14 Facilitate Affordable Housing on Large Sites	The City shall encourage property owners and affordable housing developers to target and market the availability of sites with the best potential for development by facilitating meetings between willing property owners of large sites and willing affordable housing developers, when sufficient housing subsidy resources are available. To assist the development of housing for lower income households on larger sites (e.g., more than 10 acres), the City shall strive to streamline the approval process for land divisions, lot line adjustments, and/or specific plans or master plans resulting in parcel sizes that enable affordable housing development, and process fee deferrals related to the subdivision for projects affordable to lower income households. The City shall target production of 635 lower-income units through this program by 2029.	Ongoing	Ongoing - The City continues to work with affordable housing developers and property owners in order to assist the development of housing affordable to lower income households. In addition, the City continues to streamline the approval process for land divisions, lot line adjustments, and/or specific plans and process fee deferrals related to the subdivision for projects affordable to lower income households.
H-15 Affordable Development at the Glenn/Robert G Holderness Station	The City shall pursue opportunities to work with an affordable housing developer to construct affordable housing at the Glenn/Robert G Holderness Station parking lot site. The City shall target production of 74 lower-income units on the site by 2029. The City shall coordinate with Sacramento Regional Transit to ensure the site continues to meet the parking demands for the light rail station.	Initiate process by 2026	As part of the 2022 Targeted Multi-family and Mixed-use Housing Study public outreach efforts, the City initiated conversations with Sacramento Regional Transit regarding the future affordable housing development opportunities at the Glenn/Robert G Holderness Station parking lot site and the need to maintain park and ride spaces on site or adjacent to the site.
H-16 Facilitate Affordable Housing Development on City Owned Land	The City shall facilitate the construction of affordable housing, including possible accessory dwelling units, on the City-owned sites located at 300 Persifer Street (APN 070-0172-048) and on Riley Street near Comstock Drive (APN 071-0190-076). The City shall collaborate with interested affordable housing developers to sell or lease surplus City land for the construction of deed-restricted affordable housing, consistent with the Surplus Land Act. The City shall target production of 16 affordable units on City-owned sites by 2029.	2022	Ongoing - In December of 2021, the City Council approved the sale of surplus land located at 300 Persifer Street to Habitat for Humanity of Greater Sacramento, Inc. for the purpose of developing for sale affordable housing units. The sale of the land is scheduled to occur in early 2023, following recording of the map to divide the lot into 5 parcels. The proposed project will result in 10 for-sale affordable units.
H-17 Study the Purchase of Land for Affordable Housing	The City shall explore the feasibility and appropriateness to establish a program to use housing trust fund money or other sources to purchase land to support the development of affordable housing dispersed throughout the city. If the City finds the purchase of land to be infeasible, the City shall continue to use funds to provide gap financing for affordable housing development.	2026	No Action in 2022.
H-18 Prioritize Infrastructure for Affordable Housing	The City shall establish procedures for granting priority water and sewer service to developments with lower-income units in compliance with California Government Code Section 65589.7.	2022	No Action in 2022.

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
H-19 Participate in Sacramento County CDBG Program	The City shall continue to coordinate with the Sacramento Housing and Redevelopment Agency (SHRA) to receive Community Development Block Grant (CDBG) to support the Renter's Helpline and housing rehabilitation programs, including the Seniors Helping Seniors Program. The City shall target 550 units for housing rehabilitation assistance by 2029.	Ongoing	Ongoing - The City continues to maintain a close working relationship with SHRA and currently participates in the CDBG and HOME Programs with SHRA. The CDBG funds are utilized to subsidize minor and major grants for the City of Folsom's Senior Helping Senior Program.
H-20 Housing Choice Vouchers	The City shall continue to participate in the Housing Choice Voucher Program, administered by the Sacramento Housing and Redevelopment Agency (SHRA), with a goal of providing rental assistance to lower-income residents. The City shall work with SHRA to promote the Housing Choice Voucher Landlord Incentive Program offered by the SHRA to encourage new landlords to accept housing choice vouchers, with the goal of distributing affordable housing throughout the city. The City shall target 120 housing choice voucher recipients per year. The City shall post information on the City website, through social media, and in letters to landlords.	2022 / Ongoing	Ongoing - The City continues to participate with SHRA for administration of Housing Choice Vouchers. In 2022, Folsom had 174 households using vouchers.
H-21 Mortgage Credit Certificate Program	The City shall continue to participate in the Mortgage Credit Certificate Program, administered by the Sacramento Housing and Redevelopment Agency (SHRA), to assist low-income first-time homebuyers purchase a home. The City shall target assistance for approximately 20 households by 2029, subject to availability of Program funds. The City shall publicize the program on the City website and prepare written materials.	Ongoing	Ongoing - The City continues to participate in the Mortgage Credit Certificate (MCC) Program administered by SHRA. Since, 1990, 79 Folsom households have been issued a MCC.
H-22 Additional State, Federal, and Regional Funding	<p>The City shall work to secure additional funding from State, Federal, and regional sources that can be used to help increase the supply of affordable housing in Folsom. The City shall pursue funding from various grant programs with a goal of obtaining \$5 million dollars for affordable housing through 2029. Such programs may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>—The HOME program that has local funds distributed by the Sacramento Housing and Redevelopment Agency (SHRA);</li> <li>—The state Multifamily Housing Program (MHP), sponsored by the Department of Housing and Community Development (HCD);</li> <li>—The Permanent Local Housing Allocation (PLHA) fund, sponsored by HCD;</li> <li>—The Transit-Oriented Development (TOD) Housing Program, sponsored by HCD; and</li> </ul> <p>The Affordable Housing and Sustainable Communities Program (AHSC) which funds transit-oriented development.</p>	Annually	Ongoing - The City, particularly the Community Development Department, continues to work to secure additional funding from state and federal sources that can be used to increase the supply of affordable housing in the City of Folsom. In 2021, the City received three SACOG Regional Early Action Planning Grant Awards totaling \$765,000 to further housing element program goals. In 2022, the City received a SACOG Green Means Go Early Activation Grant in the amount of \$374,000 to fund non-transportation site specific infrastructure for ten for-sale affordable housing units associated the Habitat Persifer Street Project.



## Housing Programs Progress Report

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
H-23 Expand Existing Affordable Housing Developments	The City shall initiate conversations with owners of existing affordable housing complexes to identify potential opportunities and available funding and/or incentives available to expand existing facilities to increase the number of affordable units. The City shall target production of 30 affordable units through the expansion of facilities by 2029.	Initiate conversations in 2023	No Action in 2022.
H-24 Mobile Home Repair and Replacement Loan Forgiveness Program	The City shall continue to provide forgiveness on Community Development Block Grant (CDBG) loans for improvements to manufactured housing units experiencing economic hardship, as defined by, and subject to, HUD guidelines.	Ongoing	Ongoing - Since the program's inception in 2011, the City has forgiven twelve Mobile Home Repair and Replacement loans due to financial hardship.
H-25 Housing Conditions Survey	The City shall seek funding through the Community Development Block Grant, or other funding sources, to conduct a survey of housing conditions in the city. The survey shall identify housing units in need of rehabilitation or replacement and be used to seek funding to support housing rehabilitation programs.	2025	No Action in 2022.
H-26 Code Enforcement	The City shall continue to encourage the rehabilitation of substandard residential properties by homeowners and landlords, using the Code Enforcement program, when necessary, to improve overall housing quality and conditions in the city.	Ongoing	Ongoing - The City continues to encourage rehabilitation of substandard residential properties in the City of Folsom.
H-27 Seniors Helping Seniors Program	The City shall continue to provide financial assistance for health, safety, emergency and accessibility home repairs to low-income seniors and low-income mobile homeowners through the Seniors Helping Seniors Program, subject to availability of Program funds. The City shall target financial assistance for 550 households by 2029.	Ongoing	Ongoing - The City continues to provide financial assistance for minor home repairs to low-income seniors through the Seniors Helping Seniors Program. In 2022, \$138,475 of financial assistance was provided through this program and 79 eligible senior households were served.
H-28 Habitat for Humanity Home Repair Program	The City shall work with Habitat for Humanity to promote the Home Repair Program offered by Habitat which responds to health, accessibility and safety concerns in homes owned by low-income families, veterans, and elderly residents on limited incomes. By fixing the long-deferred maintenance projects, critical repairs and code violations, this program helps families stay in their already affordable homes and avoid displacement. The City shall target home repairs for 3 units per year.	Ongoing	Ongoing - The City has partnered with Habitat for Humanity of Greater Sacramento to promote the Home Repair Program offered by Habitat. To date no Folsom households have participated in the Program.
H-29 Emergency Shelter Facility Development	The City shall continue to encourage and provide technical assistance to local organizations and community groups to help develop emergency shelter facilities in Folsom. The City shall encourage the removal of any neighborhood barriers for any applications for an emergency shelter and shall target development of emergency shelter facilities sufficient to provide, at minimum, 47 emergency shelter beds.	Ongoing	Ongoing - The City continues to provide technical assistance to local organizations and community groups to help develop emergency shelter facilities in Folsom.

EXHIBIT 2  
REGIONAL HOUSING NEEDS ALLOCATION TABLE

Jurisdiction	Folsom	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	05/15/2021 - 05/15/2029

## ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

Table B								
Regional Housing Needs Allocation Progress								
Permitted Units Issued by Affordability								
		1		2			3	4
Income Level		RHNA Allocation by Income Level	Projection Period - 06/30/2021- 05/14/2021	2021	2022	2029	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	2,226	-	23	74	-	124	2,102
	Non-Deed Restricted		-	16	11	-		
Low	Deed Restricted	1,341	-	51	36	-	122	1,219
	Non-Deed Restricted		-	14	21	-		
Moderate	Deed Restricted	829	-	1	-	-	67	762
	Non-Deed Restricted		-	-	66	-		
Above Moderate		1,967	-	572	1,035	-	1,607	360
Total RHNA		6,363						
Total Units			-	677	1,243	-	1,920	4,443

### Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).

		5		6			7	
		Extremely low-Income Need		2021	2022	2029	Total Units to Date	Total Units Remaining
Extremely Low-Income Units*		1,113		4	11	-	15	1,098

\*Extremely low-income housing need determined pursuant to Government Code 65583(a)(1). Value in Section 5 is default value, assumed to be half of the very low-income RHNA. May be overwritten.

section 7 of Table A2. They must also be reported in the extremely low-income category (section 13) in Table A2 to be counted as progress toward meeting the extremely low-income housing need determined pursuant to Government Code 65583(a)(1).

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will only include units

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at [apr@hcd.ca.gov](mailto:apr@hcd.ca.gov).

**EXHIBIT 3**  
**SUMMARY OF ENTITLED UNITS AND SUBMITTED APPLICATIONS**

<b>Jurisdiction</b>	Folsom	
<b>Reporting Year</b>	2022	(Jan. 1 - Dec. 31)
<b>Planning Period</b>	6th Cycle	05/15/2021 - 05/15/2029

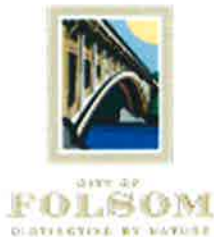
<b>Building Permits Issued by Affordability Summary</b>		
<b>Income Level</b>		<b>Current Year</b>
Very Low	Deed Restricted	74
	Non-Deed Restricted	11
Low	Deed Restricted	36
	Non-Deed Restricted	21
Moderate	Deed Restricted	0
	Non-Deed Restricted	66
Above Moderate		1035
<b>Total Units</b>		<b>1243</b>

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

<b>Units by Structure Type</b>	<b>Entitled</b>	<b>Permitted</b>	<b>Completed</b>
SFA	0	0	0
SFD	542	831	855
2 to 4	0	0	0
5+	253	367	72
ADU	4	45	58
MH	0	0	2
<b>Total</b>	<b>799</b>	<b>1243</b>	<b>987</b>

<b>Housing Applications Summary</b>	
Total Housing Applications Submitted:	53
Number of Proposed Units in All Applications Received:	1,464
Total Housing Units Approved:	808
Total Housing Units Disapproved:	0

<b>Use of SB 35 Streamlining Provisions</b>	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0



## Folsom City Council Staff Report

<b>MEETING DATE:</b>	3/28/2023
<b>AGENDA SECTION:</b>	Public Hearing
<b>SUBJECT:</b>	<p>City of Folsom Community Facilities District No. 23 (Folsom Ranch) Amended Improvement Area No. 2</p> <p>Resolution No. 11010 - A Resolution of the City Council of the City of Folsom Calling a Special Mailed-Ballot Election Related to Change Proceedings for Improvement Area No. 2 within City of Folsom Community Facilities District No. 23 (Folsom Ranch)</p> <p>Resolution No. 11011 – A Resolution of Change of the City Council of the City of Folsom Relating to Improvement Area No. 2 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)</p> <p>Ordinance No. 1338 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2023-2024 and Following Fiscal Years Solely within and Relating to Improvement Area No. 2 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Introduction and First Reading)</p>
<b>FROM:</b>	Finance Department

### **RECOMMENDATION / CITY COUNCIL ACTION**

It is recommended that the City Council hold the public hearing, adopt the following resolutions, and conduct the first reading of the ordinance:

Resolution No. 11010 - A Resolution of the City Council of the City of Folsom Calling a Special Mailed-Ballot Election Related to Change Proceedings for Improvement Area No. 2 within City of Folsom Community Facilities District No. 23 (Folsom Ranch)



Resolution No. 11011 – A Resolution of Change of the City Council of the City of Folsom Relating to Improvement Area No. 2 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)

Ordinance No. 1338 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2023-2024 and Following Fiscal Years Solely within and Relating to Improvement Area No. 2 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Introduction and First Reading)

### **BACKGROUND / ISSUE**

The Folsom Plan Area Specific Plan Public Facilities Financing Plan (“PFFP”), approved by the City Council on January 28, 2014 via Resolution 9298, is an \$877 million plan that describes the backbone infrastructure and facility requirements, presents a comprehensive financing strategy, and sets forth the estimated time horizon for the development of the Folsom Plan Area (“FPA”).

The City Council previously approved the Resolution of Formation (Resolution No. 10435) and the Resolution Deeming it Necessary to Incur Bonded Indebtedness (Resolution No. 10437) on May 26, 2020 to form Community Facilities District No. 23 (Folsom Ranch) (“CFD No. 23”), designate Improvement Area No. 2, authorize a special tax to finance the acquisition and construction of certain public facilities and certain public services, authorize the issuance of debt to finance the public facilities, and establish the appropriations limit and maximum bonded indebtedness for Improvement Area No. 2.

The landowners within Improvement Area No. 2 have requested to amend the Rate and Method of Apportionment to adjust the maximum special tax rates based on the planned development of property within Improvement Area No. 2. The proposed development plan for Improvement Area No. 2 includes 291 units zoned as multi-family low density and 5.1 acres of non-residential use.

On February 14, 2023 this City Council considered to amend the Rate and Method of Apportionment for Improvement Area No. 2 by passage of Resolution No. 10988.

A Public Hearing is required as part of the amendment process for Improvement Area No. 2. Notice of the hearing was mailed to the landowners within Improvement Area No. 2 on March 14, 2023 and published in the Folsom Telegraph on March 16, 2023.

### **POLICY / RULE**

Chapter 5 of the Folsom Plan Area Public Facilities Financing Plan authorizes the formation of CFDs to finance the construction, acquisition, and servicing of FPA backbone infrastructure and public facilities

Section 2.5.3 of the First Amended and Restated Tier 1 Development Agreement authorizes the formation of infrastructure CFDs

Resolution No. 9282 – A Resolution of the City Council of the City of Folsom Approving Goals and Policies for Community Facilities Districts

Mello-Roos Community Facilities Act of 1982

### ANALYSIS

CFD No. 23 is structured as an extended-term CFD and will provide the necessary funding to help fund all or a portion of the project's share of PFFP backbone infrastructure and facilities, including related environmental mitigation obligations. The PFFP backbone infrastructure and facilities will be financed using both bond proceeds and PAYGO special tax revenues. The extended-term CFD structure is proposed to help to meet the challenge of high-cost infrastructure and facilities while also aligning the timing of future funding availability with the need for such funding.

The proposed amendment to the Rate and Method of Apportionment for Improvement Area No. 2 increases the maximum facilities special tax rates for single-family detached property. The special tax revenue generated from taxable parcels within Improvement Area No. 2 will be comprised of a special tax to fund facilities and a special tax to fund services. The amended 2022/23 maximum facilities special tax rates and maximum services special tax rates, for each land use category, are provided in the table below:

Land Use Category	2022/23 Maximum Facilities Special Tax Rate	2022/23 Maximum Services Special Tax Rate	Per
Single-Family Detached Property - SF/SFHD Zoning (All Residential Floor Sizes)	\$2,559.87	\$214.56	Unit
Single-Family Detached Property - MLD Zoning ( $\geq$ 3,600 square feet)	2,559.87	110.49	Unit
Single-Family Detached Property - MLD Zoning (3,200-3,599 square feet)	2,559.87	110.49	Unit
Single-Family Detached Property - MLD Zoning (2,800-3,199 square feet)	2,559.87	110.49	Unit
Single-Family Detached Property - MLD Zoning (2,400-2,799 square feet)	2,559.87	110.49	Unit
Single-Family Detached Property - MLD Zoning (2,000-2,399 square feet)	2,359.41	110.49	Unit
Single-Family Detached Property - MLD Zoning ( $<$ 2,000 square feet)	2,123.92	110.49	Unit

MMD Multi-Family Attached Property	31,212.00	536.40	Acre
MHD Multi-Family Attached Property	12,172.68	1,072.80	Acre
Non-Residential Property	12,172.68	1,072.80	Acre

The facilities special tax can be levied and collected through Fiscal Year 2079/80. Each fiscal year, commencing with Fiscal Year 2023/24, the maximum facilities special tax rate will be increased by 2% annually. The services special tax can be levied and collected in perpetuity for Improvement Area No. 2. Each fiscal year, commencing with Fiscal Year 2023/24, the maximum services special tax rate will be increased by the June annualized percentage change of the Consumer Price Index for all Urban Consumers, for the San Francisco-Oakland-San Jose area, not to exceed 4%.

Approving the resolutions will call for a special mailed-ballot election within Improvement Area No. 2, declare the results of the special mailed-ballot election within Improvement Area No. 2, and amend Improvement Area No. 2. An ordinance is also being introduced to levy Special Taxes for Fiscal Year 2023/24 and following fiscal years. This is the first reading of the ordinance.

**FINANCIAL IMPACT**

There is no direct General Fund impact on the City of Folsom. The Improvement Area No. 2 amendment and expenses are solely the responsibility of Improvement Area No. 2. The General Fund is not impacted by the Improvement Area No. 2 Amended Rate and Method of Apportionment.

**ENVIRONMENTAL REVIEW**

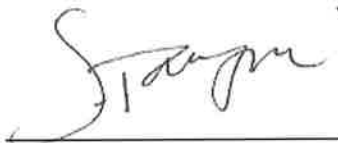
An Initial Study and Mitigated Negative Declaration prepared for the Folsom Plan Area Backbone Infrastructure Project were previously prepared for, and adopted by the City Council on February 24, 2015, in accordance with the requirements of the California Environmental Quality Act. Pursuant to CEQA Guidelines section 15378(c), the term “project” does not mean each separate governmental approval for an approved activity which may be subject to several discretionary approvals by governmental agencies. Additionally, the creation of government funding mechanisms which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment is not defined as a “project” under CEQA. CEQA Guidelines Section 15378(b)(4) and 15061(b)(3).

**ATTACHMENTS**

1. Resolution No. 11010 - A Resolution of the City Council of the City of Folsom Calling a Special Mailed-Ballot Election Related to Change Proceedings for Improvement Area No. 2 within City of Folsom Community Facilities District No. 23 (Folsom Ranch)

2. Resolution No. 11011 – A Resolution of Change of the City Council of the City of Folsom Relating to Improvement Area No. 2 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)
3. Ordinance No. 1338 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2023-2024 and Following Fiscal Years Solely within and Relating to Improvement Area No. 2 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Introduction and First Reading)

Submitted,



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Stacey Tamagni  
Finance Director

# ATTACHMENT 1

**RESOLUTION NO. 11010**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM  
CALLING A SPECIAL MAILED-BALLOT ELECTION RELATED TO  
CHANGE PROCEEDINGS FOR IMPROVEMENT AREA NO. 2 WITHIN  
CITY OF FOLSOM COMMUNITY FACILITIES DISTRICT NO. 23  
(FOLSOM RANCH)**

**WHEREAS**, the City Council (the “City Council”) of the City of Folsom (the “City”) conducted proceedings under and pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended (being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California), and all laws amendatory thereof or supplemental thereto (the “Act”), among other things, (i) to form a community facilities district within the City of Folsom, designated and known as “City of Folsom Community Facilities District No. 23 (Folsom Ranch)” (the “Community Facilities District”), (ii) to designate Improvement Area No. 2 therein, (iii) to authorize a special tax (the “Special Tax”) to finance the acquisition and construction of certain public facilities (the “Facilities”) and certain public services (the “Services”), (iv) to authorize the issuance of debt to finance the Facilities, and (v) to establish the appropriations limit for Improvement Area No. 2 of the Community Facilities District, all as set forth in the City Council’s Resolution No. 10435 (the “Resolution of Formation”), adopted on May 26, 2020; and

**WHEREAS**, on February 14, 2023, the City Council adopted its Resolution No. 10988 (the “Resolution of Consideration”) in which it determined to consider amending the rate and method of apportionment for Improvement Area No. 2 (the “Rate and Method”) to adjust the maximum special tax rates based on the planned development within Improvement Area No. 2 (the “Proposed Amendments”); and

**WHEREAS**, the Resolution of Consideration set a public hearing to be held on March 28, 2023 (the “Public Hearing”); and

**WHEREAS**, the Public Hearing has been held as scheduled and all persons interested were permitted to testify and to submit written protests to the Proposed Amendments; and

**WHEREAS**, the City Council determined that there was no majority protest under Section 53337 of the Government Code of the State of California, and thus the City Council is permitted to continue with these proceedings; and

**WHEREAS**, in order for the Proposed Amendments to be effective, they must be submitted to an election of the qualified electors of Improvement Area No. 2 of the Community Facilities District; and

**WHEREAS**, a Certificate Regarding Landowners (the “Certificate re: Landowners”) has been filed with the City Clerk (the “Clerk”) and submitted to the City Council, certifying that during the 90 days preceding the close of the Public Hearing on March 28, 2023, there were no persons registered to vote within the territory of Improvement Area No. 2 of the Community Facilities District; and



**WHEREAS**, a Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent, has been submitted by the Clerk, stating that each landowner, or an authorized representative of each landowner, within Improvement Area No. 2 of the Community Facilities District has filed with the Clerk a properly executed Waiver and Consent (as defined below) in substantially the form attached hereto as Exhibit B, and by this reference incorporated herein;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Folsom, as follows:

Section 1. The above recitals are true and correct, and the City Council so finds and determines.

Section 2. The City Council accepts the Certificate regarding Landowners filed in these proceedings and finds, in accordance therewith, that during the 90 days just past, there were no registered voters residing within the boundaries of Improvement Area No. 2 of the Community Facilities District. Accordingly, under Section 53326(b) of the Government Code of the State of California, the qualified electors of Improvement Area No. 2 of the Community Facilities District for the proposed special election shall be the owners of land within Improvement Area No. 2 of the Community Facilities District.

Section 3. The City Council further finds and determines that the owners of land within Improvement Area No. 2 of the Community Facilities District (the “Landowners”) are the landowners set forth in the attachment to the Certificate regarding Landowners and that the attachment correctly sets forth the amount of property owned by each Landowner and the number of votes to which each Landowner is entitled pursuant to Section 53326(b), being the number of acres owned rounded up to the next whole acre.

Section 4. The City Council hereby approves the form of Waiver and Consent Shortening Time Periods and Waiving Various Requirements for Conducting a Mailed-Ballot Election (the “Waiver and Consent”) by which the time limits and related requirements respecting preparation and distribution of election materials are waived, a form of which is attached hereto as Exhibit B. The City Council hereby finds that the rights, procedures, and time periods therein waived are solely for the protection of the qualified electors and may be waived by the qualified electors under Section 53326(a) and 53327(b) of the Act and under other provisions of law dealing with waiver generally, and that the Waiver and Consent constitutes a full and knowing waiver, by any qualified elector who has executed the form, of those rights, procedures and time periods.

Section 5. The City Council further finds and determines, based on a Certificate of Clerk regarding Receipt of Property Owner Waiver and Consent Forms provided this date by the Clerk that each Landowner, or an authorized representative of each Landowner, has filed with the Clerk a properly executed Waiver and Consent in substantially the form of Exhibit B hereto. The City Council therefore is establishing the procedures and time periods for this special mailed-ballot election without regard to statutory schedules.

Section 6. Pursuant to Sections 53338(a) and 53326 of the Government Code of the State of California, the City Council hereby calls an election, to be held and conducted upon adoption of this Resolution, and sets March 28, 2023, as the election date. Pursuant to Section 53326 of the

Government Code, the election shall be conducted by mailed ballot; provided that personal service of the respective ballots to authorized representatives of each Landowner is permitted under the terms of the Waiver and Consent forms on file with the Clerk and shall therefore be permitted. The Clerk is directed to either mail or make personal service of the ballots, in the form of the attached Exhibit A, to each Landowner or, if one has been appointed pursuant to a Waiver and Consent, to the Landowner's authorized representative.

Section 7. The proposition to be submitted to the qualified electors of Improvement Area No. 2 of the Community Facilities District shall be as set forth in the form of special election ballot attached hereto as Exhibit A.

Section 8. The Clerk is hereby designated as the official to conduct the special mailed-ballot election pursuant to the Act and California Elections Code Sections 307 and 320 and the following provisions:

(a) The special election shall be held and conducted, and the votes canvassed and the returns made, and the results determined, as provided herein; and in all particulars not prescribed by this Resolution the special election shall be held and conducted and the votes received and canvassed in the manner provided by law for the holding of special elections consistent with the Act.

(b) All Landowners within Improvement Area No. 2 of the Community Facilities District as of the close of the Public Hearing shall be qualified to vote upon the proposition to be submitted at the special election.

(c) The special election shall be conducted as a mailed-ballot election, in accordance with the provisions of the Act and the prior proceedings of the City taken thereunder, and there shall be no polling places for the special election. All ballots shall be delivered or mailed by the Clerk to the Landowners, and all voted ballots are required to be received by the Clerk not later than 6:00 p.m. on the date of the election in order to be counted. However, if at any time the Clerk determines that all votes have been cast, the Clerk shall immediately declare the election closed.

(d) The Clerk shall commence the canvass of the returns of the special election, and report the returns to the City Council no later than the City Council meeting of March 28, 2023.

(e) The City Council may thereupon declare the results of the special election, and shall cause to be spread upon its minutes a statement of the results of the special election as ascertained by the canvass.

Section 9. This Resolution shall take effect from and after its date of adoption.

**PASSED AND ADOPTED** this 28th day of March, 2023, by the following roll-call vote:

**AYES:** Councilmember(s):

**NOES:** Councilmember(s):

**ABSENT:** Councilmember(s):

**ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Rosario Rodriguez, MAYOR

ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK

**EXHIBIT A**

**CITY OF FOLSOM  
COMMUNITY FACILITIES DISTRICT NO. 23  
IMPROVEMENT AREA NO. 2  
(FOLSOM RANCH)**

**SPECIAL ELECTION BALLOT**

**(Mailed-Ballot Election)**

This ballot is for the use of \_\_\_\_\_, a landowner owning land within Improvement Area No. 2 of City of Folsom Community Facilities District No. 23 (Folsom Ranch).

According to the provisions of the Mello-Roos Community Facilities Act of 1982 and the resolutions of the City Council of the City of Folsom, the above-named landowner is entitled to cast \_\_\_\_\_ votes on this ballot.

In order to be counted, this ballot must be certified below and be returned, either by mail or in person, before 6:00 p.m. on March 28, 2023, to:

Christa Freemantle, City Clerk  
City of Folsom  
50 Natoma Street  
Folsom, CA 95630

Mailing by that date will not be sufficient. The ballot must be physically received by the City Clerk prior to the deadline in order to be counted.

**AN "X" OR OTHER MARK WILL CAST ALL VOTES ASSIGNED TO THIS BALLOT, OR THE VOTER MAY WRITE NUMBERS IN THE SPACES PROVIDED.**

**BALLOT MEASURE**

Shall the authority previously conferred upon the City Council (the "City Council") of the City of Folsom by and through its City of Folsom Community Facilities District No. 23 (Folsom Ranch) for Improvement Area No. 2 be changed in accordance with the City Council's Resolution of Consideration to Amend the Rate and Method of Apportionment for Improvement Area No. 2 Within the City of Folsom Community Facilities District No. 23 (Folsom Ranch), and Related Matters, adopted on February 14, 2023?

Number of votes YES
Number of votes NO

**Certification**

The undersigned is or are the authorized representative(s) of the above-named landowner and is the person legally authorized and entitled to cast this ballot on behalf of the above-named landowner.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed as of March 28, 2023.

\_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**EXHIBIT B**

**WAIVER AND CONSENT**  
**SHORTENING TIME PERIODS AND WAIVING VARIOUS**  
**REQUIREMENTS FOR PROCEEDINGS AND FOR**  
**CONDUCTING SPECIAL MAILED-BALLOT ELECTION**  
**CITY OF FOLSOM**  
**COMMUNITY FACILITIES DISTRICT NO. 23**  
**(FOLSOM RANCH)**  
**IMPROVEMENT AREA NO. 2**  
**(CHANGE PROCEEDINGS)**

The undersigned \_\_\_\_\_ is the owner or authorized representative of the owner of Assessor's Parcel No. \_\_\_\_\_ within the above-captioned Improvement Area No. 2 (the "Improvement Area") of the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (the "District").

The undersigned understands that a special mailed ballot landowner election will be held to determine whether the authority conferred upon the City Council by and through the District for the Improvement Area will be changed, all as set forth in Resolution No. 10988 adopted by the City Council of the City of Folsom on February 14, 2023 (the "Resolution of Consideration").

The undersigned is (or are) the person (or persons) legally entitled and authorized to cast the ballot for the above-referenced owner in the election to be conducted within the District for the Improvement Area.

The undersigned, on behalf of the above-referenced owner, hereby waives any and all minimum time periods and requirements pertaining to the conduct of the election pursuant to Government Code Section 53326(a).

The undersigned, on behalf of the above-referenced owner, hereby waives the preparation and distribution of an impartial analysis of the ballot measure, as well as arguments in favor and against, under the authority of Government Code Section 53327(b).

The undersigned, on behalf of the above-referenced owner, hereby waives the requirement to publish notice of the election under Government Code Section 53352.

The undersigned, on behalf of the above-referenced owner, hereby waives the requirements regarding the time to mail ballots to the qualified electors under Elections Code Section 4101, and agrees to accept either mailed service or personal service of the ballot.

The undersigned, on behalf of the above-referenced owner, hereby waives the requirements regarding identification envelopes for the return of mailed ballots contained in Government Code Section 53327.5.

The undersigned, on behalf of the above-referenced owner, hereby waives any right to notice and hearing and consents to authorized facilities, authorized services, expenses and rate and method



of apportionment of special tax as described in the related resolutions to be adopted by the City Council of the City of Folsom on March 28, 2023.

The undersigned, on behalf of the above-referenced owner, hereby waives any and all defects in notice or procedure in the time periods to record the boundary map, conduct of the election, whether known or unknown (other than the right to have ballots accurately counted), and states that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the above-referenced owner.

The undersigned, on behalf of the above-referenced owner, hereby consents to the levy and collection of the special tax in accordance with the amended rate and method of apportionment approved by the City Council for the Improvement Area and hereby waives any and all rights to challenge the inclusion of the above referenced parcels in the Improvement Area and any other proceedings related thereto.

Further, the undersigned, on behalf of the above-referenced owner, hereby waives any entitlement to initiate or prosecute any form of legal proceedings, including judicial proceedings, to challenge any aspect of the proceedings for levy of the special tax and for issuance of bonded indebtedness in the District.

I declare, under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct and that this declaration is executed on March \_\_\_\_\_, 2023.

\_\_\_\_\_  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**NOTE: If this form is signed by an authorized representative other than an officer of the property owner(s) of the parcel(s), or if the name of the signing party is different from the name of the property owner, please attach evidence of authorization to sign on behalf of the property owner(s) or evidence of name change.**

## ATTACHMENT 2

**RESOLUTION NO. 11011**

**A RESOLUTION OF CHANGE OF THE CITY COUNCIL OF THE CITY  
OF FOLSOM RELATING TO IMPROVEMENT AREA NO. 2 WITHIN  
THE CITY OF FOLSOM COMMUNITY FACILITIES DISTRICT NO. 23  
(FOLSOM RANCH)**

**WHEREAS**, the City Council (the “City Council”) of the City of Folsom (the “City”) conducted proceedings under and pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended (being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California), and all laws amendatory thereof or supplemental thereto (the “Act”), among other things, (i) to form a community facilities district within the City of Folsom, designated and known as “City of Folsom Community Facilities District No. 23 (Folsom Ranch)” (the “Community Facilities District”), (ii) to designate Improvement Area No. 2 therein, (iii) to authorize a special tax (the “Special Tax”) to finance the acquisition and construction of certain public facilities (the “Facilities”) and certain public services (the “Services”), (iv) to authorize the issuance of debt to finance the Facilities, and (v) to establish the appropriations limit for Improvement Area No. 2 of the Community Facilities District, all as set forth in the City Council’s Resolution No. 10435 (the “Resolution of Formation”), adopted on May 26, 2020; and

**WHEREAS**, on February 14, 2023, the City Council adopted its Resolution No. 10988 (the “Resolution of Consideration”) in which it determined to consider amending the rate and method of apportionment for Improvement Area No. 2 (the “Rate and Method”) to adjust the maximum special tax rates based on the planned development within Improvement Area No. 2 (the “Proposed Amendments”); and

**WHEREAS**, in order for the Proposed Amendments to be effective, a two-thirds approving vote by the qualified electors within Improvement Area No. 2 within the Community Facilities District is required; and

**WHEREAS**, a special mailed-ballot election has been conducted within Improvement Area No. 2 within the Community Facilities District pursuant to Resolution No. 11010, adopted by the City Council on March 28, 2023, to which reference is made for further particulars; and

**WHEREAS**, a Certificate of the City Clerk (the “Clerk”) Regarding Election Results (the “Certificate of Election Results”) has been filed with the City Council; and

**WHEREAS**, the City Council has received, reviewed and hereby accepts the Certificate of Election Results;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Folsom, as follows:

Section 1. The above recitals are true and correct, and the City Council so finds and determines.

Section 2. The City Council hereby finds and determines and declares that the ballot measure submitted to the qualified electors of Improvement Area No. 2 within the Community Facilities District has been passed and approved by those qualified electors in accordance with Sections 53338 of the Government Code of the State of California.

Section 3. The City Council hereby finds and determines and declares that the authority conferred upon it by the Community Facilities District for Improvement Area No. 2 has been changed in accordance with the Proposed Amendments as set forth in the Resolution of Consideration.

Section 4. The City Council hereby authorizes and directs the Clerk to cause an Amended Notice of Special Tax Lien to be prepared and to be recorded with the County Recorder of the County of Sacramento (the "County Recorder") in accordance with the provisions of Section 3117.5 of the Streets and Highways Code of the State of California and Section 53338(c) of the Government Code of the State of California. The Amended Notice of Special Tax Lien shall include, as an attachment, the amended rate and method of apportionment as provided in Exhibit A to the Resolution of Consideration and be recorded in the County Recorder's office within fifteen days of the date of adoption of this Resolution.

Section 5. This Resolution shall take effect from and after its date of adoption.

**PASSED AND ADOPTED** this 28th day of March, 2023, by the following roll-call vote:

**AYES:** Councilmember(s):

**NOES:** Councilmember(s):

**ABSENT:** Councilmember(s):

**ABSTAIN:** Councilmember(s):

\_\_\_\_\_  
Rosario Rodriguez, MAYOR

ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK

# ATTACHMENT 3

**ORDINANCE NO. 1338****AN UNCODIFIED ORDINANCE LEVYING A SPECIAL TAX FOR THE FISCAL YEAR 2023-2024 AND FOLLOWING FISCAL YEARS SOLELY WITHIN AND RELATING TO IMPROVEMENT AREA NO. 2 WITHIN THE CITY OF FOLSOM COMMUNITY FACILITIES DISTRICT NO. 23 (FOLSOM RANCH)**

The City Council of the City of Folsom, State of California ordains as follows:

**SECTION 1 PURPOSE**

The City Council of the City of Folsom hereby finds, determines and declares based on the record before it that:

1. The City is authorized to establish a community facilities district pursuant to the terms of the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Division 2 of Title 5 of the California Government Code, commencing with Section 53311 (the "Act"); and

2. Pursuant to Section 53350 of the Act, the City is authorized to designate improvement areas within the community facilities district; and

3. Pursuant to Government Code section 53340 and Resolution No. 10435, adopted by the City Council (the "City Council") of the City of Folsom (the "City") on May 26, 2020 (the "Resolution of Formation"), the City Council formed its Community Facilities District No. 23 (Folsom Ranch) (the "Community Facilities District") and a rate and method of apportionment of the special tax (as amended, the "Special Tax") for Improvement Area No. 2 ("Improvement Area No. 2") established therein was approved by an election of the qualified electors within Improvement Area No. 2 on such date; and

4. Pursuant to Resolution No. 10988, adopted by the City Council on February 14, 2023 (the "Resolution of Consideration") and Resolution No. 11011 adopted by the City Council on March 28, 2023 (the "Resolution of Change" and, collectively with the Resolution of Formation and the Resolution of Consideration, the "Resolutions"), the City Council approved an Amended Rate and Method of Apportionment for City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 2 (the "Amended Rate and Method"), which changes were approved by an election of the qualified electors within Improvement Area No. 2 on such date; and

5. The City Council desires to levy and impose the Special Tax and to take other related actions.

**SECTION 2**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOLSOM RESOLVES:**

1. The recitals set forth in Section 1 are true and correct.



2. A special tax is hereby levied on all Taxable Property (as defined in the Amended Rate and Method) within Improvement Area No. 2 for the 2023-24 fiscal year and for all subsequent fiscal years in the amount of the maximum authorized tax, provided that this amount may be adjusted annually, subject to the maximum authorized special tax limit, by resolution of the City Council.
3. The Finance Director of the City of Folsom or designee thereof (the “CFD Administrator”) is authorized and directed, to determine each year, without further action of the City Council, the Special Tax, to prepare the annual Special Tax roll in the amount of the Special Tax in accordance with the related exhibit and, without further action of the City Council, to provide all necessary and appropriate information to the Sacramento County Auditor-Controller’s Office (the “County”) in proper form, and in proper time, necessary to effect the correct and timely billing and collection of the Special Tax on the secured property tax roll of the County; provided, that as provided in the Resolutions and Section 53340 of the California Government Code, the City has reserved the right to utilize any method of collecting the Special Tax which it shall, from time to time, determine to be in the best interests of the City of Folsom (the “City”), including but not limited to, direct billing by the City to the property owners and supplemental billing.
4. The appropriate officers and agents of the City are authorized to make adjustments to the Special Tax roll prior to the final posting of the Special Tax to the County tax roll each fiscal year, as may be necessary to achieve a correct match of the Special Tax levy with the assessor’s parcel numbers finally utilized by the County in sending out property tax bills.
5. The City agrees that, in the event the Special Tax for Improvement Area No. 2 is collected on the secured tax roll of the County, the County may deduct its reasonable and agreed charges for collecting the Special Tax from the amounts collected, prior to remitting the Special Tax collections to the City.
6. Taxpayers who have requested changes or corrections of the Special Tax pursuant to Section I of the Amended Rate and Method and who are not satisfied with the decision of the CFD Administrator (whether the CFD Administrator disagrees with the taxpayer or concludes that the City is not authorized to consider the change requested), may appeal to the City Council. The appeal must be in writing, fully explain the grounds of appeal and must be based solely on the correction of mistakes in the levy based upon the status of the property, and no other appeals will be allowed. The CFD Administrator shall schedule the appeal for consideration within a reasonable time at a City Council meeting.

### **SECTION 3 SEVERABILITY**

If for any cause any portion of this ordinance is found to be invalid, or if the Special Tax is found inapplicable to any particular parcel by a court of competent jurisdiction, the balance of this ordinance, and the application of the Special Tax to the remaining parcels, shall not be affected.

**SECTION 4 EFFECTIVE DATE; EFFECT ON ORDINANCE NO. 1305**

This ordinance shall take effect and be in force as a tax measure thirty (30) days following its second reading and adoption at a meeting of the City Council; and before the expiration of twenty (20) days after its passage the same shall be published, with the names of the members voting for and against the same, at least once in a newspaper of general circulation published and circulated in the Community Facilities District.

Ordinance No. 1305 adopted by the City Council on June 9, 2020, shall be superseded, solely with respect to Improvement Area No. 2, to the extent it is inconsistent with this ordinance, upon the date that this ordinance takes effect, as described in the immediately preceding paragraph.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on March 28, 2023, and the second reading occurred at the regular meeting of the City Council on April 11, 2023.

\* \* \*

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this \_\_\_ day of \_\_\_\_\_, 2023 by the following vote, to wit:

**AYES:** Councilmember(s):

**NOES:** Councilmembers(s):

**ABSENT:** Councilmembers(s):

**ABSTAIN:** Councilmembers(s):

\_\_\_\_\_  
Rosario Rodriguez, MAYOR

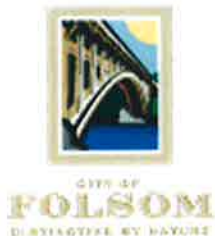
ATTEST:

\_\_\_\_\_  
Christa Freemantle, CITY CLERK

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to facilitate double-sided printing.*



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE



## Folsom City Council Staff Report

<b>MEETING DATE:</b>	3/28/2023
<b>AGENDA SECTION:</b>	New Business
<b>SUBJECT:</b>	Resolution 11007 – A Resolution Authorizing the City Manager to Sign the Petition and Ballot on Behalf of the City of Folsom in Support of the Renewal of the Historic Folsom Property and Business Improvement District
<b>FROM:</b>	City Manager's Office

### **RECOMMENDATION / CITY COUNCIL ACTION**

Staff recommends approving Resolution 11007 – A Resolution Authorizing the City Manager to Sign the Petition and Ballot on Behalf of the City of Folsom in Support of the Renewal of the Historic Folsom Property and Business Improvement District.

### **BACKGROUND / ISSUE**

The Historic Folsom Property and Business Improvement District (HFPBID) is a benefit assessment district whose main goal is to provide improvements and activities which constitute and convey a special benefit to assessed parcels. This approach has been used successfully in Historic Folsom and elsewhere throughout the country to provide special benefits to property owners, namely increased sales, attraction of new tenants, increased occupancies, and specifically increased property values.

The HFPBID was created in 2008 pursuant to provisions of the Streets and Highway Code and City Council Resolution No. 8317. By statute, the initial term was limited to five years, and the City Council renewed the District for the maximum allowable term of ten years in 2013 at the request of the Folsom Historic District Association (FHDA). With the current term ending on December 31, 2023, HFPBID property owners and FHDA now wish to renew the district for another ten-year term.

HFPBID property owners decided to pursue renewal of the HFPBID in order to continue a revenue source devoted to providing special benefits to assessed property owners. If renewed, the HFPBID would generate approximately \$170,757.12. in assessment revenue on an annual basis for advocacy & program coordination, image enhancement, enhanced maintenance, and related management and administration that are above and beyond those provided by the City and other government agencies.

## *MANAGEMENT DISTRICT PLAN*

The Management District Plan (**Attachment 2**) includes the proposed boundary of the HFPBID, a service plan, assessment methodology, budget, proposed means of governance, and Engineer's Report. The HFPBID includes parcels located in the historic commercial area of the City of Folsom. It is bound by the Folsom Lake State Recreation area on the north and west, the Sutter Street / Figueroa Street Alley on the south, and Scott Street on the east, as shown in the map in the Management District Plan.

The HFPBID will have a ten (10)-year-life, beginning January 1, 2024 through December 31, 2033. Once per year beginning on the anniversary of HFPBID renewal there is a 30-day period in which property owners paying more than 50% of the assessment may protest and begin proceedings to terminate the HFPBID.

As provided by State Law, the HFPBID assessment will appear as a separate line item on annual property tax bills prepared by the County of Sacramento. Parcels which do not receive property tax bills will be invoiced by the City. Property tax bills are generally distributed in the fall, and payment is expected by lump sum or installment. The County of Sacramento shall distribute funds collected to the City of Folsom, which shall forward them to the HFPBID. Existing laws for enforcement and appeal of property taxes, including penalties and interest, apply to the HFPBID assessments.

## **HFPBID RENEWAL PROCESS**

- |                |  |
|----------------|--|
| April 11, 2023 | <p><b>RESOLUTION OF INTENTION HEARING</b><br/>Upon the submission of a written petition, signed by the property owners in the proposed HFPBID who will pay more than 50 percent (50%) of the assessments proposed to be levied, the City Council may initiate proceedings to renew a district by the adoption of a resolution expressing its intention to renew a district.</p>  |
| April 22, 2023 | <p><b>NOTICE &amp; PROPOSITION 218 BALLOT</b><br/>The Property and Business Improvement District Law of 1994 and Proposition 218 require the City mail written notice and assessment ballots to the owners of all property proposed to be assessed within the renewed HFPBID. Mailing the notice and assessment ballot begins a mandatory forty-five (45) day period in which owners may cast ballots.</p>   |
| June 13, 2023  | <p><b>FINAL PUBLIC HEARING</b><br/>Council will open a public hearing and receive public testimony. At the end of testimony, Council will close the public hearing and direct tabulation of assessment ballots submitted and not withdrawn to determine whether there is a majority protest against the assessment. A majority protest exists if the ballots in opposition to the proposed assessment exceed the ballots in support of the proposed assessment, weighted by the amount each owner will pay. If there is no majority protest, Council may adopt a resolution declaring the results of the majority protest proceedings and renewing the HFPBID.</p> |

## **POLICY / RULE**

The Property and Business Improvement Law of 1994, California Streets and Highways Code section 36600 et seq., authorizes cities to renew property and business improvement districts for the purposes of promoting economic revitalization and financing activities and services to improve the overall economic climate in said districts.

**ANALYSIS**

Adoption of this resolution will authorize the City Manager to sign petitions and assessment ballots on behalf of properties owned by the City of Folsom in support of the renewal of the HFPBID. This Resolution shall be deemed valid only if petitions are received from property owners representing over fifty percent (50%) of non-City owned property proposing to be assessed in the HFPBID.

**FINANCIAL IMPACT**

If the HFPBID renewal is successful, then the City's annual contribution is an estimated \$82,644.22 beginning in Fiscal Year 2024-2025. The City's assessment is a General Fund (Fund 010) expense. Future assessment rates may be subject to an increase of no more than three percent (3%) annually.

**ENVIRONMENTAL REVIEW**

This action is exempt from environmental review pursuant to California Environmental Quality Act Guidelines §15061(b)(3).

**ATTACHMENTS**

1. Resolution 11007 – A Resolution Authorizing the City Manager to Sign the Petition and Ballot on Behalf of the City of Folsom in Support of the Renewal of the Historic Folsom Property and Business Improvement District
2. Historic Folsom Property and Business Improvement District Management District Plan and Engineer's Report

Respectfully Submitted,

---

Elaine Andersen, City Manager



ATTACHMENT 1

**RESOLUTION NO. 11007**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE PETITION AND BALLOT ON BEHALF OF THE CITY OF FOLSOM IN SUPPORT OF THE RENEWAL OF THE HISOTRIC FOLSOM PROPERTY AND BUSINESS IMPROVEMENT DISTRICT**

**WHEREAS**, property owners propose renewal of the Historic Folsom Property and Business Improvement District (HFPBID) pursuant to the Property and Business Improvement Law of 1994, California Streets and Highways Code section 36600 et seq., which authorizes cities to renew property and business improvement districts for the purposes of promoting economic revitalization and financing activities and services to improve the overall economic climate in said districts; and

**WHEREAS**, under the provisions of Proposition 218 in the California Constitution, government agencies receiving special benefits must pay assessments in Property and Business Improvement Districts for the special benefit they receive; and

**WHEREAS**, passage of this Resolution will authorize the City Manager of the City of Folsom to sign petitions and assessment ballots on behalf of all City-owned properties in the HFPBID. This signature shall be deemed valid only if petitions are received from property owners representing over fifty percent (50%) of non-City owned property proposing to be assessed in the HFPBID; and

**WHEREAS**, the City owns the following eighteen (18) properties proposed to be assessed within the renewed HFPBID:

- |                   |                   |                   |
|-------------------|-------------------|-------------------|
| 070-0052-023-0000 | 070-0045-027-0000 | 070-0045-015-0000 |
| 070-0052-027-0000 | 070-0045-026-0000 | 070-0032-002-0000 |
| 070-0010-017-0000 | 070-0033-003-0000 | 070-0033-002-0000 |
| 070-0034-002-0000 | 070-0041-003-0000 | 070-0041-002-0000 |
| 070-0032-005-0000 | 070-0041-001-0000 | 070-0045-028-0000 |
| 070-0034-001-0000 | 070-0042-001-0000 | 070-0051-043-0000 |

**WHEREAS**, the City Council has determined that the public interest will be served by having these properties participate in the renewed HFPBID.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Folsom that the City Manager is hereby authorized to sign petitions and assessment ballots indicating support for the proposed renewal of annual assessments levied by the HFPBID, which is estimated at \$82,644.22 for the City properties, on behalf of the City of Folsom. Future assessment rates may be subject to an increase of no more than three percent (3%) annually.

**PASSED AND ADOPTED** this 28th day of March, 2023, by the following roll-call vote:

**AYES:** Councilmember(s):  
**NOES:** Councilmember(s):  
**ABSENT:** Councilmember(s):  
**ABSTAIN:** Councilmember(s):

---

Rosario Rodriguez, MAYOR

ATTEST:

---

Christa Freemantle, CITY CLERK

ATTACHMENT 2

2024-2033



**HISTORIC FOLSOM  
PROPERTY AND BUSINESS IMPROVEMENT DISTRICT  
MANAGEMENT DISTRICT PLAN AND ENGINEER'S REPORT**

# Contents

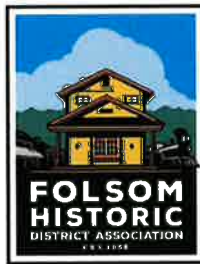
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## I. OVERVIEW

Developed by a growing coalition of property owners, the Historic Folsom Property and Business Improvement District (HFPBID) is a benefit assessment district whose main goal is to provide improvements, maintenance, and activities which constitute and convey a special benefit to assessed parcels. This approach has been used successfully in other cities throughout the country to provide special benefits to property owners, namely increased sales, attraction of new tenants, increased occupancies, and specifically increased property values. The HPBID was created in 2008 and was subsequently renewed in 2014 for a ten (10) year term. The HPBID has reached the end of this term, and property owners now wish to renew the HPBID for another ten (10) year term. The renewed HFPBID will continue to provide services above and beyond those furnished by the City of Folsom, for the direct benefit of assessed parcels. As required by state law, property owners have created this Management District Plan (Plan) to renew the HFPBID.

**Location:** The HFPBID is located in the historic commercial area of the City of Folsom. It is bound by the Folsom Lake State Recreation area on the north and west, the Sutter Street / Figueroa Street Alley on the south, and Scott Street on the east. A map is provided in Section V.

**Purpose:** The purpose of the HFPBID is to provide improvements, maintenance, and activities which constitute and convey a special benefit to assessed parcels. The HFPBID will provide Advocacy & Program Coordination, Image Enhancement & Marketing, Enhanced Maintenance services, and related administration directly and only to assessed parcels within its boundaries.

**Budget:** The HFPBID annual assessment budget for the initial year of its ten (10) year operation is anticipated to be \$170,757.12. The annual budget may be subject to an increase in assessment rates of no more than three percent (3%) per year. The assessment funds will be supplemented by non-assessment funds (such as grants and event income), so that the total budget for the initial year is estimated at \$179,663.27. The amount of non-assessment funds is the minimum amount necessary to pay for the general benefit provided by District programs. Further detail on the separation of special and general benefit is provided in Section IX.

**Cost:** The cost to the parcel owner is based on parcel size, benefit zone, and parcel use as shown in the table below. Property tax-exempt parcels owned by non-profit entities and religious institutions will be assessed at fifty percent (50%) of the standard commercial assessment rate. Parcels with single-family residential uses shall not be assessed. Assessment rates are subject to a cost-of-living increase of no more than three percent (3%) per year. The annual increase will be based on the Consumer Price Index.

Parcel Type	Annual Assessment Rate (\$/sq ft)				
	Zone 1A	Zone 1B	Zone 2	Zone 3	Zone 4
Commercial Uses	\$0.15	\$0.17	\$0.17	\$0.085	\$0.075
Non-Profit/Religious	\$0.075	\$0.085	\$0.085	\$0.0425	\$0.0375

**Renewal:** HFPBID renewal requires submittal of petitions from property owners representing more than 50% of the total assessment. The “Right to Vote on Taxes Act” (also known as Proposition 218) requires a ballot vote in which more than 50% of the ballots received, weighted by assessment, be in support of the HFPBID.

**Duration:** The HFPBID will have a ten (10)-year-life, beginning January 1, 2024 through December 31, 2033. Near the end of the term, the petition, ballot, and City Council hearing process must be repeated for the HFPBID to be renewed for another term of up to ten (10) years.

**Management:** The Folsom Historic District Association (FHDA) will continue to serve as the Owners’ Association for the HFPBID, with oversight from the Folsom City Council.

## II. IMPETUS

There are several reasons why now is the time to renew the HFPBID. The most compelling reasons are as follows.

### **1. The Need to be Proactive in Determining the Future of Historic Folsom.**

In order to protect their investment, parcel owners must be partners in the process that determines the level and frequency of services, and how new improvements and development projects are implemented. The HFPBID will allow these owners to lead and shape future services and improvements through the HFPBID.

### **2. The Need to Attract New Business and Investment Throughout Historic Folsom.**

If Historic Folsom is to compete as a successful commercial district it must develop its own well-financed, proactive strategy to retain businesses and tenants as well as attract new business and investment. The HFPBID provides the financial resources to develop and implement a focused strategy that will work to prevent and fill vacancies and attract new tenants to all areas of Historic Folsom.

### **3. An Opportunity to Create a Private/Public Partnership with a Unified Voice for Historic Folsom.**

Because parcel owners would be investing financial resources through the HFPBID, they will be looked upon as a strong partner in negotiations with the City. This partnership will have the ability to leverage the parcel owner's investment with additional public investment in Historic Folsom.

### **4. An Opportunity to Establish Private Sector Management and Accountability.**

A non-profit, private organization formed for the sole purpose of improving Historic Folsom will manage the services provided and the HFPBID. Annual HFPBID work plans and budgets are developed by a board composed of stakeholders that own property in the Historic Folsom. Improvements and activities provided by the HFPBID are subject to private sector performance standards, controls, and accountability.

### III. BACKGROUND

The International Downtown Association estimates that more than 1,500 Property and Business Improvement Districts (PBIDs) currently operate throughout the United States and Canada. PBIDs are a time-tested tool for property owners who wish to come together and obtain collective services which benefit their properties.

PBIDs provide supplemental services in addition to those provided by local government. They may also finance physical and capital improvements. These improvements and activities are concentrated within a distinct geographic area and are funded by a special parcel assessment. Services and improvements are only provided to those who pay the assessment.

Although funds are collected by the local government, they are then directed to a private nonprofit. The nonprofit implements services and provides day-to-day oversight. The nonprofit is managed by a Board of Directors representing those who pay the assessment, to help ensure the services meet the needs of property owners and are responsive to changing conditions within the PBID.

PBIDs all over the globe have been proven to work by providing services that improve the overall viability of commercial districts, resulting in higher property values, lease rates, occupancy rates, and sales volumes.

The HFPBID will be renewed pursuant to a state law that took effect in January of 1995. The “Property and Business Improvement District Law of 1994,” which was signed into law by Governor Pete Wilson, ushered in a new generation of Property and Business Improvement Districts in California. Key provisions of the law include:

- Allows a wide variety of services which are tailored to meet specific needs of assessed properties in each individual PBID;
- Requires property owner input and support throughout the renewal process;
- Requires written support on both a petition and ballot from property owners paying 50% of proposed assessments;
- Allows for a designated, private nonprofit corporation to manage funds and implement programs, with oversight from property owners and the City;
- Requires limits for assessment rates to ensure that they do not exceed the amount owners are willing to pay; and
- Requires the PBID be renewed after a certain time period, making it accountable to property owners.

The “Property and Business Improvement Business District Law of 1994” is provided in Appendix 2 of this document.

## IV. HISTORY AND ACCOMPLISHMENTS

### A. History

Folsom's Historic District is the City's original central business district, with a vast amount of history and unique character that is beloved by the community. Folsom has experienced significant growth and the Folsom Historic District property owners embraced the need for the district to be clean, safe, attractive, and marketable. With the growth of new shopping centers, Historic Folsom property owners felt it vital to continue to attract visitors with enhanced beautification and professional management. The mission of the Folsom Historic District Association is to preserve, and independently shape the unique qualities that make it attractive, safer, cleaner, and more marketable.

In 1997 the City of Folsom designated a defined area known as the Sutter Street Historic Commercial Subarea in the Historic District Specific Plan, with a goal to maintain, restore, and reconstruct sites which represent the history of the Folsom area. These are the boundaries which encompass the PBID.

In 2006 the Folsom Historic District Association began the process of establishing a PBID. The goal was to provide for the maintenance, beautification, marketing, and management of a completed Streetscape Project funded by the Folsom Redevelopment Agency. The PBID was established for its initial five (5) year term beginning in 2008 and was subsequently renewed in 2014 for a ten (10) year term.

### B. Accomplishments

The Historic District of Folsom is a thriving, vibrant place to be proud of. It is without question that since its inception in 2008, the PBID has been pivotal in making a difference in the development of this special part of Folsom. Listed below are some key points in which this valuable program is working:

#### Advocacy and Program Coordination

- Routine programs that are encouraged and promoted:
  - Monthly Merchant Meetings/networking
    - Fosters a sense of community and good neighbors
    - Merchant Meetings have included meetings with Safety Officers, Free CPR Training, Community Leader discussions
    - Important reviews of upcoming, recently passed, or current events
  - Marketing and Instagram classes, etc .
  - Monthly marketing meeting with City, Chamber, Museums
  - Neighbor and Stakeholder quarterly meetings
  - Regular updates between meetings to all businesses within the District
  - Regular updates to the community via Constant Contact, e-blasts, Website updates
- Professional Management
  - 1 full-time executive director

- 2 seasonal part time employees
- 60 on-call seasonal event staff
- Services also include accounting, legal, telephone, postage, and insurance costs.

### **Image Enhancement and Marketing**

- Public Plaza Activation
  - Year-round Saturday Farmers Market drawing in 800-1000 visitors weekly
  - 65+ days Seasonal Ice rink drawing in 22,000 skaters and additional 45,000 observers
- Amphitheater Activation
  - Year-round activation
    - Concerts
    - Dance Performances
    - Graduations
    - Local High School Spirit Parades
    - Fashion Shows
    - Award Ceremonies for local sporting events
- Marketing and Promotion of the Historic District
  - Increased visibility and foot traffic through new events
    - New annual events added:
      - Sip and Stroll
      - Spirits, Brews, and Bites
      - Hometown Parade
      - Art Hop
      - Folsom Lake Symphony Performance
      - Peter Lewis Memorial Blood Drive
      - Soap Box Derby
      - Festifall
      - Spring and Fall Concert Series
      - Twilight Concert Series (August)
      - Holiday Light Promenade – 6 week Christmas Light Stroll in the District, Santa Visits, Horse and Carriage rides
      - Pedestrian Promenade – Road closures, live music, pop up events
  - Partner Events – FHDA Handles the scheduling, permits, communications and assists with marketing for these annual events:
    - Shakespeare (Take Note Troupe)
    - Peach Festival (Living Smart)
    - Light up the Dark (Powerhouse Ministries)
    - Eggcellent Adventure Passport
  - One-Off Events
    - Hero Recognition (Folsom Fire Department)
    - Rainbow Bridge 100 Year Centennial Event
    - VW and Exotic Car shows



- and too many more to list
- Branding
  - New Logos for FHDA - Regular
  - New Logo for FHDA – Holiday Season
  - New District banners (Spring and Winter)
- Video Production
  - Videos featuring Historic District merchants during Covid
  - Videos featuring dancing merchants for Reopening Celebration
  - Sponsor thank you videos for major events
  - Videos featuring highlights from the C'mas Tree Lighting, Holiday Promenade, and Hometown Parade

### **Enhanced Maintenance**

- Maintenance and beautification program that strives to keep the Historic District neat and tidy, as well as make aesthetic improvements
  - District Wide Improvements
    - Overhead Lighting installed on 3 blocks
    - Parklet installation
    - Shade Structure over amphitheater
    - Cameras at Parking Garage, Amphitheater and Sutter St
    - Security in Parking Garage (seasonal)
    - Cleaning Crew on mid-week and weekends
    - Ambassador Program
      - 15 ambassadors trained to provide support on weekends and during events
    - Lincoln Highway signage in district
      - Denotes Folsom's part in the early 1900 highway system

### **Contingency and Renewal**

- Part of the PBID plan is a fiscal reserve to account for changes in anticipated revenue and/or expenses. This is a very small part of the overall budget (4%) but very prudent to plan for.
- At the end of the PBID term, if there are overages in this portion of the budget, the funds can be used toward renewal of the PBID.



## **B. Benefit Zones**

The Historic Folsom PBID will have four Zones of service. Zone 1 includes parcels within the HFPBID boundaries in the Historic Folsom Station, the Regional Transit Light Rail Station, and the Leidesdorff Plaza next to the Light Rail Station. Zone 2 includes all parcels within the HFPBID boundaries along Sutter Street that are bounded by Folsom Boulevard to the west, Scott Street to the east, the Sutter Street / Figueroa Street Alley to the south, and (with the exception of Zone 1 parcels) by Leidesdorff Street on the north. Zone 3 includes all parcels within the HFPBID boundaries north of Leidesdorff Street that are bounded by Folsom Boulevard to the west, the Folsom Lake State Recreation Area (FLSRA) to the north, and Riley Street to the east. Zone 4 includes all parcels within the HFPBID boundaries located in the Corporation Yard, west of Folsom Boulevard.

The HFPBID boundary is illustrated by the boundary map included in Appendix 3. Parcels in the map are identified by Map ID numbers corresponding to the Assessor's Parcel Numbers, included in the Assessment Calculation Table which can be found in Appendix 4.

It is the intent of the Engineer's Report that each parcel included in the HFPBID can be clearly identified. Every effort has been made to ensure that all parcels included in the HFPBID are consistent in the boundary description, the boundary map (included as Appendix 3), and the Assessment Calculation Table (included as Appendix 4). However, if inconsistencies arise, the order of precedence shall be: 1) the Assessment Calculation Table, 2) the District Boundary Map, and 3) this boundary description.

If the development, ownership, size, or zoning of a parcel changes during the term of this District, the assessment calculation may be modified accordingly.

## VI. SERVICE PLAN & BUDGET

### A. Renewal

Property and business owners in Historic Folsom had been concerned about the need for coordinated supplemental services in the area for several years. City services and efforts in the area have been welcomed, but limited resources have not allowed for a more comprehensive approach to managing the commercial area. As a result of the need for services the HFPBID was formed in 2008, and subsequently renewed in 2014, and property owners now wish to renew the HFPBID for another ten (10) year term.

A service plan to provide special benefits to assessed properties was developed using several methods. A series of property owner meetings, a survey of property owners, and an analysis of current property conditions and needs were conducted. The primary needs identified were: Advocacy & Program Coordination, Image Enhancement & Marketing, and Enhanced Maintenance. To meet those needs, the renewed HFPBID will continue to generate funds to provide these services, and related administration to assessed parcels within its boundaries.

### B. Improvements, Maintenance and Activities

The HFPBID will provide supplemental improvements, maintenance and activities that are above and beyond those provided by the City and other government agencies. None of the services to be provided by the HFPBID are provided by the City or other government agencies. The improvements and activities will be provided directly and only to assessed parcels; they will not be provided to parcels that are not assessed. Each and every service is unique to the HFPBID, thus the benefits provided are particular and distinct to each assessed parcel.

#### 1. Advocacy and Program Coordination

To provide Historic Folsom property owners with an effective, clear voice in government decisions, the advocacy will include an administrator to speak for the owners within the HFPBID. The administrator will ensure the delivery of quality services of the HFPBID and act as the unified voice to represent the interests of assessed parcels within the HFPBID. The HFPBID will focus on ways to garner additional funding and services from public entities specifically for Historic Folsom improvements. These programs will work to specially benefit assessed parcels by increasing commerce and making them more desirable for shoppers and potential tenants and will be a service provided directly to assessed parcels that is not provided to the public-at-large or parcels surrounding the District. The program coordination budget also includes general administrative costs, such as accounting, legal, telephone, postage, and insurance costs.

#### 2. Image Enhancement and Marketing

Image enhancement will include marketing and promotions to promote Historic Folsom as a destination with a rich set of unique opportunities. In order to draw customers to Historic Folsom, the District needs to market itself as a single locality for a wide variety of attractions, events, and services. The HFPBID will coordinate exciting and fun events for the historic area. Further, the marketing program will garner positive media coverage of Historic Folsom, and the good things happening in the area. Internally, it will be important to facilitate consistent and frequent communications with parcel owners and tenants. The Historic Folsom PBID will work closely with the Folsom Chamber of Commerce, the Folsom Tourism Bureau, and other stakeholders in the Historic District, as well as Folsom's City Government, to coordinate marketing efforts to make this program as efficient and possible. These programs will work to

specially benefit assessed parcels by increasing commerce and making them more desirable for shoppers and potential tenants, and will be a service provided directly to assessed parcels that is not provided to the public-at-large or parcels surrounding the District.

### **3. Enhanced Maintenance**

A maintenance and beautification program will keep Historic Folsom clean as well as work to make aesthetic improvements. A landscaping program will maintain trees and cut back any weeds along the sidewalks and in public areas. In order to establish and maintain a uniform standard of cleanliness throughout the HFPBID, a maintenance patrol will provide additional debris and garbage collection beyond existing City services. The HFPBID will continue to work with the City to enforce ordinances which encourage a clean and aesthetically pleasing environment. These programs will work to specially benefit assessed parcels by increasing commerce and making them more desirable for shoppers and potential tenants.

### **4. Contingency and Renewal**

The budget includes a prudent fiscal reserve. Changes in data and other issues may change the anticipated revenue and expenses. In order to buffer the organization for unexpected changes in revenue, and/or allow the HFPBID to fund other overhead or renewal costs, the reserve is included as a budget item. At the expiration of the HFPBID, if there are contingency funds remaining and owners wish to renew, the remaining funds could be used for the costs of renewal.

### **5. County and City Administration Fee**

The City of Folsom shall retain a fee equal to three percent (3%) of the amount of the assessment collected to cover the costs of collection and administration for the City of Folsom and the County of Sacramento.

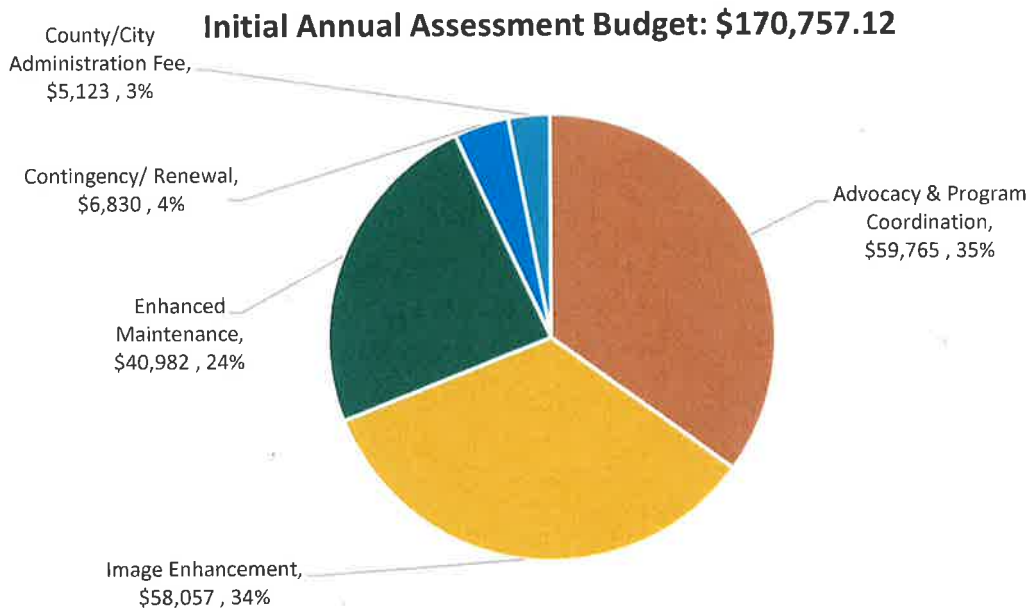
## **C. Annual Assessment Budget**

A projected ten (10)-year budget for the HFPBID is provided below in sub-section E. The overall assessment budget shall remain consistent with this Plan. In the event of a legal challenge, assessment funds may be used to defend the HFPBID. The annual assessment budget is based on the following assumptions and guidelines:

1. The cost of providing improvements, maintenance and activities may vary depending upon the market cost for those improvements, maintenance, and activities. Expenditures may require adjustment up or down to continue the intended level of improvements, maintenance, and activities. The FHDA and their board shall have the authority to adjust budget allocations between the categories by no more than fifteen percent (15%) of the total budget per year. Any change will be approved by the FHDA and submitted with the Annual Report.
2. Funds not spent in any given year may be rolled over to the next year.
3. The assessment rate will be subject to annual increases that will not exceed three percent (3%) per year. The annual increase will be based on the Consumer Price Index for All Items for the San Francisco-Oakland-San José Area published by the United States Department of Labor Bureau of Labor Statistics or, if no longer published, the City may select as a reference another index published by either the State of California or a federal department or agency charged with the responsibility of measuring the cost of living in the local geographical area. The City Council may delay or reject the annual increase in its discretion. The projections below in sub-section E illustrate the maximum annual three percent (3%) increase for all budget items.

### D. Service Budget

The total improvement, maintenance, and activity budget for 2024 that is funded by property assessments is \$170,757.12. In addition to the assessment revenue, the programs will be supplemented by non-assessment funds. The total of non-assessment funds, and the determination of special and general benefit, is included in the Engineer's Report. The total of assessment and non-assessment funds is provided in Appendix 5. Below is an illustration of the estimated total assessment budget allocations for each budget category for the initial year of the of the District. Non-assessment funds may be shifted between budget categories as needed by the Board of the Owners' Association.





**E. Annual Maximum Assessment Budget**

The budget below assumes the maximum annual increase of three percent (3%) is enacted and that there are no changes to the categorical budget allocations.

<b>Year</b>	<b>Advocacy &amp; Program Coordination</b>	<b>Image Enhancement</b>	<b>Enhanced Maintenance</b>	<b>Contingency/ Reserve</b>	<b>County/ City Fee</b>	<b>Total</b>
<b>2024</b>	\$59,764.99	\$58,057.42	\$40,981.71	\$6,830.29	\$5,122.71	\$170,757.12
<b>2025</b>	\$61,557.94	\$59,799.14	\$42,211.16	\$7,035.20	\$5,276.39	\$175,879.83
<b>2026</b>	\$63,404.68	\$61,593.12	\$43,477.49	\$7,246.25	\$5,434.68	\$181,156.22
<b>2027</b>	\$65,306.82	\$63,440.91	\$44,781.82	\$7,463.64	\$5,597.72	\$186,590.91
<b>2028</b>	\$67,266.03	\$65,344.14	\$46,125.27	\$7,687.55	\$5,765.66	\$192,188.65
<b>2029</b>	\$69,284.01	\$67,304.46	\$47,509.03	\$7,918.18	\$5,938.62	\$197,954.30
<b>2030</b>	\$71,362.53	\$69,323.59	\$48,934.30	\$8,155.72	\$6,116.78	\$203,892.92
<b>2031</b>	\$73,503.40	\$71,403.30	\$50,402.33	\$8,400.40	\$6,300.29	\$210,009.72
<b>2032</b>	\$75,708.50	\$73,545.40	\$51,914.40	\$8,652.41	\$6,489.30	\$216,310.01
<b>2033</b>	\$77,979.76	\$75,751.76	\$53,471.83	\$8,911.98	\$6,683.97	\$222,799.30
<b>Total</b>	\$685,138.66	\$665,563.24	\$469,809.34	\$78,301.62	\$58,726.12	\$1,957,538.98

## VII. ASSESSMENT RATE

### A. Assessment Formula

Individual assessed parcels shall be assessed an assessment rate according to each assessed parcel's proportionate special benefit derived from the services provided to each assessed parcel, as shown in the table below.

Parcel Type	Annual Assessment Rate (\$/sq ft)				
	Zone 1A	Zone 1B	Zone 2	Zone 3	Zone 4
Commercial Uses	\$0.15	\$0.17	\$0.17	\$0.085	\$0.075
Non-Profit/Religious	\$0.075	\$0.085	\$0.085	\$0.0425	\$0.0375

### B. Changes in Development, Ownership, Zoning, or Parcel Size

If the development, ownership, size, or zoning of a parcel within the HFPBID boundary changes during the term of the HFPBID the assessment amount may be modified according to the assessment methodology detailed in this Plan that is applicable to the parcel. These changes may be a result of land adjustments (including but not limited to lot splits, consolidations, right away setbacks, etc.), new construction, new ownership, or changes in zoning.

### C. Assessment Ballot and Public Notice

During the hearing process, an Assessment Notice will be sent to owners of each parcel in the HFPBID. The Assessment Notice provides an estimated assessment. The final individual assessment for any particular parcel may change, up or down, if the parcel square footage, parcel type, benefit zone, or development status differ from those used to calculate the amount shown on the Assessment Notice. A list of parcels to be included in the HFPBID is provided within Appendix 4.

### D. Time and Manner for Collecting Assessments

As provided by State Law, the HFPBID assessment will appear as a separate line item on annual property tax bills prepared by the County of Sacramento. Parcels which do not receive property tax bills will be invoiced by the City. Property tax bills are generally distributed in the fall, and payment is expected by lump sum or installment. The County of Sacramento shall distribute funds collected to the City of Folsom, which shall forward them to the HFPBID. Existing laws for enforcement and appeal of property taxes, including penalties and interest, apply to the HFPBID assessments.

### E. Bonds

Bonds shall not be issued.

## VIII. GOVERNANCE

### A. Owners' Association

The HFPBID shall continue to be governed by the Folsom Historic District Association (FHDA), with oversight from the Folsom City Council. The FHDA shall serve as the Owners' Association described in the Streets and Highways Code §36651. The Board of Directors of FHDA and its staff are charged with the day-to-day operations of the HFPBID.

A majority of the Board of Directors of Folsom Historic District Association must be parcel owners paying the assessment. The Board may also include representation from business owners, the City of Folsom, and the County of Sacramento. The Board of Directors must represent a variety of interests within the HFPBID and respond to the needs of property and business owners from various "commercial neighborhoods" within the HFPBID.

### B. Brown Act & Public Records Act Compliance

An Owners' Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. The Owners' Association is, however, subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act. These regulations are designed to promote public accountability. The Owners' Association must act as a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the FHDA Board of Directors and certain committees must be held in compliance with the public notice and other requirements of the Brown Act. The Owners' Association is also subject to the record keeping and disclosure requirements of the California Public Records Act.

### C. Annual Report

The FHDA shall present an annual report at the end of each year of operation to the City Council pursuant to Streets and Highways Code §36650 (see Appendix 2). The annual report is a prospective report for the upcoming year and must include:

1. Any proposed changes in the boundaries of the HFPBID or in any benefit zones or classification of property within the district;
2. The improvements, maintenance, and activities to be provided for that fiscal year;
3. The estimated cost of providing the improvements, maintenance, and activities to be provided for that fiscal year;
4. The method and basis of levying the assessment in sufficient detail to allow each real property owner to estimate the amount of the assessment to be levied against his or her property for that fiscal year;
5. The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year; and
6. The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this Plan.

## IX. ENGINEER'S REPORT

The HFPBID's parcel assessments will be imposed in accordance with the provisions of Article XIII D of the California Constitution. Article XIII D provides that "only special benefits are assessable,"<sup>1</sup> and requires the City to "separate the general benefits from the special benefits conferred on a parcel."<sup>2</sup> Special benefits are a "particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public-at-large."<sup>3</sup> Conversely, a general benefit is "conferred on real property located in the district or to the public-at-large."<sup>4</sup> Assessment law also mandates that "no assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."<sup>5</sup>

The Engineer determined the total cost of the improvements and activities, quantified the general benefit accruing to the public-at-large and non-assessed parcels adjacent to and within the HFPBID, and separated that amount from the special benefit accruing to the assessed parcels. Then, the Engineer determined the proportional special benefit derived by each parcel and allocated the special benefit value of the improvements and activities accordingly. The Engineer's determinations and detailed calculations are summarized in this report.

### A. Separation of General and Special Benefits

Each of the improvements and activities, and the associated costs and assessments within the HFPBID, were reviewed, identified, and allocated based on special and general benefits pursuant to Article XIII D of the California Constitution. The assessment has been apportioned based on the proportional special benefits conferred to the assessed parcels located within the HFPBID boundaries as determined below.

#### 1. General Benefits

Unlike special benefits, which are conferred directly and only upon assessed parcels, a general benefit is conferred on the general public or non-assessed parcels. Existing City and other public services, which are provided to every person and parcel, everywhere within the City, are an example of a general benefit. Although the HFPBID's boundaries have been narrowly drawn and programs have been carefully designed to provide special benefits, and activities and improvements will only be provided directly to assessed parcels, it is acknowledged that there will be general benefits as a result of the District's activities and improvements.

The California Constitution mandates that "only special benefits are assessable, and an agency shall separate the general benefits from the special benefits."<sup>6</sup> "Generally, this separation and quantification of general and special benefits must be accomplished by apportioning the cost of a service or improvement between the two and assessing property owners only for the portion of the cost representing special benefits."<sup>7</sup> The first step that must be undertaken to separate general and special benefits provided by the District's activities and improvements is to identify and quantify the general benefits. There are two bodies who can receive general benefits: the public-at-large within the HFPBID, and non-assessed parcels within and surrounding the HFPBID.

<sup>1</sup> Cal. Const., art. XIII D, §4(a)

<sup>2</sup> Cal. Const., art. XIII D, §4(a)

<sup>3</sup> Id., §2(i)

<sup>4</sup> Cal. Const., art. XIII D §2(i)

<sup>5</sup> Cal. Const., art. XIII D, §4(a)

<sup>6</sup> Cal. Const., art. XIII D §4(a)

<sup>7</sup> Golden Hill Neighborhood Association v. City of San Diego (2011) 199 Cal.App.4th 416

a. General Benefit to the Public-at-Large

Although the activities and improvements are narrowly designed and carefully implemented to specially benefit the assessed parcels, and only provided directly to assessed parcels, they will generate a general benefit to the public-at-large within the HFPBID. State law indicates that “Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not assessed.”<sup>8</sup> However, “the mere fact that special benefits produce incidental or collateral effects that benefit property or persons not assessed does not convert any portion of those special benefits or their incidental or collateral effects into general benefits.”<sup>9</sup> Further, “the value of any incidental or collateral effects that arise from the improvements, maintenance or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.”<sup>10</sup> Thus, although there may be some incidental benefit to persons engaged in business on the assessed parcels, that incidental benefit is not considered general benefit because it is inherently produced by activities and improvements that provide special benefits to the assessed parcels. There is, however, a general benefit to persons not engaged in business on the assessed parcels.

Intercept surveys conducted in similar districts have found that approximately 98.6% of pedestrian traffic within the district boundaries is engaged in business on assessed parcels, while the remaining approximately 1.4% is simply passing through and not engaging in business on the assessed parcels<sup>11</sup>. To ensure that the assessment dollars do not fund general benefits to the public-at-large, that portion of the cost of services will be paid for with funds not obtained through assessments. Out of an abundance of caution, the 1.4% figure was rounded to 2% for the purposes of this Engineers Report. The 2% of traffic passing through does not have any connection to the assessed parcels, and therefore does not represent a special benefit to the assessed parcels. The 2% will, however, receive a derivative and indirect general benefit as a result of the activities and improvements being provided in the HFPBID. Therefore, it is estimated that 2% of the benefit created by the HFPBID’s services is general benefit provided to the public-at-large. To ensure that the assessment dollars do not fund general benefits to the public-at-large, that portion of the cost of activities and improvements will be paid for with funds not obtained through assessments. Using the 2% figure, based on the initial year activity and improvement budget, the value of this general benefit to the public-at-large is \$3,593.27 ( $\$179,662.27 \times 0.02$ ).

b. General Benefit to Non-Assessed Parcels

Although they are only provided directly to the assessed parcels, the HFPBID’s activities and improvements may also confer general benefits upon non-assessed parcels within and surrounding the HFPBID. One study examining property values in PBID areas found “no evidence of spill-over impacts (either good or bad) on commercial properties located just outside the BID’s boundaries;”<sup>12</sup> however, the California Court of Appeals has stated that “services specifically intended for assessed parcels concomitantly confer collateral general benefits to surrounding properties.”<sup>13</sup> It is reasonable to conclude that activities and improvements within the HFPBID will have an incidental impact on non-assessed parcels surrounding or within the HFPBID boundaries. Although the legislature has

<sup>8</sup> Streets and Highways Code section 36601(h)(2)

<sup>9</sup> Ibid

<sup>10</sup> Streets and Highways Code Section 36622(k)(2)

<sup>11</sup> Surveys conducted in: North Park, San Diego (January 2015); Downtown Burbank (October 2017); Downtown Pomona (April 2018); and Sunrise MarketPlace, Citrus Heights (December 2019)

<sup>12</sup> Furman Center for Real Estate & Urban Policy; The Impact of Business Improvement Districts on Property Values: Evidence from New York City (2007) p. 4

<sup>13</sup> Beutz v. Riverside (2010) 184 Cal.App.4th 1516

indicated that “the value of any incidental or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall *not* be deducted from the entirety of the cost of any special benefit,”<sup>14</sup> the California Court of Appeals has noted that “the characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement...or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement.”<sup>15</sup> Those derivative and indirect impacts are considered general benefits and will be quantified and separated.

In this Engineer’s opinion, because activities and improvements are provided only within the HFPBID and on its perimeter, parcels separated from the HFPBID by either at least one intervening parcel or an impassable physical barrier such as a wall, railroad track, freeway, or ditch will not receive spill over benefits. Parcels separated from the HFPBID will not benefit because they are physically removed from the actual location of activities and improvements provided, and do not face serviced parcels. Therefore, this analysis considers non-assessed parcels within the HFPBID’s boundaries and surrounding parcels that are immediately adjacent to and accessible from the HFPBID’s boundaries.

The total HFPBID activity and improvement budget for the first year is \$179,663.27. After reducing the activity and improvement budget by the general benefit to the public-at-large (\$3,593.27), the remaining benefit to parcels is \$176,070.00. This benefit has been distributed to both assessed and non-assessed parcels using the following methodology. The general benefit to the public-at-large has been proportionally allocated to the HFPBID’s activity and improvement categories as shown in the following table.

Category	Benefit to Parcels	Benefit to Public-at-Large	Total
Advocacy & Program Coordination	\$61,890.36	\$1,263.07	\$63,153.43
Image Enhancement	\$59,707.94	\$1,218.53	\$60,926.47
Enhanced Maintenance	\$42,146.79	\$860.14	\$43,006.93
Contingency/Renewal	\$7,042.81	\$143.73	\$7,186.54
County/City Administration Fee	\$5,282.10	\$107.80	\$5,389.90
<b>TOTAL</b>	<b>\$176,070.00</b>	<b>\$3,593.27</b>	<b>\$179,663.27</b>

To determine the general benefit to parcels, the Engineer assigned each parcel group a benefit factor, determined the appropriate parcel characteristic to use in the calculation, multiplied the benefit factor by the benefit characteristic to determine the benefit units attributable to each parcel group, and apportioned the remaining service cost (service cost minus general benefit to the public) in accordance with the benefit units derived by each parcel group.

**i. Benefit Factors**

All parcels within and adjacent to the HFPBID have been assigned a benefit factor to mathematically represent the proportional special and general benefit and quantify the value of each. The determination of benefit factors for each type of activity follows.

<sup>14</sup> Streets and Highways Code section 36622(k)(2)  
<sup>15</sup> Tiburon v. Bonander (2009) 180 Cal.App.4<sup>th</sup> 1057, 1077



### *Tangible Activities*

The tangible activities (those that are physically provided via a person or people working throughout the district) to be provided by the HFPBID generate three types of special benefits:

*Service* – The primary special benefit provided by the HFPBID’s physical activities is the actual service.

*Presence* – The HFPBID’s physical activities also provide the special benefit of an individual’s presence on the assessed parcel as the activities are provided, which can have a deterrent effect and creates a positive impression that the area is well-maintained and safe. The “Disneyland effect” is the benefit the parcels receive from the observation that parcels are being maintained. There are studies which link the perception of cleanliness to a perception of increased security.

*Proximity* – The HFPBID’s physical activities also provide the special benefit of being in proximity to a cleaner, safer parcel. Neighboring parcels enjoy the spillover benefits of being adjacent to increased safety and cleanliness.

The majority of the benefit received by the parcels is the results of the district’s services; onsite presence and proximity are lesser benefits. It is this Engineer’s estimation that seventy-five percent (75%) of the special benefit from the HFPBID’s physical activities is the service, while the presence and proximity benefits each account for twelve and one-half percent (12.5% presence, 12.5% proximity) of the special benefit. Assessed parcels will receive all three benefits; non-assessed parcels within and adjacent to the HFPBID will not be directly serviced and therefore only receive the general benefit of proximity.

### *Intangible Activities*

Some of the HFPBID’s activities, such as marketing, are distinct in that they are not provided to a targeted area within the HFPBID, rather they are provided via Internet, radio, and other forms of media and targeted at an audience outside the HFPBID in an effort to bring the audience into the HFPBID. These activities provide two types of special benefits:

*Direct Exposure* – The primary special benefit provided by the HFPBID’s intangible activities is exposure. The intangible activities increase awareness of the HFPBID as a commercial and business destination and lead to increased patronage.

*Incidental Exposure* – The HFPBID’s intangible activities will also have a secondary special benefit of incidental exposure, such as word-of-mouth exposure, that results from the direct exposure and increases awareness of the HFPBID as a commercial and business destination.

The majority of the benefit from these activities is the direct exposure; the incidental exposure is a lesser benefit. It is this Engineer’s estimation that ninety percent (90%) of the special benefit from the intangible activities is direct exposure, while ten percent (10%) is incidental exposure. Assessed parcels will receive both as special benefits; non-assessed parcels within and adjacent to the HFPBID will not be directly marketed and therefore only receive the general benefit of incidental exposure.

### *Factors Determined*

Based on the foregoing analysis, all assessed parcels within the HFPBID specially benefit from the HFPBID’s activities and improvements, and have been assigned a benefit factor of 1.0. Parcels that

are not assessed have been assigned benefit factors based on the portion of the benefit they will receive, as described above. The non-assessed parcels will benefit from 12.5% of the tangible activities and 10% of the intangible activities; therefore they have been assigned benefit factors of 0.125 and 0.10, respectively.

## ii. Non-Assessed Benefit Characteristics

There are two types of parcels that are not assessed; those within the HFPBID and those immediately adjacent to and accessible from the HFPBID. Because they generally benefit in a differing manner, distinct parcel characteristics are used to quantify the general benefit to each type.

*Inside* – Non-assessed parcels inside of the HFPBID are surrounded by parcels that are assessed and receiving the full special benefits; they will, therefore, receive the general benefits of proximity and indirect exposure. These parcels are impacted on more than one side by the HFPBID's activities, marketing has a direct impact all around them, and activities are provided all around them. Because these parcels are surrounded by specially benefitted parcels, it is appropriate that parcel square footage be used to measure the general benefit they receive.

*Adjacent* – Adjacent parcels are those that are immediately adjacent to or directly across the street from specially benefitted parcels, and accessible from specially benefitted parcels. These parcels generally benefit differently than those inside the district, because these parcels are adjacent to, rather than surrounded by, specially benefitted parcels. Square footage is not an appropriate measure of benefit to these parcels. Because the parcels are not surrounded by serviced parcels, a long, shallow parcel with the same square footage as a deep, narrow parcel will receive a different level of general benefit. Likewise, two parcels with the same depth but a different width adjacent to serviced parcels will benefit differently. To account for this difference, it is appropriate that parcel linear frontage be used to measure the general benefit the adjacent parcels receive.

## iii. Calculations

To quantify and separate the general benefit to non-assessed parcels, the following calculations were undertaken for each budget category.

1. The total service budget for each category was determined and the amount of general benefit to the public-at-large was subtracted from the category budget.
2. The benefit factor applicable to each activity or improvement was multiplied by the parcel square footage or linear frontage of assessed and non-assessed parcels, to determine the number of benefit units received by each parcel group.
3. The benefit units for all parcel groups were summed, and the percentage of benefit units attributable to each parcel group was calculated.
4. The total remaining activity and improvement budget, less the amount already determined to be general benefit to the public-at-large, was allocated to general and special benefit categories for each parcel group using the calculated benefit percent and applicable benefit characteristic methodology.
5. The special and general benefit resulting from the administrative and contingency portions of the budget were determined based on the proportional allocation of benefits derived from activities and improvements.

*Advocacy & Program Coordination*

The advocacy & program coordination budget, minus the amount of general benefit to the public-at-large, is \$61,890.36. The calculations below determine the amount of general benefit to non-assessed parcels within the HFPBID. The advocacy & program coordination budget category contains tangible activities; the Engineer used the 0.125 benefit factor to quantify the general benefit.

Parcel Type	Square Footage	Benefit Factor	Benefit Units	Benefit Percent	Remaining Budget	
Assessed	1,483,391	X 1.000	= 1,483,391.00	96.960%	X \$61,890.36	= \$60,009.03
Non-Assessed	372,044	X 0.125	= 46,505.50	3.040%	X \$61,890.36	= \$1,881.33

The advocacy & program coordination budget, minus the amount of general benefit to the public and non-assessed parcels within the HFPBID, is \$60,009.03. The calculations below determine the amount of general benefit to parcels adjacent to the HFPBID.

Parcel Type	Linear Frontage	Benefit Factor	Benefit Units	Benefit Percent	Remaining Budget	
Inside	20,786	X 1.000	= 20,786.00	99.593%	= \$60,009.03	= \$59764.99
Adjacent	679	X 0.125	= 84.88	0.407%	= \$60,009.03	= \$244.04

Therefore, the allocation of the advocacy & program coordination budget is as follows:

General Benefit – Public-At-Large	\$1,263.07
General Benefit – Inside Parcels	\$1,881.33
General Benefit – Adjacent Parcels	\$244.04
Special Benefit	\$59,764.99
<b>Total</b>	<b>\$63,153.43</b>

*Image Enhancement*

The image enhancement budget, minus the amount of general benefit to the public-at-large, is \$59,707.94. The calculations below determine the amount of general benefit to non-assessed parcels within the HFPBID. The image enhancement budget category contains intangible activities; the Engineer used the 0.10 benefit factor to quantify the general benefit.

Parcel Type	Square Footage	Benefit Factor	Benefit Units	Benefit Percent	Remaining Budget	
Assessed	1,483,391	X 1.000	= 1,483,391.00	97.553%	X \$59,707.94	= \$58,247.07
Non-Assessed	372,044	X 0.100	= 37,204.40	2.447%	X \$59,707.94	= \$1,460.87

The image enhancement budget, minus the amount of general benefit to the public and non-assessed parcels within the HFPBID, is \$58,247.07. The calculations below determine the amount of general benefit to parcels adjacent to the HFPBID.

Parcel Type	Linear Frontage	Benefit Factor	Benefit Units	Benefit Percent	Remaining Budget	
Inside	20,786	X 1.000	= 20,786.00	99.674%	X \$58,247.07	= \$58,057.42
Adjacent	679	X 0.100	= 67.90	0.326%	X \$58,247.07	= \$189.65

Therefore, the allocation of the image enhancement budget is as follows:

General Benefit – Public-At-Large	\$1,218.53
General Benefit – Inside Parcels	\$1,460.87
General Benefit – Adjacent Parcels	\$189.65
Special Benefit	\$58,057.42
<b>Total</b>	<b>\$60,926.47</b>

#### *Enhanced Maintenance*

The enhanced maintenance budget, minus the amount of general benefit to the public-at-large, is \$42,146.79. The calculations below determine the amount of general benefit to non-assessed parcels within the HFPBID. The enhanced maintenance budget category contains intangible activities; the Engineer used the 0.10 benefit factor to quantify the general benefit.

Parcel Type	Square Footage	Benefit Factor	Benefit Units	Benefit Percent	Remaining Budget	
Assessed	1,483,391	X 1.000	= 1,483,391.00	97.553%	X \$42,146.79	= \$41,115.58
Non-Assessed	372,044	X 0.100	= 37,204.40	2.447%	X \$42,146.79	= \$1,031.21

The enhanced maintenance budget, minus the amount of general benefit to the public and non-assessed parcels within the HFPBID, is \$41,115.58. The calculations below determine the amount of general benefit to parcels adjacent to the HFPBID.

Parcel Type	Linear Frontage	Benefit Factor	Benefit Units	Benefit Percent	Remaining Budget	
Inside	20,786	X 1.000	= 20,786.00	99.674%	\$41,115.58	= \$40,981.71
Adjacent	679	X 0.100	= 67.90	0.326%	\$41,115.58	= \$133.87

Therefore, the allocation of the enhanced maintenance budget is as follows:

General Benefit – Public-At-Large	\$860.14
General Benefit – Inside Parcels	\$1,031.21
General Benefit – Adjacent Parcels	\$133.87
Special Benefit	\$40,981.71
<b>Total</b>	<b>\$43,006.93</b>

#### *Contingency/Renewal*

The contingency/renewal budget lines items relate to the activities and improvements provided. These costs have been allocated proportionally based on the special and general benefit provided by each category.

#### *County/City Administration Fee*

The County/City administration fee budget lines items relate to the activities and improvements provided. These costs have been allocated proportionally based on the special and general benefit provided by each category.

	Special Benefit to Parcels	General Benefit to Parcels
Advocacy & Program Coordination	\$59,764.99	\$2,125.37
Image Enhancement	\$58,057.42	\$1,650.52
Enhanced Maintenance	\$40,981.71	\$1,165.08
Activity Totals	\$158,804.12	\$4,940.97
Percent	96.9825%	3.0175%
Contingency/Renewal	\$6,830.29	\$212.51
County/City Administration Fee	\$5,122.71	\$159.39
<b>Total Parcel Benefits</b>	<b>\$170,757.12</b>	<b>\$5,312.87</b>

#### iv. Total Benefits

Based on the foregoing calculations, the total benefits to assessed parcels, non-assessed parcels, and the general public are:

	Special	Parcel General	Public	Total
Advocacy & Program Coordination	\$59,764.99	\$2,125.37	\$1,263.07	\$63,153.43
Image Enhancement	\$58,057.42	\$1,650.52	\$1,218.53	\$60,926.47
Enhanced Maintenance	\$40,981.71	\$1,165.08	\$860.14	\$43,006.93
Contingency/Renewal	\$6,830.29	\$212.52	\$143.73	\$7,186.54
County/City Administration Fee	\$5,122.71	\$159.39	\$107.80	\$5,389.90
<b>Total</b>	<b>\$170,757.12</b>	<b>\$5,312.88</b>	<b>\$3,593.27</b>	<b>\$179,663.27</b>



c. Non-Assessment Funding

The programs funded by the HFPBID receive additional non-assessment funding in the form of grants, corporate sponsorships, event income, city general fund contributions, and other miscellaneous funds. These funding sources are anticipated to equal or exceed the amount of general benefit conferred annually by the HFPBID's activities and improvements, \$8,906.15. These non-assessment funds will be used to pay for the general benefit provided by the HFPBID's activities and improvements, ensuring that parcel assessments will only be used to provide special benefits and "any additional costs of providing general benefits [are] not included in the amounts assessed."<sup>16</sup>

## 2. Special Benefit

The activities and improvements to be provided by the HFPBID constitute and convey special benefits directly to the assessed parcels. Assessment law requires that "the proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided."<sup>17</sup> Further, "no assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."<sup>18</sup> Special benefit "includes incidental or collateral effects that arise from the improvements, maintenance, or activities of property-based districts even if those incidental or collateral effects benefit property or persons not assessed."<sup>19</sup>

To determine the total special benefit value to be conveyed to the assessed parcels, we deduct the general benefit value (\$8,906.15) from the total value of the activities and improvements (\$179,663.27). The remaining \$170,757.12 is considered the special benefit to assessed parcels (the "Total Assessment"). The Total Assessment represents the total value of the special benefit to be provided by the activities and improvements. The Total Assessment has been proportionally divided among the assessed parcels so that no assessment exceeds the reasonable cost of the proportional special benefit conferred on a parcel. The assessment rate has been designed to ensure that "properties that receive the same proportionate special benefit pay the same assessment."<sup>20</sup>

Service Provided	Total Benefit Value	General Benefit Value to Public	Benefit Value to Parcels (Special & General)	Special Benefit to Assessed Parcels
Advocacy & Program Coordination	\$63,153.43	\$1,263.07	\$61,890.36	\$59,764.99
Image Enhancement	\$60,926.47	\$1,218.53	\$59,707.94	\$58,057.42
Enhanced Maintenance	\$43,006.93	\$860.14	\$42,146.78	\$40,981.71
Contingency/Renewal	\$7,186.54	\$143.73	\$7,042.81	\$6,830.29
County/City Administration Fee	\$5,389.90	\$107.80	\$5,282.10	\$5,122.71
<b>TOTAL</b>	<b>\$179,663.27</b>	<b>\$3,593.27</b>	<b>\$176,069.99</b>	<b>\$170,757.12</b>

<sup>16</sup> Streets and Highways Code section 36632(a)

<sup>17</sup> Cal. Const, art XIII D §4(a)

<sup>18</sup> Ibid

<sup>19</sup> Streets and Highways Code section 36615.5

<sup>20</sup> *Tiburón v. Bonander* (2009) 180 Cal.App.4<sup>th</sup> 1057



## B. Assessment Methodology

### 1. Base Formula

Each parcel will be assessed based on proportional special benefits received. The variables used for the annual assessment formula are parcel type, parcel size, benefit zone, and level of development. These variables are all appropriate measures of the proportional special benefit because the need for services, level of services, and quantity of services are all relative to these variables; thus the special benefit provided to each parcel by the services can be proportionally measured using these variables.

#### Determination of Assessment Rates

“Because not all parcels in the district are identical in size...some will receive more special benefit than others.”<sup>21</sup> Each of the variables used relates directly to the service level and special benefit provided to each parcel. Parcel square footage is the size of the parcel, measured in square feet. Size is an appropriate measure of proportional special benefit because it relates directly to the quantity of services provided to the parcel, the highest and best use of a parcel, and reflects the long-term value implications of the HFPBID. The larger a parcel, the more services and benefit the parcel will receive.

Because not all parcels in the HFPBID are identical in use, some will receive more special benefit than others. For example, a non-profit owned parcel will benefit to a lesser degree than a commercial parcel, because it will not enjoy the benefits of increased commerce resulting from the services. Further detail on the benefit to each parcel type is in the following pages. To determine the assessment rates, the assessed parcels were classified by the estimated benefit each type of parcel receives, the estimated special benefit value of the activities and improvements provided to each type was determined based on approximate cost of service provision, and an assessment rate that is proportional to the estimated proportional benefit received by each parcel type was determined.

To determine the assessment rates, the estimated special benefit value for each parcel type was divided by the total assessable parcel square footage, parcel type, and benefit zone as shown in the tables below.

#### *Parcel Type*

Parcel types were categorized based on the typical amount of foot and vehicle traffic on the various commercial and apartment complex parcels. Parcels with heavy traffic, such as commercial parcels, will receive the highest level of services. Parcels with lower traffic, such as apartment complex parcels will receive the lowest level of services. The approximate cost of services by parcel type was determined. Then, the cost of services by type was divided by the parcel square footage of those parcels to determine the assessment rates.

#### *Parcel Size*

The HFPBID’s services will benefit each assessed parcel as a whole. The service budget which, in this Engineer’s estimation, represents special benefits to the parcels, has been allocated based on parcel size.

<sup>21</sup> *Dahms v. Downtown Pomona* (2009) 174 Cal.App.4th 708

Parcel Type	Initial Parcel Size Budget	Parcel Square Footage	Initial Parcel Assessment Rate (\$/sqft/yr)
Zone 1A Commercial	\$52,002.45 ÷	346,683 =	\$0.15
Zone 1B Commercial	\$1,351.84 ÷	7,952 =	\$0.17
Zone 2 Commercial	\$53,798.80 ÷	338,777 =	\$0.17
Zone 3 Commercial	\$24,138.81 ÷	283,986 =	\$0.085
Zone 4 Commercial	\$39,465.23 ÷	526,203 =	\$0.075

Property tax-exempt parcels owned by non-profit entities and religious institutions will be assessed at fifty percent (50%) of the standard commercial assessment rate.

Summary of Assessment Rates

Therefore, for the initial year, the maximum annual assessment rates to parcels are as shown below and in Appendix 1. Maximum annual assessment rates may be subject to an increase of no more than three (3%) percent per year as shown in Appendix 1.

Parcel Type	Annual Assessment Rate (\$/sq ft)				
	Zone 1A	Zone 1B	Zone 2	Zone 3	Zone 4
Commercial Uses	\$0.15	\$0.17	\$0.17	\$0.085	\$0.075
Non-Profit/Religious	\$0.075	\$0.085	\$0.085	\$0.0425	\$0.0375

Sample assessment calculations are shown in Appendix 4.

**2. Zone 1**

Parcels in Zone 1 receive and benefit from all HFPBID services.

Zone 1 parcels include the Historic Folsom Station, Light Rail Station, Leidesdorff Plaza, amphitheater, parking garage, and a small number of retail-oriented or undeveloped parcels. These parcels receive a significant level of pedestrian traffic mainly due to their function and proximity to Zone 2.

**i. Zone 1A**

Parcels in Zone 1 which are not fully developed and have not been issued a Certificate of Occupancy are designated Zone 1A. Because these parcels are not developed, they have a low ratio of building square footage to lot square footage and receive approximately 80% of pedestrian traffic compared to Zone 2. For these reasons, the assessment rate for Zone 1A parcels is equal to approximately 80% of the assessment rate in Zone 2. When the annual review of assessments is conducted, if development has been completed on a parcel in Zone 1A and a Certificate of Occupancy has been issued for the parcel, then the Zone 1A parcel will be considered as Zone 1B for all future assessments.

**ii. Zone 1B**

Parcels in Zone 1 which are fully developed and have been issued a Certificate of Occupancy are designated Zone 1B. Because these parcels are fully developed and occupied, they have a high ratio of building square footage to lot square footage and receive approximately the same level of pedestrian traffic compared to Zone 2. For these reasons, the assessment rate for Zone 1B parcels is equal to the assessment rate in Zone 2.

### 3. Zone 2

Parcels in Zone 2 receive and benefit from all HFPBID services.

These parcels are mostly commercial-oriented and sit along the Sutter Street corridor which serves as the main location for events and other activities. Zone 2 parcels are different in character than the parcels in the other zones; the build out of the zone was based on historic standards and is more intense than other zones. The ratio of building square footage to parcel size is significantly higher than in other zones.

As a result of the high ratio of building square footage and economic activity of the zone, Zone 2 parcels have the highest levels of day and night pedestrian traffic. For these reasons, the assessment rate for Zone 2 is the highest.

### 4. Zone 3

Parcels in Zone 3 receive and benefit from all HFPBID services.

Parcels in Zone 3 have approximately half of the ratio of building square footage to lot square footage compared to Zones 1 and 2 and receive a lower pedestrian traffic level compared to Zone 2, therefore the assessment rate for parcels in Zone 3 is equal to half of the rate in Zone 2.

### 5. Zone 4

Parcels in Zone 4 receive limited HFPBID benefits compared to Zones 2, 1, and 3.

These parcels are primarily non-commercial, consisting mostly of office and government buildings. The parcels in Zone 4 receive the lowest level of pedestrian traffic compared to Zones 2, 1, and 3 parcels (approximately half of the pedestrian traffic level compared to Zone 1), and a low ratio of building square footage to lot square footage. For these reasons, Zone 4 is assessed at the lowest assessment rate.

### 6. Commercial Parcels

Commercial parcels will receive and benefit from all HFPBID services (Advocacy & Program Coordination, Image Enhancement, and Enhanced Maintenance), services, which are aimed to attract and increase customers and visitors to assessed parcels. Commercial parcels include retail-use, office-use, industrial, school, park, mixed-use, residential hotel, motel, and resort parcels, road parcels, and vacant parcels & parking lots zoned or used for any the of the aforementioned uses. These parcels have a commercial component because their owners aim to benefit from tenant rents, now or in the future, increased customers, or increased use by visitors. The primary purpose of the HFPBID is to provide property owner services which generate special benefits to parcels with commercial uses, and will therefore be assessed the full rate.

Vacant parcels assessed at the commercial rate include parcels either zoned or used for the uses specified in the previous paragraph. These vacant parcels will receive and benefit from all HFPBID services. These parcels are prone to experience nuisance issues because they are open spaces and are not frequently visited by property owners. The ease of access and infrequent visitation by property owners contributes to nuisance issues and have a high remediation cost for the owner. HFPBID Image Enhancement, and Enhanced Maintenance services will reduce nuisance behaviors and the occurrence of detrimental activities such as graffiti, littering, loitering, and criminal activity, which negatively impact the parcels. The Advocacy & Program Coordination provided by the HFPBID will assist property owners with vacant parcels when they attempt to develop or sell the parcel by promoting the HFPBID as a desirable, clean and safe area for doing business.

### **7. Property Tax-Exempt Non-Profit and Religious Parcels**

As stated above, the primary purpose of the HFPBID is to benefit parcels with commercial uses. Property tax-exempt parcels owned by non-profit entities and religious institutions despite their non-commercial nature, will nonetheless benefit from the cleaner, safer environment the HFPBID will create. Therefore, property tax-exempt parcels owned by non-profit entities and religious institutions within the boundaries of the HFPBID will pay an assessment rate that is fifty percent (50%) of the standard commercial assessment rate, which is commensurate to the benefit they receive. Vacant lots that are located on the premises of a property tax-exempt parcel will be assessed at the non-profit rate.

### **8. Government- Owned Parcels**

Under “The Right to Vote on Taxes Act” (also known as Proposition 218) all public parcels are required to pay assessments unless they can demonstrate by clear and convincing evidence that their parcels do not receive benefit. Parcels owned by the City of Folsom and other public entities will receive and benefit from all of the HFPBID’s services, therefore they will pay the commercial rate which is commensurate with their “fair share” of all assessments.

### **9. Non-Assessed Parcels**

There are thirty-four (34) parcels within the HFPBID that will not be assessed. These parcels are neither commercial nor non-profit/religious parcels and will not specially benefit from or directly receive the HFPBID’s activities and improvements. These parcels are accounted for in the analysis of general benefit provided to non-assessed parcels within the HFPBID. These parcels have the following uses:

*Residential Parcels:* California Streets and Highways Code Section 36632(c) states, “Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and services funded through these assessments and shall not be subject to any assessment pursuant to this part.” The primary purpose of the HFPBID is to benefit parcels with commercial and non-profit uses; services have not been designed to benefit and will not be provided to single family residential parcels. Therefore, parcels within the boundaries of the HFPBID to the extent that they are zoned for single-family, multi-family, or vacant lots zoned as having residential uses shall not be assessed.

### **10. Changes in Data**

It is the intent of this Plan and Engineer’s Report that each parcel included in the HFPBID can be clearly identified. Every effort has been made to ensure that all parcels included in the HFPBID are consistent in the boundary map and the assessment calculation table. However, if inconsistencies arise, the order of precedence shall be: 1) the assessment calculation table and 2) the boundary map.

If the parcel size or type of a parcel changes during the term of this HFPBID, the assessment calculation may be modified accordingly.

#### *Categorization Appeals*

The category determined for each parcel is shown in Appendix 4. The use for each parcel is established at formation and may be updated upon each renewal. If a parcel owner believes their parcel has been mis-classified or has changed, they may appeal in writing to the City of Folsom for re-consideration. Appeals must be received by the City no later than June 1 of each year. Appeals must include the parcel number, current classification, requested classification, and the evidence upon which the appeal is based. Appeals will not provide retroactive reductions.

Appeals should be made to:

Finance Director  
City of Folsom  
50 Natoma Street  
Folsom, CA 95630  
916-461-6080

**C. Engineer's Certification**

I hereby certify, to the best of my knowledge and experience, that each of the identified assessed parcels located within the Historic Folsom Property and Business Improvement District will receive a special benefit over and above the general benefits conferred and that the amount of the assessment is no greater than the proportional special benefits conferred on each parcel, as described in this Engineer's Report.

Review of this Historic Folsom Property and Business Improvement District Management District Plan and preparation of the Engineer's Report was completed by:



Ross Peabody  
State of California

February 27, 2023

Date

*This Engineer's Report is intended to be distributed as part of the Management District Plan in its entirety, including the Assessment Calculation Table (Appendix 4) and the Boundary Map. Reproduction and distribution of only Section IX of this Management District Plan violates the intent of this stamp and signature.*



## APPENDIX 1 – MAXIMUM ANNUAL ASSESSMENT RATES

The table below illustrate the maximum annual assessment rates with the assumption that the rates will be increased annually by three percent (3%). The maximum rates listed are a required disclosure and not the anticipated course of action.

Year	Commercial Zone 1A	Commercial Zone 1B	Commercial Zone 2	Commercial Zone 3	Commercial Zone 4
2024	\$0.1500	\$0.1700	\$0.1700	\$0.0850	\$0.0750
2025	\$0.1545	\$0.1751	\$0.1751	\$0.0876	\$0.0773
2026	\$0.1591	\$0.1804	\$0.1804	\$0.0902	\$0.0796
2027	\$0.1639	\$0.1858	\$0.1858	\$0.0929	\$0.0820
2028	\$0.1688	\$0.1913	\$0.1913	\$0.0957	\$0.0844
2029	\$0.1739	\$0.1971	\$0.1971	\$0.0985	\$0.0869
2030	\$0.1791	\$0.2030	\$0.2030	\$0.1015	\$0.0896
2031	\$0.1845	\$0.2091	\$0.2091	\$0.1045	\$0.0922
2032	\$0.1900	\$0.2154	\$0.2154	\$0.1077	\$0.0950
2033	\$0.1957	\$0.2218	\$0.2218	\$0.1109	\$0.0979

Fiscal Year	Non-Profit/Religious Zone 1A	Non-Profit/Religious Zone 1B	Non-Profit/Religious Zone 2	Non-Profit/Religious Zone 3	Non-Profit/Religious Zone 4
2024	\$0.0750	\$0.0850	\$0.0850	\$0.0425	\$0.0375
2025	\$0.0773	\$0.0876	\$0.0876	\$0.0438	\$0.0386
2026	\$0.0796	\$0.0902	\$0.0902	\$0.0451	\$0.0398
2027	\$0.0820	\$0.0929	\$0.0929	\$0.0464	\$0.0410
2028	\$0.0844	\$0.0957	\$0.0957	\$0.0478	\$0.0422
2029	\$0.0869	\$0.0985	\$0.0985	\$0.0493	\$0.0435
2030	\$0.0896	\$0.1015	\$0.1015	\$0.0507	\$0.0448
2031	\$0.0922	\$0.1045	\$0.1045	\$0.0523	\$0.0461
2032	\$0.0950	\$0.1077	\$0.1077	\$0.0538	\$0.0475
2033	\$0.0979	\$0.1109	\$0.1109	\$0.0555	\$0.0489



## APPENDIX 2 – PBID LAW

\*\*\* THIS DOCUMENT IS CURRENT THROUGH THE 2023 SUPPLEMENT \*\*\*  
(ALL 2022 LEGISLATION)

### STREETS AND HIGHWAYS CODE DIVISION 18. PARKING PART 7. PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994

#### CHAPTER 1. General Provisions

#### ARTICLE 1. Declarations

##### **36600. Citation of part**

This part shall be known and may be cited as the “Property and Business Improvement District Law of 1994.”

##### **36601. Legislative findings and declarations; Legislative guidance**

The Legislature finds and declares all of the following:

- (a) Businesses located and operating within business districts in some of this state’s communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.
- (b) It is in the public interest to promote the economic revitalization and physical maintenance of business districts in order to create jobs, attract new businesses, and prevent the erosion of the business districts.
- (c) It is of particular local benefit to allow business districts to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that receive benefits from those improvements.
- (d) Assessments levied for the purpose of conferring special benefit upon the real property or a specific benefit upon the businesses in a business district are not taxes for the general benefit of a city, even if property, businesses, or persons not assessed receive incidental or collateral effects that benefit them.
- (e) Property and business improvement districts formed throughout this state have conferred special benefits upon properties and businesses within their districts and have made those properties and businesses more useful by providing the following benefits:
  - (1) Crime reduction. A study by the Rand Corporation has confirmed a 12-percent reduction in the incidence of robbery and an 8-percent reduction in the total incidence of violent crimes within the 30 districts studied.
  - (2) Job creation.
  - (3) Business attraction.
  - (4) Business retention.
  - (5) Economic growth.
  - (6) New investments.
- (f) With the dissolution of redevelopment agencies throughout the state, property and business improvement districts have become even more important tools with which communities can combat blight, promote economic opportunities, and create a clean and safe environment.
- (g) Since the enactment of this act, the people of California have adopted Proposition 218, which added Article XIII D to the Constitution in order to place certain requirements and restrictions on the formation of, and activities, expenditures, and assessments by property-based districts. Article XIII D of the Constitution provides that property-based districts may only levy assessments for special benefits.
- (h) The act amending this section is intended to provide the Legislature’s guidance with regard to this act, its interaction with the provisions of Article XIII D of the Constitution, and the determination of special benefits in property-based districts.
  - (1) The lack of legislative guidance has resulted in uncertainty and inconsistent application of this act, which discourages the use of assessments to fund needed improvements, maintenance, and activities in property-based districts, contributing to blight and other underutilization of property.
  - (2) Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not assessed. Therefore,

for special benefits to exist as a separate and distinct category from general benefits, the incidental or collateral effects of those special benefits are inherently part of those special benefits. The mere fact that special benefits produce incidental or collateral effects that benefit property or persons not assessed does not convert any portion of those special benefits or their incidental or collateral effects into general benefits. (3) It is of the utmost importance that property-based districts created under this act have clarity regarding restrictions on assessments they may levy and the proper determination of special benefits. Legislative clarity with regard to this act will provide districts with clear instructions and courts with legislative intent regarding restrictions on property-based assessments, and the manner in which special benefits should be determined.

### **36602. Purpose of part**

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within property and business improvement districts, to ensure that those assessments conform to all constitutional requirements and are determined and assessed in accordance with the guidance set forth in this act. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

### **36603. Preemption of authority or charter city to adopt ordinances levying assessments**

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

### **36603.5. Part prevails over conflicting provisions**

Any provision of this part that conflicts with any other provision of law shall prevail over the other provision of law, as to districts created under this part.

### **36604. Severability**

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

## **ARTICLE 2. Definitions**

### **36606. "Activities"**

"Activities" means, but is not limited to, all of the following that benefit businesses or real property in the district:

- (a) Promotion of public events.
- (b) Furnishing of music in any public place.
- (c) Promotion of tourism within the district.
- (d) Marketing and economic development, including retail retention and recruitment.
- (e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
- (f) Other services provided for the purpose of conferring special benefit upon assessed real property or specific benefits upon assessed businesses located in the district.

### **36606.5. "Assessment"**

"Assessment" means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and providing activities that will provide certain benefits to properties or businesses located within a property and business improvement district.

### **36607. "Business"**

"Business" means all types of businesses and includes financial institutions and professions.

**36608. “City”**

“City” means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

**36609. “City council”**

“City council” means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

**36609.4. “Clerk”**

“Clerk” means the clerk of the legislative body.

**36609.5. “General benefit”**

“General benefit” means, for purposes of a property-based district, any benefit that is not a “special benefit” as defined in Section 36615.5.

**36610. “Improvement”**

“Improvement” means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

- (a) Parking facilities.
- (b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
- (c) Trash receptacles and public restrooms.
- (d) Lighting and heating facilities.
- (e) Decorations.
- (f) Parks.
- (g) Fountains.
- (h) Planting areas.
- (i) Closing, opening, widening, or narrowing of existing streets.
- (j) Facilities or equipment, or both, to enhance security of persons and property within the district.
- (k) Ramps, sidewalks, plazas, and pedestrian malls.
- (l) Rehabilitation or removal of existing structures.

**36611. “Management district plan”; “Plan”**

“Management district plan” or “plan” means a proposal as defined in Section 36622.

**36612. “Owners’ association”**

“Owners’ association” means a private nonprofit entity that is under contract with a city to administer or implement improvements, maintenance, and activities specified in the management district plan. An owners’ association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners’ association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners’ association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code), for all records relating to activities of the district.

**36614. “Property”**

“Property” means real property situated within a district.

**36614.5. “Property and business improvement district”; “District”**

“Property and business improvement district,” or “district,” means a property and business improvement district established pursuant to this part.

**36614.6. “Property-based assessment”**

“Property-based assessment” means any assessment made pursuant to this part upon real property.

**36614.7. “Property-based district”**

“Property-based district” means any district in which a city levies a property-based assessment.

**36615. “Property owner”; “Business owner”; “Owner”**

“Property owner” means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. “Business owner” means any person recognized by the city as the owner of the business. “Owner” means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

**36615.5. “Special benefit”**

(a) “Special benefit” means, for purposes of a property-based district, a particular and distinct benefit over and above general benefits conferred on real property located in a district or to the public at large. Special benefit includes incidental or collateral effects that arise from the improvements, maintenance, or activities of property-based districts even if those incidental or collateral effects benefit property or persons not assessed. Special benefit excludes general enhancement of property value.

(b) “Special benefit” also includes, for purposes of a property-based district, a particular and distinct benefit provided directly to each assessed parcel within the district. Merely because parcels throughout an assessment district share the same special benefits does not make the benefits general.

**36616. “Tenant”**

“Tenant” means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

**ARTICLE 3. Prior Law****36617. Alternate method of financing certain improvements and activities; Effect on other provisions**

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

**CHAPTER 2. Establishment****36620. Establishment of property and business improvement district**

A property and business improvement district may be established as provided in this chapter.

**36620.5. Requirement of consent of city council**

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

**36621. Initiation of proceedings; Petition of property or business owners in proposed district**

- (a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.
- (b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:
- (1) A map showing the boundaries of the district.
  - (2) Information specifying where the complete management district plan can be obtained.
  - (3) Information specifying that the complete management district plan shall be furnished upon request.
- (c) The resolution of intention described in subdivision (a) shall contain all of the following:
- (1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities, and the location and extent of the proposed district.
  - (2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

**36622. Contents of management district plan**

The management district plan shall include, but is not limited to, all of the following:

- (a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.
- (b) The name of the proposed district.
- (c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected property and businesses included, which may be made by reference to any plan or map that is on file with the clerk. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.
- (d) The improvements, maintenance, and activities proposed for each year of operation of the district and the estimated cost thereof. If the improvements, maintenance, and activities proposed for each year of operation are the same, a description of the first year's proposed improvements, maintenance, and activities and a statement that the same improvements, maintenance, and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.
- (e) The total annual amount proposed to be expended for improvements, maintenance, or activities, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based

upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.

(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against their property or business. The plan also shall state whether bonds will be issued to finance improvements.

(g) The time and manner of collecting the assessments.

(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.

(i) The proposed time for implementation and completion of the management district plan.

(j) Any proposed rules and regulations to be applicable to the district.

(k)

(1) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof.

(2) In a property-based district, the proportionate special benefit derived by each identified parcel shall be determined exclusively in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the activities. An assessment shall not be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and a property-based district shall separate the general benefits, if any, from the special benefits conferred on a parcel. Parcels within a property-based district that are owned or used by any city, public agency, the State of California, or the United States shall not be exempt from assessment unless the governmental entity can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit. The value of any incidental, secondary, or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.

(3) In a property-based district, properties throughout the district may share the same special benefits. In a district with boundaries that define which parcels are to receive improvements, maintenance, or activities over and above those services provided by the city, the improvements, maintenance, or activities themselves may constitute a special benefit. The city may impose assessments that are less than the proportional special benefit conferred, but shall not impose assessments that exceed the reasonable costs of the proportional special benefit conferred. Because one or more parcels pay less than the special benefit conferred does not necessarily mean that other parcels are assessed more than the reasonable cost of their special benefit.

(l) In a property-based district, a detailed engineer's report prepared by a registered professional engineer certified by the State of California supporting all assessments contemplated by the management district plan.

(m) Any other item or matter required to be incorporated therein by the city council.

### **36623. Procedure to levy assessment**

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.

(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of businesses in the proposed



district that will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

#### **36624. Changes to proposed assessments**

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements, maintenance, and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements, maintenance, and activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

#### **36625. Resolution of formation**

(a) If the city council, following the public hearing, decides to establish a proposed property and business improvement district, the city council shall adopt a resolution of formation that shall include, but is not limited to, all of the following:

- (1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement on whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements need not be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities and the location and extent of the proposed district.
- (2) The number, date of adoption, and title of the resolution of intention.
- (3) The time and place where the public hearing was held concerning the establishment of the district.
- (4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.
- (5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.
- (6) A statement that the improvements, maintenance, and activities to be conferred on businesses and properties in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements, maintenance, or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district. Notwithstanding the foregoing, improvements and activities that must be provided outside the district boundaries to create a special or specific benefit to the assessed parcels or businesses may be provided, but shall be limited to marketing or signage pointing to the district.
- (7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements, maintenance, and activities funded by the proposed assessments, and, for a property-based district, that property within the district will receive a special benefit.
- (8) In a property-based district, the total amount of all special benefits to be conferred on the properties within the property-based district.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

#### **36627. Notice and assessment diagram**

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625, the clerk shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

**36628. Establishment of separate benefit zones within district; Categories of businesses**

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

**36628.5. Assessments on businesses or property owners**

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements, maintenance, and activities, provided that any property-based assessment conforms with the requirements set forth in paragraph (2) of subdivision (k) of Section 36622.

**36629. Provisions and procedures applicable to benefit zones and business categories**

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

**36630. Expiration of district; Creation of new district**

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and the district may be renewed pursuant to this part.

**CHAPTER 3. Assessments**

**36631. Time and manner of collection of assessments; Delinquent payments**

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part may be charged interest and penalties.

**36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property**

(a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.

(b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.

(c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

**36633. Time for contesting validity of assessment**

The validity of an assessment levied under this part shall not be contested in an action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36625. An appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

**36634. Service contracts authorized to establish levels of city services**

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

**36635. Request to modify management district plan**

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

**36636. Modification of plan by resolution after public hearing; Adoption of resolution of intention**

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public hearings pursuant to this section shall comply with both of the following:

- (1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public hearing.
- (2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public hearing, to each business owner or property owner affected by the proposed modification.

(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

**36637. Reflection of modification in notices recorded and maps**

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

**CHAPTER 3.5. Financing****36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments**

(a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.

(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.

(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

#### CHAPTER 4. Governance

##### **36650. Report by owners' association; Approval or modification by city council**

(a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements, maintenance, and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.

(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:

- (1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.
- (2) The improvements, maintenance, and activities to be provided for that fiscal year.
- (3) An estimate of the cost of providing the improvements, maintenance, and activities for that fiscal year.
- (4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.
- (5) The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- (6) The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636. The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

##### **36651. Designation of owners' association to provide improvements, maintenance, and activities**

The management district plan may, but is not required to, state that an owners' association will provide the improvements, maintenance, and activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

#### CHAPTER 5. Renewal

##### **36660. Renewal of district; Transfer or refund of remaining revenues; District term limit**

(a) Any district previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this chapter.

(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.

(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

#### CHAPTER 6. Disestablishment

**36670. Circumstances permitting disestablishment of district; Procedure**

(a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:

(1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.

(2) During the operation of the district, there shall be a 30-day period each year in which assesses may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the district who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.

(b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

**36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district**

(a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.

(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.







## APPENDIX 4 – PARCEL ASSESSMENT CALCULATIONS

MapKey	APN	Lot SqFt	Rate	Assessment	Zone	COEF
1	07000100170000	38,180	0.15	\$5,727.00	1A	COM
2	07000320020000	12,632	0.075	\$947.40	4	COM
3	07000320050000	62,726	0.075	\$4,704.45	4	COM
4	07000330020000	10,454	0.075	\$784.05	4	COM
5	07000330030000	50,094	0.075	\$3,757.05	4	COM
6	07000340010000	56,192	0.075	\$4,214.40	4	COM
7	07000340020000	69,260	0.075	\$5,194.50	4	COM
8	07000410010000	47,916	0.075	\$3,593.70	4	COM
9	07000410020000	7,405	0.075	\$555.38	4	COM
10	07000410030000	49,223	0.075	\$3,691.73	4	COM
11	07000420010000	27,007	0.075	\$2,025.53	4	COM
12	07000420020000	27,443	0	\$0.00	4	SFR / NA
13	07000420030000	6,534	0	\$0.00	4	SFR / NA
14	07000450030000	18,600	0	\$0.00	4	SFR / NA
15	07000450060000	2,800	0	\$0.00	4	SFR / NA
16	07000450070000	2,800	0	\$0.00	4	SFR / NA
17	07000450080000	5,600	0	\$0.00	4	SFR / NA
18	07000450090000	2,800	0	\$0.00	4	SFR / NA
19	07000450100000	3,500	0	\$0.00	4	SFR / NA
20	07000450130000	5,250	0	\$0.00	4	SFR / NA
21	07000450140000	8,750	0	\$0.00	4	SFR / NA
22	07000450150000	19,602	0.075	\$1,470.15	4	COM
23	07000450170000	5,250	0	\$0.00	4	SFR / NA
24	07000450190000	9,148	0	\$0.00	4	SFR / NA
25	07000450200000	15,246	0	\$0.00	4	SFR / NA
26	07000450230000	1,750	0	\$0.00	4	SFR / NA
27	07000450260000	52,708	0.075	\$3,953.10	4	COM
28	07000450270000	54,014	0.075	\$4,051.05	4	COM
29	07000450280000	6,970	0.075	\$522.75	4	COM
30	07000450290000	2,325	0	\$0.00	4	SFR / NA
31	07000450310000	5,250	0	\$0.00	4	SFR / NA
32	07000450320000	13,950	0	\$0.00	4	SFR / NA
33	07000450370000	7,500	0	\$0.00	4	SFR / NA
34	07000450380000	11,100	0	\$0.00	4	SFR / NA

35	07000460140000	7,000	0	\$0.00	4	SFR / NA
36	07000460150000	7,055	0	\$0.00	4	SFR / NA
37	07000460160000	4,565	0	\$0.00	4	SFR / NA
38	07000460210000	24,500	0	\$0.00	4	SFR / NA
39	07000460220000	15,120	0	\$0.00	4	SFR / NA
40	07000460230000	10,500	0	\$0.00	4	SFR / NA
41	07000460240000	28,125	0	\$0.00	4	SFR / NA
42	07000460260000	56,192	0	\$0.00	4	SFR / NA
43	07000460330000	6,052	0	\$0.00	4	SFR / NA
44	07000460340000	10,376	0	\$0.00	4	SFR / NA
45	07000510320000	16,840	0	\$0.00	3	SFR / NA
46	07000510420000	96,703	0.085	\$8,219.76	3	COM
47	07000510430000	3,217	0.085	\$273.45	3	COM
48	07000510500000	15,489	0.085	\$1,316.57	3	COM
49	07000510570000	168,577	0.085	\$14,329.05	3	COM
50	07000510580000	9,913	0	\$0.00	3	SFR / NA
51	07000520010000	1,742	0.085	\$148.07	2	TE/NP/R
52	07000520020000	1,625	0.085	\$138.13	2	TE/NP/R
53	07000520050000	3,500	0.17	\$595.00	2	COM
54	07000520090000	4,200	0.17	\$714.00	2	COM
55	07000520100000	4,900	0.17	\$833.00	2	COM
56	07000520110000	9,921	0.17	\$1,686.57	2	COM
57	07000520120000	1,750	0.17	\$297.50	2	COM
58	07000520130000	1,875	0.17	\$318.75	2	COM
59	07000520140000	1,875	0.17	\$318.75	2	COM
60	07000520150000	7,000	0.17	\$1,190.00	2	COM
61	07000520170000	1,750	0.17	\$297.50	2	COM
62	07000520180000	7,000	0.17	\$1,190.00	2	COM
63	07000520190000	7,000	0.17	\$1,190.00	2	COM
64	07000520220000	15,611	0.15	\$2,341.65	1A	COM
65	07000520230000	192,100	0.15	\$28,815.00	1A	COM
66	07000520240000	21,092	0.15	\$3,163.80	1A	COM
67	07000520250000	7,952	0.17	\$1,351.84	1B	COM
68	07000520260000	23,943	0.15	\$3,591.45	1A	COM
69	07000520270000	55,757	0.15	\$8,363.55	1A	COM
70	07000610100000	26,060	0.17	\$4,430.20	2	COM
71	07000610110000	5,394	0.17	\$916.98	2	COM
72	07000610130000	4,812	0.17	\$818.04	2	COM
73	07000610140000	5,527	0.17	\$939.59	2	COM

74	07000610150000	14,000	0.17	\$2,380.00	2	COM
75	07000940120000	5,473	0.17	\$930.41	2	COM
76	07001010010000	7,260	0.17	\$1,234.20	2	COM
77	07001010020000	5,600	0.17	\$952.00	2	COM
78	07001010030000	7,000	0.17	\$1,190.00	2	COM
79	07001010040000	5,250	0.17	\$892.50	2	COM
80	07001010050000	1,750	0.17	\$297.50	2	COM
81	07001010060000	2,660	0.17	\$452.20	2	COM
82	07001010070000	4,060	0.17	\$690.20	2	COM
83	07001010290000	21,649	0.17	\$3,680.33	2	COM
84	07001030050000	13,510	0.17	\$2,296.70	2	COM
85	07001030060000	4,830	0.17	\$821.10	2	COM
86	07001030070000	5,663	0.17	\$962.71	2	COM
87	07001030080000	3,220	0.17	\$547.40	2	COM
88	07001030090000	2,800	0.17	\$476.00	2	COM
89	07001030100000	3,640	0.17	\$618.80	2	COM
90	07001030170000	13,440	0.17	\$2,284.80	2	COM
91	07001030190000	8,960	0.085	\$761.60	2	TE/NP/R
92	07001050020000	5,600	0.17	\$952.00	2	COM
93	07001050030000	3,500	0.17	\$595.00	2	COM
94	07001050040000	3,500	0.17	\$595.00	2	COM
95	07001050050000	7,000	0.17	\$1,190.00	2	COM
96	07001050060000	7,000	0.17	\$1,190.00	2	COM
97	07001050070000	2,800	0.17	\$476.00	2	COM
98	07001050080000	2,800	0.17	\$476.00	2	COM
99	07001050090000	2,800	0.17	\$476.00	2	COM
100	07001050100000	3,906	0.17	\$664.02	2	COM
101	07001050110000	5,628	0.17	\$956.76	2	COM
102	07001050120000	3,066	0.17	\$521.22	2	COM
103	07001050180000	4,610	0.17	\$783.70	2	COM
104	07001050190000	3,808	0.17	\$647.36	2	COM
105	07001110010000	1,549	0.17	\$263.33	2	COM
106	07001110020000	5,451	0.17	\$926.67	2	COM
107	07001110030000	7,000	0.17	\$1,190.00	2	COM
108	07001110040000	7,000	0.17	\$1,190.00	2	COM
109	07001110050000	1,750	0.17	\$297.50	2	COM
110	07001110060000	1,750	0.17	\$297.50	2	COM
111	07001110090000	3,700	0.17	\$629.00	2	COM
112	07001110100000	7,400	0.17	\$1,258.00	2	COM

113	07001110110000	9,900	0	\$0.00	2	SFR / NA
114	07001110170000	4,313	0.17	\$733.21	2	COM
115	07001110190000	6,250	0	\$0.00	2	SFR / NA

## APPENDIX 5 – TOTAL ESTIMATED MAXIMUM COST OF IMPROVEMENTS, MAINTENANCE, AND ACTIVITIES

The estimated maximum cost of the line items below was developed based on the estimated costs of providing services in the proposed HFPBID. The costs below are estimated; the actual line item costs will fluctuate. The table below shows expenditures from assessment and non-assessed funds. Assessment funds are governed by Section VI. There is no limit on reallocation of non-assessment funds by the Owners' Association. The total maximum budget may exceed the maximum listed in this table if parcel ownership changes result in parcels being assessed at a higher rate due to a higher estimated benefit.

<b>Year</b>	<b>Advocacy &amp; Program Coordination</b>	<b>Image Enhancement</b>	<b>Enhanced Maintenance</b>	<b>Contingency / Reserve</b>	<b>County/City Fee</b>	<b>Total</b>
2024	\$63,153.43	\$60,926.47	\$43,006.93	\$7,186.54	\$5,389.90	\$179,663.27
2025	\$65,048.03	\$62,754.26	\$44,297.14	\$7,402.14	\$5,551.60	\$185,053.17
2026	\$66,999.47	\$64,636.89	\$45,626.05	\$7,624.20	\$5,718.15	\$190,604.76
2027	\$69,009.45	\$66,576.00	\$46,994.83	\$7,852.93	\$5,889.69	\$196,322.90
2028	\$71,079.73	\$68,573.28	\$48,404.67	\$8,088.52	\$6,066.38	\$202,212.58
2029	\$73,212.12	\$70,630.48	\$49,856.81	\$8,331.18	\$6,248.37	\$208,278.96
2030	\$75,408.48	\$72,749.39	\$51,352.51	\$8,581.12	\$6,435.82	\$214,527.32
2031	\$77,670.73	\$74,931.87	\$52,893.09	\$8,838.55	\$6,628.89	\$220,963.13
2032	\$80,000.85	\$77,179.83	\$54,479.88	\$9,103.71	\$6,827.76	\$227,592.03
2033	\$82,400.88	\$79,495.22	\$56,114.28	\$9,376.82	\$7,032.59	\$234,419.79
<b>Total</b>	<b>\$723,983.17</b>	<b>\$698,453.69</b>	<b>\$493,026.19</b>	<b>\$82,385.71</b>	<b>\$61,789.15</b>	<b>\$2,059,637.91</b>

## APPENDIX 6 – BASELINE SERVICES PROVIDED

The City of Folsom will continue to provide a baseline level of services throughout the District, consistent with services provided to parcels outside the District. The tables below show the baseline level of services as of August 2022; these services may only be reduced in the event of a city-wide service reduction.

<b>SAFETY, POLICING &amp; SECURITY</b>			
<b>Activity</b>	<b>Responsible Party</b>	<b>Level of Service</b>	<b>Comments</b>
Police: Patrol	City of Folsom Police Department	Patrol services will be provided as directed by an established patrol staffing plan.	
Police: Special Problems Units	City of Folsom Police Department	Special enforcement units handle issues involving gangs and the selling of drugs in the City of Folsom, as needed	
Police: Graffiti Abatement	City of Folsom Police Department	When observed, officers advise City crews of abatement needed.	Private property clean-up is the responsibility of the property owner.
Police: Parking Enforcement	City of Folsom Police Department	Officers patrol the Historic District as part of their standard tour of duty. This includes enforcement of parking regulations for vehicles utilizing public parking lots and on-street parking.	Historic District has restricted parking (time limits and residential permits) and receives regular patrols from parking enforcement. Provisions exist to allow employee parking in some time-limited parking lots
Police/Fire: Special Events	City of Folsom Police Department and Fire Department	Police and Fire Department staff review request for special events, and provide personnel as outlined/required in the Special Event Permits.	Unless waived by the City Council, special events require the promoter/sponsor to pay Police and/or Fire Department expenses.
Security Guards	None Provided		
Private Security	Individual Property Owners	Hiring own security for localized security services in parking lots, garages, building interiors and perimeters.	

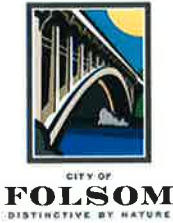


Activity	Responsible Party	Level of Service	Comments
Historic Folsom Station Plaza	City of Folsom	Ongoing clean-up, landscaping maintenance	Event impacts paid by sponsor and as also specified in Special Event permit conditions
Parking Garage	City of Folsom	Ongoing maintenance	
Public Restrooms Security Issues	City of Folsom	Ongoing maintenance	Event impacts paid by sponsor and as also specified in Special Event permit conditions
Signage – street signs and interpretive amenities	City of Folsom	Ongoing maintenance	Changeable content of signage managed by FHDA
Street Lighting	City of Folsom	Lights changed on an as-needed basis. The Public Works Department is responsible for upkeep and maintenance of street lighting.	
Graffiti Removal	City of Folsom Code Enforcement	As identified and response based.	On public property
Sidewalks General	City of Folsom Public Works Department	Make necessary repairs when needed for safety and aesthetics	
Sidewalk Receptacles and Benches	City of Folsom Parks and Recreation Department	Install, replace & maintain benches, receptacles and recycling receptacles in the historic area, as needed.	
Drinking Fountains, Public Art and other Street furniture	City of Folsom Parks and Recreation Department	Ongoing Maintenance	
Alley	City of Folsom Public Works Department	Respond to service requests on an as-needed basis.	
Maintenance: Vacant lots	City of Folsom Code Enforcement	Property owners can report owners who do not upkeep their lots. (e.g. junk and debris, weeds)	If delinquent, City may pursue lawful means to correction violation

Activity	Responsible Party	Level of Service	Comments
Parking: Off-street Public Lots	City of Folsom Public Works Department	Street crews clean trash and debris monthly or by location with Service Request. Potholes and bumper repairs are performed on an as-needed basis.	
Parking: On-street	City of Folsom Public Works Department	Maintain parking spaces, , on as needed basis.	Cleaning scheduled to avoid disrupting parking demand.
Street: General Maintenance	City of Folsom Public Works Department	Respond to Service Requests as needed for trash, debris, accidents and potholes. Skin patching, base repairs and as-scheduled or coordinated with other projects.	Routine pothole patching with cold patch during raining weather. Skin patch and base repair when clear and in warmer weather. City shall continue to be responsible for all street maintenance.
Street: Sweeping	City of Folsom Public Works Department	Arterials and Collectors Downtown: 2 times per year  Parking lots and alleys: 2-3 times per year	
Trash Collection: Business	Property Owners	Each owner shall be responsible for trash collection to ensure a clean and tidied trash area.	
Trash Collection: Sidewalk receptacles	City of Folsom Public Works Department	Provide trash collection for sidewalk containers 3 days per week	Service is provided only in Sutter Street commercial core area
Trash Collection: Removal of Signs on Public Poles	City of Folsom Code Enforcement	On an as-needed basis on City owned Facilities	Code enforcement is the responsible party as most signs are for yard and garage sales, which is covered by ordinance.
Landscaping: Planters	City of Folsom Parks and Recreation Department	Maintain landscaping in public ROW	Other landscaping is the responsibility of the property owner.

Activity	Responsible Party	Level of Service	Comments
Landscaping: Tree Trimming	City of Folsom Parks and Recreation Department	Provide tree trimming annually for trees in the public ROW. Respond to hazard tree calls as needed. Perform Right-of-Way clearance, as needed. Perform tree removals as needed.	Trees on private property that encroach in ROW, are owner's responsibility to maintain as needed or requested by City Staff.
Street decorations	FHDA	Banners and other seasonal elements (corn stalks, ribbons on poles, etc)	Covered thru BID and other FHDA fund raising. Decorations and banners to comply with City codes, guidelines, or Special Event permit conditions.
Trash collection for special events (Craft fairs, TNM, Cattle Drive, etc)	City of Folsom Public Works Department	Event sponsor responsible for placing loose trash in receptacles. City responsible for emptying receptacles within 24 hours of event	

OTHER SERVICES			
Activity	Responsible Party	Level of Service	Comments
Decorations: Special Events	Event sponsors in collaboration with FHDA	Seasonal decorations provided by FHDA can be supplemented for special events	Decorations: Special Events
Public Works: Special Events	City of Folsom Public Works Department	Public Works Department staff review request for special events, and provide traffic control personnel as outlined/required in the Special Event Permits.	Unless waived by the City Council, special events require the promoter/sponsor to pay Public Works Department expenses.



# Folsom City Council Staff Report



<b>MEETING DATE:</b>	3/28/2023
<b>AGENDA SECTION:</b>	New Business
<b>SUBJECT:</b>	Housing Element Program H-2 - Additional Housing Capacity Buildout Assumptions Analysis and Recommendations
<b>FROM:</b>	Community Development Department

### RECOMMENDATION / CITY COUNCIL ACTION

Staff is seeking input on increased residential capacity and buildout assumptions to implement Housing Element Program H-2 (Create Additional Lower-Income Housing Capacity). Please review the analysis and assumptions presented in this staff report and accompanying memorandum from Ascent (Attachment 1) regarding the proposed residential capacity increase (refer to Table 3) and confirm and/or provide input on the buildout capacity methodology and the proposed increase to the 2035 General Plan residential buildout.

### BACKGROUND/ISSUE

On August 24, 2021, the City Council adopted the 2021-2029 Housing Element. This State-mandated part of the General Plan serves as the City’s plan to accommodate current housing needs and future growth. One of the key challenges the City faced (and continues to face) with this most recent Housing Element pertains to Folsom’s share of the Regional Housing Needs Allocation (RHNA) as determined by the Sacramento Area Council of Governments (SACOG).

As shown in Table 1 below, the City’s RHNA obligation for this eight-year Housing Element cycle is 6,363 housing units, of which 3,567 units are to be affordable to very low-income and low-income households (collectively referred to as the “lower-income” RHNA).

**Table 1**

Folsom's 2021-2029 Regional Housing Needs Unit Allocation by Income						
RHNA	Very Low	Low	Moderate	Above Moderate	Total	*Average Yearly Need
Housing Units	2,226	1,341	829	1,967	6,363	795
Percent of Total	35%	21%	13%	31%	100%	
Note: * Based on 8-year planning period						
Source: SACOG Regional Housing Needs Plan Cycle 6 (2021-2029), February 2020						

While the City was able to identify sufficient sites for future housing growth and higher density zoned sites assumed to accommodate more affordable housing, the State also requires the City to maintain sufficient zoned land throughout the Housing Element eight-year period. Since Housing Element adoption, developers have built both affordable and market rate housing on higher density multi-family sites. When sites identified for affordable housing are developed with market-rate housing, the State “no net loss” law requires the City to find additional capacity or rezone land to maintain capacity to meet the City’s housing allocation (RHNA). Thus, to create additional opportunities for high-density housing and ensure the City maintains an adequate capacity to meet its lower-income RHNA throughout the planning period, the 2021-2029 Housing Element includes a program (Program H-2) to strategically increase maximum allowed densities in targeted areas of the city and to increase housing capacity in the Folsom Plan Areas Specific Plan (FPASP) as follows:

- Implementation Program H-2 Create Additional Lower-Income Housing Capacity:** The City shall create additional opportunities for high-density housing to ensure the City maintains adequate capacity to meet the lower-income RHNA throughout the planning period. The City shall increase maximum allowable densities in the East Bidwell Mixed Use Overlay, SACOG Transit Priority Areas outside the Historic District, and Folsom Plan Area Specific Plan Town Center. In implementing this program, the City shall strive to disperse affordable housing opportunities and avoid fair housing issues related to overconcentration. The City shall coordinate with property owners along the East Bidwell Street corridor and within the Transit Priority Areas to identify and pursue residential development opportunities. The City shall review and revise Policy 4.7 of the Folsom Plan Area Specific Plan to increase the total number of dwelling units allowed in the Plan Area to satisfy the RHNA, as long as infrastructure needs are met. In addition, the City shall coordinate with property owners in the Folsom Plan Area to mitigate the loss of lower-income housing sites to market-rate housing.

To implement the 2021-2029 Housing Element Program H-2, the City is in the process of increasing maximum allowed densities and Floor Area Ratios (FARs) in the East Bidwell Mixed Use Overlay, SACOG Transit Priorities Areas, and the Folsom Plan Area Specific Plan (FPASP) Town Center. Additionally, the project includes increasing the total number of allocated residential units in the FPASP to address the city’s RHNA. As such, a general plan amendment and associated environmental analysis is required, as well as a FPASP specific plan amendment with environmental analysis.



In June of 2021, the City received \$765,000 in grant funding from SACOG to advance the implementation of Program H-2. As part of this grant award, the city hired Opticos to prepare an evaluation of the existing City's multi-family and mixed-use development standards and a market feasibility analysis to inform future density and development standards associated with increased development in the targeted areas. In addition, the bulk of this grant funding was used to hire Ascent Environmental, Inc. (Ascent) to prepare the actual General Plan Amendment, Specific Plan Amendment, and associated technical and environmental analyses to implement Program H-2.

In July 2022, the Planning Commission and City Council held workshops to discuss the results of the Targeted Mixed-use and Multi-family Housing Study (TMMH Study) conducted by Opticos (Attachment 2). At these workshops, staff presented the results of the TMMH Study, as well as proposals for several rezones in the FPASP to create additional affordable housing development opportunities within the FPASP. Based on Opticos' analysis, as well as staff's evaluation of how other communities like Roseville and El Dorado Hills have addressed similar challenges to increase densities, staff developed a number of recommendations that focused on form, size, scale, height, and design rather than on density alone.

Overall, Planning Commission and City Council members supported the concepts presented by staff and Council provided staff with direction to proceed with the necessary analysis to increase densities in the three strategic areas of the city as listed in Table 2:

**Table 2**

City Council Directed Targeted Increases				
Target Area	Minimum Density	FAR Minimum	FAR Maximum	Height Limit
East Bidwell Corridor	30 du/ac	0.5	1.5	35' up to 50' -60' (60' for corner elements only)
Iron Point and Glenn Station	30 du/ac	1.0	3.0	35' up to 60 – 70' (70' for corner elements only)
Folsom Town Center	30 du/ac	1.0	3.0	35' up to 60 – 70' (70' for corner elements only)

In addition to increasing allowable densities in the three targeted areas of the City, Program H-2 also prescribes that the City coordinate with landowners in the Folsom Plan Area to mitigate for the loss of lower-income housing sites to market-rate housing. As such, over the last year staff has been meeting with the FPASP landowners and several interested developers to better understand future affordable housing development opportunities within the FPASP and to discuss potential strategies to maintain the City's RHNA for the current housing element cycle. As a result of these meetings the following measures pertaining to the FPASP have been identified and agreed upon:

1. Amend the FPASP land use designation for Site 2 (10.52 acres) from industrial to multi-family high density to allow for development of up to 400 multi-family housing units.
2. Amend the FPASP to rezone Site 15 (13.22 acres) from community commercial to multi-family high density to allow for up to 320 multi-family housing units.
3. Amend the FPASP to rezone Site 233 (11.54 acres) from commercial to mixed-use to allow for development of up to 250 multi-family housing units.



4. Increase the number of dwelling units allocated to the FPASP Town Center from 490 du to 1,250 du, resulting in an increase of 760 du.
5. Increase the number of dwelling units allocated to nine additional multi-family designated sites in the FPASP (outside the Town Center) from 1,258 du to 1,410 du, resulting in an increase of 152.
6. Deed-restrict several parcels to accommodate a minimum of 890 deed-restricted affordable housing units to meet the City's lower-income RHNA.

Based on the proposed FPASP RHNA strategy summarized above and build out assumptions for the East Bidwell Mixed Use Overlay and SACOG Transit Priorities Areas (along the Glenn/Iron Point light rail stations), staff and Ascent have developed what staff believes to be a realistic buildout capacity that will be used as the basis for the technical analysis and environmental studies necessary for any future amendments to the General Plan, the FPASP, and the Zoning Code as shown in Table 3. The location of where the increased capacity would occur are in Figures 1 and 2 on the following pages. The 2035 General Plan EIR previously assumed approximately 1,000 units of growth primarily along the East Bidwell Corridor. After factoring in that existing development capacity, the net new capacity would be approximately 6,000 housing units. Before staff finalizes these numbers for technical and environmental analysis, staff is asking the City Council to confirm the buildout capacity methodology and the proposed increase to the 2035 General Plan residential buildout.

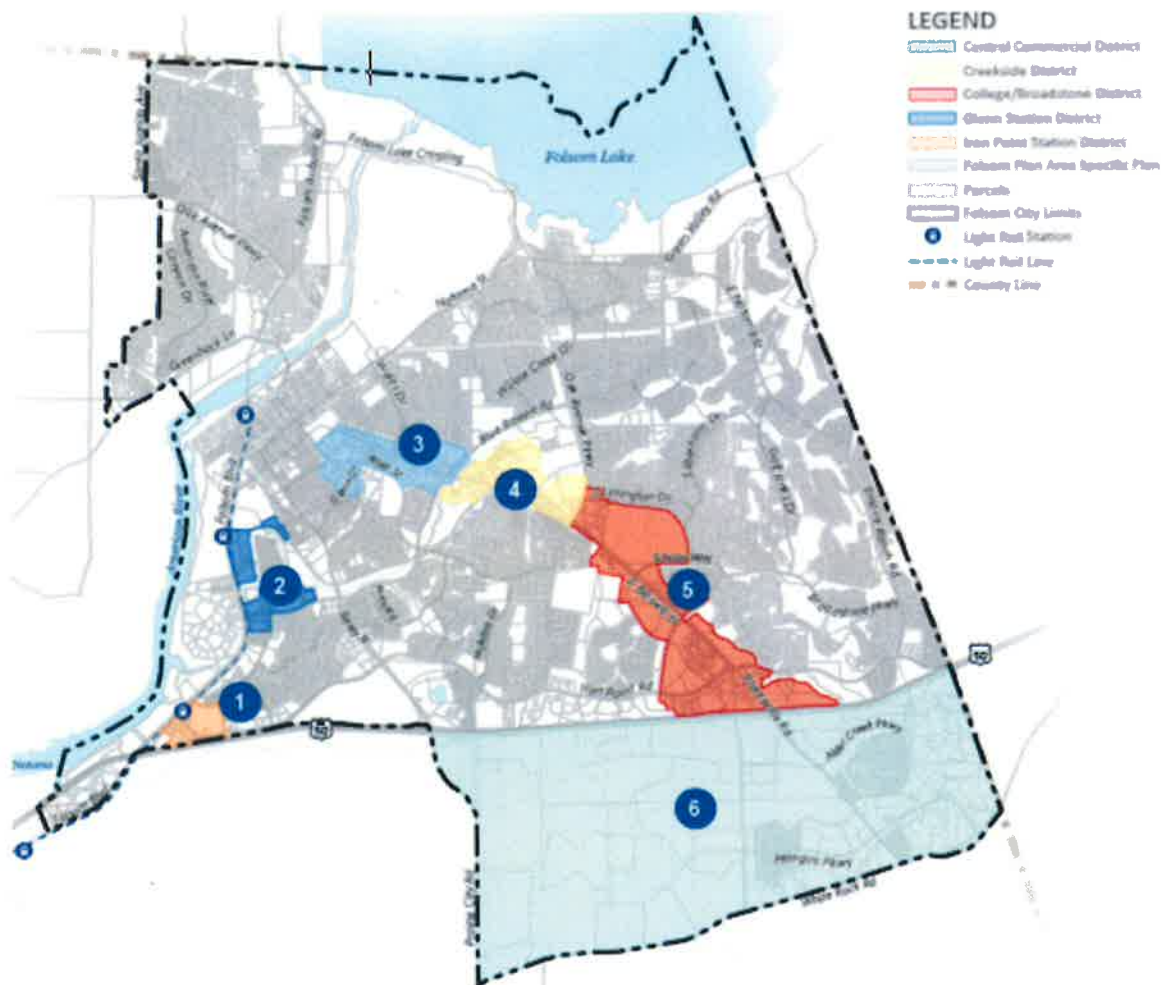
**Table 3**

Summary of Increased Residential Buildout Capacity		
Area/Subarea	Target Residential FAR	Increased Capacity
<b>Transit Priority Areas</b>		
1. Iron Point Station	2.0	750
2. Glenn Station	2.0	1,050
<b>East Bidwell Corridor</b>		
3. Central Commercial District	1.5	1,850
4. Creekside District	1.0 - 1.5	450
5. College/Broadstone District	1.5	1,050
Subtotal		5,150
<b>FPASP</b>		
6. Folsom Plan Area		1,882
<b>Overall Capacity</b>		7,032
Existing Capacity (per General Plan EIR)		(1,000)
<b>Net New Capacity</b>		<b>6,032</b>

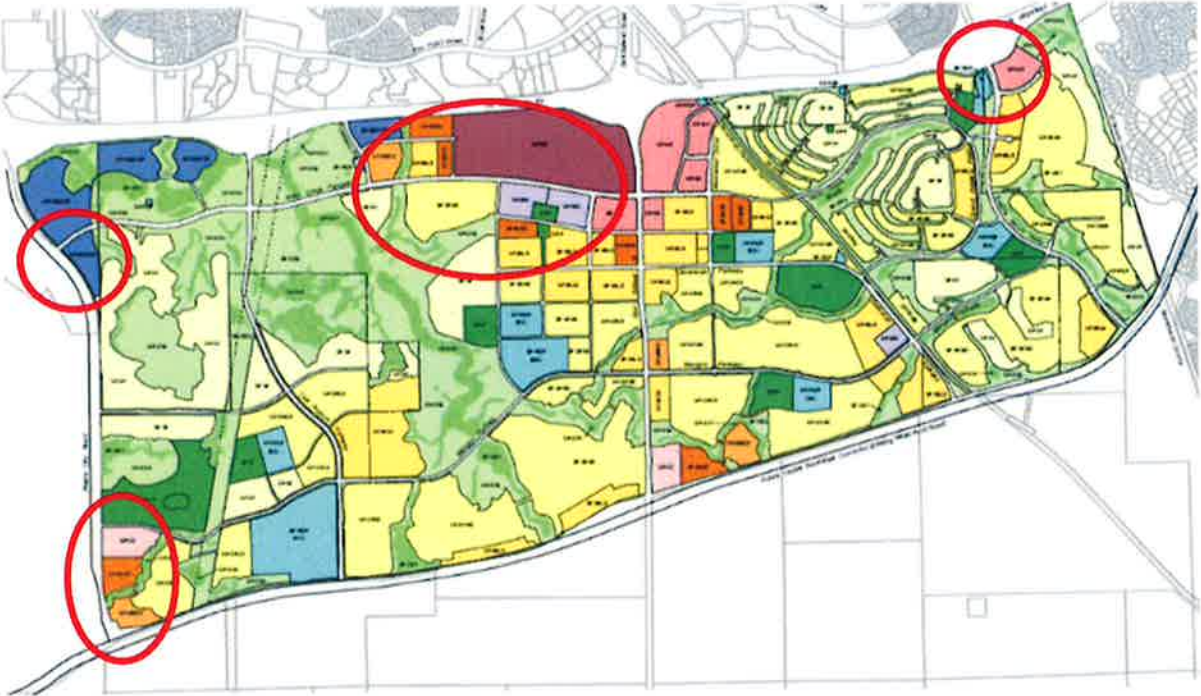
While this is a large increase, this does not mean that these dwelling units will all be built. It is anticipated that if this growth happens it will occur over the remaining horizon of the 2035 General Plan and the FPASP, which envision a buildout over the next 12 to 20 years. Creating this additional residential development capacity satisfies the goals of the General Plan and Housing Element by: 1) creating sufficient capacity to address the City's current RHNA obligations as well as help with future ones; 2) focuses growth in targeted areas and away from established residential neighborhoods; and 3) avoids a situation where the City has to rezone land outside of these targeted areas to satisfy the State's no-net loss requirements.

Staff is asking the City Council to consider and provide input on the buildout assumptions. See the sub-area summary and corresponding maps below (Figures 1 and 2), as well as Table 3 for additional details about increased housing capacity by target area.

**Figure 1**  
**Location of Targeted Areas and Buildout Assumptions**



**Figure 2**  
**Location of Increased Residential Capacity**  
**in Folsom Plan Area**



**Legend**

- Single Family (1 - 4 DU/AC)
- Single Family High Density (4 - 7 DU/AC)
- Multi-Family Low Density (7 - 12 DU/AC)
- Multi-Family Medium Density (12 - 20 DU/AC)
- Multi-Family High Density (20 - 30 DU/AC)
- Mixed Use (9 - 35 DU/AC)
- Industrial/Office Park
- Community Commercial
- General Commercial
- Regional Commercial
- Parks
- Public/Quasi-Public
- Preserve Open Space
- Passive Open Space

Commission Input: This item was presented to the Planning Commission on March 15, 2023. Since this staff report was completed before the Commission meeting occurred staff will provide the Commission’s comments as part of its presentation to the City Council. Please note that this report was not presented to the Historic District Commission since none of the target areas are located within the boundaries of the Historic District.

## **POLICY / RULE**

The City's 2021-2029 Housing Element was approved by the City Council in August 2021. That document includes several policies that relate directly to the issues discussed in this staff report. These include:

- **Policy H-1.1 Sufficient Land for Housing:** The City shall ensure that sufficient land is designated and zoned in a range of residential densities to accommodate the City's regional share of housing.
- **Policy H-1.2 Location of Higher-Density Housing Sites:** The City shall endeavor to designate future sites for higher-density housing near transit stops, commercial services, employment centers, and schools, where appropriate and feasible.
- **Policy H-1.3 Multi-family Housing Densities:** The City shall encourage home builders to develop their projects on multi-family-designated land at the high end of the applicable density range.
- **Policy H-1.4 Lower-Income Housing Replacement Sites:** The City shall mitigate the loss of lower-income housing sites within the Folsom Plan Area by securing voluntary agreements with the landowners to find replacement sites as market-rate housing is developed on sites identified in the lower-income sites inventory.
- **Policy H-2.5 Objective Standards:** The City shall endeavor through its development and design standards and decision making to provide consistent and predictable policy direction based on objective standards for multi-family residential project applicants.
- **Policy H-3.2 Inclusionary Housing:** The City shall continue to require inclusionary housing on all new for-sale units. The City may also consider inclusionary housing as a community benefit for non-City-initiated General Plan and/or Specific Plan amendments that result in rental housing.
- **Policy H-3.6 Density Bonus:** The City shall continue to make density bonuses available to affordable and senior housing projects, consistent with State law and Title 17 of the Folsom Municipal Code.
- **Policy H-6.3 Balance of Housing Types:** The City shall encourage residential projects affordable to a mix of household incomes and disperse affordable housing projects throughout the city, including the Folsom Plan Area, to achieve a balance of housing in all neighborhoods and communities.



## **ANALYSIS**

### **Holding Capacity**

The 2035 General Plan includes assumptions about the amount of growth that will occur within the 2035 timeframe. These projections were then used to establish a holding capacity that represents an estimate of the total dwelling units, population, and non-residential building square footage associated with the future buildout of the City based on the adopted 2035 General Plan Land Use Diagram. A key assumption in understanding this holding capacity analysis is that it reflects a theoretical buildout of the entire city, rather than what is likely to appear on the ground within the General Plan horizon year of 2035.

The build out model for the 2035 Folsom General Plan was conducted at the parcel level using an inventory of vacant land as the basis for analysis. The analysis was further broken down by the land north of Highway 50 and the land within the FPASP, located south of Highway 50. For the area north of Highway 50, the General Plan also included the East Bidwell Corridor (EBC) Overlay, which encourages mixed-use development along East Bidwell Street. The assumptions applied to parcels within the EBC Overlay largely depended on whether the parcel was vacant or considered underutilized. Underutilized parcels, characterized by aging commercial uses that would be more likely to redevelop within the timeframe of the General Plan, were identified and mixed-use assumptions were applied to those underutilized parcels. It is important to note that the EBC Overlay is the only area that assumed redevelopment of underutilized parcels within the holding capacity analysis; all other parcels in the build out model were vacant. In addition, the holding capacity for the land within the Specific Plan Area was conducted as part of the FPASP preparation and was updated for the General Plan to reflect subsequent land use amendments.

As previously discussed, implementation of Program H-2 will increase allowed densities in three targeted areas of the City: East Bidwell Mixed Use Overlay, SACOG Transit Priorities Areas (primarily along the Glenn/Iron Point light rail stations), and the Folsom Plan Area Specific Plan (FPASP). Thus, a critical component of this project is to identify and then analyze the increased residential holding capacity.

### **Buildout Assumptions and Analysis for sites North of 50**

#### **East Bidwell Street Mixed-use Corridor**

For the East Bidwell Street Mixed Use Corridor, City staff and the consultants identified all vacant sites and underutilized sites (housing opportunity sites) within the East Bidwell Street Mixed Use Corridor Overlay, broken down by sub-area (Central Commercial District, Creekside District, and the College and Broadstone District). Although many of these housing opportunity sites were identified as part of the recently adopted Housing Element, additional capacity was identified based on new information provided by City staff and also to account for a longer planning horizon (Housing Element planning period ends in 2029, whereas the General Plan period is until 2035). For the Central Commercial District where staff and the consultants did not identify any specific sites for future housing development, the buildout assumed was a percentage of the total subarea. The sites were

then compiled in a map and land use holding capacity was calculated through a series of formulas that fed parcel-level information through development assumptions including target floor area ratio (FAR) and percentage of site developed or redeveloped.

### **Iron Point and Glenn Station TOD Areas**

For the Iron Point and Glenn Stations, staff and the consultants reviewed arial images for sites within the city's Iron Point and Glenn Station Green Means Go designations to identify vacant and underutilized housing opportunity sites and establish project boundaries for these areas. Within the project boundary area for the Iron Point Station, no specific sites were identified. As such, staff assumed buildout of a percentage of the total area within the boundary. For the Glenn Station boundary area, the only vacant site within the boundary is the Glenn Station parking lot (which is already in the Housing Element vacant sites inventory). The remainder of the housing opportunity sites identified are developed sites characterized by aging commercial uses that could likely redevelop within the timeframe of the General Plan planning period. All of these sites were compiled in a map and the land use holding capacity was calculated through a series of formulas that fed parcel-level information through development assumptions including target floor area ratio (FAR) and percentage of site redeveloped.

Based on the assumptions and analysis for each of the targeted areas North of Highway 50 described above, approximately 4,000 units of additionally holding capacity for housing will be analyzed as the build out model for the 2035 Folsom General Plan

### **Buildout Assumptions and Analysis for sites South of 50**

The FPASP is a comprehensively planned community that proposes new development based on "Smart Growth" principles. Approved in 2011, the FPASP is a development plan for over 3,500 acres of previously undeveloped land located south of U.S. Highway 50, north of White Rock Road, east of Prairie City Road, and west of the Sacramento County/El Dorado County line in the southeastern portion of the City. The FPASP includes a mix of residential, commercial, employment and public uses, and currently includes a maximum of 11,461 residential units at various densities on approximately 1,630 acres. As previously indicated in this staff report, HE Program H-2 directs the city to increase the maximum number of dwelling units allowed in the Plan Area to satisfy the RHNA, as long as infrastructure needs are met.

For the FPASP, the increased holding capacity for development was calculated based on the proposed FPASP RHNA strategy summarized earlier in this report and results in an increased holding capacity of 1,882 residential units as summarized in Table 3. Of the 1,882 units of increased capacity, 970 additional residential units result from rezoning commercial/industrial sites to allow for multi-family development and the remaining 912 unit capacity resulting from increasing the allocated number of residential units on individual multi-family zoned sites in the FPASP. All of this is conditioned upon the outcome of technical and environmental studies to determine whether there is sufficient infrastructure and water resources to support this additional development.

Since the City will be funding the planning, environmental and technical analyses to increase housing in the Folsom Plan Area, the City and landowners will enter into a Memorandum of Understanding (MOU) that memorializes: 1) the City's intention to take the lead on the General



Plan and FPASP Amendments and associated environmental analysis to increase housing development capacity, including affordable housing, and to present that to the City Council for action; and 2) the landowner's commitments to deed restrict certain lots for the development of 890 units affordable to lower income households within 30 days of Council action (note: this is in addition to the 64 units to be deed restricted by Eagle for lot 61) and to fund an update by Economic & Planning Systems (EPS) or other consultants to the infrastructure and finance plan related to the increased housing units. As such, staff is in the process of preparing a draft MOU that the City Manager plans to execute later this month.

Finally, it should be noted that the Water Supply Agreement (which has been validated by the courts) provides a total of 5,600-acre feet per year of water to the Folsom Plan Area consistent with Measure W. Based on initial estimates from the 2011 FPASP total water demand for the plan area was at 5,168-acre feet per year. Since that time the 2020 Urban Water Management Plan (UWMP), which incorporated recently adopted indoor and outdoor water efficiency requirements, was completed and determined that water demand for the FPASP is calculated to be 4,821-acre feet, creating a surplus of approximately 778-acre feet. According to the City's water consultant Peterson Brustad Inc. (PBI), future multi-family housing units in the FPASP will use approximately 0.22-acre feet per year/dwelling unit. If we assume an additional 1,882 multi-family units allocated to the FPASP, an additional 414-acre feet would be required leaving a surplus of 364-acre feet. The additional housing capacity will be subject to a more detailed and precise water supply and CEQA analysis.

### Regional Housing Needs Allocation Status

Table C-41 from the Housing Element (HE) Background Report summarizes the estimated residential capacity compared to the RHNA by income level at the time of Housing Element Adoption on August 24, 2021.

TABLE C-41: ESTIMATED RESIDENTIAL CAPACITY COMPARED TO RHNA BY INCOME, CITY OF FOLSOM, JUNE 30, 2021 TO AUGUST 31, 2029					
	Very Low-Income Units	Low-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units
RHNA	2,226	1,341	829	1,967	6,363
	3,567				
Planned and Approved Projects	129	216	1,209	3,815	5,369
Estimated Residential Capacity on Vacant and Underutilized Land	3,216		2,666	2,537	8,419
<i>East Bidwell Mixed Use Corridor Sites</i>	1,236		0	0	1,236
<i>Transit Priority Area Sites</i>	145		44	10	199
<i>Folsom Plan Area Specific Plan Sites</i>	1,344		2,615	2,190	6,149
<i>Additional Housing Sites</i>	491		7	337	835
Estimated Residential Capacity of Accessory Dwelling Units and Multi-Generational Units	496		83	2	581
Residential Capacity	4,057		3,958	6,354	14,369
<i>Surplus</i>	490		3,129	4,387	

As shown in the table, at the time of HE adoption the City was able to identify sufficient sites for future housing growth, including sites for affordable development with a surplus (buffer) of zoned land assumed to accommodate 490 lower income units. However, given current and anticipated development applications for market rate and non-residential development on multi-family and mixed-use sites, staff estimates that most of the buffer capacity will be gone by the end of the current calendar year. Table 4 provides a summary of our projected lower-income RHNA capacity anticipated over the next 6-months. As shown, staff anticipates that our surplus will shrink from 490 units to 231 by the end of the year. Based on State “no net loss” law, it is the City’s responsibility to maintain adequate zoned sites with corresponding housing capacity to meet the City’s housing needs at all times for the eight-year housing cycle.

Table 4

Summary 2023 Projects on Multi-family or Mixed-Use Sites		
Lower Income Residential Holding Capacity Compared to RHNA		
<b>HE Low and Very Low Capacity</b>	<b>4,057</b>	
Vintage Senior Apts Site	+ 135	BP zone not included in RHNA
Harrington Sites	+ 53	Previous Project Withdrawn 1.95 ac
Creekside Sites	(150)	Active Application
Habitat Persifer Site	+ 10	Not Included in Housing Element
Kaiser Site	(37)	Active Application Reducing Acreage
Elliott Broadstone Site	(270)	Application Expected Soon
<b>New Capacity</b>	<b>3,798</b>	
<b>HE Lower RHNA Required</b>	<b>3,567</b>	
<b>Surplus</b>	<b>231</b>	

## CONCLUSION

In order to comply with State housing requirements and regional housing allocations for the current eight-year cycle, the City must increase housing capacity to meet lower income housing needs. As outlined in Housing Element Program H-2, the City will do this by strategically increasing maximum density in targeted areas of the City and by increasing the total number of multi-family and mixed-use housing units in the Folsom Plan Area Specific Plan south of Highway 50. The grant funded consultant study analyzed market feasibility and appropriate designs in those target areas (Attachment 2). Community input and Council direction in 2022 informed the increased development parameters for each target area.

Based on the results of the Targeted Housing Study and discussions with the FPASP landowners, staff have been able to quantify the projected increased density of existing housing sites (multi-family and mixed-use) in target areas and identify additional housing sites in the Folsom Plan Area to establish buildout assumptions and capacity that will be used as the basis for the technical studies

and environmental review. Table 3 summarizes the buildout assumptions (proposed housing buildout capacity) through 2035 for each of the targeted areas identified in Housing Element Program H-2.

With input from the Planning Commission and direction from City Council on the buildout assumptions and additional housing capacity outlined herein, staff and the consultant team will move forward with the technical and environmental studies necessary for any future amendments to the General Plan and Folsom Plan Area Specific Plan. This information will also be incorporated into the Zoning Code update that is currently underway. It is anticipated that these detailed studies will take between six to nine months to complete, at which time staff will return to the Commission and Council for action.

### **FINANCIAL IMPACT**

No financial impact will result from Council action on this item.

### **ENVIRONMENTAL REVIEW**

The review and input by the City Council is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the California Public Resources Code as there is no possibility that the meeting to confirm the project description will have a significant effect on the environment. Once direction is provided by the City Council on the appropriate buildout capacity, the City will undertake an environmental analysis in compliance with CEQA to determine whether the changes, including amendments to the General Plan and Folsom Plan Area Specific Plan, would have a significant effect on the environment.

### **ATTACHMENTS**

1. Ascent Housing Element Implementation: Proposed Residential Capacity Increase Memo dated March 6, 2023
2. Recommendations Memo: Opticos Targeted Mixed-Use and Multi-Family Housing Study dated June 28, 2022

Submitted,




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Pam Johns, Community Development Director

ATTACHMENT 1



# Memo

455 Capitol Mall, Suite 300  
Sacramento, CA 95814  
916.444.7301

Date: March 6, 2023  
To: Pam Johns, City of Folsom, Community Development Director  
From: Chelsey Payne, AICP, Director of Urban Planning  
Subject: **Housing Element Implementation: Proposed Residential Capacity Increase**

For the Sixth Cycle Housing Element, the City was assigned a Regional Housing Needs Allocation (RHNA) of 6,363 housing units, including 3,567 lower-income housing units (i.e., very low- and low-income units combined) for the eight-year planning period (Table 1). When the City adopted the Housing Element in August 2021, the City only had a surplus capacity of 490 housing units in the lower-income category. A State law referred to as “no net loss” law requires the City to track development on the sites in the Housing Element sites inventory and maintain adequate capacity to meet the RHNA throughout the entire Housing Element planning period. As market rate developments are approved on sites included in the lower-income sites inventory, these sites are essentially lost from the lower-income inventory. The City must make a finding that it has adequate capacity on the remaining sites in the inventory to accommodate the remaining lower-income RHNA or must identify a replacement site within 180 days.

	<b>Very Low</b>	<b>Low</b>	<b>Moderate</b>	<b>Above Moderate</b>	<b>Total</b>
RHNA	2,226	1,341	829	1,967	6,363

Source: Sacramento Area Council of Governments, *Regional Housing Needs Plan 2021-2029* (February 2020).

Recognizing that the City would need to take action during the planning period to increase lower-income housing capacity in order to address no net loss requirements, the City included Housing Element program H-2 (Create Additional Lower-income Housing Capacity), which committed to increasing densities in the East Bidwell Mixed Use Overlay, Transit Priority Areas, and the Folsom Plan Area Specific Plan Town Center.

City staff has been working with consultants at Opticos and Ascent to develop recommendations for new development standards that would allow for increased residential capacity in the East Bidwell Mixed Use Overlay and Transit Priority Areas. City staff has also been in conversations with property owners and developers within the Folsom Plan Area Specific Plan about land use changes that would add capacity to the lower-income sites inventory. City staff and Ascent have prepared estimates for the housing unit capacity that would be created in the longer-term with the proposed changes. The buildout estimates of 5,150 housing units in the areas shown in Table 2 are theoretical and assume that all vacant land and a certain amount of non-vacant land within each of the focus areas would redevelop in the longer-term with new housing. For context, the 2035 General Plan assumed about 1,000 housing units in these areas by 2035. The new estimates assume that several vacant sites will develop with housing or mixed-use rather than solely commercial and that some existing non-residential uses will redevelop with housing. In the Folsom Plan Area, the proposed land use changes would allow for an additional 1,882 housing units, including capacity for almost 1,000 affordable units.

<b>TABLE 2: ESTIMATED HOUSING UNIT CAPACITY IN TOD AREAS AND EBMU OVERLAY</b>			
<b>Area</b>	<b>Sub-Area</b>	<b>Target Residential FAR</b>	<b>Estimated Housing Unit Yield</b>
Transit Priority Areas	Iron Point Station District	2.0	750
	Glenn Station District	2.0	1,050
East Bidwell Mixed Use Overlay	Central Commercial District	1.5	1,850
	Creekside District	1.0 – 1.5	450
	College/Broadstone District	1.5	1,050
<i>Subtotal</i>			<b>5,150</b>
Folsom Plan Area Specific Plan			<b>+1,882</b>
<b>Total</b>			<b>7,032</b>

The City cannot credit the full estimated housing unit capacity toward the Housing Element because State law only allows the City to include sites in the inventory that can be proven feasible to develop during the 8-year planning period (i.e., by 2029). Many of the sites included in the housing unit capacity shown in Table 2 are developed with existing uses and do not have redevelopment potential in the near-term. However, the proposed increase in capacity will help the City address the current “no net loss” issues during the Sixth Cycle RHNA period and set the City up for success in the next Housing Element RHNA cycle.

By increasing residential capacities in the East Bidwell Mixed Use Overlay and Transit Priority Areas, the City will be able to count a slight increase in capacity on the sites already included in the Sixth Cycle Housing Element lower-income housing sites inventory. HCD requires that the Housing Element sites inventory capacity be calculated using either the minimum density or a realistic density reflective of the typical densities of existing or approved residential developments without the use of State Density Bonus. Because the allowed density range on R4-zoned sites and sites within the East Bidwell Mixed Use Overlay is currently 20 to 30 units per acre, recent developments



have been built at densities lower than the maximum of 30 units per acre. The realistic density that the City was able to justify on lower-income sites in the Housing Element was 27 units per acre.

City staff is proposing to set the minimum density of the East Bidwell Mixed Use Overlay zone and the Transit Oriented Development Overlay zone to 30 units per acre and allow a higher maximum density regulated through floor area ratio (FAR). The City would then be able to rely on this new minimum density of 30 units per acre to calculate capacity on lower-income housing sites in these areas. In the immediate-term, establishing the minimum density of 30 units per acre will add capacity for about 75 housing units on existing lower-income sites in the inventory within these areas. However, by changing the density and establishing development standards that allow for more housing units, the City is increasing the feasibility of affordable housing on these sites. As the sites are developed with affordable housing at densities above the minimum density, the City will be able to credit significantly more units on each of the sites, helping to greatly minimize no net loss issues during the planning period and reducing the likelihood that the City would need to rezone additional sites in other areas of the City.

While the proposed changes will help the City address housing needs in the current Housing Element Cycle, the changes will also put the City in a much better position for Housing Element compliance into the future. In the longer term, as developments are approved at densities higher than 30 units per acre, the City will be able to demonstrate a higher realistic density, which will allow the City to count additional capacity on these lower-income sites in the next Housing Element cycle. This could significantly reduce the number of sites the City will need to rezone to higher density housing in future Housing Element cycles.

Overall, the proposed land use changes will help the City maintain the current Housing Element in compliance with State law and set the City up for success in achieving compliance during future Housing Element cycles.

ATTACHMENT 2



# Recommendations Memo



City of Folsom  
Targeted Mixed-Use  
and Multi-Family  
Housing Study  
**June 28, 2022**





*Prepared For:*

**City of Folsom  
Community Development Department  
Planning Services**

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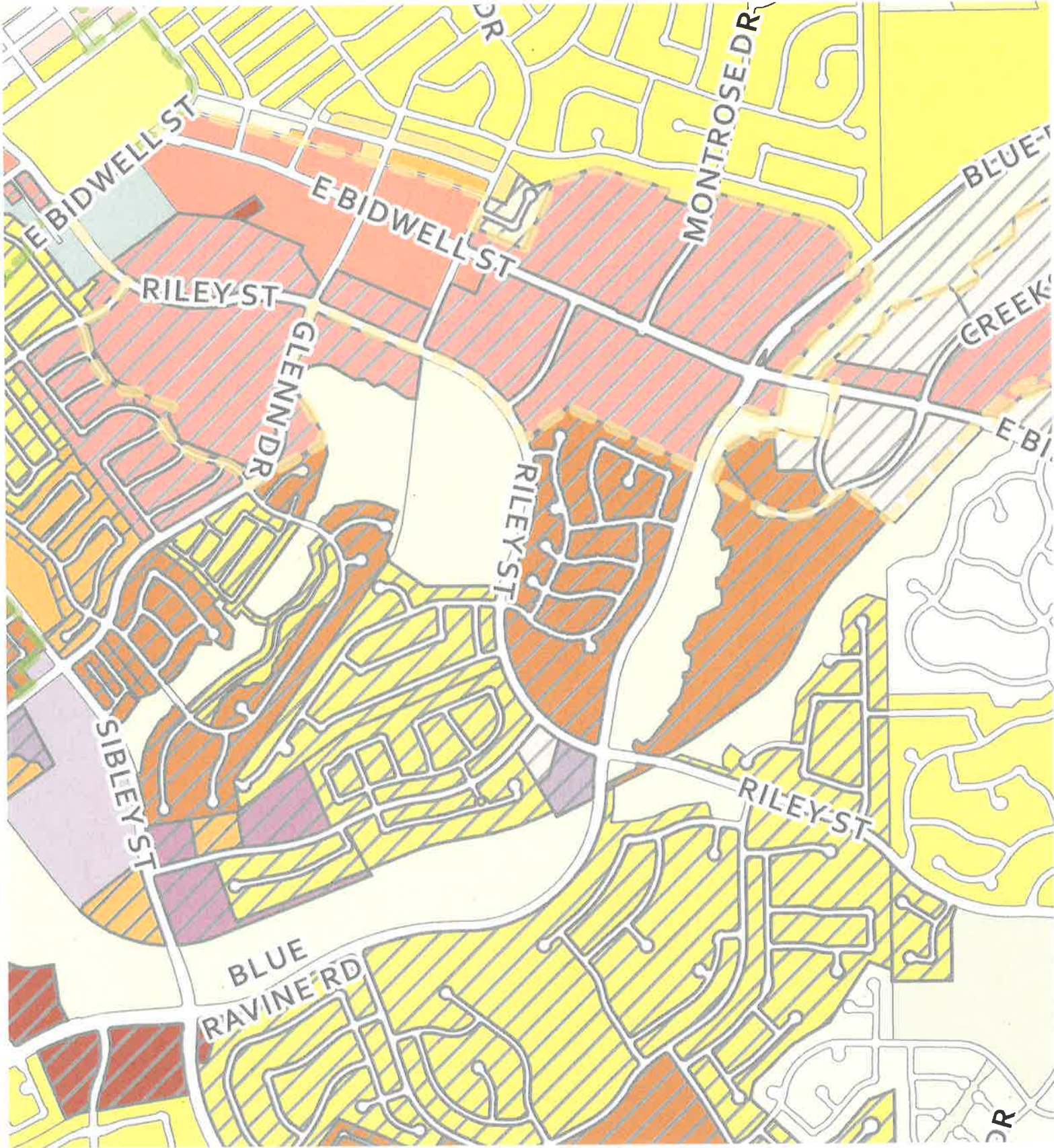
Desmond Parrington,  
Principal Planner

Stephanie Henry,  
Senior Planner and  
Housing Coordinator

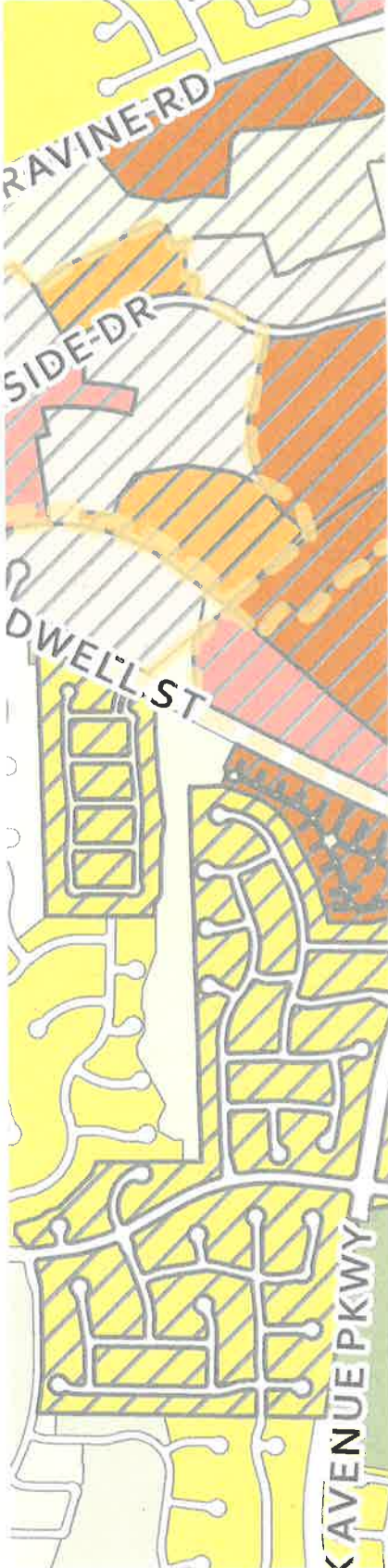
# What's Inside?

## Recommendations Memo

<b>Background</b>	<b>5</b>
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# Background

SECTION

1

## **Folsom needs to provide more housing opportunities.**

The State of California has identified the number of housing units that Folsom needs to provide through its Regional Housing Needs Allocation (RHNA), and Folsom needs to plan for that growth. As a result, it is imperative that Folsom change the status quo in order to create additional opportunities for housing. This challenge raises a series of questions:

- Where should additional housing opportunities be located?
- What kind of housing should be built?
- How should these additional housing opportunities be enabled?

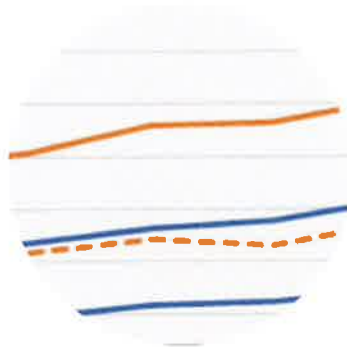
Folsom needs an approach that can target particular locations that are best suited to accommodate additional housing and can incorporate community input on the form and scale of the new development in a way that makes the development financially feasible.

In setting the parameters for this study, the City has identified targeted study areas that are well-suited for additional housing. Within these targeted study areas, this memo addresses the remaining two questions, using community input and financial feasibility analysis to identify the preferred form and scale of new development at those locations (see Section 2, Opportunity Site Testing), and issuing recommendations for changes to existing development standards to enable this additional housing (see Section 3, Recommendations).

# Key Issues

**These issues convey the urgency of providing new housing in Folsom and barriers to meeting this need.**

1



**High housing demand with limited housing stock** results in unaffordability for children of longtime residents, seniors who want to downsize or who don't drive as often, and people who work in Folsom.

2



Folsom's housing supply doesn't provide enough **options for diverse lifestyles**, including for residents who want to live a **compact, walkable and transit-oriented lifestyle**.

3



One of the barriers to the production of diverse housing options is **regulatory standards** that end up making a site **infeasible to develop as housing or that result in unattractive development**.

# Targeted Study Areas

**This study provides recommendations for three targeted study areas within Folsom.**

This project provides recommendations for changes to development standards, General Plan policies, and zoning regulations in targeted areas that can help to support infill housing in Folsom.

Recommendations will be tailored to three general areas, which have been identified by the City as best suited to accommodate new housing.

■ **The East Bidwell Mixed-Use Overlay Zone** along the East Bidwell corridor. With existing retail and service uses along this corridor, new infill housing would create a mixed-use environment where residents could have easy access to services, shopping, and jobs within walking distance of their homes. This new infill housing would also benefit from the planned improvements to the East Bidwell right-of-way.

■ **The Folsom Boulevard TOD study area\*** along Folsom Boulevard. This area encompasses two light rail stations, Glenn Station and Iron Point, as well as the Folsom Parkway Rail Trail. As a result, housing in this location would have easy access to transit and bicycle infrastructure and offer built-in mobility alternatives for people interested in a less car-dependent lifestyle.

■ **The New Town Center in the Folsom Plan Area** south of US-50. Planned through a Specific Plan process that included community engagement, this location is slated for new mixed-use and multi-family development that will create housing opportunities at a new node of retail, service, and public space.

\*Note that the Historic District light rail station is excluded from this study.



- Key**
- East Bidwell Mixed-Use Overlay Zone
  - Folsom Boulevard TOD study area
  - Folsom Plan Area's New Town Center







# Opportunity Site Testing

SECTION

2

**Opportunity site testing analyzes the housing capacity of actual sites on the ground. This study tested hypothetical buildout concepts on a site in each of the three targeted study areas where the City envisions opportunities for more housing.**

The potential buildout scenarios were informed by community feedback about preferred building form, building scale, and key design elements received at a public workshop and through an online survey.

After beginning with the community's desired vision, these hypothetical buildout concepts were then subject to multiple iterations of financial feasibility analysis in order to understand what conditions are necessary to make these projects feasible at these locations and arrive at a prototype in the realm of financial viability.

Because the sample designs plan for long-term value and livability, they may not always reach the theoretical maximum capacity of a site. However, they are representative of a desirable development approach that creates a place where people want to live.



# Site 1

## Snowline Hospice Thrift Store

### Overview



#### Address

616 E. Bidwell St.

#### Targeted study area

East Bidwell Mixed-Use Overlay Zone

#### Current site condition

Single-story retail building

#### Site dimensions

170 ft wide x 350 ft deep

### Existing Conditions

This is a deep lot bounded by East Bidwell Street in the front and an alley in the rear. It is surrounded on both sides by multi-tenant retail centers. Multi-family residential buildings are located directly behind the site across the rear alley. There is one single-story retail building onsite containing the Snowline Hospice Thrift Store.

### What We Heard From The Community

Community members expressed that a height of three to four stories felt about right for this location. There was also some support for taller development on corner sites, such as up to five stories.

Given the scale and character of the East Bidwell corridor, it was also important to the community to explore ways to make the buildings look and feel smaller, with small to medium width and bulk.

### Vision

The design concept for this site includes two courtyard buildings. One courtyard building, in the center of the rendering on the next page, faces East Bidwell. The second courtyard building is located in the rear half of the lot. The second courtyard building is nearly identical to the first, but is rotated ninety degrees to face a new pedestrian passage along the side lot line, visible on the left side of the rendering.

Parking for this project would be located behind these buildings in both surface parking lots and tuck-under spaces at the ground floor of the building.

Common open space in the form of courtyards would be accessed directly from the sidewalk. Additional open space would take the form of the tree-lined pedestrian passage pictured on the left of the rendering, which leads from East Bidwell Street to the rear courtyard and finally to the alley at the rear of the site.



## Design Concept + Site Testing Outcome



Left: View looking across East Bidwell Street towards the opportunity site.

Below: Rendering depicting the design vision for this site looking across East Bidwell Street towards the opportunity site. Note that this rendering is illustrative only. It represents hypothetical build-outs used to calculate potential new housing and does not represent an actual development proposal.



Above: Conceptual site plan. Arrow indicates vantage point for perspective rendering.

Site Test Assumptions + Yields	
# of Units (du)	82
# of Buildings	2
Bldg type	Courtyard
Height (stories)	3-4
Bldg width (ft)	140
Bldg depth (ft)	100
Density (du/ac)	59
FAR	1.0
Parking (sp/du)	1.0
Parking type	Surface + tuck-under
Front setback (ft)	15
Lot width (ft)	170
Lot depth (ft)	350
Lot area (ac)	1.4



## Architectural Style

The two renderings below illustrate how the design vision for this site could be expressed in two different architectural styles.

*Upper image: Buildings on this site expressed in a contemporary architectural style*

*Lower image: Buildings on this site expressed in a traditional architectural style*

The top image represents a contemporary architectural style, while the bottom image represents a more traditional architectural style. Both images depict the same building types, building configurations, building scale, and building program. The

difference is in the exterior architectural expression which conveys the building in a particular style.

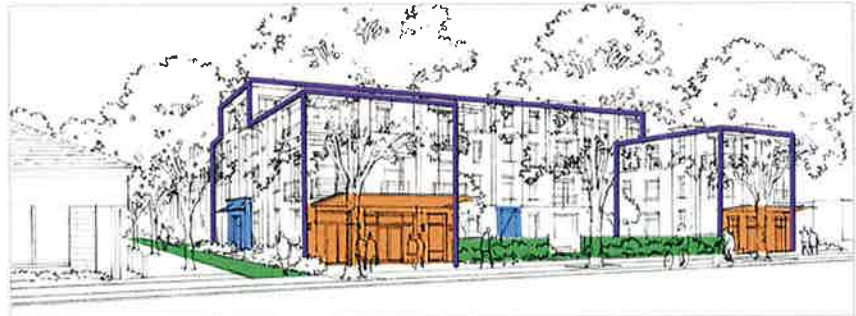
If there are certain locations where particular architectural styles are important to the community, the City can consider opportunities to incorporate architectural style standards into future design standards for those areas.










## Key Design Elements

Regardless of architectural style, there are aspects of the two example designs that accomplish the same design goals through key design elements. These design elements can be considered and regulated independent of architectural style and are important for ensuring that development will make positive contributions to the public realm.



### Design Elements

-  **Open space** creates a buffer between the public realm and individual unit entries and provides an amenity for residents
-  **Pedestrian entries** to individual units and to shared stairwells open directly onto the courtyard and onto the pedestrian passage
-  **Shopfront frontages** oriented towards East Bidwell Street could provide amenities to residents or could provide leasable service or retail space
-  **Upper story is located within the roof form** to reduce the perceived height of the building
-  **Building height steps down** from four stories in the rear down to three stories in the wings that project towards the street to reduce the perceived scale

*Upper image: Key design elements highlighted on a building that has a contemporary architectural style*

*Lower image: Many of the same key design elements highlighted on a building that has a traditional architectural style*

## Key Regulatory Barriers

**Parking standards.** Currently, the site requires 1.5 spaces per unit. The design concept tested for this opportunity site provides 1.0 spaces per unit.

**Density.** The prototype tested 59 du/acre for feasibility, exceeding the current maximum of 30 du/acre.

# Site 2

## Glenn Station Park-and-Ride Lot Overview



### Address

1025 Glenn Dr.

### Targeted study area

Folsom Boulevard TOD study area

### Current site condition

Park-and-ride parking lot serving light rail station

### Site dimensions

315 ft wide x 370 ft deep

### Existing Conditions

This site is adjacent to Glenn Station, a stop on the Gold Line of the Sacramento Regional Transit (SacRT) light rail that connects Folsom to downtown Sacramento. The light rail runs along the western edge of the site, as does the Folsom Parkway Rail Trail. The site is used as a park-and-ride surface parking lot for people using the light rail.

### What We Heard From The Community

The community expressed support for more intense development at this location given its adjacency to a light rail station. In general, we heard that five stories felt about right for this location. Community members were also open to buildings that felt and looked large in width and bulk.

The community also expressed interest in exploring additional design guidelines for this location in order to

make larger buildings attractive and also transition in scale to adjacent lower-scale development. It is also important to the community and to SacRT to accommodate parking for the light rail users, whether onsite or on an adjacent parcel, when this site is redeveloped.

### Vision

The design concept for this site includes one four-story building and two five-story podium buildings. These are arranged to create a common open space at the entrance to the station and a public pedestrian paseo leading through the site from the station to a potential parking lot across Coolidge Drive. These three buildings accommodate 305 units and 1,500 square feet of commercial space. The commercial space could be used for an amenity that serves residents, such as a day care.



# Design Concept + Site Testing Outcome



Left: View looking from the station pavilion east across the parking lot at the existing opportunity site.

Below: Rendering depicting the design vision for this site looking from the station pavilion east across the parking lot. The rail line is behind the vantage point. Note that this rendering is illustrative only. It represents hypothetical build-outs used to calculate potential new housing and does not represent an actual development proposal.



Above: Conceptual site plan. Arrow indicates vantage point for perspective rendering.

Site Test Assumptions + Yields	
# of Units (du)	305
# of Buildings	3
Bldg type	Podium and corridor
Height (stories)	4-5
Bldg width (ft)	Range from 90-200
Bldg depth (ft)	Range from 60-280
Density (du/ac)	112
FAR	2.0
Parking (sp/du)	1.1
Parking type	Podium and tuck-under
Front setback (ft)	10
Lot width (ft)	315
Lot depth (ft)	370
Lot area (ac)	2.7

## Key Design Elements



### Design Elements

- **Open space** in the form of a green or plaza provides a gathering space at the station entrance, and a public pedestrian paseo leads through the site towards public parking across the street
- **Pedestrian entries** to individual units and to shared stairwells open directly onto public space
- **Corner element** near the entrance to the station anchors the public open space
- **Shopfront frontage** facing public open space could provide amenities to residents or could provide leasable service or retail space
- **Upper story is located within the roof form** to reduce the perceived height of the building
- **Massing breaks down perceived bulk** by designing recesses in the wall plane and variations on style and material so that one large building actually reads as several smaller buildings
- **Upper story stepback** with the top story set back 10 feet behind the facade plane to reduce perceived height from the pedestrian paseo



## Key Regulatory Barriers

In testing development standards for this site, the following standards were found to be key barriers to development that both satisfied the community's preferred form and scale and also demonstrated financial feasibility.

**Building height.** Currently, this site allows building height up to 4 stories. The design concept depicted for this opportunity site shows buildings that could range from 4 stories to 5 stories in different areas of the site.

**Setbacks.** Currently, the site requires a 20 ft minimum front setback and a 15 ft minimum side street setback. The design concept depicted for this site shows 10 ft front and side street setbacks.

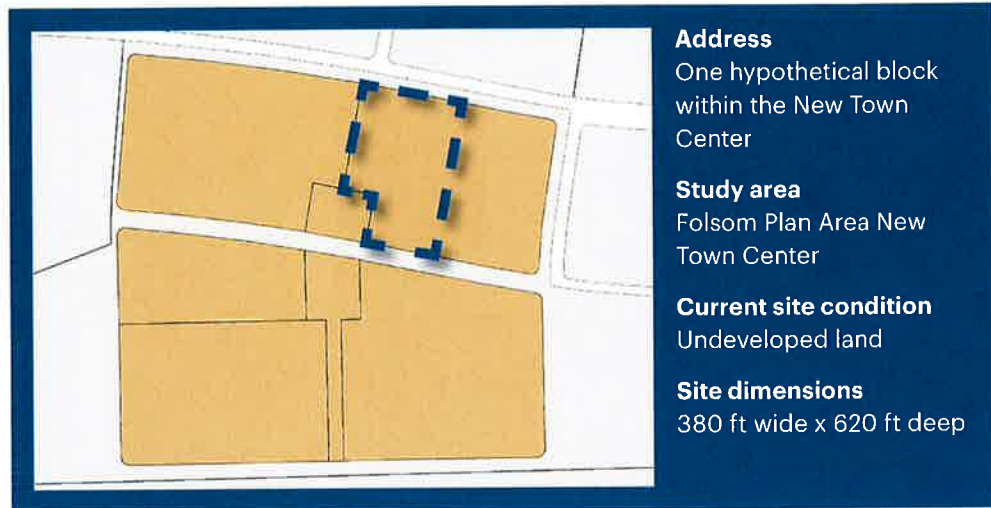
**Parking standards.** Currently, the site requires 1.5 to 2.5 spaces per unit, depending on unit size. The design concept depicted for this opportunity site provides 1.1 spaces per unit.

**Density.** Currently this site allows up to 30 du/acre. The design concept depicted for this site shows 112 du/acre.

# Site 3

## Block in New Town Center

### Overview



#### Address

One hypothetical block within the New Town Center

#### Study area

Folsom Plan Area New Town Center

#### Current site condition

Undeveloped land

#### Site dimensions

380 ft wide x 620 ft deep

### Existing Conditions

This site is currently undeveloped land in the Folsom Plan Area. Development is completed or underway for neighborhoods in other parts of the Folsom Plan Area, but the New Town Center is unbuilt. It is anticipated that this site will be made available for development in the near future.

### What We Heard From The Community

In the Folsom Plan Area Specific Plan, this site was envisioned as a walkable, mixed-use town core for the Folsom Plan Area.

The community reiterated these desires in outreach for the present study and also expressed preference for a mix of scales, three stories up to six stories in height and medium in bulk, and making sure to transition in scale from a higher intensity at the town center's core to a lower intensity

at the edges where it interfaces with surrounding residential neighborhoods.

### Vision

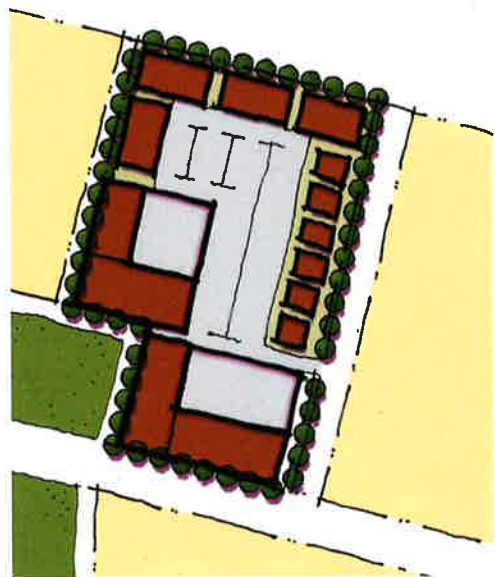
The New Town Center envisioned in the Specific Plan is composed of a series of medium to large-scale mixed-use buildings oriented around a public plaza or square.

The hypothetical block that was tested as part of the feasibility analysis for this study included mixed-use podium buildings up to six stories in height, multi-family corridor apartment buildings, and smaller surface-parked multi-family buildings.

## Design Concept + Site Testing Outcome



Below and left: Renderings from the Folsom Plan Area Specific Plan depicting design concepts for the New Town Center area. Note that these renderings are illustrative only. They represent hypothetical build-outs and do not represent an actual development proposal.



Above: Conceptual site plan developed for site testing

### Site Test Assumptions + Yields





<b># of Units (du)</b>	439
<b>Retail area (sf)</b>	78,000
<b># of Buildings</b>	12
<b>Bldg type</b>	Podium, corridor, multiplex
<b>Height (stories)</b>	3 to 6
<b>Bldg width (ft)</b>	Ranges from 40 to 250
<b>Bldg depth (ft)</b>	Ranges from 60 to 240
<b>Density (du/ac)</b>	90
<b>FAR</b>	1.8
<b>Parking (sp/du)</b>	1.1 + 1 per 1,000 sf retail
<b>Parking type</b>	Podium and surface
<b>Front setback (ft)</b>	5-15
<b>Lot width (ft)</b>	380
<b>Lot depth (ft)</b>	620
<b>Lot area (ac)</b>	4.9



## Key Design Elements



### Design Elements

-  **Architectural projections** like balconies, awnings, and eaves create focal points of visual interest
-  **Corner elements** like facade expression that wraps around corners
-  **Massing breaks down perceived bulk** by designing recesses in the wall plane so that one large building actually reads as several smaller buildings
-  **Pedestrian entries** to individual residential units and to shared stairwells open directly onto the sidewalk or public space with frontages that transition from the building entries to the pedestrian realm

## Key Regulatory Barriers

In testing development standards for this site, the following standards were found to be key barriers to development that both satisfied the community's preferred form and scale and also demonstrated financial feasibility.

**Building height.** Some of the images shared here, which were developed as part of the Folsom Plan Area Specific Plan, show buildings up to approximately 70 feet in height. Currently, the maximum building height allowed by the Specific Plan development standards is 50 feet.

**Parking standards.** Currently, residential parking requirements are between 1.5 and 2.5 spaces per unit, depending on unit size, and the commercial parking requirement is 3 spaces per 1,000 square feet. What this study evaluated for purposes of feasibility testing was 1.1 spaces per residential unit and 1 space per 1,000 square feet of commercial space.

**Density.** Currently, this site has a maximum density of 30 du/acre. The design concept evaluated for purposes of feasibility had 90 du/acre.

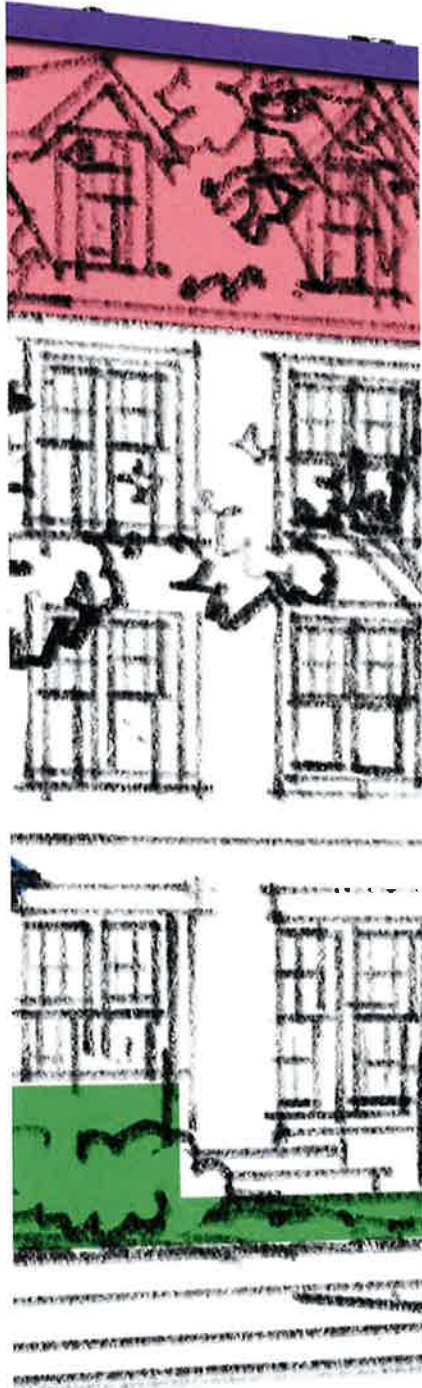




# Recommendations

SECTION

3



**The recommendations in this section can help promote a predictable built outcome that is aligned with the community's vision for housing in these locations.**

Folsom needs to provide more housing and more diverse types of housing to meet the housing needs of its residents. Development standards for mixed-use and multi-family housing, if regulated carefully, can promote more housing that is consistent with the desired character of the community.

Current regulations are not creating the housing diversity needed to serve the current and future needs of Folsom. In order to meet these needs, it is important to understand what targeted changes will be most impactful to unlocking opportunities for infill housing in these priority locations.



# Overview of Key Standards

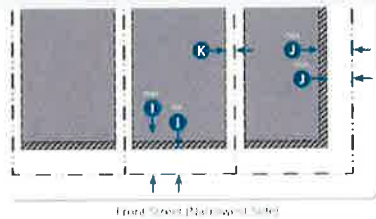
**Regulatory standards help to shape development outcomes. Some of the key regulatory standards that will factor into recommendations are introduced here.**

## Key Standards for Built Form

### Building Placement

Building placement standards regulate where buildings are situated on a lot. These regulations are frequently expressed as minimum setbacks, although build-to lines are a preferable regulatory tool to produce predictable built results.

*Right: This diagram presents the concept of a build-to line. A build-to line is a line parallel to a property line or right-of-way where a building façade must be placed. Build-to lines help ensure that building fronts are placed close enough to the street or sidewalk to create a pedestrian-oriented environment.*



**Build-to line expressed as a min. and max. range. The building facade must be placed within this area and cannot be set back behind this range.**

### Building Height

Building height can be regulated by number of stories, overall height, or both.

### Massing and Articulation

The composition of building volumes and facades helps enliven the streetscape, helping people orient themselves and creating a more comfortable experience for pedestrians navigating the space. Standards for massing and articulation can include regulations for facade composition, patterns of openings, and corner elements.

This group of standards also includes strategies to reduce the perception of building scale and bulk and is frequently

utilized to help new development relate to existing context. Strategies include upper-story setbacks that require the facade to step back from the built-to line at upper stories, and facade articulation that may require a break in the wall plane after a maximum distance of unbroken facade.

### Building Types

Buildings can be categorized according to their physical form. While certain uses or functions may be typical of certain building types, uses are not a primary determinant of building type. Different building types are appropriate for different contexts and site conditions, depending on lot dimensions, resident preferences, market conditions, and the nature of the adjacent street.

Regulating by building types creates more predictability in form and scale, and context-sensitive development. Each of the targeted study areas can allow a range of different building types that respond to existing contexts.

### Parking Location

Although parking location does not directly impact the production of housing, regulating the location of parking is critical to creating the desired built environment. It is recommended to require the parking in the rear of the lot or at least behind a habitable ground floor whenever feasible, to encourage buildings closer to the sidewalk, creating a more active, more pedestrian-friendly, and safer environment.

## Standards for Large Sites

For lots larger than 3 acres and longer than approximately 750 linear feet along a street, standards should require the creation of new streets and blocks

to fit better into the existing context. This will avoid so-called "superblock" developments that are typically inward-facing and do not support walkability, livability, or safety.



## Key Standards for Mixed-Use Environments

### Frontages

A frontage is the part of a building that connects the public realm (street and sidewalk) with the private realm (yard or building), providing an important transition between the two. Examples of different frontage types include porches, stoops, and shopfronts.

Frontage standards can include regulations on which types of frontages are allowed in particular areas as well as dimensional standards for each frontage type.

In mixed-use environments, frontage standards should ensure that residential frontage types are crafted along with frontage types typical of retail environments in order to enable ground-floor residential uses on secondary facades.

### Building Placement

Where the City wants to enable either ground-floor retail or residential uses on the front facade, consider flexible build-to lines.

## Key Standards Impacting Economic Feasibility

### Parking Requirements

Minimum requirements for parking space(s) per dwelling unit can play a large role in limiting development and feasibility if the standards are not properly calibrated for the context. Current standards for

parking in the study areas are high, requiring larger lots for developments and limiting the sites' capacity for new infill housing at these priority locations.

Reductions in parking requirements should be coordinated with the provision

of mobility alternatives, which can include bicycle infrastructure and storage, car-share programs with dedicated spaces for car-share vehicles onsite, and transit service with transit passes for residents.

One resource as an alternative mobility option is the new SmART Ride service. Sacramento Regional Transit (RT) now provides on-demand transit service through an app that can take users directly to major offices, shopping centers and light rail stations in Folsom. The new service will also be available in the Folsom Plan Area. The fee to use the service is half the cost of bus and light rail fares.

Another resource in planning for alternative mobility options is GreenTRIP,

a program launched in the San Francisco Bay Area and expanding statewide, which offers a certification for new development that provides mobility alternatives in exchange for reduced parking.

### Density Limits

A common misconception is that lower densities mean smaller buildings and that higher densities mean larger buildings. However, density is a numerical approach based on the lot size that does not regulate the size of buildings or how they relate to their surrounding contexts. A moderate-density building may still dwarf a house next to it, just as a high-density building may blend into the surrounding neighborhood as a house-scale building.

### Why Density Alone Can Have Unexpected Built Outcomes

While people commonly assume that density limits ensure that new projects will be compatible with their context, this is not actually the case. See the images at right of projects which have nearly the same density but drastically different built form.

The number of dwelling units may have no correlation with the size of those units, their arrangement on the lot, or the form of the buildings within which they appear. There is a misconception that high density means big buildings, despite the fact that existing house-scale buildings often achieve higher densities.

In order to achieve the benefits of increased housing choices—including attainability, support for neighborhood walkability, and compatibility with context—a thoughtful approach to regulating form, scale, and building types is most important.



**Above: Large corridor apartment building**

60 units; 30 du/ac.  
Building 175' x 165'; 3 Stories



**Above: House-scale courtyard building**

8 units; 31.7 du/ac.  
Building back bar 84 x 32, wings coming to street 31 x 25,  
courtyard 30 x 36; 2 Stories





Density should not be considered a standard that produces particular built form outcomes. Instead, a combination

of building types and building massing regulations can create desirable results regardless of a project's numerical density.

## Key Regulatory Tools

### Objective Design Standards (ODS)

Per state law, cities must have clear, objective standards for multi-family development projects, including affordable housing projects. These types of projects must be reviewed by city staff using only objective standards. Planning Commission and Council can no longer review design.

In many cases, Objective Design Standards may be one of the most

important ways for local jurisdictions to influence the design of multi-family and mixed-use buildings.

The City of Folsom will undertake to create Objective Design Standards in the near future and can incorporate recommendations from this project into the new standards.

## A Note on Housing Affordability

While recommendations for policies or programs that address housing affordability are outside the parameters of this project, the goal to provide housing opportunities for all income levels informs the thinking behind this study.

The enclosed recommendations can support housing affordability in myriad ways, including:

- Objective Design Standards create a predictable and streamlined approval process for developers who produce multi-family and affordable housing while also providing a predictable built outcome for the community
- Increases in density, when coupled with appropriate building form standards, can help encourage the provision of smaller units which are generally available at a more attainable price point than larger units
- Parking requirement reductions reduce development costs and enable developers to provide more units
- Unbundling parking, i.e. offering tenants the option to lease a dwelling unit without also leasing a parking space, can help bring down unit costs for individual tenants and can reduce the number of parking spaces required in a development

# Emerging Best Practices on Density and FAR

## Density, FAR, and Predictability of Built Form

As described in the previous section, density alone as a regulatory tool does not always result in predictable built form. Factors such as building length, size, and bulk, and the type and sizes of dwelling units can result in buildings with similar densities and different built outcomes. When the State Density Bonus is applied to mixed-income projects, the resultant building form can deviate even further from expectations. Density cannot yield predictable built form results.

FAR (floor area ratio) can result in more predictable buildings especially when used with other, form-based regulations to guide the outcome of the zoning envelope. FAR measures the ratio of total usable built floor area to the area of the lot. As an example, a single-story building that covers 100 percent of its lot has an FAR of 1.0, as does a two-story building that covers 50 percent of the lot. In this way, FAR directly regulates building square footage relative to lot size, which yields a level of predictability in a building's mass, an important aspect of built form that can complement other building form standards in Objective Design Standards.

## Regulating with FAR Instead of Density

Given density's inability to deliver predictable built form, an emerging best practice is to replace density with FAR as a regulatory tool.

Some opponents of eliminating density requirements fear that it will result in buildings with very high numbers of micro-units or single room occupancy (SRO) units. While unlikely, additional standards can be considered to prevent this situation, such as establishing minimum requirements for "family units" or 2+ bedroom units in multi-family projects.

Eliminating density does not jeopardize density bonus projects. FAR can be used instead of density to determine base entitlements and also to determine density bonus allocations, as described in the El Cerrito example on the facing page.

## Establishing FAR Standards

Rather than establishing FAR maximums up-front, determining FAR standards after other form standards have been established can better ensure that FAR furthers the City's goals for desired built form.

The process of determining potential built outcomes in the opportunity site testing in this project can be helpful to determine an appropriate resultant FAR for projects in Folsom. Further site testing can help to determine appropriate FAR levels for future housing projects in Folsom.

### Examples From Other Communities

Several other California cities have begun to eliminate density standards and rely on FAR instead. The following are some examples from Northern California.

#### Roseville

Roseville has recently adopted standards that allow projects to meet either density maximums or FAR maximums, whichever is more permissive. With its moderate density maximum (36 du/ac) and relatively high FAR maximum (4.0), FAR is likely to effectively replace density as the applicable regulatory tool for new projects.

#### San Rafael

In its 2020 General Plan, San Rafael eliminated density standards for

its downtown and now relies on FAR instead. The intention behind this change was to increase the predictability of built form as the City pursues its housing goals. This policy change was implemented in the Downtown Precise Plan, which makes no mention of density.

#### El Cerrito

In its 2014 San Pablo Avenue Specific Plan, El Cerrito eliminated density standards for the San Pablo Avenue Specific Planning Area. The City has established the legal precedent for using FAR in awarding state density bonuses by awarding additional square footage rather than additional density to state density bonus recipients.



Above: Locations of example communities in Northern California

# Recommendations for the East Bidwell Study Area

Note: The existing standards evaluated in this matrix are from the C-2 zoning district and the East Bidwell Mixed-Use Overlay.

Recommendations Matrix			
Regulation	Existing Standard	Proposed Adjustment	Implementation Tool
<b>Building height</b>	4 stories (50 ft) max.	<b>5 stories max. on corner sites</b>	Objective Design Standards
<b>Front setback</b>	None required	<b>Build-to line of 5-10 ft min. to 15-20 ft max.</b>	Objective Design Standards
<b>Parking for Multi-Unit Dwellings</b>	1.5 spaces per unit min.	<b>0.7-0.9 space per unit min.</b>	Objective Design Standards
<b>Parking for Retail</b>	1 space per 200 sf min.	<b>Allow small retail spaces in mixed-use buildings to pool parking space with adjacent parcels rather than providing them onsite</b>	Objective Design Standards
<b>Density</b>	20-30 du/acre	<b>60-80 du/acre max., or eliminate density standard</b>	General Plan + Objective Design Standards
Additional Standards		Considerations	
<b>Frontage types</b>	Allow frontage types appropriate to both retail uses (e.g. shopfronts) and ground-floor residential uses (e.g. porches). Create sufficient depth (10-15 ft) in residential frontages to buffer these building entries from the street.		
<b>Building types</b>	Regulating by building types can help create predictable built form. Building types can incorporate dimensional standards like building width.		
<b>Massing and articulation</b>	Consider requiring massing strategies such as upper-story stepbacks and facade articulation to reduce the perceived bulk of new development.		
<b>Standards for large sites</b>	Plan for the possibility of redevelopment of large parcels. Incorporate street and block standards and open space standards to encourage a walkable development pattern.		
<b>Pedestrian entry standards</b>	Regulate a minimum distance between pedestrian entries along a building facade and require that ground-floor units be accessed from the sidewalk or common open space.		
<b>Density minimums</b>	Consider density minimums that capture the City's housing goals for infill sites and helps the City meet its RHNA allocation goals.		
<b>Unbundling parking</b>	Unbundling parking, i.e. offering tenants the option to lease a dwelling unit without also leasing a parking space, can help bring down unit costs for individual tenants and can reduce the number of parking spaces required in a development.		

**Rationale**

Allowing taller building heights on corner sites enables the creation of nodes of intensity along the corridor.

Regulate as a build-to line rather than a setback. Dimensions provided are flexible enough to accommodate either retail or residential use on the ground floor. Build-to lines will ensure that buildings are placed to engage the street and sidewalk. In order to improve comfort and safety for pedestrians, incorporate a small buffer into the dimension that can accommodate an expanded sidewalk and/or a frontage that transitions from the sidewalk to the building face.

A reduced parking ratio was required for feasibility on the opportunity site tested. Lowering the parking ratio further will increase development feasibility. This parking ratio should be paired with alternative mobility strategies like onsite car-share.

Particularly on small infill sites, parking requirements make it difficult to realize development potential due not only to the cost of providing parking but also because of the physical constraints of the lot. The parking ratio for retail square footage is more demanding than the parking ratio for residential square footage and can be difficult to physically accomplish on sites like the opportunity site studied on East Bidwell St. Currently, some of the retail centers along East Bidwell have an excess of parking spaces that could be used by patrons of small retail or service components in new mixed-use buildings. Eliminating the parking requirement for small retail spaces, provided there is adequate parking on adjacent parcels, can help enable mixed-use development on this corridor.

Higher density was required for feasibility in the opportunity site test. This increased density can enable smaller, more attainable units. Increase in density should be paired with the development of robust design standards to control built form.



# Recommendations for the Folsom Blvd. TOD Study Area

Note: The existing standards evaluated in this matrix are from the R-4 zoning district.

Recommendations Matrix			
Regulation	Existing Standard	Proposed Adjustment	Implementation Tool
<b>Building height</b>	4 stories (50 ft) max.	<b>Up to 5 stories max., and up to 7 stories max. at TOD sites</b>	Objective Design Standards
<b>Front setback</b>	20' min.	<b>Build-to line of 5-10 ft min. to 15-20 ft max.</b>	Objective Design Standards
<b>Side street setback</b>	15' min.	<b>Build-to line of 5-10 ft min. to 15 ft max.</b>	Objective Design Standards
<b>Parking for Multi-Unit Dwellings</b>	1.5-2.5 spaces per unit min. (varies by unit size)	<b>0.5-0.75 spaces per unit min. at TOD sites; 1 space/unit min. elsewhere</b>	Objective Design Standards
<b>Density</b>	20-30 du/acre	<b>100-120 du/acre max., or eliminate density standard</b>	General Plan + Objective Design Standards
Additional Standards		Considerations	
<b>Frontage types</b>	Allow frontage types appropriate to both retail uses (e.g. shopfronts) and ground-floor residential uses (e.g. porches). Create sufficient depth (10-15 ft) in residential frontages to buffer these building entries from the street.		
<b>Building types</b>	Regulating by building types can help create predictable built form. Building types can incorporate dimensional standards like building width and depth.		
<b>Massing and articulation standards</b>	Consider massing strategies such as upper-story stepbacks, facade articulation, and upper stories within roof forms to reduce the perceived bulk of new development.		
<b>Standards for large sites</b>	Plan for the possibility of redevelopment of large parcels. Incorporate street and block standards and open space standards to encourage a walkable development pattern.		
<b>Unbundling parking</b>	Unbundling parking, i.e. offering tenants the option to lease a dwelling unit without also leasing a parking space, can help bring down unit costs for individual tenants and can reduce the number of parking spaces required in a development.		
<b>Alternative mobility provisions</b>	Pair a reduction in parking requirements with a requirement for alternative mobility options, including transit passes.		

**Rationale**

Located along a transit corridor, this targeted area is a rational location for the greatest intensity of new residential development. Anticipating that podium buildings will be required in order to capture the desired development potential on this site, taller building heights will likely be necessary in order to offset the costs of this more expensive construction type. At the Glenn Station opportunity site tested, five stories across the site was in the realm of feasibility. Consider allowing some taller heights at this location to ensure that this development remains feasible. This will also allow development to be taller than 5 stories at the station entrance and step down to lower heights at the edges of the parcel to transition to the surrounding context.

Regulate as a build-to line rather than a setback. The proposed dimensions are flexible enough to accommodate either retail or residential use on the ground floor. Build-to lines will ensure that buildings are placed to engage the street and sidewalk. In order to improve comfort and safety for pedestrians, incorporate a small buffer into the dimension that can accommodate an expanded sidewalk and/or a frontage that transitions from the sidewalk to the building face.

Regulate as a build-to line rather than a setback. The proposed dimensions are flexible enough to accommodate either retail or residential use on the ground floor. Build-to lines will ensure that buildings are placed to engage the street and sidewalk. In order to improve comfort and safety for pedestrians, incorporate a small buffer into the dimension that can accommodate an expanded sidewalk and/or a frontage that transitions from the sidewalk to the building face.

A reduced parking ratio was required for feasibility on the opportunity site tested. Lowering the parking ratio further will increase development feasibility. This parking ratio should be paired with alternative mobility strategies like onsite car-share and transit passes.

Higher density was required for feasibility in the opportunity site test. This increased density can enable smaller, more attainable units. Increase in density should be paired with the development of robust design standards to control built form.

# Recommendations for the New Town Center Study Area

Note: The existing standards evaluated in this matrix are from the SP-MU zoning district, which is the most intense of the zoning districts in the New Town Center.

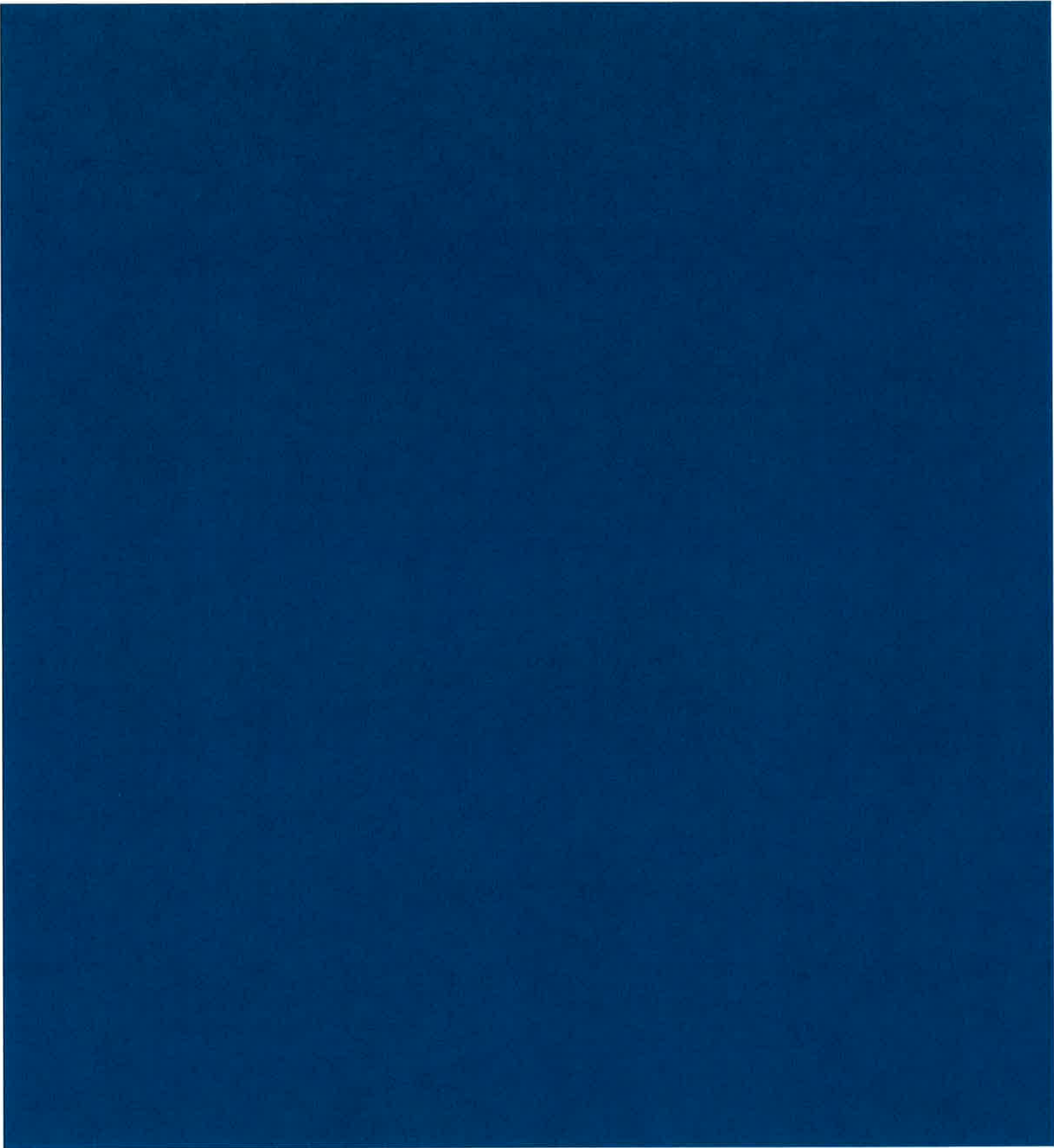
Recommendations Matrix			
Regulation	Existing Standard	Proposed Adjustment	Implementation Tool
<b>Building height</b>	50 ft max.	<b>70 ft max.</b>	Objective Design Standards
<b>Parking for Multi-Unit Dwellings</b>	1.5 spaces per unit min.	<b>1 space per unit min.</b>	Objective Design Standards
<b>Density</b>	9-30 du/acre	<b>80-100 du/acre max., or eliminate density standard</b>	Folsom Plan Area Specific Plan + Objective Design Standards
Additional Standards	Considerations		
<b>Frontage types</b>	Allow frontage types appropriate to both retail uses (e.g. shopfronts) and ground-floor residential uses (e.g. porches). Create sufficient depth (10-15 ft) in residential frontages to buffer unit entries from the street or sidewalk.		
<b>Building types</b>	Regulating by building types can help create predictable built form. Building types can incorporate dimensional standards like building width and depth.		
<b>Massing and articulation standards</b>	Consider requiring massing strategies such as upper-story stepbacks and facade articulation to reduce the perceived bulk of new development.		
<b>Standards for large sites</b>	Plan for the possibility of redevelopment of large parcels. Incorporate street and block standards and open space standards to encourage a walkable development pattern.		
<b>Unbundling parking</b>	Unbundling parking, i.e. offering tenants the option to lease a dwelling unit without also leasing a parking space, can help bring down unit costs for individual tenants and can reduce the number of parking spaces required in a development.		

**Rationale**

These increased building heights are aligned with the renderings shown in the Folsom Plan Area Specific Plan. They are also aligned with the density evaluated for feasibility as part of this project.

A reduced parking ratio was required for feasibility on the opportunity site tested. This parking ratio should be paired with alternative mobility strategies like onsite car-share. Note that this recommended parking ratio is higher than in the other two study areas since the New Town Center does not yet have an established transit system and due to its location is more likely to require a certain level of auto-dependency.

Higher density was required for feasibility in the opportunity site test. This increased density can enable smaller, more attainable units. Increase in density should be paired with the development of robust design standards to control built form.





# Appendix

Table 1  
**City of Folsom**  
**Feasibility Analysis**  
**Building Prototypes**

	Snowline Hospice Thrift Store 616 E Bidwell St	Glenn Station Park + Ride 620 Coolidge Dr	New Town Center Folsom Plan Area
FAR	1.04	1.98	1.83
DU/Acre	58.9	111.7	90.4
Number of Stories	3	4 and 5	3 and 4
Land Area SF	60,632	118,925	211,600
Gross SF	63,250	234,900	387,000
Residential			
Gross Residential SF	63,250	233,400	309,000
Net Residential SF	54,100	197,900	257,040
Building Efficiency	86%	85%	83%
Retail SF	-	1,500	78,000
Residential Unit			
Efficiency	27	103	221
Studio	23	93	170
1-BR	24	88	48
2-BR	8	21	-
<b>Total Units</b>	<b>82</b>	<b>305</b>	<b>439</b>
Average Unit Size (SF)	659	649	585
Parking			
Type	Tuck Under/Surface	Tuck Under/Podium	Podium/Garage
Number of Spaces	83	328	551

Table 2  
City of Folsom  
Feasibility Analysis  
City Fees

		Snowline Hospice Thrift Store 616 E Bidwell St.	Glenn Station Park + Ride 620 Coolidge Dr.	New Town Center Folsom Plan Area.
<b>North of HW 50</b>				
<b>Multi-Family</b>				
Folsom Cordova Unified School District	\$ 7.57 per sf.	\$ 409,537	\$ 1,498,103	
Road Fee	\$ 5,717.00 per unit	\$ 386,755	\$ 1,438,540	
Water Impact Fee	\$ 530.00 per unit	\$ 35,855	\$ 133,361	
Sewer Fees (Multifamily Infill)	\$ 839.00 per unit	\$ 56,758	\$ 211,113	
Drainage Fee	\$ 1,037.00 per unit	\$ 70,153	\$ 260,935	
General Capital Improvement Fee	\$ 1,596.00 per unit	\$ 107,969	\$ 401,594	
Fire Capital Improvement Fee	\$ 1,050.00 per unit	\$ 71,033	\$ 264,206	
Police Capital Improvement Fee	\$ 681.00 per unit	\$ 46,070	\$ 171,357	
Park Equipment Fee	\$ 94.00 per unit	\$ 6,359	\$ 23,653	
Transportation Management Fee	\$ 25.00 per unit	\$ 1,691	\$ 6,291	
City Wide Park Fee	\$ 4,675.00 per unit	\$ 316,264	\$ 1,176,347	
Light Rail Fee	\$ 498.00 per unit	\$ 33,690	\$ 125,309	
Solid Waste Capital Fee	\$ 363.00 per unit	\$ 24,557	\$ 91,340	
Waste Management Plan Admin Fee	\$ 50.00 per first 10,000 sf	\$ 50	\$ 50	
	\$ 25.00 per each additional 5,000 sf	\$ 266	\$ 1,117	
<b>Commercial</b>				
Folsom Cordova Unified School District	\$ 0.78 per sf.		\$ 1,170	
Housing Trust Fund Fee	\$ 1.76 per sf.		\$ 2,640	
Road Fees	\$ 12.27 per sf.		\$ 18,405	
Water Impact Fee	\$ 1,326.00 per acre		\$ 46	
Drainage Fee	\$ 6,302.00 per acre		\$ 217	
General Capital Improvement Fee	\$ 0.498 per sf.		\$ 747	
Fire Capital Improvement Fee	\$ 0.634 per sf.		\$ 951	
Police Capital Improvement Fee	\$ 1.012 per sf.		\$ 1,518	
Park Equipment Fee	\$ 0.018 per sf.		\$ 27	
Transportation Management Fee	\$ 0.150 per sf.		\$ 225	
City Wide Park Fee	\$ 0.476 per sf.		\$ 714	
Light Rail Fee	\$ 0.230 per sf.		\$ 345	
Waste Management Plan Admin Fee	\$ 250.00 per first 50,000 sf.		\$ 250	
	\$ 50.00 per each additional 10,000 sf.		\$ -	
<b>Folsom Plan Area</b>				
<b>Multi-Family</b>				
Folsom Cordova Unified School District	\$ 7.57 per sf.		\$ 1,945,793	
General Park Equipment	\$ 94.00 per unit		\$ 34,044	
Folsom Plan Area Specific Plan Fees (Mixed Use District)				
General Capital	\$ 1,081.00 per unit		\$ 391,511	
Library	\$ 220.00 per unit		\$ 79,679	
Municipal Center	\$ 402.00 per unit		\$ 145,594	
Police	\$ 451.00 per unit		\$ 163,341	
Fire	\$ 1,088.00 per unit		\$ 394,046	
Parks	\$ 5,677.00 per unit		\$ 2,056,067	
Trails	\$ 1,122.00 per unit		\$ 406,360	
Folsom Plan Area Stand Alone Fees (Mixed Use District)				
Solid Waste	\$ 353.00 per unit		\$ 127,848	
Corp Yard	\$ 231.00 per unit		\$ 83,662	
Transit	\$ 950.00 per unit		\$ 344,066	
HW50 Improvement	\$ 919.00 per unit		\$ 332,899	
HW50 Interchange	\$ 1,870.00 per unit		\$ 677,267	
Sac County Transpo Dev	\$ 3,784.00 per unit		\$ 1,370,470	
Specific Plan Infrastructure Fees (Mixed Use District)				
On and Off-Site Roadways	\$ 9,447.00 per unit		\$ 3,421,467	
Dry Utilities	\$ 2,494.00 per unit		\$ 903,264	
On-Site Water	\$ 2,800.00 per unit		\$ 1,014,090	
Off-Site Water	\$ 1,395.00 per unit		\$ 505,234	
Recycled Water	\$ 843.00 per unit		\$ 305,314	
Drainage Fee	\$ 4,184.00 per unit		\$ 1,515,340	
Sewer	\$ 893.00 per unit		\$ 323,422	
Habitat Mitigation	\$ 203.00 per unit		\$ 73,522	
Administration (3%)	\$ 668.00 per unit		\$ 241,933	
Parkland Equalization Fee (Mixed Use District)	\$ 3,870.00 per unit		\$ 1,401,617	
Public Facilities Land Equalization Fee (Mixed Use District)	\$ 599.00 per unit		\$ 216,943	
Specific Plan Infrastructure Fee Set-Aside (Offsite Roadway)(Mixed Use District)	\$ 148.00 per unit		\$ 53,602	
Transportation Management Fee	\$ 25.00 per unit		\$ 9,054	
Specific Plan Infrastructure Fee Water Treatment Plant Set-Aside	\$ 366.00 per unit		\$ 132,556	
<b>Commercial</b>				
Folsom Cordova Unified School District	\$ 0.78 per sf.		\$ 60,840	
General Park Equipment	\$ 0.02 per sf.		\$ 1,404	
Folsom Plan Area Specific Plan Fees (Mixed Use District)				
General Capital	\$ 0.82 per sf.		\$ 63,960	
Library	\$ - per sf.		\$ -	
Municipal Center	\$ 0.11 per sf.		\$ 8,580	
Police	\$ 0.84 per sf.		\$ 65,320	
Fire	\$ 0.82 per sf.		\$ 63,960	
Parks	\$ 0.47 per sf.		\$ 36,660	
Trails	\$ - per sf.		\$ -	
Folsom Plan Area Stand Alone Fees (Mixed Use District)				
Solid Waste	\$ 0.40 per sf.		\$ 31,200	
Corp Yard	\$ 0.53 per sf.		\$ 41,340	
Transit	\$ 1.82 per sf.		\$ 141,960	
HW50 Improvement	\$ 1.77 per sf.		\$ 138,060	
HW50 Interchange	\$ 3.60 per sf.		\$ 280,800	
Sac County Transpo Dev	\$ 7.28 per sf.		\$ 567,840	
Specific Plan Infrastructure Fees (Mixed Use District)				
On and Off-Site Roadways	\$ 18.17 per sf.		\$ 1,417,260	
Dry Utilities	\$ 2.31 per sf.		\$ 180,180	
On-Site Water	\$ 3.26 per sf.		\$ 254,280	
Off-Site Water	\$ 1.62 per sf.		\$ 126,360	
Recycled Water	\$ 0.98 per sf.		\$ 76,440	
Drainage Fee	\$ 9.53 per sf.		\$ 743,340	
Sewer	\$ 0.12 per sf.		\$ 9,360	
Habitat Mitigation	\$ 0.46 per sf.		\$ 35,880	
Administration (3%)	\$ 1.09 per sf.		\$ 85,020	
Public Facilities Land Equalization Fee (Mixed Use District)	\$ 3,392.00 per acre		\$ 6,074	
Specific Plan Infrastructure Fee Set-Aside (Offsite Roadway)(Mixed Use District)	\$ 0.29 per sf.		\$ 22,620	
Transportation Management Fee	\$ 0.15 per sf.		\$ 11,700	
Specific Plan Infrastructure Fee Water Treatment Plant Set-Aside	\$ 0.42 per sf.		\$ 32,760	
<b>Total City Fees</b>		\$ 1,567,007	\$ 5,830,570	\$ 23,173,346

Note: Impact fees are reduced by 50 percent for efficiency and studio apartments up to 35 percent of the total number of units - Section 16.70 of the Folsom Municipal Code.

Table 3  
**City of Folsom**  
**Feasibility Analysis**  
**Revenues**

		Glenn Snowline Hospice Thrift Store 616 E Bidwell St	Station Park + Ride 620 Coolidge Dr	New Town Center Folsom Plan Area
<b>Residential Program</b>				
Total Units		82	305	439
Market-Rate Units				
Studios		27	103	221
1-BR		23	93	170
2-BR		24	88	48
3-BR		8	21	-
Unit Size (SF)				
Studios		500	500	500
1-BR		650	650	650
2-BR		750	750	750
3-BR		950	950	-
<b>Commercial Program</b>				
Retail SF		-	1,500	78,000
<b>Residential Revenues</b>				
Market-Rate Rent PSF				
Efficiency	\$	3.10	\$ 3.10	\$ 3.10
Studio	\$	2.85	\$ 2.85	\$ 2.85
1-BR	\$	2.65	\$ 2.65	\$ 2.65
2-BR	\$	2.40	\$ 2.40	\$ -
Market-Rate Rent per-Unit				
Efficiency	\$	1,550	\$ 1,550	\$ 1,550
Studio	\$	1,853	\$ 1,853	\$ 1,853
1-BR	\$	1,988	\$ 1,988	\$ 1,988
2-BR	\$	2,280	\$ 2,280	\$ -
Market-Rate Unit Revenues				
Efficiency	\$	41,850	\$ 159,650	\$ 342,550
Studio	\$	42,608	\$ 172,283	\$ 314,925
1-BR	\$	47,700	\$ 174,900	\$ 95,400
2-BR	\$	18,240	\$ 47,880	\$ -
Total Annual Market-Rate Rent	\$	1,804,770	\$ 6,656,550	\$ 9,034,500
<b>Commercial Revenues</b>				
Retail Rent PSF	\$	2.00	\$ 2.00	\$ 2.00
Retail Revenues	\$	-	\$ 36,000	\$ 1,872,000
<b>Net Operating Income</b>				
Residential				
Total Project Revenues	\$	1,804,770	\$ 6,656,550	\$ 9,034,500
Less Vacancy (2.5%)	2.5%	\$ 45,119	\$ 166,414	\$ 225,863
Effective Gross Income	\$	1,759,651	\$ 6,490,136	\$ 8,808,638
Less Operating Expenses (including reserves)	32.5%	\$ 571,886	\$ 2,109,294	\$ 2,862,807
<b>Residential Net Operating Income</b>	\$	1,187,764	\$ 4,380,842	\$ 5,945,830
Retail				
Total Project Revenues	\$	-	\$ 36,000	\$ 1,872,000
Less Vacancy (5.0%)	5.0%	\$ -	\$ 1,800	\$ 93,600
Effective Gross Income	\$	-	\$ 34,200	\$ 1,778,400
Less Operating Expenses (including reserves) <sup>1</sup>	12.0%	\$ -	\$ 4,104	\$ 213,408
<b>Retail Net Operating Income</b>	\$	-	\$ 30,096	\$ 1,564,992
<b>Total Net Operating Income</b>	\$	1,187,764	\$ 4,410,938	\$ 7,510,822

<sup>1</sup> Commercial operating costs are assumed to be triple net.

Table 4  
**City of Folsom**  
**Feasibility Analysis**  
**Development Costs**

		Snowline Hospice Thrift Store 616 E Bidwell St	Glenn Station Park + Ride 620 Coolidge Dr	New Town Center Folsom Plan Area
FAR		1.04	1.98	1.83
DU/Acre		58.9	111.7	90.4
Land Area SF		60,632	118,925	211,600
<b>Gross SF</b>		<b>63,250</b>	<b>234,900</b>	<b>387,000</b>
<b>Residential</b>				
Gross Residential SF		63,250	233,400	309,000
Net Residential SF		54,100	197,900	257,040
Building Efficiency		86%	85%	83%
<b>Retail SF</b>		-	1,500	78,000
<b>Total Residential Units</b>		<b>82</b>	<b>305</b>	<b>439</b>
<b>Parking</b>				
Surface		42	-	-
Garage		-	-	400
Tuck Under		41	13	-
Podium		-	315	151
<b>Land Costs</b>				
Land Costs	\$44 per land SF	\$ 2,644,684	\$ 5,187,344	\$ 9,229,699
<b>Land Costs Subtotal</b>		<b>\$ 2,644,684</b>	<b>\$ 5,187,344</b>	<b>\$ 9,229,699</b>
<b>Hard Costs</b>				
Residential Construction Costs	\$195 per GSF	\$ 12,333,750	\$ 45,513,000	\$ 60,255,000
Demo/On-Site Improvements	\$10 per land SF	\$ 606,320	\$ 1,189,250	\$ 2,116,000
Retail Construction Costs <sup>1</sup>	\$93 per GSF	\$ -	\$ 139,500	\$ 7,254,000
<b>Parking</b>				
Surface	\$2,500 per space	\$ 105,000	\$ -	\$ -
Garage	\$8,500 per space	\$ -	\$ -	\$ 3,400,000
Tuck Under	\$11,500 per space	\$ 471,500	\$ 149,500	\$ -
Podium	\$45,000 per space	\$ -	\$ 14,175,000	\$ 6,795,000
Contingency	4% x Hard Cost subtotal	\$ 540,663	\$ 2,446,650	\$ 3,192,800
<b>Hard Costs Subtotal</b>		<b>\$ 14,057,233</b>	<b>\$ 63,612,900</b>	<b>\$ 83,012,800</b>
Parking costs as % of Hard Costs		4%	23%	12%
Parking Cost per sf.		\$ 17	\$ 109	\$ 46
<b>Soft Costs</b>				
City Permits and Fees	See Fees Tab	\$ 1,567,007	\$ 5,830,570	\$ 23,173,346
A&E/Other Professionals	6% x Hard Costs	\$ 843,434	\$ 3,816,774	\$ 4,980,768
Marketing/Leasing Commissions	\$7.50 x Net Leasable SF	\$ 454,740	\$ 891,938	\$ 1,587,000
Legal & Accounting	2% x Hard Costs	\$ 281,145	\$ 1,272,258	\$ 1,660,256
Taxes & Insurance	2% x Hard Costs	\$ 281,145	\$ 1,272,258	\$ 1,660,256
Pre-Opening Expenses	\$4.00 x Net Leasable SF	\$ 242,528	\$ 475,700	\$ 846,400
Developer Fee	6% x Hard Costs	\$ 843,434	\$ 3,816,774	\$ 4,980,768
Contingency	3% x Soft Costs subtotal	\$ 135,403	\$ 521,288	\$ 1,166,664
<b>Soft Costs Subtotal</b>		<b>\$ 4,648,835</b>	<b>\$ 17,897,560</b>	<b>\$ 40,055,457</b>
% of Hard Costs		33%	28%	48%
% of Total Costs		20%	19%	28%
<b>Subtotal: Land + Hard Costs + Soft Costs</b>		<b>\$ 21,350,751</b>	<b>\$ 86,697,804</b>	<b>\$ 132,297,956</b>
<b>Financing Costs</b>				
Average Loan Balance	65%			
Construction Loan Interest Rate	6.5%			
Loan Term	18 months			
Construction Loan Interest		\$ 1,353,104	\$ 5,494,473	\$ 8,384,383
Construction Loan Fees	2.0% x subtotal	\$ 427,015	\$ 1,733,956	\$ 2,645,959
Permanent Loan Percent	75.0% x capitalized value			
Permanent Loan Fees	1.5%	\$ 296,941	\$ 1,102,734	\$ 1,877,706
<b>Financing Costs Subtotal</b>		<b>\$ 2,077,060</b>	<b>\$ 8,331,164</b>	<b>\$ 12,908,048</b>
<b>Total Development Cost</b>				
<b>Total: Land + Hard+ Soft + Financing</b>		<b>\$ 23,427,811</b>	<b>\$ 95,028,967</b>	<b>\$ 145,206,004</b>
Per Unit Cost		\$ 285,705	\$ 311,570	\$ 330,765
Per SF		\$ 370	\$ 405	\$ 375

<sup>1</sup> Assumes construction cost for building substructure and shell only



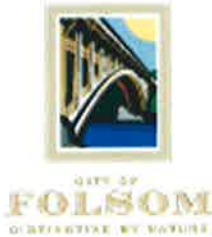
Table 5  
**City of Folsom**  
**Feasibility Analysis**  
**Proforma**

	Snowline Hospice Thrift Store 616 E Bidwell St	Glenn Station Park + Ride 620 Coolidge Dr	New Town Center Folsom Plan Area
Land Area SF	60,632	118,925	211,600
FAR	1.04	1.98	1.83
Number of Stories	3	4 and 5	3 and 4
Gross Building SF	63,250	234,900	387,000
<b>Residential</b>			
DU/Acre	58.9	111.7	90.4
Residential Gross SF	63,250	233,400	309,000
Building Efficiency	86%	85%	83%
Total Units	82	305	439
Average Unit Size (SF)	659	649	585
Retail SF	-	1,500	78,000
<b>Parking</b>			
Type	Tuck Under/Surface	Tuck Under/Podium	Podium/Garage
Number of Spaces	83	328	551
<b>Development Costs</b>			
Land Cost	\$ 2,644,684	\$ 5,187,344	\$ 9,229,699
Hard Costs	\$ 14,057,233	\$ 63,612,900	\$ 83,012,800
Soft Costs (include. Financing)	\$ 6,725,895	\$ 26,228,724	\$ 52,963,505
<u>Total Development Costs</u>	<u>\$ 23,427,811</u>	<u>\$ 95,028,967</u>	<u>\$ 145,206,004</u>
<b>Sales Revenues</b>			
Net Operating Income	\$ 1,187,764	\$ 4,410,938	\$ 7,510,822
Capitalized Value (Cap Rate 4.5%) <sup>1</sup>	4.50% \$ 26,394,761	\$ 98,020,844	\$ 166,907,163
<b>Developer Profit</b>			
Total Revenues Less Total Development Costs	\$ 2,966,950	\$ 2,991,876	\$ 21,701,159
Yield on Cost %	5.07%	4.64%	5.17%
<b>Feasibility</b>			
Feasibility: Cap Rate +1%	5.50%	No	No
Feasibility: Hurdle Rate	8.0%	No	No
% Rent Increase Required for Target Yield-on-Cost		9%	19%
Feasibility with above % Rent Increase		Yes	Yes

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CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE



# Folsom City Council Staff Report



<b>MEETING DATE:</b>	3/28/2023
<b>AGENDA SECTION:</b>	Public Hearing
<b>SUBJECT:</b>	Appeal by Katharine Gray of Decisions by the Planning Commission Adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Approving a Conditional Use Permit, Planned Development Permit, and Density Bonus for development of the 136-unit Vintage Senior Apartments project (PN 21-259) located at 103 East Natoma Street
<b>FROM:</b>	Community Development Department

**RECOMMENDATION / CITY COUNCIL ACTION**

For the reasons described in this report, staff recommends that the Council deny the appeal by Katharine Gray of Decisions by the Planning Commission Adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Approving a Conditional Use Permit, Planned Development Permit, and Density Bonus for development of the 136-unit Vintage Senior Apartments project (PN 21-259) located at 103 East Natoma Street.

**BACKGROUND**

On January 18, 2023, the Planning Commission considered a request for approval of a Conditional Use Permit, Planned Development Permit, and Density Bonus for the development of a 136-unit senior (55+) affordable apartment community (Vintage Senior Apartments) on a 4.86-acre site located at 103 East Natoma Street. The project includes 122 units (90%) being made available to Low Income individuals (incomes at or below 60% of the Sacramento area median income (AMI)) and 14 units (10%) made available to Very Low Income individuals (income at or below 50% of AMI).

During the initial public hearing, 13 residents addressed the Commission and expressed a variety of concerns regarding the proposed project. A representative sample of these comments is as follows:

- Concern regarding the high density of the project
- Concern regarding the design and architecture of the apartment building
- Concern regarding the size, scale, and visual compatibility of the project
- Concern regarding lighting and noise impacts
- Concern regarding pedestrian, bicycle, and traffic safety
- Concern regarding lack of parking
- Concern regarding emergency service response time and access
- Concern regarding impacts to biological resources and natural habitat
- Concern regarding Oak tree impacts

Following public comment and testimony, the public hearing was closed, and the Commission engaged in a lengthy discussion regarding the proposed project. In general, the Commission commented that the project site was not an appropriate location for development of a senior affordable apartment community. Additional comments and concerns raised by the Commission included:

- Concern regarding design and architecture of the apartment building
- Concern regarding the overall site design of the project
- Concern regarding emergency service response times and fire access
- Concern regarding pedestrian and traffic safety in the project area
- Concern regarding the walkability of the project
- Concern regarding insufficient parking on the site
- Concern regarding distance to services and amenities for residents
- Concern regarding drainage and wetland impacts

At the conclusion of their deliberation, the Commission was unanimous that it was their desire to recommend denial of the proposed project. However, the Commission had difficulty in identifying the appropriate basis to deny the proposed project, given the legal findings required by the Housing Accountability Act.

City staff indicated to the Commission that in order to deny the proposed project they would need to make two specific findings to the effect that the proposed project would have a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete by the City and that the impacts could not be mitigated without rendering the project unaffordable to low income households.

After further discussion, the Commission voted to continue the proposed project to the February 15, 2023 Planning Commission meeting in order for City staff to further evaluate potential areas where the project might not be consistent with any established written objective standards.

On February 15, 2023, the Planning Commission resumed and re-opened the public hearing for the proposed Vintage Senior Apartments project. While staff was not able to identify any specific inconsistencies between the proposed project and any established, objective written standards, staff did work with the applicant to modify several conditions of approval on the project to address the concerns raised by residents at the January 18, 2023 meeting. Specifically, the applicant agreed to:

1. Restrict the secondary project driveway on East Natoma Street to emergency service and solid waste vehicle access only;
2. Install a pedestrian-actuated Rectangular Rapid Flashing Beacon system at the existing uncontrolled pedestrian crosswalk located on East Natoma Street near the intersection of Cimarron Circle;
3. Implement a parking permit program for residents of the apartment community; and
4. Enhance the landscaping buffer along the eastern project boundary.

During the re-opened public hearing, 10 residents addressed the Commission and expressed similar concerns to those raised at the January 18, 2023 Planning Commission meeting including project impacts associated with traffic safety, pedestrian safety, fire access and circulation, parking, noise, lighting, drainage, and biological resources. Generally, the residents who spoke did not feel that the new conditions of approval resolved their concerns about the project.

Following public comment and testimony, the public hearing was closed, and the Commission engaged in a prolonged debate regarding the proposed project. In particular, the Commission discussed the State Housing Accountability Act and the more stringent findings that would be required for the Commission to deny the proposed project. The Commission also discussed the potential legal implications (lawsuit, penalties, etc.) associated with denying the proposed project without making the required findings.

The Planning Commission also discussed the applicant's modifications to the proposed project, as described above. The Commission indicated that they were appreciative and supportive of the applicant's effort to modify the proposed project to address concerns raised by residents of the Cimarron Hills Subdivision. To further address resident concerns, the Commission added a condition of approval that the applicant be required to install window glazing on all apartment building units facing the Cimarron Hills Subdivision to minimize potential visual impacts. The applicant was in agreement with this new condition of approval.

At the conclusion of the February 15, 2023 meeting, the Planning Commission adopted a motion (4-3-0-0) to Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Approve a Conditional Use Permit, Planned Development Permit, and Density Bonus for the Vintage Senior Apartments project.



On February 23, 2023, Katharine Gray submitted a timely appeal (Attachment 1) of the decision of the Planning Commission approving the proposed Vintage Senior Apartments project.

## **POLICY / RULE**

### *Appeal*

As set forth in Section 17.04.110 of the Folsom Municipal Code, actions of the Planning Commission may be appealed to the City Council. The appeal shall be in writing, shall state the specific reason for the appeal and grounds asserted for relief, and shall be filed no later than 10 calendar days after the date of the action being appealed.

### *Conditional Use Permit*

The project site is zoned BP (Business Professional), which allows development of a senior citizens residential complex upon the issuance of a conditional use permit by the Planning Commission. (FMC § 17.22.030 (E)(214); FMC 17.22.040(1).) The Folsom Municipal Code regulates Conditional Use Permits and states that the finding shall be that the establishment, maintenance, or operation of the use or building applied for will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the City. (FMC § 17.60.040.)

While the Folsom Municipal Code continues to govern the findings required to grant a conditional use permit, state law has severely limited the City's ability to deny a conditional use permit (and other discretionary approvals) in the context of housing development projects.

### *The Housing Accountability Act*

In general, the Housing Accountability Act (HAA) restricts the City's ability to deny or reduce the density of all housing development projects, whether they are affordable or market rate. (Government Code § 65589.5.) A housing development project can still be denied, or the density can be reduced, if the project fails to comply with applicable objective standards. (Government Code § 65589.5(f)(1).) However, the receipt of a density bonus, or an associated incentive or concession, cannot constitute a valid basis on which to find that a proposed housing development project fails to comply with applicable objective standards. (Government Code § 65589.5(j)(3).)

Under the HAA, "objective" means "involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official". (Government Code § 65589.5(h)(8).) For a standard to be objective, it must be "*uniformly verifiable*," which means that there is little to no room for

reasonable persons to differ on whether a project complies with an external and uniform benchmark. Examples of objective standards include height limits, setbacks, building coverage, lot area, and similar requirements when they are suitably specific. For example, requirements that building height not exceed 35 feet, that buildings shall be set back a minimum of 20 feet from the property line, and that building lot coverage be no more than 60% of the lot, are all objective, because it is possible for an applicant, the public, City staff, and City officials to know whether an application complies by reference to measurable benchmarks. Likewise, design review criteria can be objective by making reference to specific features, such as a roof pitch with a slope of 1:5. References to design styles may be objective so long as the elements are clearly defined and include illustrations.

By contrast, standards that are “so malleable that reasonable minds could differ on whether they are met” are not objective, and may not be used to deny or reduce the density of housing development projects unless specific findings are made. If a standard requires any level of “after-the-fact interpretive gloss,” it is not objective for purposes of the HAA.

Standards that require a project to obtain entitlements that involve subjective decision-making are likewise not objective, and therefore the HAA no longer allows the Planning Commission or the Council the broad discretion previously enjoyed with respect to housing development projects. For example, the State Department of Housing and Community Development advises that, “a standard that requires a general plan amendment, the adoption of a specific plan, planned development permit, conditional use permit or another discretionary permit or approval does not constitute an objective standard.” Under HCD’s guidance, the City “shall not require a development proponent to meet any standard for which the locality typically exercises subjective discretion, on a case-by-case basis,” because such a requirement would expose housing development projects to non-objective standards, upending the HAA’s protections.

With respect to the City of Folsom, our conditional use permit findings are not objective because they involve personal judgment and are not verifiable by reference to an external benchmark. Therefore, the City cannot deny those entitlements for a housing development project unless it can make the statutorily required findings discussed below. Similarly, the Council cannot lawfully grant an appeal that would result in a denial of the requested entitlements unless it makes those same findings.

On the other hand, subjective standards or guidelines can be used as the basis for conditions of approval on a housing development project, as long as they do not result in denial of the project, a reduction in the project’s density, or, for an affordable project, increased costs that render the project infeasible.

#### *Denial of a Housing Development Project*

As noted above, the HAA’s key function is to limit discretion to deny or reduce the density of housing development projects. As such, when a housing development project complies with applicable objective development standards, the City may not deny the project or impose a condition that it be developed at a lower density without making statutorily required

findings that the project would otherwise have a specific, adverse impact on public health and safety that cannot be mitigated. (Government Code § 65589.5(j).) The law defines a “specific adverse impact” as a “significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards”. (Government Code § 65589.5(j)(1)(A).) The law also requires the City to find that there is no way to mitigate the impact without denying the project or reducing the density. (Government Code § 65589.8(j)(1)(B).) The receipt of a density bonus or any associated incentive or concession is not a valid basis for making those findings. (Government Code § 65589.5(j)(3).)

#### *Denial of an Affordable Housing Development Project*

The Legislature made it even more difficult to deny an affordable housing development project, or to impose any condition of approval that renders the project infeasible for the development of affordable housing. Under the HAA, the City shall not disapprove an affordable project, or condition approval in a manner that renders the project infeasible for the development of affordable housing, including through the use of design review standards, unless it makes one of five written findings based on a preponderance of the evidence in the record:

1. The City has “met or exceeded” its share of the regional housing needs allocation (RHNA) for the types of housing that the project would provide. (Government Code § 65589.5(d)(1).)
2. The project would have a “specific, adverse impact upon the public health and safety and there is no feasible method to satisfactorily mitigate or avoid” said impact without making the project unaffordable. (Government Code § 65589.5(d)(2).)
3. The denial is required to meet state or federal law, and there is “no feasible method” to comply without rendering the project unaffordable. (Government Code § 65589.5(d)(3).)
4. The project site is zoned for agricultural or resource preservation and is surrounded on at least two sides by land used for agriculture or resource preservation or lacks adequate water or wastewater facilities to serve the project. (Government Code § 65589.5(d)(4).)
5. The project is “inconsistent with both the jurisdiction’s zoning ordinance and general plan land use designation as specified in any element of the general plan.” (Government Code § 65589.5(d)(5).)

#### *Penalties for Failure to Comply with the HAA*

If the City denies a housing development project, reduces the density of the project, or imposes condition(s) of approval that render an affordable project unaffordable, the project applicant, a person who would be eligible to apply to live in the proposed project, or a “housing organization” may file suit to enforce the HAA. (Government Code § 65589.5(k)(1)(A)(i).) In addition, the Department of Housing and Community Development

(HCD) has authority to enforce the HAA and refer violators to the Attorney General. (Government Code § 65585(j), (k).) The City could find itself facing multiple plaintiffs: the applicant, a “housing organization” such as YIMBY, and the Attorney General.

The City must then prove that its decision was based on one of the statutorily required findings, and that those findings are supported by substantial evidence in the record. (Government Code § 65589.5(i); Government Code § 65589.5(k)(1)(A).) In this context, the City has the burden of proof even though it is the one being sued. (Government Code § 65589.6.)

If the court determines that the City’s decision to deny the project, reduce the density of the project, or impose condition(s) of approval that render an affordable project unaffordable violated the HAA, it will order the City to comply with the HAA within 60 days. If the court finds that the City acted in bad faith (by, for example, denying the project without merit), it can simply order the City to approve the project. Either way, if the City does not comply within 60 days, the court “shall” impose a minimum fine of \$10,000 per housing unit in the project at issue. (Government Code § 65589.5(k).) If the court finds that the City acted in bad faith *and* the City failed to comply with the HAA within 60 days, the fine “shall” increase to a minimum of \$50,000 per unit. (Government Code § 65589.5(l).)

Any successful plaintiff is entitled to recover attorney’s fees, which typically range from \$100,000 to \$500,000 in these kinds of cases. In a situation involving multiple plaintiffs (the applicant, a housing organization, etc.), each plaintiff is entitled to recover its own attorney’s fees, so the City would be faced with multiple fee demands in the range stated above. In addition, the City would have to pay for its own attorneys to defend the case, which would carry a similar cost.

Finally, if the court rules against the City, it may be impractical to appeal, because doing so would require the City to post a bond, in an amount determined by the trial court. (Government Code § 65589.5(m).) The City of Los Angeles decided not to appeal an unfavorable judgment in an HAA case after the trial court required it to post a bond exceeding \$10 million.

### *Density Bonus*

The State Density Bonus Law (Government Code section 65915) requires the City to grant one density bonus and, if requested by the applicant and consistent with applicable requirements, specified numbers of incentives or concessions, waivers or reductions of development standards, and reduced parking ratios, all based on the percentage of affordable units in the housing development.

State law defines “density bonus” as “a density increase over the otherwise maximum allowable gross residential density as of the date of application by the applicant to the city.” (Government Code § 65915(f).) However, a housing development project can qualify for a density bonus, and all associated incentives, concessions, etc. even if it includes “no increase in density.” ((Government Code § 65915(f).)

The City must grant the requested incentives, concessions, waivers or reductions of development standards, and reduced parking ratio unless one or more of the following findings are made, based upon substantial evidence:

- a. The concession or incentive does not result in identifiable and actual cost reductions... to provide for affordable housing costs.
- b. The concession or incentive would have a specific, adverse impact upon public health and safety or on any real property that is listed in the California Register or Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.
  - i. Specific adverse impact is defined as a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. The following shall not constitute a specific, adverse impact upon the public health or safety:
    - (A) inconsistency with the zoning ordinance or general plan land use designation;
    - (B) the eligibility to claim a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code. (Gov. Code § 65589.5(d)(2).)
- c. The concession or incentive would be contrary to state or federal law. (Government Code § 65915(d)(1).)

The project applicant may initiate judicial proceedings if the City refuses to grant a requested density bonus, incentive, or concession. (Government Code § 65915(d)(3).) In such a proceeding, the City bears the burden of proof for the denial of a requested concession or incentive. (Government Code § 65915(d)(4).) If a court finds that the refusal to grant a requested density bonus, incentive, or concession is in violation of the Density Bonus Law, the court will award attorney's fees and costs of suit to the plaintiff, in amounts consistent with those described above.

### **APPEAL/ANALYSIS**

On February 23, 2023, Katharine Gray submitted an appeal (Attachment 1) of the decision of the Planning Commission approving the proposed Vintage Senior Apartments project. Listed below are the reasons that Ms. Gray identified in her appeal letter for contesting the Planning Commission's decision, and City staff's response to each item.



1. The project would have adverse effects on public health, safety, and welfare and would be detrimental and injurious to property and improvements in the neighborhood.

City Staff Response:

As part of the Vintage Senior Apartments project review, City staff and applicable agencies evaluated project compliance with adopted plans and policies. City consultants also conducted environmental review in accordance with CEQA. The Staff Reports to the Planning Commission included detailed analysis of compliance with applicable plans and environmental requirements. Project conditions of approval discussed in detail in the Planning Commission Staff Reports address the project's anticipated impacts on property and improvements in the neighborhood to minimize or mitigate to a less than significant level the potential adverse effects on public health, safety and welfare. Based on the aforementioned evaluation and analysis, staff determined that the proposed project would not be detrimental or injurious to property and improvements in the neighborhood

As described above, the Housing Accountability Act prohibits the City from using our standard Conditional Use Permit finding – that the use applied for will, under the circumstances of the particular case, be detrimental to the health, safety, and welfare of persons residing or working in the neighborhood or be detrimental or injurious to property and improvements in the neighborhood – in order to deny a housing development project. Under the HAA, to deny the Conditional Use Permit in this case, the Council would need to find that the project would have a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions and that those impacts cannot be mitigated without making the project unaffordable. The appeal did not identify and staff did not find any objective written public health or safety standards that this project violates. Even if the appeal had identified one or more such violations, staff is aware of no evidence that the project's potential impacts on the public health, safety, and welfare have not been mitigated.

2. The Initial Study and Mitigated Negative Declaration fails to fully evaluate, disclose, and effectively mitigate environmental impacts. An Environmental Impact Report (EIR) should be prepared for the project.

City Staff Response:

Helix Environmental prepared an Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program (Contained in Attachment 2) for the project in accordance with the California Environmental Quality Act (CEQA) and associated regulations and determined that with the proposed mitigation measures the project would not have a significant effect on the environment. The Mitigated

Negative Declaration was prepared and noticed for public comment on the project, and mitigation measures were included as Conditions of Approval.

Nine written comments were received during the Mitigated Negative Declaration public review period (November 14, 2022 to December 14, 2022) including six comments from residents (Contained in Attachment 2) and three comments from public agencies (Contained in Attachment 2). The six comment letters received from residents express their general opposition to the proposed project and also identify some specific areas of concern including but not limited to: project density, increased traffic, traffic safety, road noise, lack of sufficient parking, building design, oak tree impacts, and negative impact to property values. City staff addressed these comments and concerns within the various sections of the Planning Commission staff reports. In addition, the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program addressed the environmental concerns raised including traffic-related impacts, noise-related impacts, and Oak tree impacts and concluded that, with the mitigation measures the project will not have a significant effect on the environment.

The City received four letters from public agencies (Contained in Attachment 2) in response to the publication of the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program for the proposed project. The Sacramento Metropolitan Utility Agency (SMUD) provided a response indicating that they had no comments regarding the proposed project. The Central Valley Regional Water Quality Control Board (CVRWQCB) provided a response highlighting the regulatory setting for project-related water impacts and also providing guidance to the project applicant with respect to the permitting process the project will be required to go through due to its impacts to a local drainage feature. The Sacramento Metropolitan Air Quality Management District (SMAQMD) provided a response recommending that the project applicant consider developing the project without natural gas infrastructure due to greenhouse gas emission impacts. SMAQMD also asked for clarification regarding the number of electric vehicle charging spaces that will be provided by the proposed project. Lastly, the Pacific Gas and Electric Company (PG&E) provided a response regarding specific requirements about the types of development that is allowed to occur within the PG&E overhead easement area. None of the aforementioned comments support a finding that the project may have a significant effect on the environment, requiring preparation of an EIR. A formal response to all of these comments is included in the Planning Commission Staff Report (Attachment 2).

As mentioned above, Helix Environmental prepared an Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program for the project in accordance with the California Environmental Quality Act and determined

that with the proposed mitigation measures the project would not have a significant effect on the environment. Under the California Environmental Quality Act, an EIR must be prepared whenever there is substantial evidence (in light of the whole record) that any aspect of a project, either individually or cumulatively, may cause a significant effect on the environment. Based on the information contained in the whole record for the proposed Vintage Senior Apartments project, City staff has determined that there is not substantial evidence that the project may have a significant impact on the environment.

3. The project is not feasible.

City Staff Response:

The appellant makes a claim in the appeal letter that the project is not feasible, however, the appellant does not provide any additional information regarding why they believe the project is not feasible and what this means. Absent any additional information or substantial evidence, the simple claim that the project is not feasible is not grounds for approval of the appeal.

4. The transportation wait times are too long.

City Staff Response:

The appellant states in their appeal letter that the transportation wait times are too long without providing any additional information. City staff assumes that this comment refers to the wait times for vehicles exiting Cimmaron Circle onto East Natoma Street. The Transportation Impact Study (Contained in Attachment 2) that was prepared in July 2022 by T. Kear Transportation Planning and Management, Inc. for the proposed project determined that, based on relatively low volume of project-related trips (39 AM Peak Hour Trips and 41 PM Peak Hour Trips), the project would not impact the Level of Service at the two study intersections. The Study did not evaluate any other nearby street intersections because the project did not meet the threshold (50 PM Peak Hour Trips) for a Full Transportation Impact Study.

The Transportation Study did evaluate potential geometric constraints and safety issues associated with development of the proposed apartment project including driveway spacing, sight distance vision triangles, and Statewide Integrated Traffic Records System (SWITRS) collision data. The Study determined that the project-related driveway spacing, throat depth, and corner sight-distance are all adequate. In terms of reported vehicle accidents in close proximity to the project site, the Study found that there have been three vehicle accidents within the past five years including a rear-end collision on eastbound East Natoma Street at Prison Road and two driving under the influence (DUI) incidents (vehicle sideswiped/vehicle overturned). Based on this data, the Study concluded that these types of vehicle accident varieties would

not be exacerbated with development of the proposed project and that no traffic safety treatments are warranted.

There is also the possibility that the appellant may be referring to the potential impact the proposed apartment project will have on existing bus transit service in the area. Sacramento Regional Transit (SACRT) provides bus service within the City of Folsom, including service to the immediate project area. Specifically, SACRT Bus Route 30, which has a bus stop located approximately 0.25 miles to the west of the project site on the north side of East Natoma Street (in front of Senior Center), features bus service that operates 10 times per day Monday through Friday. The proposed project, which includes development of 136 senior apartment units, is not expected to result in any changes or delays to existing bus service in the project area.

Based on the aforementioned information, staff has determined that there is no evidence to suggest that the proposed project would result in the exceedance of any City standard with respect to vehicle or bus wait times nor is there any evidence to suggest that the project would result any traffic safety related impacts at nearby street intersections.

#### Applicant Response:

The applicant submitted a response letter (Attachment 6) to the appeal on the Vintage Senior Apartments project on March 7, 2023. In the response letter, the applicant provides a detailed description regarding the project location and setting and makes the comment that the project is well positioned to access a variety of goods and services in the immediate area. The applicant goes on to address each of the appellants' grounds for appeal as described below.

In the response letter, the applicant states that they disagree with the assertion by the appellant that the Initial Study and Mitigated Negative Declaration prepared for the project are inadequate and that an Environmental Impact Report is required as the appellant failed to provide any facts or testimony from the January 18<sup>th</sup> or February 15<sup>th</sup> Planning Commission hearings to support this position. The applicant also comments that appellant failed to demonstrate that the proposed project may have a significant effect on the environment.

In the response letter, the applicant disagrees with the appellant's claim that the proposed project would have "an adverse impact on public health, safety, and welfare and would be detrimental and injurious to property and improvements in the neighborhood" as the appeal letter contains no presentation of facts or argument demonstrating the Planning Commission failed to fairly and lawfully apply the Conditional Use Permit standards.

In the response letter, the applicant disputes the appellant's assertion that the proposed project is not feasible as no substantial information has been provided to justify this claim.



With regard to the comment by the appellant that the wait times are too long, the applicant indicates that no probative evidence was presented at either of the Planning Commission meetings demonstrating that the wait times at the intersection of East Natoma Street and Cimarron Circle were exceeding any established City standard. The applicant also states that no evidence was presented at the Planning Commission meetings demonstrating that the proposed project would negatively impact the smooth functioning of the intersection of East Natoma Street and Prison Road.

*Housing Accountability Act*

The Vintage Senior Apartments project meets the definition of a “housing development project” as defined in the HAA. (Government Code § 65589.5(h)(2).) It also meets the definition of an affordable project, since one hundred percent of the units will be affordable to seniors. (Government Code § 65589.5(h)(3).) Therefore, to grant the appeal and deny the Conditional Use Permit to allow senior housing on the subject parcel, the Council would need to make one of the five specific Housing Accountability Act findings noted above.

Under the circumstances, the only potentially applicable finding is number 2, based on Government Code section 65589.5(d)(2), under which the Council would have to find, based on a preponderance of the evidence in the record:

- a. The proposed project would have a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete by the City; and
- b. There is no feasible method to satisfactorily mitigate or avoid” said impact without making the project unaffordable.

In its review of the project, City staff did not identify any specific adverse impacts (as defined in the HAA) associated with development of the apartment community. After review and analysis, staff determined that the appeal did not identify any specific adverse impacts (as defined in the HAA) associated with development of the proposed project. Staff’s assessment is that the record does not contain evidence to support those findings.

*Density Bonus*

The Vintage Senior Apartments project includes development of a 136-unit senior affordable apartment community which includes 122 units (90%) being made available to Low Income individuals and 14 units (10%) made available to Very Low Income individuals. Based on this information, staff determined that the project qualifies for a Density Bonus.

The subject property does not have an assigned density, per se, because it is zoned BP. The maximum allowable density under the General Plan is 30 dwelling units per acre, and this project is below that, at 28 dwelling units per acre. Accordingly, no density increase is requested or required as a part of this project. As mentioned above, however, the applicant is



still eligible for incentives/concessions under the Density Bonus Law. (Government Code § 65915(f).)

The applicant is eligible for up to four incentives/concessions because 100% of all units in the development are for lower income households. (Government Code § 65919(d)(2)(D), 65915(b)(1)(G).) In this case, the applicant requested the following three incentives and concessions: (1) establishing a parking ratio of one parking space per apartment unit; (2) increasing the maximum building height from 35 feet to 42-feet 6-inches; and (3) increasing the maximum number of building stories from 2 stories to 3 stories.

The Density Bonus Law limits the City's ability to require specific parking ratios and the requested 1:1 parking ratio complies with those limits. (Government Code § 65915(p).) In order to require additional parking, the City would have to make one of the specific Density Bonus Law findings described above.

The Density Bonus Law also prohibits the City from applying any development standard that will physically preclude the construction of an affordable housing development at specified densities. (Government Code § 65915(e).) The definition of "development standard" specifically includes height limits. In this case, the project complies with the height limit established in the Folsom Municipal Code, for the reasons described in the January 18, 2023 Planning Commission staff report. (See FMC section 17.58.080.) Accordingly, the applicant did not need an incentive/concession or waiver of a development standard under the Density Bonus Law to obtain approval of the building height. However, the applicant requested the incentive/concession/waiver out of an abundance of caution and staff determined that the project is eligible for it under the Density Bonus Law.

The Density Bonus Law also requires the City to grant a requested change in site development standards, zoning code requirements, or architectural design requirements as an incentive or concession. (Government Code § 65915(d), (k).) The request to increase the maximum number of building stories from 2 stories to 3 stories falls into this category. In order to deny this request, the City would have to make one of the specific Density Bonus Law findings described above.

Under the circumstances, the only potentially applicable finding is described above as finding b, based on Government Code section 65915(d)(1)(B), under which the Council would have to find, based on a preponderance of the evidence in the record:

- a. The requested concession or incentive would have a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete by the City; and
- b. There is no feasible method to satisfactorily mitigate or avoid said impact without making the project unaffordable.

In its review of the project, and later, the appeal, City staff did not identify any information supporting those findings in this case.

### **CONCLUSION**

Based on the foregoing, staff respectfully requests that the City Council **DENY** the appeal by Katharine Gray of Decisions by the Planning Commission Adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Approving a Conditional Use Permit, Planned Development Permit, and Density Bonus for development of the 136-unit Vintage Senior Apartments project (PN 21-259) located at 103 East Natoma Street.

### **ATTACHMENTS**

1. Letter of Appeal from Katherine Gray, dated February 23, 2023
2. Planning Commission Staff Report, dated January 18, 2023
3. Planning Commission Staff Report, dated February 15, 2023
4. Minutes from January 18, 2023 Planning Commission Meeting
5. Minutes from February 15, 2023 Planning Commission Meeting
6. Applicant Response Letter, dated March 7, 2023
7. Additional Public Comment Letters

Submitted,



PAM JOHNS  
Community Development Director

## Attachment 1

Letter of Appeal from Katharine Gray  
Dated February 23, 2023

CITY OF FOLSOM

03/28/2023 Item No. 13.

APPEAL FORM

Kat Gray and

NAME OF APPELLANT: Adjacent Residents and Property Owners

Attach

MAILING ADDRESS:

Folsom Ca 95630

Interest in Matter:

Adjacent residents and Property Owners

Daytime Phone:

Action Being Appealed:

Planning Commission approval of PN21-15

Date of Decision or Date Project was Heard:

2/15/2023

Project not feasible

Reason for Appeal:

We reserve the right to bring additional info on appeal

The project would have adverse effects on public health, safety, and welfare and would be detrimental and injurious to property and improvements in the neighborhood. The initial Study/Mitigated Declaration fails to fully evaluate, disclose, and effectively initial environmental impacts. We request an EIR. Transportation wait time too long.

Appellant's Signature

[Signature]

Date

2/22/2023

K.blackman.gray@gmail.com 360-

STAFF USE ONLY:

Date Received:

2/23/23

Fee Paid:

\$495

Planning Comm. or Historic District Comm. Decision Appeal

Admin. (staff decision) Appeal

Type of Project/fee:

- Owner Occupied/Single Family Dwelling \$245
- All Others \$495

Type of Project/fee:

- Owner Occupied \$239
- All Other \$479

Tentative Hearing Date:

Time Limit Waived:

Copies to:

- Community Development Director
City Manager
City Attorney
City Clerk

Received by:

Lydia Konopka

Appeal fees set by City Council Resolution No. 10479 approved 7/1/2020.

Updated February 2023

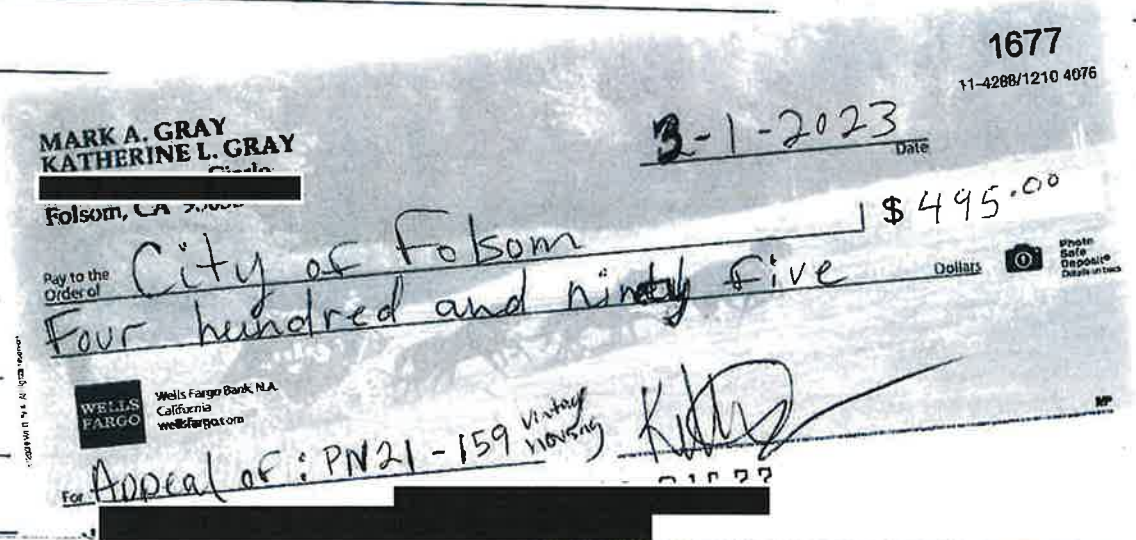
\* original submitted check dated 2/23/23 was incorrect amount. check 3/1/23 is correct. k/k



Dear City Council of Folsom/Planning Commission:

We, the undersigned, oppose the development project proposed by Vintage Properties at 103 E. Natoma St, Folsom CA. We collectively file this appeal to the Planning Commission's approval of the project.

1.	Name	Signature	Address	E-mail
1.	Kathy Jones	<i>[Signature]</i>	<i>[Redacted]</i>	Kandis57@yahoo
2.	Arthur Jones	<i>[Signature]</i>	<i>[Redacted]</i>	FolsomCa. arts.6.7.9.10@yahoo
3.	Gal Lauter	<i>[Signature]</i>	<i>[Redacted]</i>	Folsom, CA <del>Gal Lauter</del>
4.	Kat Gray	<i>[Signature]</i>	<i>[Redacted]</i>	Folsom Ca
5.				Koblackman.gray@gmail.com
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				



CITY OF FOLSOM  
OFFICE OF THE CITY CLERK  
50 NATOMA STREET  
FOLSOM, CA 95630

<b>RECEIPT</b>		DATE <u>3/1/2023</u>	No. <u>130000</u>
RECEIVED FROM <u>Katherine Gray</u>		<u>\$495.00</u>	
<u>check # 1677</u>		DOLLARS	
<input type="radio"/> FOR RENT <input checked="" type="radio"/> FOR <u>PN21-159 Appeal - P.C. Decision Appeal</u>		<input type="radio"/> CASH <input checked="" type="radio"/> CHECK <input type="radio"/> MONEY ORDER <input type="radio"/> CREDIT CARD	
ACCOUNT		FROM <u>10-2330-344</u>	TO <u>66-01</u>
PAYMENT	<u>495.00</u>	BY <u>[Signature]</u>	
BAL. DUE			



## Attachment 2

# Planning Commission Staff Report Dated January 18, 2023

**AGENDA ITEM NO. 2**  
**Type: Public Hearing**  
Date: January 18, 2023



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

## **Planning Commission Staff Report**

50 Natoma Street, Council Chambers  
Folsom, CA 95630

**Project:** Vintage Senior Apartments

**File #:** PN 21-159

**Requests:** Conditional Use Permit  
Planned Development Permit  
Density Bonus

**Location/APN:** The proposed Vintage Senior Apartments project is located on a 4.86-acre parcel situated on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road (103 East Natoma Street)/APN No. 071-0320-042

**Staff Contact:** Steve Banks, Principal Planner, 916-461-6207  
sbanks@folsom.ca.us

### **Property Owner/Applicant**

Name: Vintage at Folsom, LP  
Address: 369 San Miguel Drive, Suite 135  
Newport Beach, CA 92660

**Recommendation:** Conduct a public hearing and upon conclusion recommend approval of a Conditional Use Permit, Planned Development Permit, and Density Bonus for the Vintage Senior Apartments project, subject to the findings (Findings A-U) and conditions of approval (Conditions 1-76) attached to this report.

**Project Summary:** The proposed project includes development of a 136-unit senior affordable apartment community on a 4.86-acre site located on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road (103 East Natoma Street). The following are the specific entitlements requested with the proposed project.

- **A Conditional Use Permit** for development and operation of a senior apartment community on the subject 4.86-acre property.



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**AGENDA ITEM NO. 2**  
**Type: Public Hearing**  
Date: January 18, 2023

- A **Planned Development Permit** which contains detailed development and architectural standards for the proposed 136-unit senior affordable apartment community.
- A **Density Bonus** for development of a senior affordable apartment community at a residential density of 28 units per acre and a request for three incentives/concessions including establishing a parking ratio of one parking space per apartment unit, increasing the maximum building height from 35 feet to 42-feet 6-inches (proposed apartment building is 34 feet in height with architectural features extending to 42-feet 6-inches), and increasing the maximum number of building stories from 2-stories to 3-stories.

These proposed actions are described in detail and analyzed later in this report.

**Table of Contents:**

- Attachment 1 - Background and Setting
- Attachment 2 - Project Description
- Attachment 3 - Analysis
- Attachment 4 - Conditions of Approval
- Attachment 5 - Vicinity Map
- Attachment 6 - Site Plan, dated October 17, 2022
- Attachment 7 - Preliminary Utility Plan, dated October 17, 2022
- Attachment 8 - Preliminary Grading and Drainage Plan, dated October 17, 2022
- Attachment 9 - Preliminary Grading Sections, dated October 17, 2022
- Attachment 10 - Preliminary Landscape and Irrigation Plans, dated October 20, 2022
- Attachment 11 - Preliminary Tree Impact Plan, dated October 17, 2022
- Attachment 12 - Preliminary Oak Tree Mitigation Plan, dated October 20, 2022
- Attachment 13 - Preliminary Access and Circulation Plan, dated October 17, 2022
- Attachment 14 - Preliminary Fire Access Plan, dated October 17, 2022
- Attachment 15 - Preliminary Lighting Plan and Details, dated November 3, 2021
- Attachment 16 - Building Elevations and Floor Plans dated June 3, 2022
- Attachment 17 - Color Building Renderings, dated June 3, 2022
- Attachment 18 - Building Site Sections, dated June 3, 2022
- Attachment 19 - Color and Materials Board, dated June 3, 2022
- Attachment 20 - Vintage Senior Apartments Booklet (Separate Bound Document)
- Attachment 21 - Site Photographs
- Attachment 22 - Transportation Impact Study, dated July, 2022
- Attachment 23 - Parking Memorandum, dated October 17, 2022



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**AGENDA ITEM NO. 2**  
**Type: Public Hearing**  
Date: January 18, 2023

- Attachment 24 - Parking Case Study, dated January 3, 2023
- Attachment 25 - Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program, dated November, 2022 (electronic version available for viewing at [www.folsom.ca.us/government/community-development/planning-services/current-project-information](http://www.folsom.ca.us/government/community-development/planning-services/current-project-information))
- Attachment 26 - Comment Letters from Public Agencies
- Attachment 27 - Comment Letters from Residents
- Attachment 28 - CEQA Response Memorandum, dated January 3, 2023

Submitted,

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PAM JOHNS  
Community Development Director

## ATTACHMENT 1 BACKGROUND AND SETTING

### Background:

On April 20, 2005, the Planning Commission considered a request for approval of a General Plan Amendment, Rezone, Vesting Tentative Subdivision Map, and Planned Development Permit for development of a 21-unit single-family residential subdivision on a 4.86-acre site located at 103 East Natoma Street, the same parcel at issue here. The Planning Commission continued the proposed project off-calendar on multiple occasions in order to provide the applicant with additional time to address concerns raised by the Commission and by residents. The applicant ultimately decided not to pursue development of the proposed subdivision and subsequently withdrew their development application.

On January 7, 2009, the Planning Commission approved a Tentative Parcel Map and Planned Development Permit for development of a 32,000-square-foot professional office park on the same 4.86-acre parcel located at 103 East Natoma Street. As was the case with the prior residential development application, the applicant decided not to move forward with development of the professional office park and withdrew their development application.

### Physical Setting

The triangular-shaped 4.86-acre project site is located on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road. The project site, which slopes moderately from east to west with an approximate 20-foot elevation change, features a vegetative community that includes blue oak woodland, non-native grasses, and ephemeral and intermittent drainage features. The project site has been disturbed by the recreational use of bicycles and includes several pathways, dirt ramps and jumps. In addition, there is evidence of use of the site by transients as exhibited by several debris piles and associated trash. The project area includes a mixture of land uses including single-family residences, multi-family residences, medical and professional offices, a senior center, a food bank, local government offices, a hospital, a state prison, a church, and an overhead transmission line corridor. An aerial photograph of the project site and surrounding land uses is shown in Figure 1 on the following page.



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

FIGURE 1: AERIAL PHOTOGRAPH OF PROJECT SITE



## ATTACHMENT 2 PROJECT DESCRIPTION

### APPLICANT'S PROPOSAL

The applicant, Vintage at Folsom LP, is requesting approval of a Conditional Use Permit, Planned Development Permit, and Density Bonus for the development of a 136-unit senior (55+) affordable apartment community (Vintage Senior Apartments). The project is proposed on a 4.86-acre parcel located on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road.

A Conditional Use Permit is requested to allow for development and operation of the senior affordable apartment project on the subject property, as required by the Folsom Municipal Code in this location.

A Planned Development Permit is requested to allow for review of project-specific development standards, project site design, and the architectural design of the multi-family residential building.

Lastly, a Density Bonus is requested to allow development of the apartment project at a residential density of 28 units per acre and to provide for three incentives/concessions, including establishing a parking ratio of one parking space per apartment unit, increasing the maximum building height from 35 feet to 42-feet 6-inches, and increasing the maximum allowed number of building stories from 2 stories to 3 stories (proposed apartment building is three-stories tall and 34 feet in height with architectural features extending to 42-feet 6-inches).

The proposed Vintage Senior Apartments project includes development of a three-story, 34-foot-tall apartment building totaling 111,755 square feet. The proposed apartment building features a total of 136 units including 98 one-bedroom units (552-559 square feet) and 38 two-bedroom units (748 square feet). All apartment units are proposed to be accessible from interior hallways and include a full kitchen, living space, a laundry room, storage closets, a bedroom(s), and a bathroom. Proposed indoor and outdoor amenities include a 2,500-square-foot community center (includes community room, craft room, exercise room, game room, and library) on the first floor of the apartment building, an outdoor dining patio, an outdoor barbeque area, a bocce ball court, and a native habitat area.

All of the apartment units will be age-restricted to individuals 60 years and older. In addition, all of the apartment units will be designated as affordable for Low Income (LI) and Very Low Income (VLI) households as defined by State and City requirements, with 122 units being made available to LI individuals with incomes at or below 60% of the Sacramento area median income (AMI) and 14 units made available to VLI individuals with income at or below 50% of the AMI. As an example, a one-person household would

only qualify to live at Vintage Senior Apartments if their income was below \$56,750 (60% AMI/LI) or \$35,500 (50% AMI/VLI), while a two-person household would qualify if their income was below \$64,850 (60% AMI/LI) or \$40,550 (50% AMI/VLI).

Development of the proposed project will require State Funding through affordable housing tax credits, namely, the CTCAC Bond Program, and other state and federal financing resources offering apartment homes to income-qualified active seniors. Unlike other prior Affordable Projects developed within the City of Folsom, the applicant is not requesting financial participation from the City of Folsom.

The proposed project, including placement of the three-story apartment building, has been designed to preserve key open space areas containing numerous oak trees while also recognizing the unique topographical and physical features present on the project site. The proposed three-story apartment building features a contemporary residential design highlighted by simple rectilinear forms and shapes with vertical and horizontal components utilized to create visual interest while also breaking up the massing of the building. Proposed building materials include stucco, vertical board and batten siding, brick veneer, wood shutters, stucco trim, wrought iron railing, vinyl windows, and composition shingle roof tiles. The primary building colors are earth tone and include various shades of brown (Midnight Brown, Wooden Acre, and Wooden Peg) accented with a number of more vibrant white (Light House) and reddish colors (High Desert).

The proposed project includes a number of sustainability features consistent with the California Green Building Standards Code (CALGreen). The project is expected to exceed the 2016 California Building Energy Efficiency Standards (Title 24; Part 6) by 15% or more. The proposed project includes:

- Installation of a rooftop photovoltaic system (approximately 199 kW) that will serve the apartment building.
- Installation of cool paving materials (slag concrete).
- 14 electric vehicle capable parking spaces (spaces wired for future installation of an electric vehicle charging station).

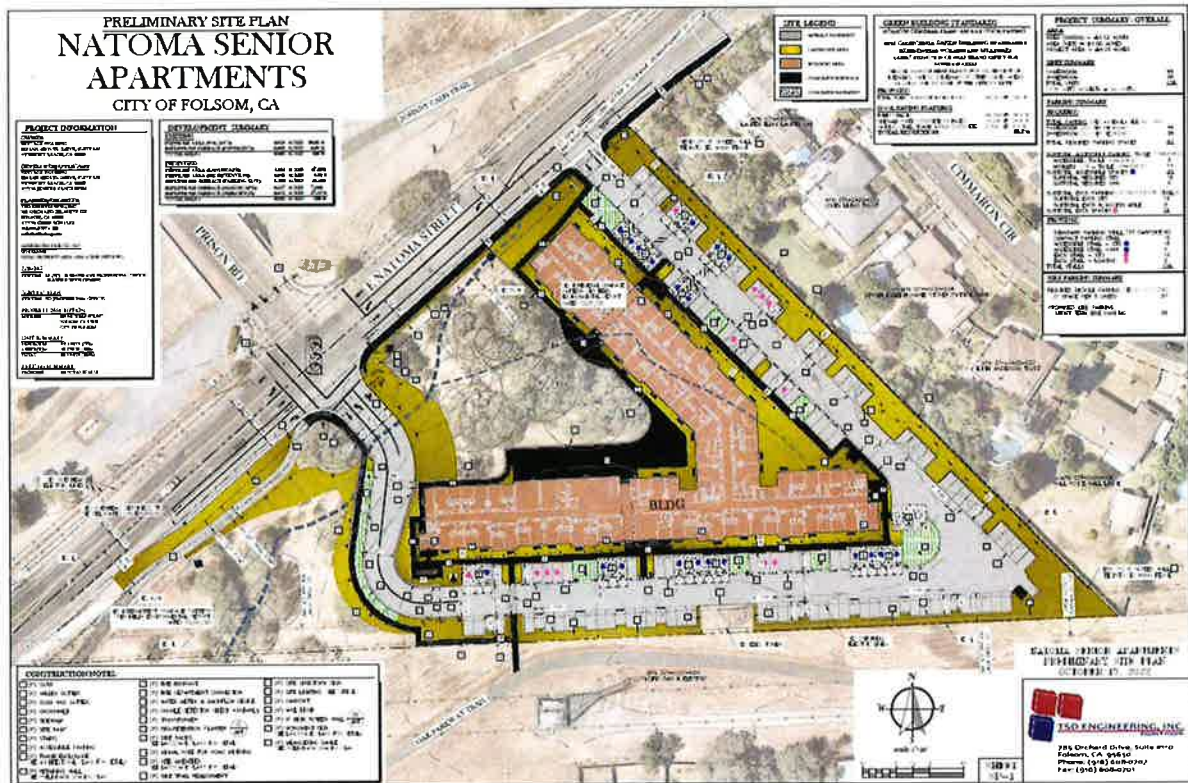
Primary vehicle access to the project site will be provided by a new full-access driveway located on the south side of East Natoma Street at the signalized intersection of East Natoma Street and Prison Road. To accommodate installation of the new primary driveway, the proposed project is required to modify the existing three-way signalized intersection at East Natoma Street and Prison Road and convert it into a four-way signalized intersection. Secondary access to the project site is provided by a new driveway on the south side of East Natoma Street, approximately 250 feet to the east of the proposed primary driveway. The secondary driveway, which will feature Stop-sign control for exiting vehicles, will be limited to right-turns in and right-turns out only.



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Vintage Senior Apartments (PN 21-159)  
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Proposed internal vehicle circulation consists of a single 27-foot-wide drive aisle that loops around the project site and connects the two project driveways. Pedestrian and bicycle access and circulation is provided by realignment of an existing Class I bicycle trail located in the northwest portion of the project site, existing Class III bicycle lanes on East Natoma Street, construction of a new sidewalk along the south side of East Natoma Street, installation of new internal sidewalks and walkways throughout the project site, and construction of a pedestrian/bicycle connection from the project site to an existing Class I bicycle trail (Oak Avenue Parkway Trail) located south of the project site. Additional site improvements include 136 on-site parking spaces (includes 14 electric vehicle capable parking spaces), 28 bicycle parking spaces, underground utilities, a drainage swale, bio-retention planters, retaining walls, fencing and screen walls, a bocce ball court, an outdoor patio, site lighting, site landscaping, a trash/recycling enclosure, and a monument sign. The proposed site plan is shown in Figure 2 below.

FIGURE 2: PROPOSED SITE PLAN



### ATTACHMENT 3 ANALYSIS

The following sections provide an analysis of the applicant's proposal. Staff's analysis includes:

- A. General Plan and Zoning Consistency
- B. Conditional Use Permit
  - Land Use Compatibility
- C. Planned Development Permit
  - Development Standards
  - Building Architecture and Design
- D. Density Bonus
- E. Traffic/Access/Circulation
- F. Parking
- G. Noise/Vibration Impacts
- H. Walls/Fencing
- I. Site Lighting
- J. Signage
- K. Trash/Recycling
- L. Existing and Proposed Landscaping
- M. Tree Preservation
- N. Conformance with Relevant Folsom General Plan Objectives and Policies
- O. Native American Consultation

#### **A. General Plan and Zoning Consistency**

##### General Plan and Zoning Consistency

The General Plan land use designation for the project site is PO (Professional Office) while the zoning designation is BP PD (Business and Professional, Planned Development District). The proposed project is consistent with both the General Plan land use designation and the zoning designation for the site, as senior citizen residential developments are identified as a permitted land use within the zoning designation for this site with approval of a Conditional Use Permit. In addition, the proposed project meets the development requirements established for the BP zoning district with respect to lot area, lot width, building height, building coverage, and building setbacks. Parking standards for senior residential projects are established through the Planned



Development Permit process and are discussed later within the Parking Section of this report.

## **B. Conditional Use Permit**

### Land Use Compatibility

The proposed project is located on an undeveloped, 4.86-acre commercially zoned property situated on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road. As described and shown in the Background section of this staff report, the project site is bounded by single-family residential development to the east with Cimarron Circle beyond, a PG&E transmission corridor to the west with commercial offices and Fargo Way beyond, East Natoma Street to the north with Folsom State Prison beyond, and a PG&E transmission corridor to the south with single and multi-family residential development beyond.

The applicant is requesting approval of a Conditional Use Permit to develop and operate a 136-unit senior affordable apartment community on the subject 4.86-acre project site located at 103 East Natoma Street. The Conditional Use Permit is required for the proposed use in this location, which is zoned Business Professional. The Folsom Municipal Code describes the BP zone as follows: "The intent of the BP zone is to designate areas suitable for business and professional offices. Uses in the BP zone are intended to be low-intensity commercial uses and compatible with higher-intensity residential uses. Retail commercial activities are discouraged. The BP zone may serve as a buffer between retail commercial and residential areas. The BP zone should be located along major arterials or have direct access to one via a collector street." The FMC states that a "senior citizens residential complex" is permitted in the BP zone upon issuance of a conditional use permit. (FMC § 17.22.030(E)( 214); 17.22.040(1).)

In order to approve this request for a Conditional Use Permit, the Commission must find that the "establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the City." (FMC § 17.60.040.)

In reviewing the request for a Conditional Use Permit, staff took into consideration the compatibility of the proposed land use in relation to the existing land uses in the immediate project vicinity. Potential noise impacts, traffic impacts, parking impacts, oak tree impacts, and aesthetic impacts were also analyzed and are addressed within separate sections of this report.

As mentioned earlier within this report, the project site is located in close proximity to a major arterial roadway (East Natoma Street) and within an area that features a broad mixture of different types of land uses including single-family residences, multi-family residences, medical and professional offices, a senior center, a library, a food bank, local government offices, a hospital, a church, a state prison, and an overhead transmission line corridor.

In the immediate project area, the existing land uses are predominantly residential in nature. The project is bound by single-family residences (Cimarron Hills Subdivision) to the east with Cimarron Circle and additional single-family residences beyond, an overhead transmission line corridor to the west with office development and Fargo Way beyond, an overhead transmission line corridor to the south with single-family and multi-family residences beyond, and East Natoma Street to the east with Folsom State Prison beyond.

The proposed Vintage at Folsom Senior Apartments project is an active-adult (55+) affordable rental community that will provide housing opportunities for approximately 175 residents. Given the residential nature of the proposed use, staff has determined that the proposed project will be complimentary to the existing single-family and multi-family residential land uses located in the immediate project vicinity. In addition, taking into account the unique needs of senior residential communities, staff has determined that the proposed project is also complimentary with surrounding non-residential uses in the vicinity that will provide a variety of daily and weekly services (medical offices, hospital, senior center, library, church, food bank, etc.) to the senior residents.

Consistent with the description of the BP zone in the Zoning Code, the proposed project, if approved, would serve as a buffer between existing professional/commercial development and residential areas. In addition, the proposed project's location along a major arterial street is consistent with the Zoning Code. REFER TO IMPACTS ON VARIOUS ISSUE AREAS DESCRIBED BELOW. Based on all of that, staff supports development of the proposed project at the subject location and, accordingly, staff recommends that the Commission grant the Conditional Use Permit.

### **C. Planned Development Permit**

The purpose of the Planned Development Permit process is to allow greater flexibility in the design of integrated developments than otherwise possible through strict application of land use regulations. The Planned Development Permit process is also designed to encourage creative and efficient uses of land. The following are proposed as part of the applicant's Planned Development Permit:

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

- Development Standards
- Building Architecture and Design

#### Development Standards

The applicant's intent with the subject application is to create a set of development standards that will comply with the development standards established for the BP (Business and Professional) zoning district, in which the project site is located, as well as the standards for the R-4 (General Apartment) zoning district, which apply to similar multifamily projects.

The development standards for the R-4 zoning district are included for reference purposes only as the proposed project is a multi-family development, however, the subject property has a BP zoning designation which takes precedence in terms applicable development standards.

The table below outlines the existing development standards for the BP and R-4 zoning districts compared to the proposed development standards for the Vintage Senior Apartments project:

TABLE 1: DEVELOPMENT STANDARDS TABLE

<b>Development Standards Table Vintage Senior Apartments</b>							
	<b>Min. Lot Area</b>	<b>Min. Lot Width</b>	<b>Max. Building Coverage</b>	<b>Front Yard Setback</b>	<b>Rear Yard Setback</b>	<b>Side Yard Setbacks</b>	<b>Building Height limit</b>
<b>BP Zoning District</b>	6,000 s.f.	60	60%	20 feet	20 feet	NA	35 feet (two stories), (4 stories with CUP)
<b>R-4 Zoning District</b>	6,000 s.f.	60 feet	60%	20 feet	20 feet	5 feet and 10 feet	50 feet (four-stories)
<b>Proposed Project</b>	211,701 s.f.	580 feet	18%	20 feet	87 feet	68 feet and 117 feet	34 feet

As shown on the development standards table, the proposed project meets or exceeds all development standards established for the BP (Business and Professional) and R-4 (General Apartment) zoning districts including minimum lot area, minimum lot width, maximum building coverage, front yard setback, rear yard setback, side yard setbacks, and maximum building height. Regarding building height, the proposed apartment building is 34 feet in height with architectural features extending to 42-foot 6-inches. The 34-foot height of the building itself meets standards as shown above. The Zoning Code also allows architectural features to be built to a height up to 25 feet above the height limit established for the district in which they are located, which, in this case, would be 60 feet.

(FMC § 17.58.080.) As such, the building height, including the taller architectural features, complies with the Zoning Code. However, the proposed building is three stories tall and only two stories are allowed by right. The applicant has requested a concession under the density bonus law to allow the additional story. That request is analyzed in the Density Bonus section of the report. The established of a project-specific parking standard is addressed separately within the Parking Section of this staff report.

Building Architecture and Design

As detailed in the Project Description section of this report, the proposed project includes development of a three-story, 111,755-square-foot apartment building. The design concept for the apartment building features a contemporary residential architectural style accentuated by simple rectilinear forms and shapes, with vertical and horizontal components intended to establish visual interest while also breaking up the massing of the building. Proposed building materials include stucco, vertical board and batten siding, brick veneer, wood shutters, stucco trim, wrought iron railing, vinyl windows, and composition shingle roof tiles. Primary building colors are earth tone and include different shades of brown (Midnight Brown, Wooden Acre, and Wooden Peg) accented with a couple of more vibrant white (Light House) and reddish colors (High Desert). Proposed elevations and renderings of the proposed apartment building are shown below and on the following pages.

FIGURE 3: BUILDING ELEVATIONS





FIGURE 4: BUILDING RENDERING (NORTHEAST)



FIGURE 5: BUILDING RENDERING (SOUTHWEST)





FIGURE 6: BUILDING RENDERING (SOUTHEAST)



The proposed project is not located within a geographic area that has established residential or commercial design guidelines. However, the project is subject to the City's Design Guidelines for Multi-Family Development (Design Guidelines). The overall purpose of the Design Guidelines is to promote and protect public health, safety, and general welfare of the community by:

- Supporting the preservation of existing neighborhood character and community value.
- Promoting the vision of suitable housing types for all residents including new standards for developments with higher densities and usage mix.
- Encouraging the formulation or regulations that reflect the direction of the Folsom General Plan and add a qualitative direction for new developments in support of General Plan Policies.
- Providing guidance for increasing density with greater attention paid to amenities.
- Creation of interconnected and livable communities.
- Minimizing the impact of parking within existing or planned neighborhoods.

In terms of architecture and design, the Design Guidelines for Multi-Family Development recommend that multi-family projects be designed in a manner that compliments the surrounding community. The following are some of the specific design recommendations suggested by the Design Guidelines:

- Variety and distinctness in design are desirable
- Expanses of uninterrupted wall area, unbroken roof forms, and box-like structures shall be prohibited. Balconies, porches, bay windows, chimneys, and other design elements with projections and varied setbacks shall be used to break up the physical characteristics of structures.
- Separations and changes in the height of roof planes shall be used to visually separate the units. Articulation such as roof dormers, hips, gables, balconies, wall projections, and porches shall be used to break up the visual massing of building facades.
- The use of a variety and combination of building materials is encouraged. Building materials selected for multi-family projects shall be very durable and require low maintenance including, but not limited to, stucco, stone, and brick. Building materials shall integrate quality design elements consistent with the design of the development and the surrounding neighborhood.
- Predominant roof materials shall be of high quality, durable material such as, but not limited to, clay or concrete roof tiles and asphalt shingles.
- Exterior building colors shall be compatible with the surrounding neighborhood setting and shall not be out of character or in visual competition with the existing surrounding design elements.
- All accessory structures, including carports, garages, and solid waste enclosures, shall be designed with materials and in a manner consistent with the architectural design characteristics of the development.

As illustrated on the building elevations and color renderings (Attachments 16 and 17), the proposed apartment building incorporates many of the key design features recommended by the Design Guidelines including the use of rectilinear building shapes to create a sense of depth, use of varied forms and projections to create visual relief, use of staggered rooftop elements to break up the mass of the building, and the inclusion of unique design details to reinforce the residential design theme of the building.

As shown on the color and materials board (Attachment 19), the proposed project utilizes a variety of modern residential building materials to enhance the appearance of the building including the use of stucco on the walls, brick veneer wainscotting, board and batten siding, wrought-iron railings, and composition shingle roofing material. As

recommended by the Design Guidelines, the proposed project features a natural color scheme with extensive use of earth tone colors including various shades of brown complimented with more vibrant white and reddish colors.

In evaluating the architecture and design of the proposed project, staff also took into consideration the compatibility of the proposed apartment building relative to existing single-family and multi-family structures in the immediate project area. The individuals potentially most impacted by the design of the proposed apartment building reside in single-family residences located in the Cimarron Hills Subdivision directly adjacent to the project site to the east. The Cimarron Hills Subdivision, which was developed in the early 1980s, features a mixture of 95 one and two-story homes. The single-family residences within the Cimarron Hills Subdivision have a zoning designation of R-1-ML (Single-Family Dwelling, Medium Lot District), which allows for development of a residence that is a maximum of 2.5 stories tall, but not to exceed 35 feet.

The next closest individuals that have the potential to be impacted by the proposed project are a series of multi-family residences (combination of duplex and fourplex units) located on the north side of Montrose Drive, approximately 317 feet to the south of the project site across an overhead transmission line corridor. The multi-family residences located along the north side of Montrose Drive, which were developed in the 1960s and 1970s for the most part, include a mixture of one and two-story story structures. These multi-family residences along Montrose Drive have zoning designations of R-2 (Two-Family Residence District) and R-4 (General Apartment District), which allow for development of residential structures that are a maximum of 2.5 stories tall, but not to exceed 35 feet and four-stories, but not to exceed 50 feet in height respectively.

As mentioned in the Project Description section of this staff report, the applicant is requesting approval of a density bonus concession to allow the proposed apartment building to exceed two-stories in height (proposed apartment building is three-stories tall and 34 feet in height with architectural features extending to 42-feet 6-inches). According to the applicant, the architecture and design of the apartment building was crafted purposefully to compliment the design, architecture, building materials, and colors of existing single-family and multi-family residence in the surrounding neighborhoods. In addition, placement and orientation of the three-story apartment building was designed to preserve key open space areas that contain numerous oak trees, while also recognizing the unique topographical and physical features (drainage channel, etc.) present on the project site.

The building site sections on the following page demonstrate the site and building relationship between the proposed apartment building and adjacent single-family residences to the east on Cimmaron Drive.

FIGURE 7: BUILDING SITE SECTION (CIMMARRON HILLS-NORTH)

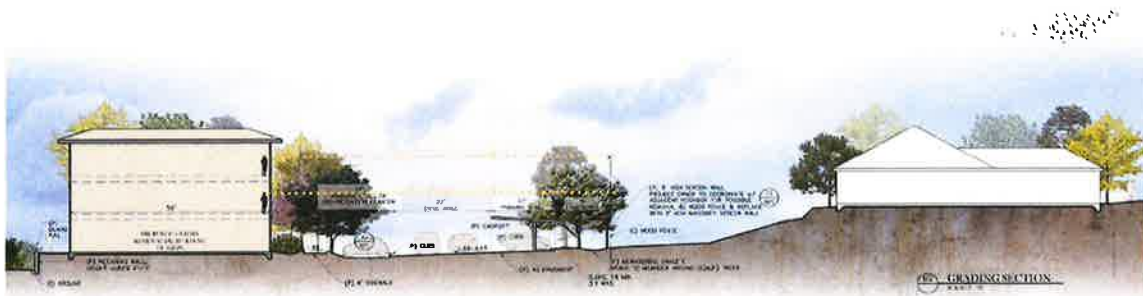
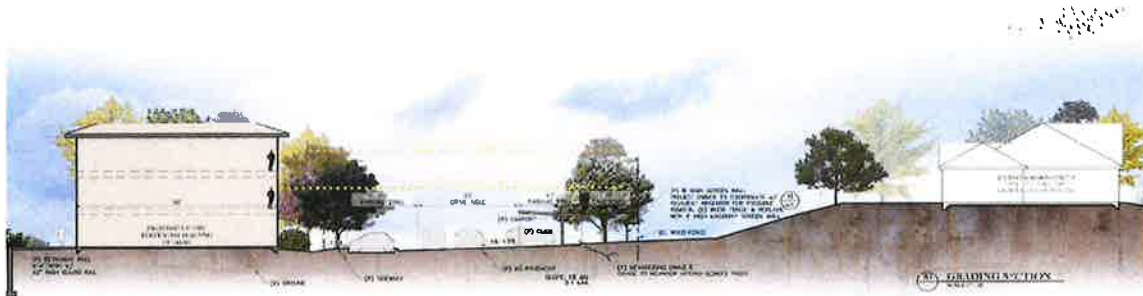
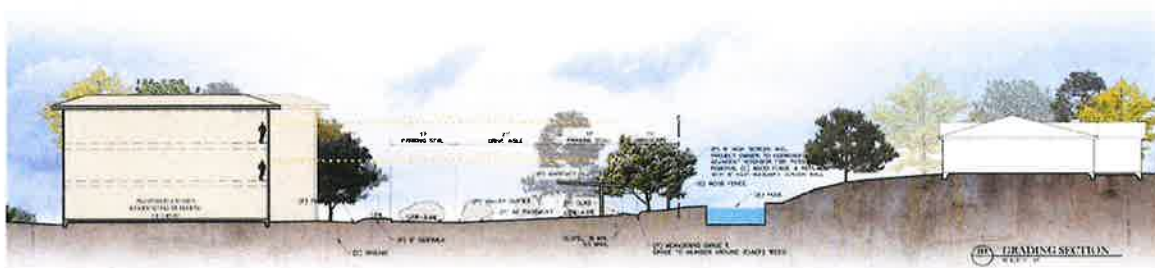


FIGURE 8: BUILDING SITE SECTION (CIMARRON HILLS-SOUTH)





As shown on the site sections and on the submitted development plans, there are a number of factors that will minimize the visual impact of the proposed three-story apartment building relative to the adjacent single-family residences on Cimarron Circle including grade differential, building separation, existing and proposed landscaping, proposed walls, and building orientation. In relation to grade differential, the finished pad elevation of the apartment building is 346 feet msl (above mean sea level) while the pad elevation for adjacent single family residences ranges from 355 to 360 feet msl. The visual impact associated with this grade differential is that the proposed apartment building will appear to be a two-story tall structure as viewed from the first floor of the single-family residences to the east. With regard to building separation, the proposed apartment building has setbacks that range from approximately 68 to 95 feet from the eastern property boundary and setbacks that range from approximately 128 to 165 feet from the single-family residences to the east on Cimarron Circle.

As shown on the building site section and submitted landscape plans (Attachment 10), there are a number of existing trees on the project site along the eastern project boundary that will be preserved. In addition, the proposed project includes the planting of a significant number of trees (24-inch box evergreen trees) within a 15-foot-wide landscape buffer along the eastern project boundary. The combination of existing trees and new tree plantings along the eastern project boundary will create a natural vegetative screen between the project site and the residential properties to the east. With regard to walls, the proposed project includes construction of a decorative 8-foot-tall masonry wall along the entire eastern project boundary which will reduce the visual impact of the three-story apartment building, while also providing for additional privacy for residents of the adjacent single-family residences to the east. Lastly, the proposed apartment building has been designed with two wings oriented at an approximately 45-degree angle, further breaking up the length and massing of the building and minimizing potential visual impacts to adjacent single-family residences.

As mentioned previously, the proposed project is also located in relatively close proximity to a series of multi-family residences situated along the north side of Montrose Drive creating potential visual impacts. The proposed three-story apartment building, which is separated from the multi-family residences by a 190-foot-wide overhead transmission line corridor, is located approximately 317 feet from the nearest multi-family residence along Montrose Drive resulting a substantial physical buffer between the properties. In addition, there is a significant grade differential between the proposed apartment building (346 feet msl) and the multi-family residences (approximately 360 feet msl) to the south, further reducing potential visual impacts associated with the proposed apartment building.

Based on the aforementioned analysis, staff has determined that the proposed project represents a high-quality design that is consistent with the design recommendations of the Design Guidelines for Multi-Family Development. In addition, staff has determined that the project design is complimentary to the design of existing residential buildings in the immediate project area. As a result, staff recommends approval of the applicant's design with the following conditions:



1. This approval is for a three-story apartment building totaling 111,755 square feet associated with the Vintage Apartments project. The applicant shall submit building plans that comply with this approval and the attached building elevations and color renderings dated June 3, 2022.
2. The design, materials, and colors of the proposed Vintage Senior Apartments building shall be consistent with the submitted building elevations, color renderings, materials samples, and color scheme to the satisfaction of the Community Development Department.
3. Brick pavers or another type of colored masonry material (ADA compliant) shall be used to designate pedestrian crosswalks on the project site, in addition to where pedestrian paths cross drive aisles, and shall be incorporated as a design feature at the driveway entrances at East Natoma Street to the satisfaction of the Community Development Department.
4. Roof-mounted mechanical equipment, including satellite dish antennas, shall not extend above the height of the parapet walls. Ground-mounted mechanical equipment shall be shielded by landscaping or trellis type features.
5. Utility equipment such as transformers, electric and gas meters, electrical panels, and junction boxes shall be screened by walls and or landscaping.

These recommendations are included in the conditions of approval (Condition No. 60) presented for consideration by the Planning Commission.

#### **D. Density Bonus**

As mentioned in the Project Description section of this staff report, the applicant is requesting approval of a Density Bonus to allow development of the senior affordable apartment project at a residential density of 28 units per acre. In addition, the applicant is seeking to be granted three incentives/concessions including establishing a parking ratio of one parking space per apartment unit, increasing the maximum building height from 35 feet to 42-feet 6-inches, and increasing the maximum number of building stories from 2 stories to 3 stories.

The State Density Bonus Law (Government Code section 65915) requires the City to grant one density bonus and, if requested by the applicant and consistent with applicable requirements, specified numbers of incentives or concessions, waivers or reductions of development standards, and reduced parking ratios, all based on the percentage of affordable units in the housing development.

Similarly, the Density Bonus chapter of the Folsom Municipal Code (FMC, Chapter 17.102 Density Bonus and Other Developer Incentives) is intended to provide incentives for the production of affordable housing opportunities within the City for very low-income, low-

income, and moderate-income households and seniors. Section 17.102.030 (Implementation) of the Folsom Municipal Code states that the City shall grant a density bonus to an applicant of a housing development consisting of five or more units who agrees to provide the following:

- a) At least ten percent of the total units of a housing development for low-income households; or
- b) At least five percent of the total units of a housing development for very low-income households; or
- c) A senior citizen housing development.

The proposed project includes development a 136-unit senior affordable apartment community which includes 122 units (90%) being made available to Low Income individuals (incomes at or below 60% of the Sacramento area median income (AMI)) and 14 units (10%) made available to Very Low Income individuals (income at or below 50% of AMI). Based on this information, staff has determined that the proposed project meets all three of the criteria listed above and qualifies for granting of a Density Bonus by the City. The State Density Bonus Law also requires that the rental units must remain affordable for 55 years or longer. Condition No. 4 is included to reflect this requirement.

State law defines "density bonus" as "a density increase over the otherwise maximum allowable gross residential density as of the date of application by the applicant to the city." (Government Code § 65915(f).) However, a housing development project can qualify for a density bonus, and all associated incentives, concessions, etc. even if it includes "no increase in density". ((Government Code § 65915(f).) The amount of density increase to which an applicant is entitled varies depending on the percentage of affordable housing units in the development.

In this case, the subject property does not have an assigned density, per se, because it is zoned BP. The maximum allowable density under the General Plan is 30 dwelling units per acre, and this project is below that, at 28 dwelling units per acre. Accordingly, no density increase is requested as a part of this project. As mentioned above, however, the applicant is still eligible for incentives/concessions under the density bonus law. (Government Code § 65915(f).)

In addition to the available density increase, State Density Bonus Law (Government Code section 65915) and the Density Bonus chapter of the Folsom Municipal Code (FMC, Section 17.102.030) provide an applicant with incentives/concessions, waivers or reductions of development standards, and reduced parking ratios in return for the development of senior or affordable housing units. The State Density Bonus Law states that an applicant shall receive four incentives/concessions if 100% of all units in the development, including total units and density bonus units, but excluding a manager's unit, are for lower income households. (Government Code § 65919(d)(2)(D),

65915(b)(1(G).) In this particular case, all of the 136 apartments units are considered affordable with 90% of the units being restricted to Low-Income households and 10% of the units being restricted to Very Low-Income households. As a result, staff has determined that the applicant is eligible for four incentives/concessions, but the applicant has only requested three.

The first incentive/concession that the applicant is requesting is the establishment of a parking ratio of one parking space per each apartment unit for the Vintage Senior Apartment Community. As discussed later within the Parking section of this staff report, there is no established parking standard in the Folsom Municipal Code for senior affordable apartment community projects. As a result, the parking standard for senior affordable apartment projects is established through the Planning Development Permit process. The applicant has provided documentation (Parking Study-Attachment 23 and Parking Memorandum-Attachment 24) that makes a justification for the requested 1:1 parking ratio for the proposed project. Staff has evaluated the aforementioned supplemental parking information and conducted its own parking analysis (Parking section of staff report) and determined that a 1:1 parking ratio is adequate to serve the proposed project. The requested 1:1 parking ratio also complies with the limits placed on the City's ability to require specific parking ratios for affordable housing projects by the State Density Bonus Law. (Government Code § 65915(p).) As a result, staff is supportive of the proposed incentive/concession to establish a parking ratio of one parking space per each apartment unit for the Vintage Senior Apartments project.

The second incentive/concession being requested is to allow for an increase in the maximum building height of the apartment building from 35 feet to 42-feet 6-inches. As discussed previously within the Planned Development Permit section of this staff report, the proposed three-story apartment building is 34 feet in height (primary roof height) with architectural features that extend up to 42-feet 6-inches in height. The proposed building height is consistent with the maximum building height standard of 35 feet established for the BP zoning district in which the subject property is located. In addition, the proposed project is consistent with the building height exception established by the Folsom Municipal Code (FMC, Section 17.58.080 Height Exceptions) for architectural features extending above the primary roofline with certain project-related architectural features extending up to 7-feet 6-inches above primary roof line (42-feet 6-inches above grade), whereas architectural features are permitted to extend up to 25 feet above the height limited established for particular zoning district. The applicant may not need an incentive/concession under the Density Bonus Law to obtain approval of the requested building height, given the requirements in the Folsom Municipal Code described above. However, the applicant has requested the incentive/concession and staff has determined that the project is eligible for it under the Density Bonus Law. Based on the fact that the proposed project is consistent with the established standard for maximum building height for the BP zoning district, staff is supportive of the requested incentive/concession for the primary building height to be 34 feet, with architectural features extending up to 42-feet 6-inches.

The third and last incentive/concession requested includes a request to increase the maximum number of building stories from 2 stories to 3 stories. According to the applicant, the increase of the apartment building from 2 to 3-stories is necessitated by the desire to avoid key open space areas on the project site, preserve protected oak trees, and work within the unique topographical and physical features (elevation changes, drainage channel, etc.) present on the project site. As mentioned previously within the Planned Development Permit section of this staff report, the apartment building has a primary roof height of 34 feet which is consistent with the maximum height standard established for the BP zoning district (adjacent Cimarron Hills Subdivision has same maximum height requirement of 35 feet). In addition, the project site is at a substantially lower elevation than the adjacent residential properties, further minimizing the potential visual impacts associated with the proposed three-story apartment. Based on this information, staff is supportive of the third incentive/concession to increase the building height from 2-stories to 3-stories for the proposed Vintage Senior Apartments project.

In summary, staff has determined that the applicant's Density Bonus request to create a residential density on the subject property of 28-units per acre is consistent with the requirements of the State Density Bonus Law and the Folsom Municipal Code. In addition, staff has determined that the applicant is eligible for four incentives/concessions based on the affordable composition (100% affordable to Low and Very Low-Income Households) of proposed apartment project. Staff is also supportive of the three proposed incentives/concessions relative to parking ratios, building height, and building stories. Lastly, it is important to acknowledge that each of the incentives/concessions requested by the applicant are somewhat redundant in that City staff is supportive of the proposed parking ratio, building height, and number of building stories as discussed in the Conditional Use Permit and Planned Development Permit sections of this staff report. However, the applicant felt strongly that the Density Bonus request was integral to their moving forward with the proposed Vintage Senior Apartments project, especially given the challenges facing development of affordable housing in the region and the State.

Under Government Code section 65915(d)(1) of the State Density Bonus Law, the City must grant the requested incentives, concessions, waivers or reductions of development standards, and reduced parking ratio unless, one or more of the following findings are made, based upon substantial evidence:

- The concession or incentive does not result in identifiable and actual cost reductions... to provide for affordable housing costs.
- The concession or incentive would have a specific, adverse impact [defined as a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. The following shall not constitute a specific, adverse impact upon the public health or safety: (A) inconsistency with the zoning ordinance or general plan land use designation; (B) the eligibility to claim a welfare



exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code (Gov. Code § 65589.5(d)(2)] upon public health and safety or on any real property that is listed in the California Register or Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.

- The concession or incentive would be contrary to state or federal law.

The project applicant may initiate judicial proceedings if the City refuses to grant a requested density bonus, incentive, or concession. (Government Code § 65915(d)(3).) In such a proceeding, the City bears the burden of proof for the denial of a requested concession or incentive. (Government Code § 65915(d)(4).)

Staff is not aware of information supporting any of the above-referenced findings in this case.

Staff has determined that the requested density bonus and the requested incentives/concessions should be granted.

## **E. Traffic/Access/Circulation**

### Existing Roadway Network

The project site is located on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road. Significant roadways in the project vicinity include Natoma Street/East Natoma Street and Prison Road. Natoma Street/East Natoma Street provides connectivity between Folsom Boulevard to the west and Empire Ranch Road to the east. In the vicinity of the project, Natoma Street/East Natoma Street is minor two-lane arterial roadway with a posted speed limit of 35-mph. Prison Road is a two-lane north-south roadway that provides access between East Natoma Street and Folsom State Prison.

The traffic, access, and circulation analysis associated with the proposed project is based on the results of a Transportation Impact Study (Attachment 22) that was prepared in July 2022 by T. Kear Transportation Planning and Management, Inc. The Transportation Study analyzed traffic operations at the following two study intersections in the vicinity of the project site:

- East Natoma Street/Prison Road
- East Natoma Street/Eastern Project Driveway

Two different scenarios were evaluated in reviewing traffic operations at the two study intersections including Existing 2022 without Project Condition and Existing 2022 with Project Condition.



The proposed Vintage Senior Apartments project is expected to generate a total of 39 vehicle trips during the weekday AM peak hour (17 inbound and 22 outbound) and 41 vehicle trips during the weekday PM peak hour (22 inbound and 19 outbound). Overall, the proposed project is projected to generate a total of 441 daily vehicle trips. Based on the relatively low volume of project-related vehicle trips, the Transportation Study concluded that the proposed project would not have a significant impact on vehicle level of service (LOS) at either of the two study intersections. In addition, the Transportation Study determined that the proposed project would not have a significant impact relative to Vehicle Miles Traveled (VMT) as the project is projected to be at least 15% less than the regional per capita VMT. It is interesting to note that the proposed project is expected to generate less AM peak hour and PM peak hour vehicle trips than the previously approved office project (Montara Grove Office Park) on the subject site.

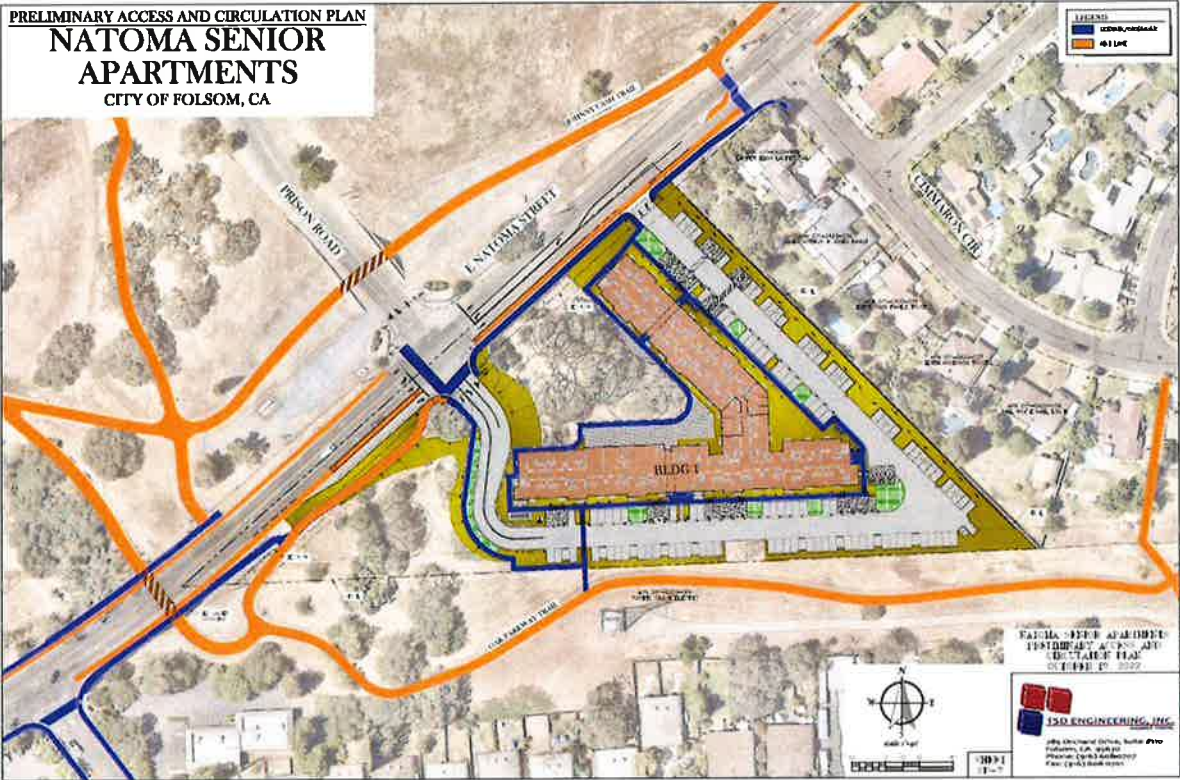
#### Project Access and On-Site Circulation

As shown on the submitted site plan (Attachment 6), primary vehicle access to the project site is provided by a new full-access driveway located on the south side of East Natoma Street at the signalized intersection of East Natoma Street and Prison Road. Installation of the primary driveway will require modification of the existing three-way signalized intersection at East Natoma Street and Prison Road to convert it into a four-way signalized intersection. Secondary access to the project site is provided by a new driveway on the south side of East Natoma Street, approximately 250 feet to the east of the proposed primary driveway. The secondary driveway, which will feature Stop-sign control for exiting vehicles, will be limited to right-turns in and right-turn out only.

Proposed internal vehicle circulation consists of a single 27-foot-wide drive aisle that loops around the project site and connects the two project driveways. Pedestrian and bicycle access and circulation is provided by realignment of an existing Class I bicycle trail, existing Class III bicycle lanes on East Natoma Street, construction of a new sidewalk along the south side of East Natoma Street, installation of new internal sidewalks and walkways throughout the project site, and construction of a pedestrian/bicycle connection from the project site to an existing Class I bicycle trail located south of the project site. The preliminary access and circulation plan is shown in Figure 9 on the following page.

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

FIGURE 9: PRELIMINARY ACCESS AND CIRCULATION PLAN

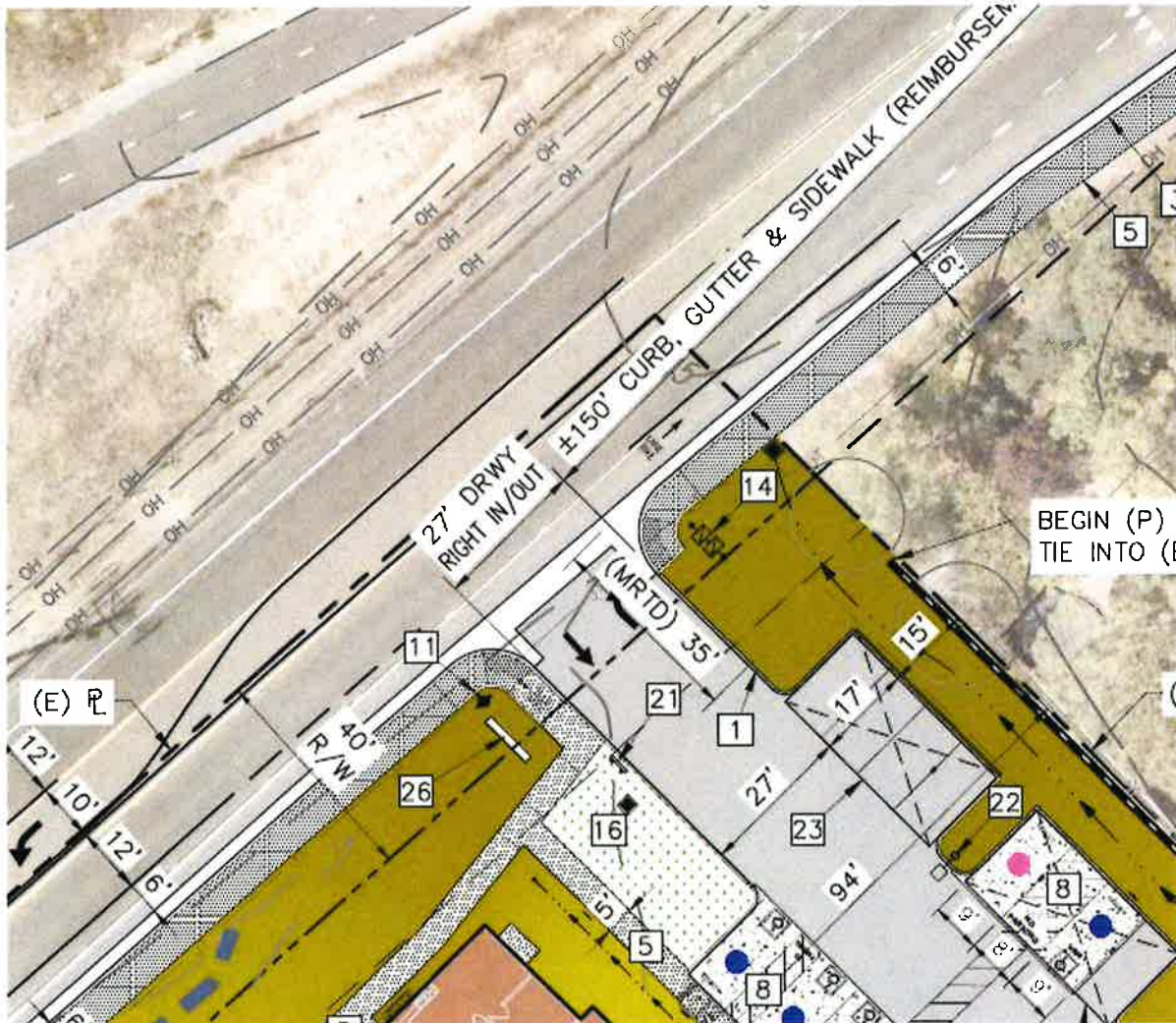


The Transportation Study prepared for the proposed project also evaluated the operation and configuration of the project access system in terms of driveway geometry, driveway access, driveway throat depth, vehicle queuing, vehicle accident history, and bicycle and pedestrian safety. Shown in the figures on the following pages are the proposed access driveways and their configuration.





FIGURE 11: SECONDARY PROJECT ACCESS DRIVEWAY



In relation to driveway geometry, City standards require that a 60-foot right-turn taper be provided when there are 10 or more vehicles making a right-turn movements into a driveway during the AM (7:00 a.m. to 9:00 a.m.) or PM (4:00 p.m. to 6:00 p.m.) peak hours, with a 150-foot right-turn pocket plus 60-foot taper being required when there are 50 or more right-turn movements into a driveway. The Transportation Study determined that neither of the project driveways will have more than 10 right-turn vehicle movements, thus neither of the turn-pocket improvements reference above are required. With that said, the proposed project does include construction of a 150-foot right-turn pocket with 60-foot taper on the eastbound approach to Prison Road from East Natoma Street. The proposed project also includes construction of a 100-foot left-turn pocket with 60-foot taper on the westbound approach to Prison Road from East Natoma Street. The secondary project driveway, which is located approximately 250 feet east of the primary



project driveway, is proposed to be limited to right-turn in and right-turn out movements only. To ensure that vehicle movements at the secondary project driveway are limited to right-turn in and right-turn out movements, the Transportation Study recommends that a raised median be constructed within Natoma Street and a right-turn channelization taper be constructed at the secondary project driveway to prevent left-turns into the project site from westbound East Natoma Street and left-turns out of the project site onto westbound East Natoma Street. Otherwise, the Transportation Study determined that the proposed geometry and access for the two project driveways was adequate.

The Folsom Design and Procedures Manual indicates that the required minimum driveway throat depth for an 81-161-unit multi-family residential apartment development is 50 feet for a single project driveway or the sum of 50 feet when there are multiple project driveways. As shown on the submitted site plan (Attachment 6), the primary project driveway has a throat depth of 50 feet, while the secondary project driveway has a throat depth of 25 feet (sum of 75 feet). Based on this information, the Transportation Study concluded that the driveway throat depth for the two project driveways was adequate to serve the apartment project. The Transportation Study also determined that there was sufficient vehicle storage available in the proposed left-turn pocket into the project site from westbound East Natoma Street and out of the project site from the primary project driveway onto westbound East Natoma Street.

The Transportation Study evaluated potential geometric constraints and safety issues associated with development of the proposed apartment project including driveway spacing, sight vision triangles, and Statewide Integrated Traffic Records System (SWITRS) collision data. The Study determined that the project-related driveway spacing, throat depth, and corner sight-distance are all adequate. In terms of reported vehicle accidents in close proximity to the project site, the Study found that there have been three vehicle accidents within the past five years including a rear-end collision on eastbound East Natoma Street at Prison Road and two driving under the influence (DUI) incidents (vehicle sideswiped/vehicle overturned). Based on this data, the Study concluded that these types of vehicle accident varieties would not be exacerbated with development of the proposed project and that no traffic safety treatments are warranted.

The Transportation Study evaluated bicycle and pedestrian safety relative to existing and proposed improvements to bicycle and pedestrian circulation associated with the proposed project. Pedestrian and bicycle access and circulation improvements tied to the proposed project include realignment of an existing Class I bicycle trail located in the northwest portion of the project site, restriping of existing Class III bicycle lanes on East Natoma Street, construction of a new sidewalk along the south side of East Natoma Street, installation of new internal sidewalks and walkways throughout the project site, and construction of a pedestrian/bicycle connection from the project site to an existing Class I bicycle trail (Oak Avenue Parkway Trail) located south of the project site. The Study determined that the proposed project would not result in any bicycle or pedestrian safety-related impacts.



To ensure implementation of the traffic control measures identified on the submitted site plan and recommended by the Transportation Impact Study, staff recommends the following recommendations be included as conditions of approval for the project (Condition No. 53)

East Natoma Street (Eastbound)

- The owner/applicant shall construct a 150-foot right-turn pocket with 60-foot taper on the eastbound approach to Prison Road from East Natoma Street. The existing bike trail shall be relocated to accommodate the right-turn lane. The relocated bike trail shall be placed in a dedicated pedestrian access and trail easement which shall be recorded prior to plan approval. With this proposed modification, the eastbound approach to Prison Road from East Natoma Street shall include one left-turn lane, one thru lane, and one right-turn lane.

East Natoma Street (Westbound)

- The owner/applicant shall construct a 100-foot left-turn pocket with a raised median with a 60-foot taper on the westbound approach to Prison Road from East Natoma Street. The median shall allow emergency vehicle access/egress and the modifications required for emergency vehicle access/egress shall be approved by the City of Folsom Fire Department. With these proposed modifications, the westbound approach to Prison Road from East Natoma Street shall include one shared thru/right-turn lane and one left-turn lane.

Prison Road (Southbound)

- Prior to entering State property, the contractor shall execute a right-of-entry agreement with the State of California, Department of Corrections.
- The owner/applicant shall restripe the existing right-turn lane at the southbound approach to East Natoma Street from Prison Road to indicate that this lane is a shared thru and right-turn lane. The existing dedicated left-turn lane shall remain as currently striped.

Primary Project Driveway (East Natoma Street)

- The owner/applicant shall construct a shared thru/right-turn lane and a dedicated left-turn lane at the northbound approach to East Natoma Street at the primary project driveway. The shared thru/right-turn lane and dedicated left-turn lane shall include a 70-foot turn pocket and a 60-foot taper.

Secondary Project Driveway (East Natoma Street)

- The owner/applicant shall construct a raised median within Natoma Street and a right-turn channelization taper at the secondary project driveway to prevent left-turns into the project site from westbound East Natoma Street and left-turns out of the project site onto westbound East Natoma Street to the satisfaction of the Community Development Department.

- The owner/applicant shall install “Stop” signs, appropriate pavement markings, and signage at the secondary project exit at East Natoma Street.

#### East Natoma Street/Prison Road Traffic Signal and Signal Timing

- The owner/applicant shall construct a traffic signal at the fourth leg of the intersection of East Natoma Street and Prison Road and modify all existing traffic signal improvements to the satisfaction of the Community Development Department.
- The owner/applicant shall coordinate retiming the traffic signal at the intersection of East Natoma Street and Prison Road as follows:
  - Eastbound and westbound protected left turn phasing, northbound and southbound split phasing. 150 second cycle length, with 34 second northbound southbound split phases and 20 second eastbound and westbound protected phases, and 62 second eastbound and westbound through phases. Crosswalks shall be set to 22 seconds to accommodate a 3 feet per second walking speed.

#### East Natoma Street Frontage Improvements

- The owner/applicant shall install curbs, gutter, a bicycle lane, and sidewalks along the project’s frontage with East Natoma Street as shown on the submitted site plan. In addition, the owner/applicant shall construct curbs, gutters, a bicycle lane, and sidewalks from the project’s eastern boundary approximately 120-feet to the east to connect to the existing off-site sidewalk and associated improvements. The owner/applicant shall enter into a credit reimbursement agreement with the City to cover the costs of these off-site frontage improvements.

The previous City of Folsom General Plan (1988) contemplated the extension of Oak Avenue Parkway from Willow Creek Drive to Natoma Street, with a further extension of Oak Avenue Parkway from East Natoma Street across the American River via bridge to Grant Lane. To facilitate the potential extension of Oak Avenue Parkway, the City obtained access easements from a number of properties located along the Oak Avenue Parkway Trail between Willow Creek Drive and East Natoma Street. The current City of Folsom General Plan (2035) did not envision the extension of Oak Avenue Parkway from Willow Creek Drive to East Natoma Street as evidenced by the General Plan Circulation Exhibit. In addition, the Circulation Exhibit does not include a new bridge crossing in the vicinity of East Natoma Street and Prison Road. With the fairly recent construction of the Folsom Lake Crossing Bridge over the American River just below Folsom Dam, it is also highly unlikely that the City would entertain the idea of constructing another bridge crossing in this area. As a result, the City is not requiring the Vintage Senior Apartments project to provide a Intend of Dedication (IOD) along the southern portion of their property to accommodate future extension of Oak Avenue Parkway,

## F. Parking

As noted earlier within this report, the Vintage Senior Apartments project includes development of a three-story apartment building that feature 98 one-bedroom units and 38 two-bedroom units. Parking will be provided for 136 cars in off-street parking spaces located adjacent to the apartment building. The parking supply, which consists of 99 uncovered parking spaces and 37 covered carport parking spaces, features 20 accessible parking spaces and 14 electric vehicle capable parking spaces.

The Folsom Municipal Code (FMC, Chapter 17.58) does not include specific parking standards for senior (60+) residential apartment uses. Standard apartment parking requirements are not appropriate because a variety of factors cause age-restricted affordable senior complexes to vary in demand and to require less parking than standard apartment complexes, including: smaller household size, fewer residents own vehicles, and average age of residents. In addition, vehicle use is also expected to be reduced based on the close proximity of the project site to restaurants, retail shops, and public transportation.

To assist staff with the analysis of the project's parking needs, the applicant was required to provide a parking analysis/justification. A Parking Memorandum (Attachment 23) and Parking Case Study (Attachment 24) for the Vintage Senior Apartments project were prepared by the Transpogroup and FPI Management respectively on October 17, 2022 and January 3, 2023. The purpose of the Parking Memorandum was to determine an appropriate parking supply for the proposed project based on data from previously approved senior apartment projects in the City, data from similar senior apartment projects in the Sacramento region, and data from parking demand rates established by the ITE Parking Generation Manual.

The Parking Memorandum compared the parking proposed for the Vintage Senior Apartments with the parking ratios approved for other previously approved senior apartment projects within the City including the Scholar Way Senior Apartments, Avenida Senior Apartments, and Revel Senior Apartments. The approved parking ratios for the three aforementioned projects ranged from 0.81 to 1.09 parking spaces per apartment unit, with the proposed project falling within that range at 1.00 parking space per unit. It is important to acknowledge that the Scholar Way and Avenida senior projects are currently under construction so no real time parking data is available. The Revel Senior Apartments project, which is currently constructed and approximately 25% occupied, is currently parking at a ratio of approximately 0.60 parking spaces per unit based on recent information provided by the property manager.

The Parking Memorandum also evaluated parking data from six other similar senior apartment projects in the Sacramento region. The approved parking ratios for the six aforementioned apartment projects ranged from 0.50 to 0.92 parking spaces per apartment unit. An observed parked car to apartment unit ratio was also conducted for these apartment projects, which entailed counting and actual number of cars parked

within an apartment project as compared to the total number of available parking spaces. The observed parked car to apartment unit ratio ranged from 0.32 to 0.55.

The Parking Memorandum considered recommended parking ratios provided by the ITE Parking Generation Rate Manual (5<sup>th</sup> edition, 2019), which provides the average and the 85th percentile weekday parking generation rates for "Senior Adult Attached Housing." Specifically, the ITE Parking Generation publication documents an average peak parking demand ratio of 0.61 parking spaces per unit and an 85th-percentile value of 0.68 parking spaces per unit. Using these parking generation rates with the 136 proposed apartment units, the total parking stalls required for the project would range between 83 and 92 spaces, with a peak parking demand of 83 parking spaces.

In addition, in the Parking Memorandum, the applicant provided a Parking Case Study which provided a real-time evaluation at seven existing Vintage Housing senior apartment communities located in suburban locations in California and Nevada. Listed in the table on the following page are the four apartment communities and their parking characteristics.

TABLE 2: VINTAGE HOUSING PARKING STANDARDS TABLE

<b>Parking Standards Table</b>			
<b>Approved Vintage Senior Apartment Communities</b>			
<b>Project Name</b>	<b>Apartment Units</b>	<b>Parking Provided</b>	<b>Parking Ratio</b>
<b>Proposed Project</b>	136 Units	136 Spaces	1.00 Spaces Per Unit
<b>Vintage at Bouquet Canyon (CA)</b>	264 Units	181 Spaces	0.69 Spaces Per Unit
<b>Vintage at the Crossings (NV)</b>	230 Units	175 Spaces	0.76 Spaces Per Unit
<b>Vintage at Sanctuary (NV)</b>	208 Units	100 Spaces	0.48 Spaces Per Unit
<b>Vintage at Seven Hills (NV)</b>	244 Units	244 Spaces	1.00 Spaces Per Unit
<b>Vintage at Bennett Valley (CA)</b>	189 Units	210 Spaces	1.11 Spaces Per Unit
<b>Vintage at Napa (CA)</b>	115 Units	62 Spaces	0.54 Spaces Per Unit
<b>Season at Laguna (CA)</b>	222 Units	158 Spaces	0.71 Spaces Per Unit

As shown in the table above, the proposed project is parked at the high end of the parking ratio established for other senior apartments communities owned by Vintage Housing. That being said, the Parking Case Study also included a discussion regarding parking supply adequacy at each of these apartment communities. The Case Study notes that the apartment communities (Vintage at Bouquet Canyon and Vintage at Sanctuary) with the lowest parking ratios are experiencing some challenges with available parking supply. However, the apartments communities with the higher parking ratios (Vintage at the Crossings and Vintage Hills) are not experiencing any issues with parking supply.



In addition to the Parking Analysis provided by the project applicant, City staff considered parking information provided by the National Parking Association (NPA) Shared Parking Model (2019) to calculate the recommended number of parking spaces for the proposed project. The NPA model projects parking between approximately the 85<sup>th</sup> and 95<sup>th</sup> percentile and parses out the recommended number of parking spaces for a project. The NPA model determined that the appropriate parking ratio for the proposed project is 0.85 parking spaces per unit during the weekday and 0.72 parking spaces per unit on weekends. Applying these parking ratios, the proposed project would be required to provide between 97 and 116 on-site parking spaces.

In reviewing the parking provided for the proposed project, City staff also took into consideration the availability of public transportation for use by residents of the Vintage Senior Apartments project. Sacramento Regional Transit (SACRT) provides bus service within the City of Folsom, including service to the immediate project area. Specifically, SACRT Bus Route 30, which has a bus stop located approximately 0.25 miles to the west of the project site on the north side of East Natoma Street (in front of Senior Center), features bus service that operates 10 times per day Monday through Friday. In addition to traditional bus service, SACRT offers SmarT Ride on-demand microtransit service and GO Paratransit Service to residents of the City for local and regional trips.

Based on the above-referenced information and analyses, staff has determined that the 136 parking spaces (1.00 parking spaces per unit) proposed for the project will be sufficient to serve the needs of residents, employees, and visitors of the Vintage Senior Apartments project. It is important to note that there will be an on-site property manager residing in one of the apartment units.

The Folsom General Plan (2035) encourages the installation of electric vehicle charging stations in parking spaces throughout the City, prioritizing installations at multi-family residential developments. In addition, the City's Greenhouse Gas Reduction Strategy associated with the General Plan states that multi-family residential projects with 17 or more units are required to providing electric vehicle charging stations in at least 5% percent of the total number of parking spaces. As noted in the project description, the applicant is proposing to provide 14 electric vehicle capable parking spaces within the development, but no electric vehicle charging stations initially. To ensure consistency with the General Plan, staff recommends that a minimum of 7 (5% of 136 total parking spaces = 7 electric vehicle charging stations) of the 14 proposed electric vehicle charging spaces be equipped with electric vehicle charging stations with initial development of the proposed project. Condition No. 50 is included to reflect this requirement.

As shown on the submitted site plan (Attachment 6), the applicant is proposing to provide 28 bicycle parking spaces evenly distributed among bicycle racks located near the building's primary entrances on the north, south, and east elevations. Staff has determined that the proposed project meets the bicycle parking requirements established by the Folsom Municipal Code (FMC, Section 17.57.090) by providing 28 bicycle parking spaces whereas 27 bicycle parking spaces are required.



## **G. Noise/Vibration Impacts**

Based on the proximity of the project site to East Natoma Street as well as existing commercial, residential, and state land uses within the immediate project vicinity, acoustical measurements and modeling were prepared by Helix Environmental Planning on March 29, 2022 to analyze potential noise impacts at the proposed Vintage Senior Apartments project site. The purpose of the noise analysis was to quantify existing noise levels associated with traffic on East Natoma Street, and to compare those noise levels against the applicable City of Folsom noise standards for acceptable noise exposure at the project site. In addition, noise generated by the proposed project including construction activities, on-site parking/circulation, and mechanical equipment noise, were also evaluated in the noise analysis.

Two aspects of noise impacts were evaluated relative to the proposed apartment project, noise directed at the proposed project, and noise caused by the proposed project. As noted previously, the predominant existing noise sources in the project vicinity that may cause an impact to the project site are associated with vehicles traveling on East Natoma Street, as well as background noises from nearby commercial, residential, and state land uses. Potential noise impacts that might result from development of the Vintage Senior Apartments project community are construction-related activities and operational activities. Construction-related noise would have a short-term effect, while operational noise would continue throughout the lifetime of the project.

The Noise Element of the City of Folsom General Plan regulates noise emissions from public roadway traffic on new residential development or other noise sensitive land uses. The Noise Element states that noise from traffic on public roadways shall not exceed 65 CNEL for outdoor use areas and 45 CNEL for interior use areas. To evaluate such potential noise impacts to the proposed project, Helix Environmental conducted ambient noise measurements to calibrate the predictive noise modeling program that estimates noise levels based on estimated future traffic noise affecting the project site. The noise modeling program determined that the outdoor noise levels at the outdoor use areas on the project site would be less than 65 CNEL, thus no significant impact was identified. In addition, the noise modeling program determined that noise levels in the interior use areas of the apartment building would be less than 45 CNEL with implementation of standard building design and required construction techniques.

Construction of the Vintage Senior Apartments project would temporarily increase noise levels in the project vicinity during the construction period, which would take approximately 16 months. Construction activities, including site clearing, excavation, grading, building construction, and paving, would be considered an intermittent noise impact throughout the construction period of the project. The City's Noise Ordinance excludes construction activities from meeting the General Plan Noise Element standards, provided that all phases of construction are limited to the hours between 7:00 a.m. and 6:00 p.m. on weekdays, and between 8:00 a.m. and 5:00 p.m. on Saturdays. To ensure compliance with the City's Noise Control Ordinance and General Plan Noise Element,

staff recommends that hours of construction operation be limited from 7:00 a.m. to 6:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays with no construction permitted on Sundays or holidays. In addition, staff recommends that construction equipment be muffled and shrouded to minimize noise levels. Condition No. 56 is included to reflect these requirements.

Operational noises generated by the proposed project include sounds associated with new vehicle trips, vehicle parking, and mechanical equipment associated with the senior apartment community. Persons and activities potentially sensitive to noise in the project vicinity include residents within the Cimarron Hills Subdivision to the east and residents off of Montrose Drive to the south. Due to the limited volume of project-generated vehicle trips (441 daily vehicle trips), vehicle noise exposure would increase only slightly as compared to existing conditions in the project vicinity. Based on the residential nature of the proposed project and the limited number of project vehicle trips, staff has determined that potential noise impacts relative to these operational noise sources will not be significant.

A possible on-site source of vibration during project construction activities is a vibratory roller. A vibratory roller would primarily be used to achieve soil compaction as part of the foundation and paving construction, and for aggregate and asphalt compaction as part of project driveway and parking lot construction. To minimize potential impacts associated with ground vibrations caused by a vibratory roller, staff recommends, that the owner/applicant provide evidence to the City (via testing data or calculations from a qualified expert), demonstrating that vibratory rollers used on the project site will produce less than 80 VdB at nearby residences, or that all vibratory rollers shall be used in static mode only (no vibrations) when operating within 120 feet of a residence. Condition No. 57 is included to reflect this requirement.

## **H. Walls/Fencing**

As shown on the preliminary site plan (Attachment 6), preliminary grading and drainage plan (Attachment 8), and preliminary grading sections (Attachment 9), the proposed project includes construction of retaining walls, tubular metal fencing, and masonry screen walls on the project site. Retaining walls, which will feature decorative masonry construction and range from 1 to 14 feet in height, are proposed along portions of East Natoma Street, portions of the southern property boundary, and interior sections of the project site. Decorate metal guardrails (42-inch-tall) are proposed on top of the retaining walls for safety and aesthetic purposes. Lastly, an eight-foot-tall decorative masonry screen wall is proposed along the eastern project boundary to provide a buffer between the proposed project and the single-family residences directly to the east. Staff recommends that decorative stone pilasters be integrated into the screen wall design at strategically placed locations to break up the long expanse of the wall and that a decorative trim cap be placed on top of the screen wall for its entire length. In addition, staff recommends that final location, design, height, materials, and colors of the retaining walls, metal fencing, and masonry screen walls be subject to review and approval by the

Community Development Department. Condition No. 59 is included to reflect these requirements.

### **I. Site Lighting**

As shown on the Preliminary Lighting Plan (Attachment 15), the applicant is proposing to use a combination of pole-mounted parking lot lighting, carport lighting, building-attached lighting, and bollard lights along the walkways on the project site. All lighting would be designed to minimize light/glare impacts to the adjacent properties by ensuring that all exterior lighting is shielded and directed downward. Staff recommends that the final exterior building and site lighting plans be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass prior to the issuance of any building permits. In addition, staff recommends all lighting is designed to be shielded and directed downward onto the project site and away from adjacent properties and public rights-of-way. Lastly, staff recommends that all pole-mounted parking lot lights be limited to a maximum of 12 feet in height. Condition No. 27 is included to reflect these requirements.

### **J. Signage**

The proposed project includes a six-foot-tall, 32-square-foot monument sign (double-sided) that will be located in a landscaped area at the southeast corner of East Natoma Street and the primary project driveway. The design of the monument sign includes individual black and green letters inset into a beige-colored aluminum panel with steel support posts. Staff has determined that the proposed monument sign is consistent with the requirements of the Folsom Municipal Code (FMC, Section 17.59.040 D) with respect to maximum sign height (6 feet) and maximum sign area (32 square feet). Staff has also determined that the design and colors of the monument sign are complementary to the design of the proposed senior apartment building. However, staff has concluded that the proposed sign materials (aluminum cabinet with steel support posts) are not consistent with the proposed apartment design/building materials. Staff recommends that the proposed monument sign be constructed of masonry, stone, or wood materials to be more consistent with the design/materials of the apartment building. In addition, staff recommends that the final location, design, materials, and color of the monument sign be subject to review and approval by the Community Development Department. Lastly, staff recommends that the owner/applicant obtain a sign permit prior to installation of the monument sign. Condition No. 62 is included to reflect these requirements.

### **K. Trash/Recycling**

The proposed project includes construction of a single trash, recycling, and organic waste enclosure in the southeast corner of the project site. The proposed trash enclosure, which is 6 feet tall and measures 30 feet in width by 10 feet in depth, is designed with stucco walls, a decorative trim cap, and steel doors. The City's Solid Waste Division has

reviewed the proposed trash enclosure and determined that it meets the City standard (Design and Procedures Manual) with respect to location and design. Staff recommends that the final location, design, color, and materials of the trash/recycling/organic-waste be subject to review and approval by the Community Development Department. Condition No. 58 is included to reflect this requirement.

#### **L. Existing and Proposed Landscaping**

The triangular-shaped 4.86-acre project site, which slopes moderately from east to west with an approximate 20-foot grade change, features a vegetative community that includes blue oak woodland, non-native grasses, and ephemeral and intermittent drainage features. Vegetation in the blue oak woodland habitat consists primarily of blue oak and interior live oak trees, with some non-native species including mulberry, Chinese tallow, Chinese hackberry, and ornamental cherry. The understory of the blue oak woodland is dominated by non-native grasses and forbs, including cultivated oats, Italian rye grass, and yellow star-thistle. Disturbed areas, such as bike trails and jumps occur beneath the canopy of the oak woodland, and there is a significant amount of trash and debris present in these areas. A small segment of an existing Class I bicycle trail occurs in this habitat close to East Natoma Street.

As shown on the Preliminary Landscape Plans (Attachment 10), the applicant is proposing to install landscaping that features California-native and low water-use trees, shrubs, and groundcover selections intended to comply with the requirements of the Model Water Efficiency Landscape Ordinance (MWELo). Proposed landscape improvements include a variety of drought-tolerant trees, shrubs, and groundcover. Among the proposed trees are; Bay Laurel, Blue Oak, California Buckeye, Chinese Pistache, Desert Palo Verde, Dwarf Magnolia, Ghost Pine, Elm, Western Redbud, and Wilson Olive. Proposed shrubs and groundcover include; Breeze Mat Rush, Cleveland Sage, California Buckthorn, Deer Grass, Dwarf Strawberry, Fortnight Lily, Italian Cypress, Purple Hopseed Bush, Red Yucca, Russian Sage, and San Miguel Island Buckwheat. The preliminary landscape plan meets the City shade requirement by providing 51 percent shade in the parking lot area within fifteen years. Staff recommends that the final landscape plans be reviewed and approved by the Community Development Department. Condition No. 38 is included to reflect this requirement.

#### **M. Tree Preservation**

##### Oak Tree Preservation and Removal

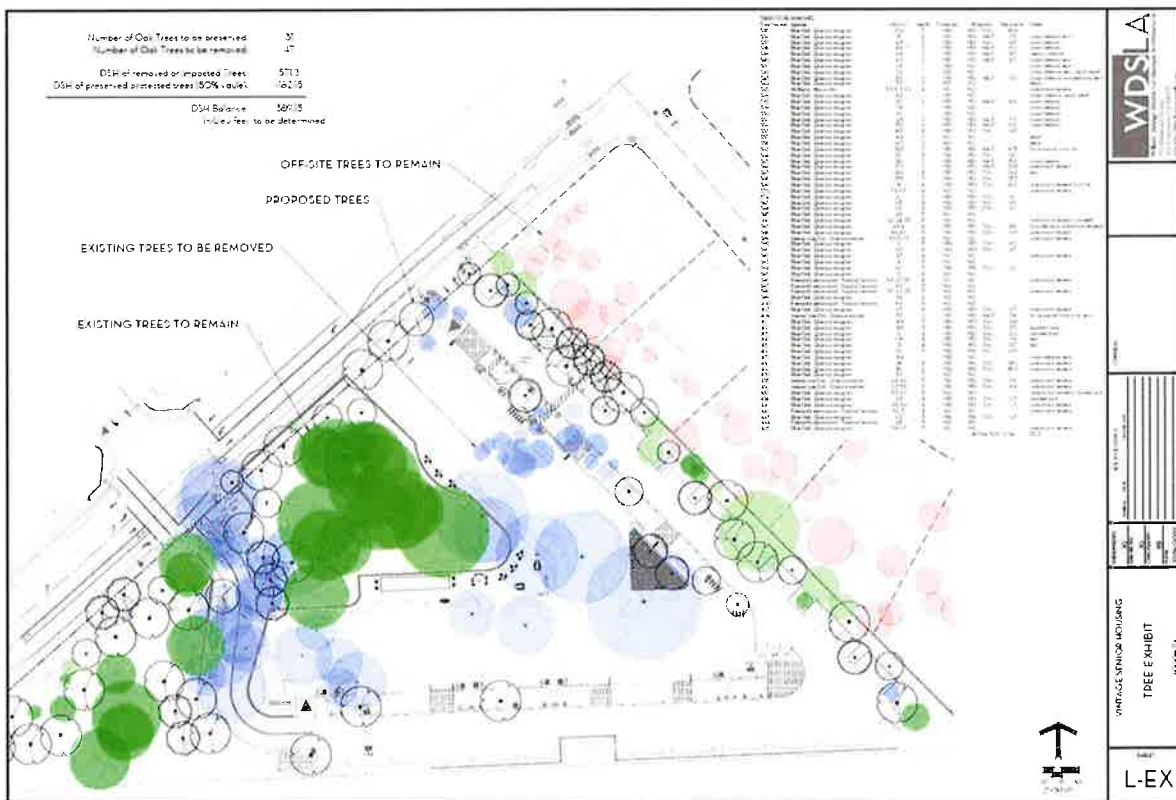
Chapter 12.16 of the Folsom Municipal Code, the Tree Preservation Ordinance, regulates the cutting or modification of trees, including oaks and specified other trees; requires a Tree Permit prior to cutting or modification; and establishes mitigation requirements for cut or damaged trees. The Tree Preservation Ordinance establishes policies, regulations,



and standards necessary to ensure that the City will continue to preserve and maintain its "urban forests".

An Arborist Report and Arborist Inventory prepared for the proposed project by Helix Environmental (Attachment 25) identified a total of 111 trees are on the site including 94 blue oaks, 7 Fremont's cottonwoods, 4 interior live oaks, 2 Gooding's black willow, 1 mulberry, 1 Chinese hackberry, 1 Chinese tallow, and 1 ornamental cherry. Of the 111 trees on the project site, 78 are considered protected oak trees (oak trees measuring 6-inches diameter at standard height). Of the 78 protected Oak trees, 9 Oak trees are in poor health (tree rating of 1) or are dead. As shown on the submitted Oak Tree Mitigation Plan (Attachment 12), the applicant is proposing to preserve 31 of the protected oak trees, while removing 47 of the protected oak trees for development of the proposed project. To mitigate for the loss of the 47 protected oak trees, the applicant is proposing to pay an in-lieu in the City's Tree Mitigation Bank as provided for by the Tree Preservation Ordinance. While not considered eligible for receiving mitigation credit, the applicant is proposing to plant 30 additional oak trees on the project site as part of their proposed landscape plan. The preliminary oak tree preservation plan is shown in Figure 12 on the following page.

FIGURE 12: PRELIMINARY OAK TREE PRESERVATION PLAN





To mitigate the impact to the protected native Oak trees, staff recommends that the following measures be implemented (Condition No. 40) in accordance with requirements of the Tree Preservation Ordinance:

- The owner/applicant shall provide mitigation for directly or indirectly impacted oak trees based on having a health rating of 5,4,3, or 2. Based on the DSH equivalency ratio, the project applicant shall mitigate for the removal of approximately 47 oak trees (571.3 inches at DSH) that will be removed with development of the project. Final mitigation requirements shall be determined by the City Arborist upon receipt of final design plans prior to the issuance of a grading permit. Mitigation for trees shall be done through planting of on-site replacement trees or payment of in-lieu fees as determined by the City, or a combination thereof. The owner/applicant may be eligible to receive credit for preservation of on-site Oak trees as determined by the City Arborist.
- A Tree Permit Application containing an Application Form, Tree Protection and Mitigation Plan, and Arborist Report shall be submitted to the City of Folsom by the owner/applicant for issuance of a Tree Work Permit and Tree Removal Permit prior to commencement of any grading or site improvement activities. The tree protection and mitigation plan shall be prepared in collaboration with a qualified arborist and shall be subject to review and approval by the City. The tree protection and mitigation plan shall contain the contact information of the project arborist and shall be included in all associated plan sets for the project.
- Removal of any protected tree shall be mitigated by planting replacement trees and/or payment of "In-Lieu" fees on a diameter inch basis in accordance with FMC, Section 12.16.150. The proposed method of mitigation shall be subject to review and approval by the City.
- Prior to starting construction, oak trees to be preserved shall be fenced with high visibility fencing consistent with the city-approved tree protection and mitigation plan. Parking of vehicles, equipment, or storage of materials is prohibited within the Tree Protection Zone of Protected Trees at all times. Signs shall be posted on exclusion fencing stating that the enclosed trees are to be preserved. Signs shall state the penalty for damage to, or removal of, the protected tree.
- The owner/applicant shall retain the services of a project arborist for the duration of the development project to monitor the health of oak trees to be preserved and carry out the City-approved tree protection plan. All regulated activity conducted within the Critical Root Zone of protected trees, as that term is defined in Folsom Municipal Code (FMC) 12.16.020, shall be performed under the direct supervision of the project arborist. A copy of the executed contract for these arboricultural services shall be submitted to the City prior to the issuance of any tree or grading permits.

- Certification letters by the project arborist attesting to compliance with the tree protection and mitigation plan and tree permit conditions shall be submitted to the City.

## **N. Conformance with Relevant General Plan Goals and Policies**

The City of Folsom General Plan (2035) outlines a number of goals, policies, and implementation programs designed to guide the physical, economic, and environmental growth of the City. Staff has determined that the proposed project is consistent with the General Plan goals and policies as outlined and discussed below:

### **APPLICABLE GENERAL PLAN GOALS AND POLICIES**

#### **GP GOAL LU 1.1 (Land Use/Growth and Change)**

Retain and enhance Folsom's quality of life, unique identity, and sense of community while continuing to grow and change.

#### **GP POLICY LU 1.1.12-1 (Infill Development)**

Respect the local context: New development should improve the character and connectivity of the neighborhood in which it occurs. Physical design should respond to the scale and features of the surrounding community, while improving critical elements such as transparency and permeability.

The proposed project is consistent with this policy in that the project features significant site improvements which will enhance the overall character of the area including construction of the signalized fourth leg of the intersection of East Natoma Street and Prison Road. The proposed project will also improve bicycle and pedestrian circulation by adding sidewalks, pedestrian pathways, bicycle/pedestrian connections, and realigning a Class 1 bicycle trail. In addition, the proposed project is consistent with this policy in that it will introduce new senior affordable apartment units with a residential design intended to complement the architecture and design of existing residential buildings in the project vicinity.

#### **GP POLICY LU 1.1.12-2 (Infill Development)**

Work with neighbors: Infill development requires neighborhood consultation to understand the concerns, goals, and needs of existing neighborhoods. Ensure the planning and design process provides proper avenues for neighborhood input while fulfilling the community's larger goals for walkability and compact development.

The proposed project is consistent with this policy in that the project applicant conducted public outreach to all property owners located within 500 feet of the subject property. The public outreach included two information meetings (March 22, 2022 and June 29, 2022) which were held at the Folsom Community Center where the project applicant and their team provided residents with detailed information (project description, site plan, architectural details) regarding the proposed project and responded to questions and comments. The two informational meetings were well attended with approximately 12

residents attending the first event and approximately 23 residents attending the second event.

**GP POLICY LU 1.1.15 (SACOG Blueprint Principles)**

**Strive to adhere to the Sacramento Regional Blueprint Growth Principles.**

The proposed project is consistent with this policy in that the project has been designed to adhere to the primary SACOG Blueprint Principles including Compact Development, Housing Choice and Diversity, Use of Existing Assets, and Quality Design. Compact Development involves creating environments that are more compactly built and use space in an efficient but attractive manner to encourage more walking, biking, and transit use and shorter auto trips. Housing Choice and Diversity includes providing a variety of places where people can live (apartments, townhomes, condominiums, and single-family detached homes) and also creating opportunities for the variety of people who need them such as families, singles, seniors, and people with special needs. Use of Existing Assets entails intensification of the existing use or redevelopment in order to make better use of existing public infrastructure, including roads. Quality Design focuses on the design details of any land development (such as relationship to the street, placement of buildings, sidewalks, street widths, landscaping, etc.), which are all factors that influence the attractiveness of living in a compact development and facilitate the ease of walking within and in and out of a community.

**APPLICABLE GENERAL PLAN GOALS AND POLICIES**

**GP GOAL LU 6.1 (Residential Neighborhoods)**

**Allow for a variety of housing types and mix of uses that provide choices for Folsom residents, create complete and livable neighborhoods, and encourage walking and biking.**

**GP POLICY LU 6.1.3 (Efficiency through Density)**

**Support an overall increase in average residential densities in identified urban centers and mixed-use districts. Encourage new housing types to shift from lower-density, large-lot developments to higher-density, small-lot and multifamily developments, as a means to increase energy efficiency, conserve water, reduce waste, as well as increase access to services and amenities (e.g., open space) through an emphasis on mixed uses in these higher-density developments.**

The proposed project is consistent with this policy in that the project includes development of a senior affordable multi-family rental community developed at a residential density of 28 units per acre. In addition, the proposed project design incorporates sustainable features (mechanical, electrical, plumbing, HVAC, rooftop solar array system, and cool paving material) that are consistent with California Green Building Standards Code (CALGreen). In addition, the proposed project includes 14 electric vehicle capable parking spaces and will be required to provide 7 electric vehicle charging stations consistent with CALGreen.



**GP GOAL M 4.1 (Vehicle Traffic and Parking)**

Ensure a safe and efficient network of streets for cars and trucks, as well as provide an adequate supply of vehicle parking.

**GP POLICY M 4.1.3 (Level of Service)**

Strive to achieve a least traffic Level of Service "D" (or better) for local streets and roadways throughout the City. In designing transportation improvements, the City will prioritize use of smart technologies and innovative solutions that maximize efficiencies and safety while minimizing the physical footprint. During the course of Plan buildout, it may occur that temporarily higher Levels of Service result where roadway improvements have not been adequately phased as development proceeds. However, this situation will be minimized based on annual traffic studies and monitoring programs. Staff will report to the City Council at regular intervals via the Capital improvement Program process for the Council to prioritize projects integral to achieving Level of Service D or better.

The proposed project is consistent with this policy in that the project will not result in a change in the level of service (LOS) at either of the two study intersections. In addition, the proposed project will result in a greater than 15% reduction in Vehicle Miles Traveled (VMT), consistent with new State Law that took effect July 1, 2020 (SB 743).

**GP GOAL M 4.2 (Vehicle Traffic and Parking)**

Provide and manage a balanced approach to parking that meets economic development and sustainability goals.

**GP POLICY M 4.2.4 (Electric Vehicle Charging Stations)**

Encourage the installation of electric vehicle charging stations in parking spaces throughout the city, prioritizing installations at multi-family residential units.

The proposed project is consistent with this policy in that the project includes 14 electric vehicles capable parking spaces. In addition, the project will be required to provide 7 electric vehicle charging stations for exclusive use by residents of the senior apartment community. The number of proposed electric vehicle capable parking spaces and required electric vehicle charging stations is consistent with the California Green Buildings Standards Code's provisions for multi-family residential development.

**GP GOAL H-1 (Adequate Land Supply for Housing)**

To provide an adequate supply of suitable sites for the development of a range of housing types to meet the housing needs of all segments of the population.

**GP POLICY H 1.3**

The City shall encourage home builders to develop their projects on multi-family-designated land at the high end of the applicable density range.

The proposed project is consistent with this policy in that the project is providing a senior affordable multi-family residential project developed at a residential density of 28 units

per acre. The proposed project would be considered a high-density multi-family residential development given that it falls within the density range (20-30 dwelling units per acre) established for the City's MHD (Multi-family High Density) General Plan land use designation.

**GP GOAL H-2 (Removing Barriers to the Production of Housing)**

To minimize governmental constraints on the development of housing for households of all income levels.

**GP POLICY H 2.7**

The City shall educate the community on the needs, the realities and the benefits of affordable and high-density housing.

The proposed project is consistent with this policy in that the project will result in development of a high-density senior affordable apartment community on property zoned for business and professional office uses.

**GP GOAL H-3 (Facilitating Affordable Housing)**

To facilitate affordable housing opportunities to serve the needs of people who live and work in the community.

**GP POLICY H 3.1**

The City shall encourage residential projects affordable to a mix of household incomes and disperse affordable housing projects throughout the City to achieve a balance of housing in all neighborhoods and communities.

The proposed project is consistent with this policy in that the project includes development of 136 units that will be designated as affordable for Low Income (LI) and Very Low Income (VLI) households as defined by State and City requirements, with 122 units being made available to individuals with incomes at or below 60% (LI) of the Sacramento area median income (AMI) and 14 units made available to individuals with income at or below 50% (VLI) of AMI.

**O. Native American Consultation (SB 18/AB52)**

Assembly Bill (AB 52), which was signed into law in July 2015, requires City or County Governments to consult with California Native American Tribes in order to identify Tribal Cultural Resources that may be significantly impacted by development projects and to avoid or mitigate those impacts. On November 19, 2021, the City sent project notification letters to the three California Native American tribes named on the City's AB 52 contact list, with the United Auburn Indian Community (UAIC) being the only tribe to respond in a timely manner. The City subsequently initiated consultation with UAIC and provided a copy of the cultural resources and arborist reports prepared for the proposed project. The City did not receive any further communication from UAIC with respect to potential tribal cultural resources on the project site of within the project area. On June 3, 2022, the City



formally concluded consultation with UAIC with the acknowledgement that a standard mitigation measure (Condition No. 43) would be included with the project to ensure protection of any tribal cultural resources that are discovered during ground disturbing construction activities.

## **PUBLIC OUTREACH AND PUBLIC NOTICING**

The project applicant sponsored two public outreach events to provide residents and the community with an opportunity to learn more about the proposed senior affordable apartment project. The two outreach events, which were held in the Folsom Community Center on March 22, 2022 and June 29, 2022 respectively, were well attended with approximately 12 residents present at the first event and 23 residents present at the second event. Residents who attended the outreach events expressed concerns and made comments regarding a number of topics associated with development of the proposed project including but not limited to:

- Negative visual impact to nearby homes.
  - Design compatibility of the three-story apartment building.
  - Excessive size and scale of the three-story apartment building.
  - Negative impact to views and viewsheds in the project area.
  - Privacy impacts to adjacent homes.
- Density of the proposed project.
- Increased traffic and traffic-safety related impacts.
- Adequacy of parking being provided.
- Noise impacts associated with emergency service vehicles responding to calls.
- Noise concerns associated with construction of project.
- Trash/recycling collection and potential noise and odor impacts.
- Lighting and glare impacts.
- Low-income nature of project and potential impact to home values.
- Oak tree impacts.

Each of the aforementioned areas of concern referenced above are discussed within separate sections (architecture/design, traffic, parking, noise, etc.) of this staff report.

On July 1, 2022, the project applicant posted a large project identification sign (4-feet by 6-feet) along the frontage of the project site facing East Natoma Street. The project identification sign includes basic information regarding the proposed Vintage Senior Apartments development and also includes contact information for the project applicant and City staff.

On November 1, 2022, City staff mailed notices of a public hearing to all property owners located within 500 feet (300 feet required) of the subject property informing them that the Planning Commission would be reviewing the Vintage Senior Apartments project at their December 14, 2022 meeting. The aforementioned public notice was also published in

the Folsom Telegraph and on the City's website on November 10, 2022. Subsequently, it was determined that there would not be a quorum available for the December 14<sup>th</sup> Planning Commission meeting and the meeting was cancelled accordingly. On November 18, 2022, City staff mailed new notice of a public hearing to all property owners within 500 feet (300 feet required) of the subject property informing them that the December 14, 2022 Planning Commission had been cancelled and that the Planning Commission would be reviewing the Vintage Senior Apartments project at their January 18, 2023 meeting instead. The aforementioned public notice was also published in the Folsom Telegraph and on the City's website on December 1, 2022.

In response to the public notices for the proposed Vintage Senior Apartments project that were mailed to all property owners located within 500 feet of the subject property, the City received six emails from residents expressing their concerns and opposition to the proposed project. City staff also previously received five emails from residents expressing their concerns regarding the proposed project following the public outreach meetings. These emails are included with this staff report (Attachment 27) for consideration by the Planning Commission.

## **ENVIRONMENTAL REVIEW**

Helix Environmental has prepared an Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program (Attachment 25) for the project in accordance with the California Environmental Quality Act (CEQA) and associated regulations and determined that with the proposed mitigations, the project will not have a significant effect on the environment.

The Mitigated Negative Declaration has been prepared and noticed for public comment on the project, and mitigation measures have been included as Conditions of Approval.

To date, nine written comments have been received during the Mitigated Negative Declaration public review period (November 14, 2022 to December 14, 2022) including six comments from residents (Attachment 27) and three comments from public agencies (Attachment 26). The six comments letters received from residents express their general opposition to the proposed project and also identify some specific areas of concern including but not limited to, project density, increased traffic, traffic safety, road noise, lack of sufficient parking, building design, oak tree impacts, and negative impact to property values. City staff has addressed these comments and concerns within the various sections of this staff report. In addition, the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program (Attachment 25) addressed the environmental concerns raised including traffic-related impacts, noise-related impacts, and Oak tree impacts and concluded that, with the mitigation measures the project will not have a significant effect on the environment.

The City received four letters from public agencies (Attachment 26) in response to the publication of the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program for the proposed project. The Sacramento Metropolitan Utility Agency (SMUD) provided a response indicating that they had no comments regarding the proposed project. The Central Valley Regional Water Quality Control Board (CVRWQCB) provided a response highlighting the regulatory setting for project-related water impacts and also providing guidance to the project applicant with respect to the permitting process the project will be required to go through due to its impacts to a local drainage feature. The Sacramento Metropolitan Air Quality Management District (SMAQMD) provided a response recommending that the project applicant consider developing the project without natural gas infrastructure due to greenhouse gas emission impacts. SMAQMD also asked for clarification regarding the number of electric vehicle charging spaces that will be provided by the proposed project. Lastly, the Pacific Gas and Electric Company (PG&E) provided a response regarding specific requirements about the types of development that is allowed to occur within the PG&E overhead easement area. None of the aforementioned comments are relevant to the project's compliance with the California Environmental Quality Act. A formal response to all of these comments is included with this staff report (Attachment 28).

## **RECOMMENDED PLANNING COMMISSION ACTION**

Move to recommend that the Planning Commission:

- Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Vintage Senior Apartments project (PN 21-159) per Attachment 25; and
- Approve a Conditional Use Permit for development and operation of a senior apartment community on the subject 4.86-acre property; and
- Approve a Planned Development Permit for development of the 136-unit Vintage Senior Apartments project on a 4.86-acre site located at 103 East Natoma Street; and
- Approve a Density Bonus for development of the Vintage Senior Apartments project at a residential density of 28 units per acre and to allow for three incentives/concessions including establishing a parking ratio of one parking space per unit, increasing the maximum building height from 35 feet to 42-feet 6-inches, and increasing the maximum number of building stories from 2-stories to 3-stories.

These approvals are based on the findings below (Findings A-U) and subject to the conditions of approval (Conditions 1-76) attached to this report.

### **GENERAL FINDINGS**

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE ZONING CODE OF THE CITY.

### **CEQA FINDINGS**

- C. A MITIGATED NEGATIVE DECLARATION HAS BEEN PREPARED FOR THE PROJECT IN ACCORDANCE WITH CEQA.
- D. THE PLANNING COMMISSION HAS CONSIDERED THE PROPOSED MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM BEFORE MAKING A DECISION REGARDING THE PROJECT.
- E. ON THE BASIS OF THE WHOLE RECORD BEFORE THE PLANNING COMMISSION, THERE IS NO SUBSTANTIAL EVIDENCE THAT THE PROJECT, AS CONDITIONED, WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
- F. THE MITIGATED NEGATIVE DECLARATION REFLECTS THE INDEPENDENT JUDGMENT AND ANALYSIS OF THE CITY OF FOLSOM.
- G. THE MITIGATED NEGATIVE DECLARATION HAS DETERMINED THAT THE PROPOSED PROJECT, AS CONDITIONED AND CONSISTENT WITH THE REQUIRED MITIGATION MONITORING AND REPORTING PROGRAM, WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT WITH THE REQUIRED MITIGATION MEASURES.
- H. THE LOCATION AND CUSTODIAN OF THE DOCUMENTS WHICH CONSTITUTE THE RECORD OF PROCEEDINGS UPON WHICH THE DECISION IS BASED ARE: CITY OF FOLSOM COMMUNITY DEVELOPMENT DEPARTMENT, 50 NATOMA STREET, FOLSOM, CA 95630.

### **CONDITIONAL USE PERMIT FINDING**

- I. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE OR OPERATION OF THE USE APPLIED FOR WILL NOT, UNDER THE CIRCUMSTANCES OF THIS PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, MORALS, COMFORT, AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, OR BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE

NEIGHBORHOOD OR TO THE GENERAL WELFARE OF THE CITY, AS THE PROPOSED USE IS COMPLIMENTARY TO EXISTING USES IN THE PROJECT VICINITY AND, AS CONDITIONED, THE PROPOSED PROJECT WILL NOT HAVE NEGATIVE IMPACTS TO NEARBY USES THAT HAVE NOT BEEN MITIGATED.

### **PLANNED DEVELOPMENT PERMIT FINDINGS**

- J. THE PROPOSED PROJECT COMPLIES WITH THE INTENT AND PURPOSES OF CHAPTER 17.38 (PLANNED DEVELOPMENT DISTRICT) OF THE FOLSOM MUNICIPAL CODE AND OTHER APPLICABLE ORDINANCES OF THE CITY.
- K. THE PROPOSED PROJECT IS CONSISTENT WITH THE OBJECTIVES, POLICIES AND REQUIREMENTS OF THE DEVELOPMENT STANDARDS OF THE CITY.
- L. THE PHYSICAL, FUNCTIONAL AND VISUAL COMPATIBILITY BETWEEN THE PROPOSED PROJECT AND EXISTING AND FUTURE ADJACENT USES AND AREA CHARACTERISTICS IS ACCEPTABLE.
- M. THERE ARE AVAILABLE PUBLIC FACILITIES, INCLUDING BUT NOT LIMITED TO, WATER, SEWER AND DRAINAGE TO ALLOW FOR THE DEVELOPMENT OF THE PROJECT SITE IN A MANNER CONSISTENT WITH THIS PROPOSAL.
- N. THE PROPOSED PROJECT WILL NOT CAUSE UNACCEPTABLE VEHICULAR TRAFFIC LEVELS ON SURROUNDING ROADWAYS, AND THE PROPOSED PROJECT WILL PROVIDE ADEQUATE INTERNAL CIRCULATION.
- O. THE PROPOSED PROJECT WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY AND GENERAL WELFARE OF THE PERSONS OR PROPERTY WITHIN THE VICINITY OF THE PROJECT SITE, AND THE CITY AS A WHOLE.
- P. ADEQUATE PROVISION IS MADE FOR THE FURNISHING OF SANITATION SERVICES AND EMERGENCY PUBLIC SAFETY SERVICES TO THE PROJECT.

### **DENSITY BONUS FINDINGS**

- Q. THE PROPOSED PROJECT QUALIFIES FOR A DENSITY BONUS IN THAT THE PROJECT IS PROVIDING ONE HUNDRED PERCENT OF THE TOTAL UNITS FOR LOW-INCOME HOUSEHOLDS OR VERY LOW- INCOME HOUSEHOLDS, AND IS A SENIOR CITIZEN HOUSING DEVELOPMENT.



- R. THE PROPOSED PROJECT QUALIFIES FOR THE REQUESTED PROJECT DENSITY OF 28 DWELLING UNITS PER ACRE.
- S. THE PROPOSED PROJECT IS ELIGIBLE FOR FOUR DENSITY BONUS INCENTIVES OR CONCESSIONS BASED ON THE FACT THAT THE PROPOSED PROJECT IS DEDICATING ONE HUNDRED PERCENT OF THE TOTAL HOUSING UNITS TO LOW-INCOME HOUSEHOLDS.
- T. THE PROJECT APPLICANT HAS REQUESTED THREE DENSITY BONUS INCENTIVES OR CONCESSIONS, INCLUDING A PARKING RATIO OF ONE PARKING SPACE PER UNIT, AN INCREASE IN THE MAXIMUM BUILDING HEIGHT FROM 35 FEET TO 42 FEET SIX INCHES, AND AN INCREASE IN THE MAXIMUM NUMBER OF BUILDING STORIES FROM TWO TO THREE STORIES.
- U. THE PROPOSED PROJECT QUALIFIES FOR EACH OF THE REQUESTED INCENTIVES OR CONCESSIONS.

# **Attachment 4**

## **Conditions of Approval**

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159)                      CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS                      103 EAST NATOMA STREET</b>				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
1.		<p>The applicant shall submit final site development plans to the Community Development Department that shall substantially conform to the exhibits referenced below:</p> <ol style="list-style-type: none"> <li>1. Site Plan, dated October 17, 2022</li> <li>2. Preliminary Utility Plan, dated October 17, 2022</li> <li>3. Preliminary Grading and Drainage Plan, dated October 17, 2022</li> <li>4. Preliminary Grading Sections, dated October 17, 2022</li> <li>5. Preliminary Landscape and Irrigation Plans, dated October 20, 2022</li> <li>6. Preliminary Tree Preservation Plan, dated October 17, 2022</li> <li>7. Preliminary Oak Tree Mitigation Plan, dated October 20, 2022</li> <li>8. Preliminary Access and Circulation Plan, dated October 17, 2022</li> <li>9. Preliminary Fire Access Plan, dated October 17, 2022</li> <li>10. Preliminary Lighting Plan and Details, dated November 3, 2021</li> <li>11. Building Elevations and Floor Plans dated June 3, 2022</li> <li>12. Color Building Renderings, dated June 3, 2022</li> <li>13. Building Site Sections, dated June 3, 2022</li> <li>14. Color and Materials Board, dated June 3, 2022</li> <li>15. Transportation Impact Study, dated July, 2022</li> <li>16. Parking Memorandum, dated October 17, 2022</li> <li>17. Parking Case Study, dated October 17, 2022</li> <li>18. Vintage Senior Apartments Booklet (Separate Bound Document)</li> </ol> <p>The project is approved for development of the 136-unit Vintage Senior Apartments project, which includes a three-story, 111,755-square-foot apartment building and associated site improvements. Implementation of the project shall be consistent with the above-referenced items as modified by these conditions of approval.</p>	B	CD (P)(E)

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159)                      CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS                      103 EAST NATOMA STREET</b>				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
2.		Building plans, and all civil engineering and landscape plans, shall be submitted to the Community Development Department for review and approval to ensure conformance with this approval and with relevant codes, policies, standards and other requirements of the City of Folsom.	I, B	CD (P)(E)(B)
3.		The project approvals (Planned Development Permit, Conditional Use Permit, and Density Bonus) granted under this staff report shall remain in effect for two years from final date of approval (January 18, 2025). Failure to obtain the relevant building (or other) permits within this time period, without the subsequent extension of this approval, shall result in the termination of this approval.	B	CD (P)
4.		Consistent with the State Density Bonus Law, all rental units within the Vintage Senior Apartments project shall remain affordable for a period of 55 years or longer.	OG	CD (P)
5.		<p>The owner/applicant shall defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> <li>• The City bears its own attorney’s fees and costs; and</li> <li>• The City defends the claim, action or proceeding in good faith</li> </ul> <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS 103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
6.	✓	The owner/applicant shall be required to participate in a mitigation monitoring and reporting program pursuant to City Council Resolution No. 2634 and Public Resources Code 21081.6. The mitigation monitoring and reporting measures identified in the Mitigated Negative Declaration prepared for this project have been incorporated into these conditions of approval in order to mitigate or avoid significant effects on the environment. These mitigation monitoring and reporting measures are identified with a check mark (✓) in the mitigation measure column.	G, I	CD (P)(E)
<b>DEVELOPMENT COSTS AND FEE REQUIREMENTS</b>				
7.		The owner/applicant shall pay all applicable taxes, fees and charges at the rate and amount in effect at the time such taxes, fees and charges become due and payable.	I, B	CD (P)(E)
8.		If applicable, the owner/applicant shall pay off any existing assessments against the property, or file necessary segregation request and pay applicable fees.	B	CD (E)
9.		The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the applicant shall reimburse the City for all outside legal fees and costs incurred by the City for such services. The applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.	I	CD (P)(E)
10.		If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the applicant shall reimburse the City for actual costs it incurs in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the improvement plans or beginning inspection, whichever is applicable.	I, B	CD (P)(E)



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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS 103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
11.		This project shall be subject to all City-wide development impact fees, unless exempt by previous agreement. This project shall be subject to all City-wide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, fees for fire protection, park facilities, park equipment, Humbug-Willow Creek Parkway, Light Rail, TSM, capital facilities and traffic impacts. The 90-day protest period for all fees, dedications, reservations or other exactions imposed on this project has begun. The fees shall be calculated at the fee rate in effect at the time of building permit issuance.	B	CD (P)(E), PW, PK
12.		The owner/applicant agrees to pay to the Folsom-Cordova Unified School District the maximum fee authorized by law for the construction and/or reconstruction of school facilities. The applicable fee shall be the fee established by the School District that is in effect at the time of the issuance of a building permit. Specifically, the owner/applicant agrees to pay any and all fees and charges and comply with any and all dedications or other requirements authorized under Section 17620 of the Education Code; Chapter 4.7 (commencing with Section 65970) of the Government Code; and Sections 65995, 65995.5 and 65995.7 of the Government Code.	B	CD (P)
<b>SITE DEVELOPMENT REQUIREMENTS</b>				
13.	✓	<p>Prior to the issuance of any grading and/or building permit, the owner/applicant shall have a geotechnical report prepared by an appropriately licensed engineer that includes an analysis of site suitability, proposed foundation design for all proposed structures, and roadway and pavement design.</p> <p>A Geotechnical Engineering Survey was prepared by Youngdahl Consulting Group, Inc. in December 2021. The proposed projects' design plans and specifications outlined in the report shall be reviewed and approved by a California-licensed geotechnical engineer or engineering geologist. The project applicant shall implement all applicable recommendations approved by a California-licensed geotechnical engineer or engineering geologist into the grading of the project site.</p>	G, B	CD (E)

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CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS 103 EAST NATOMA STREET				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
14.	✓	In the event a paleontological or other geologically sensitive resources (such as fossils or fossil formations) are identified during any phase of project construction, all excavations within 100-ft of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at the City of Folsom who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the City shall implement those measures which may include avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code Section 21083.2.	I, G	CD (E)
15.		Public and private improvements, including roadways, curbs, gutters, sidewalks, bicycle lanes and trails, streetlights, underground infrastructure and all other improvements shall be provided in accordance with the current edition of the City of Folsom <u>Standard Construction Specifications</u> and the <u>Design and Procedures Manual and Improvement Standards</u> . All necessary rights-of-way and/or easements shall be dedicated to the City of Folsom for these improvements.	I, B	CD (P)(E)
16.		The applicant/owner shall submit water, sewer and drainage studies to the satisfaction of the Community Development Department and provide sanitary sewer, water and storm drainage improvements with corresponding easements, as necessary, in accordance with these studies and the current edition of the City of Folsom <u>Standard Construction Specifications</u> and the <u>Design and Procedures Manual and Improvement Standards</u> .	I	CD (E)
17.		The improvement plans for the required public and private improvements shall be reviewed and approved by the Community Development Department prior to issuance of a building permit for the project.	B	CD (E)
18.		Required public and private improvements, including but not limited to street signal and frontage improvements on East Natoma Street, shall be completed to the satisfaction of the Community Development Department prior to the issuance of the first Certificate of Occupancy.	O	CD (E)

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	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
19.		Final lot and building configurations may be modified to allow for overland release of storm events greater than the capacity of the underground system.	B	CD (E)
20.		The owner/applicant shall coordinate the planning, development, and completion of this project with the various utility agencies (i.e., SMUD, PG&E, etc.).	I	CD (P)(E)
21.		The owner/applicant shall be responsible for replacing any and all damaged or hazardous public sidewalk, curb and gutter along the site frontage and/or boundaries, including pre-existing conditions and construction damage, to the satisfaction of the Community Development Department.	O	CD (E)
22.		For any improvements constructed on private property that are not under ownership or control of the owner/applicant, a right-of-entry, and if necessary, a permanent easement shall be obtained and provided to the City prior to issuance of a grading permit and/or approval of improvement plans.	G, I	CD (E)
23.		The on-site water and sewer systems shall be privately owned and maintained. The fire protection system shall be separate from the domestic water system. The fire system shall be constructed to meet the National Fire Protection Association Standard 24. The domestic water and irrigation system shall be metered per City of Folsom <i>Standard Construction Specifications</i> .	I	CD (E)
24.		Any reimbursement for public improvements constructed by the applicant shall be in accordance with a formal reimbursement agreement entered into between the City and the owner/applicant prior to approval of the improvement plans.	I	CD (E)
25.		The owner/applicant shall dedicate a 12.5-foot-wide public utility easement for underground facilities and appurtenances adjacent to all public rights-of-way. The owner/applicant shall also dedicate any private drive, ingress, and egress easement as a public utility easement for underground facilities and appurtenances. An easement shall also be dedicated to SMUD based on the location of as constructed facilities placed beyond the limits of the private drives.	I	CD (E)

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159)            CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS            103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
26.		Existing overhead utility lines lower than 69KV located on the south side of East Natoma Street adjacent to the project site shall be placed underground to the satisfaction of the Community Development Department.	I	CD (E)
27.		Final exterior building and site lighting plans shall be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass prior to the issuance of any building permits. All lighting, including but not limited to free-standing parking lot lights, building-attached lights, and landscape lights shall be designed to be screened, shielded, and directed downward onto the project site and away from adjacent properties and public rights-of-way. The final design of the building-attached lights shall be subject to review and approval by the Community Development Department. Lighting shall be equipped with a timer or photo condenser. In addition, pole-mounted parking lot lights shall utilize a low-intensity, energy efficient lighting method and be limited to a maximum of 12 feet in height.	I, B	CD (P)
<b>STORM WATER POLLUTION/CLEAN WATER ACT REQUIREMENTS</b>				
28.		The owner/applicant shall be responsible for litter control and sweeping of all paved surfaces in accordance with City standards. All on-site storm drains shall be cleaned immediately before the commencement of the rainy season (October 15).	G, I, B	CD (E)
29.		The storm drain swale or onsite improvement plans shall provide for "Best Management Practices" that meet the requirements of the water quality standards of the City's National Pollutant Discharge Elimination System Permit issued by the State Regional Water Quality Control Board.	G, I, B, O	CD (E)
30.		Erosion and sedimentation control measures shall be incorporated into construction plans. These measures shall conform to the City of Folsom requirements and the County of Sacramento <u><i>Erosion and Sedimentation Control Standards and Specifications</i></u> -current edition and as directed by the Community Development Department.	G, I	CD (E)

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS 103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
31.		The proposed development will add new impervious area to the site; therefore, stormwater quality treatment shall be provided. The City requires developers to utilize the <i>Guidance Manual for On-Site Stormwater Quality Treatment Control Measures</i> (January 2000) ("On-Site Manual") in selecting and designing source control and post-construction facilities to treat runoff from the project.	G, I	CD (E)
32.		Prior to issuance of grading permits, the owner/applicant shall submit detailed drainage plans for evaluation by the City. Approved plans shall be implemented prior to project occupancy. The drainage plans shall include measures to minimize the total amount of additional surface runoff and to limit the flows released to off-site receiving waters to existing pre-development levels in accordance with the requirements of the City of Folsom Public Works Department.	G, I	CD (E), PW
33.		Prior to issuance of grading permits, the owner/applicant shall submit erosion control plans and other monitoring programs for the construction and operational phases of the proposed project for review by the City. The plan shall include Best Management Practices (BMP) to minimize and control the level of pollutants in stormwater runoff, and in runoff released to off-site receiving waters. Specific techniques may be based on geotechnical reports or the Erosion and Sediment Control Handbook of the California Department of Conservation, and shall comply with current City standards.	G, I	CD (E), PW
34.		Prior to issuance of grading permits, the owner/applicant shall obtain coverage under the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity (Order 2009-0009-DWQ), including preparation and submittal of a project-specific Storm Water Pollution Prevention Plan (SWPPP) at the time the Notice of Intent (NOI) is filed. The project applicant shall also prepare and submit any other necessary erosion and sediment control and engineering plans and specifications for pollution prevention and control to the City of Folsom.	G, I	CD (E), PW



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CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS 103 EAST NATOMA STREET				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
<b>ENVIRONMENTAL AND WATER RESOURCE REQUIREMENTS</b>				
35.		The sanitary sewer system shall be designed for the project shall incorporate the following elements and features to the satisfaction of the Environmental and Water Resources Department: <ul style="list-style-type: none"> <li>• Prior to the issuance of a grading permit, the owner/applicant shall record a 15-foot private sewer easement within PG&amp;E property.</li> <li>• All on-site sanitary sewer shall be privately owned, operated and maintained.</li> <li>• The Sanitary Sewer Lift station shall be privately owned, operated and maintained.</li> <li>• A maintenance agreement for the sewer lift station operation, maintenance and emergency repairs to the satisfaction of the Community Development Department and executed prior to the issuance of a building permit.</li> <li>• The offsite sewer force main shall be located within in a 15-foot private sewer easement located within PG&amp;E property. The City will not own, operate, or maintain this sewer force main.</li> <li>• Install one new sanitary sewer manhole where the force main will terminate at the 8-inch gravity line. The City's responsibility of the sanitary sewer shall begin when the 8-inch gravity line enters the public sewer easement within PG&amp;E property.</li> <li>• The grease interceptor shall be privately owned, operated and maintained.</li> </ul>	G, I, B	EWR
36.		The domestic water and sanitary sewer systems designed for the project shall incorporate the following elements and features to the satisfaction of the Environmental and Water Resources Department: <ul style="list-style-type: none"> <li>• The water connection for domestic, irrigation and fire shall be a manifold as shown in City Water Detail WR-23.</li> <li>• The 6-inch domestic water supply shall include a meter bypass in accordance with City Water Detail WR-21.</li> <li>• All on-site water systems shall be privately owned, operated, and maintained.</li> </ul>	I	EWR

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
<b>LANDSCAPE/TREE PRESERVATION REQUIREMENTS</b>				
37.		The owner/applicant shall be responsible for on-site landscape maintenance throughout the life of the project to the satisfaction of the Community Development Department. Vegetation or planting shall not be less than that depicted on the final landscape plan, unless tree removal is approved by the Community Development Department because the spacing between trees will be too close on center as they mature.	B, OG	CD (P)(E)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
38.		<p>Final landscape plans and specifications shall be prepared by a registered landscape architect and approved by the City prior to the approval of the first building permit. Said plans shall include all on-site landscape specifications and details including a tree planting exhibit demonstrating sufficient diversity and appropriate species selection to the satisfaction of the Community Development Department. The tree exhibit shall include all street trees, accent trees, parking lot shading trees, and mitigation trees proposed within the development. Said plans shall comply with all State and local rules, regulations, Governor's declarations and restrictions pertaining to water conservation and outdoor landscaping.</p> <p>Landscaping of the parking area shall meet shade requirements as outlined in the Folsom Municipal Code Chapter 17.57. The landscape plans shall comply and implement water efficient requirements as adopted by the State of California (Assembly Bill 1881) (State Model Water Efficient Landscape Ordinance) until such time the City of Folsom adopts its own Water Efficient Landscape Ordinance at which time the owner/applicant shall comply with any new ordinance. Shade and ornamental trees shall be maintained according to the most current American National Standards for Tree Care Operations (ANSI A-300) by qualified tree care professionals. Tree topping for height reduction, view protection, light clearance or any other purpose shall not be allowed. Specialty-style pruning, such as pollarding, shall be specified within the approved landscape plans and shall be implemented during a 5-year establishment and training period. The owner/applicant shall comply with city-wide landscape rules or regulations on water usage. The owner/applicant shall comply with any state or local rules and regulations relating to landscape water usage and landscaping requirements necessitated to mitigate for drought conditions on all landscaping in the Vintage Senior Apartments project.</p>	I	CD(P)(E)

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39.	✓	<p>To mitigate the impact to the protected native Oak trees, the following measures shall be implemented in accordance with requirements of the <u>Tree Preservation Ordinance</u>:</p> <ul style="list-style-type: none"> <li>• The owner/applicant shall provide mitigation for directly or indirectly impacted oak trees based on having a health rating of 5,4,3, or 2. Based on the DSH equivalency ratio, the project applicant shall mitigate for the removal of approximately 47 oak trees (571.3 inches at DSH) that will be removed with development of the project. Final mitigation requirements shall be determined by the City Arborist upon receipt of final design plans prior to the issuance of a grading permit. Mitigation for trees shall be done through planting of on-site replacement trees or payment of in-lieu fees as determined by the City, or a combination thereof. The owner/applicant may be eligible to receive credit for preservation of on-site Oak trees as determined by the City Arborist.</li> <li>• A Tree Permit Application containing an Application Form, Tree Protection and Mitigation Plan, and Arborist Report shall be submitted to the City of Folsom by the owner/applicant for issuance of a Tree Work Permit and Tree Removal Permit prior to commencement of any grading or site improvement activities. The tree protection and mitigation plan shall be prepared in collaboration with a qualified arborist and shall be subject to review and approval by the City. The tree protection and mitigation plan shall contain the contact information of the project arborist and shall be included in all associated plan sets for the project.</li> <li>• Removal of any protected tree shall be mitigated by planting replacement trees and/or payment of "In-Lieu" fees on a diameter inch basis in accordance with <u>FMC, Section 12.16.150</u>. The proposed method of mitigation shall be subject to review and approval by the City.</li> <li>• Prior to starting construction, oak trees to be preserved shall be fenced with high visibility fencing consistent with the city-approved tree protection and mitigation plan. Parking of vehicles, equipment, or storage of materials is prohibited within the Tree Protection Zone of Protected Trees at all times. Signs shall be posted on exclusion fencing stating that the enclosed trees are to be preserved. Signs shall state the penalty for damage to, or removal of, the protected tree.</li> </ul>	I, G, B, O	CD(P)(E)
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
39. Cont.	✓	<ul style="list-style-type: none"> <li>The owner/applicant shall retain the services of a project arborist proficient in tree protection for construction projects for the duration of the development project to monitor the health of oak trees to be preserved and carry out the City-approved tree protection plan. All regulated activity conducted within the Critical Root Zone of protected trees, as that term is defined in <u>Folsom Municipal Code (FMC) 12.16.020</u>, shall be performed under the direct supervision of the project arborist. A copy of the executed contract for these arboricultural services shall be submitted to the City prior to the issuance of any tree or grading permits.</li> </ul> <p>Certification letters by the project arborist attesting compliance with the tree protection and mitigation plan and tree permit conditions shall be submitted to the City following completion of grading and again at project completion, prior to the certificate of occupancy.</p>	I, G, B, O	CD(P)(E)
CULTURAL RESOURCE/TRIBAL CULTURAL RESOURCE REQUIREMENTS				
40.	✓	<p>It is always possible that ground-disturbing activities during project development may uncover previously unknown archaeological resources. In the event that archaeological resources are discovered during construction, construction operations shall stop within a 100-foot radius of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resources, including but not limited to, excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Archaeological resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and evaluated for significance in terms of CEQA criteria.</p>	G, I, B	CD (P)(E)



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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
41.	✓	<p>In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code § 5097.94 and § 5097.98 must be followed. If during the course of project development there is accidental discovery or recognition of any human remains, the following steps shall be taken:</p> <p>There shall be no further excavation or disturbance within a 100-foot radius of the potentially human remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.</p> <p>Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:</p> <ul style="list-style-type: none"> <li>○ The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.</li> <li>○ The descendant identified fails to make a recommendation.</li> <li>○ The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.</li> </ul>	G, I, B	CD (P)(E)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
42.	✓	All construction personnel involved in ground disturbing activities shall be trained in the recognition of possible cultural resources and protection of such resources. The training will inform all construction personnel of the procedures to be followed upon the discovery of archaeological materials, including Native American burials. Construction personnel will be instructed that cultural resources must be avoided and that all travel and construction activity must be confined to designated roads and areas. The training will include a review of the local, state, and federal laws and regulations related to cultural resources, as well as instructions on the procedures to be implemented should unanticipated resources be encountered during construction, including stopping work in the vicinity of the find and contacting the appropriate environmental compliance specialist.	G, I, B	CD (P)(E)
43.	✓	If potentially significant Tribal Cultural Resources (TCR) are discovered during ground disturbing construction activities, all work shall cease within 50-ft of the find, or an agreed upon distance based on the nature of the find. A Native American Representative from traditionally and culturally affiliated Native American Tribes that requested consultation on the project shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified cultural resources specialist meeting the Secretary of Interior's Standards and Qualifications for Archaeology, may also assess the significance of the find in joint consultation with Native American Representatives to ensure that Tribal values are considered. Work at the discovery location cannot resume until the City, in consultation as appropriate and in good faith, determines that the discovery is either not a TCR, or has been subjected to culturally appropriate treatment, if avoidance and preservation cannot be accommodated.	G, I, B	CD (P)(E)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
<b>BIOLOGICAL RESOURCE REQUIREMENTS</b>				
44.	✓	<p><u>White-Tailed Kite and Other Nesting Birds:</u>                      If project (construction) ground-disturbing or vegetation clearing and grubbing activities commence during the avian breeding season (February 1 – August 31), a qualified biologist shall conduct a pre-construction nesting bird survey no more than 14 days prior to initiation of project activities and again immediately prior to construction. The survey area shall include suitable raptor nesting habitat within 500-ft of the project boundary (inaccessible areas outside of the project site can be surveyed from the site or from public roads using binoculars or spotting scopes). Preconstruction surveys are not required in areas where project activities have been continuous since prior to February 1, as determined by a qualified biologist. Areas that have been inactive for more than 14 days during the avian breeding season must be resurveyed prior to resumption of project activities. If no active nests are identified, no further mitigation is required. If active nests are identified, the following measure is required:</p> <ul style="list-style-type: none"> <li>A suitable buffer (e.g., 500-ft for raptors; 100-ft for passerines) shall be established by a qualified biologist around active nests and no construction activities within the buffer shall be allowed until a qualified biologist has determined that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest, or the nest has failed). Encroachment into the buffer may occur at the discretion of a qualified biologist. Any encroachment into the buffer shall be monitored by a qualified biologist to determine whether nesting birds are being impacted.</li> </ul>	G, I	CD (E)(P)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
45.	✓	<u>Jurisdictional Wetlands and Waters</u> Prior to start of construction, the project proponent shall either prepare a formal delineation and submit it to the USACE for verification or obtain verification based on the mapping of aquatic resources in this report as well as contact the USACE, CVRWQCB, and CDFW to determine the need for permits and secure any required aquatic resources permits for impacts to waters of the U.S./State from the USACE, CVRWQCB, and CDFW, pursuant to Sections 404 and 401 of the Clean Water Act, the California Water Code, Section 1600 of the Fish and Game Code, and the State Water Resource Control Board Dredge and Fill Policy. The project proponent shall comply with all conditions of such permits including providing compensatory mitigation at a minimum 1:1 ratio as required to achieve no net loss of wetlands or other waters.	G, I	CD (E)(P)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
<b>AIR QUALITY REQUIREMENTS</b>				
46.		Control of fugitive dust is required by District Rule 403 and enforced by SMAQMD staff. The owner/applicant shall implement the following measures as identified by the SMAQMD: <ul style="list-style-type: none"> <li>• Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.</li> <li>• Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.</li> <li>• Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.</li> <li>• Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).</li> <li>• All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>• Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485. Provide clear signage that posts this requirement for workers at the entrances to the site.</li> <li>• Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.</li> </ul>	G, I, B	CD (P)(E)(B)



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	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
47.		<p>To mitigate the project's contribution to the urban heat island effect, the Sacramento Air Quality Management District (SMAQMD) recommends the following measures be implemented to the satisfaction of the Community Development Department:</p> <ul style="list-style-type: none"> <li>• The owner/applicant shall incorporate new shade trees to provide additional shade coverage for pavements and structures to the extent feasible. A directory of air-quality supportive trees is available in the Sacramento Tree Foundation's Shady Eighty guide and a more extensive tree list is available on page 153 of the UHI Technical Analysis Report.</li> <li>• All new pavements, including sidewalks, interior roads, bike lanes, pedestrian paths, parking lots, and plazas shall strive to achieve an albedo of at least 0.25-0.5.</li> <li>• For the parking lot areas, if cool pavement or additional tree shading is not feasible, the owner/applicant shall consider installing solar photovoltaic shade structures to reduce urban heat islands, generate renewable energy, and provide shading to parked vehicles, further reducing emissions.</li> </ul> <p>All new structures shall utilize certified cool roofs. The California Energy Commission's Title 24, Part 67, recommends an aged solar reflectance of at least 0.63 for low-sloped roofs and at least 0.20 for steep-sloped roofs, and minimum thermal emittance of 0.75.</p>	B	CD (P)(B)
<b>GREENHOUSE GAS REQUIREMENTS</b>				
48.	✓	In accordance with the City General Plan GHG Reduction Measure T-3, the project shall provide a minimum of five percent more bicycle parking than required in the City's Municipal Code Section 17.57.090 (for a total of 28 bicycle parking spaces).	B	CD (P)(B)
49.	✓	In accordance with the City General Plan GHG Reduction Measure T-6, the project shall use high-performance diesel (also known as Diesel-HPR or Reg-9000/RHD) for all diesel-powered equipment utilized in construction of the project.	B	CD (P)(B)

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	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
50.	✓	In accordance with the City General Plan GHG Reduction Measure T-8, the project shall provide 14 electric vehicle capable parking spaces based on the 136 total parking spaces proposed for the project. Of the 14 electric vehicle capable parking spaces, 7 parking spaces shall be equipped with electric vehicle charging equipment with initial development of the proposed project.	B	CD (P)(B)
51.	✓	In accordance with the City General Plan GHG Reduction Measure SW-1, the project shall divert to recycle or salvage a minimum 65 percent of nonhazardous construction and demolition waste generated at the project site in accordance with Appendix A4 (Residential) of the as outlined in the California Green Building Standards Code (2019 CALGreen).	B	CD (P)(B)
52.	✓	In accordance with the City General Plan GHG Reduction Measure W-1, the project shall comply with all applicable indoor and outdoor water efficiency and conservation measures required under 2019 CALGreen Tier 1, as outlined in the California Green Building Standards Code.	B	CD (P)(B)
<b>TRAFFIC, ACCESS, CIRCULATION, AND PARKING</b>				

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53.	✓	<p>Based on the recommendations of the Transportation Impact Study dated February 2022 (Attachment 21), and to further ensure further ensure safe travel within the project site, the following measures shall be implemented to the satisfaction of the Community Development Department:</p> <p><u>East Natoma Street (Eastbound)</u></p> <ul style="list-style-type: none"> <li>○ The owner/applicant shall construct a 150-foot right-turn pocket with 60-foot taper on the eastbound approach to Prison Road from East Natoma Street. The existing bike trail shall be relocated to accommodate the right-turn lane. The relocated bike trail shall be placed in a dedicated pedestrian access and trail easement which shall be recorded prior to plan approval. With this proposed modification, the eastbound approach to Prison Road from East Natoma Street shall include one left-turn lane, one thru lane, and one right-turn lane.</li> </ul> <p><u>East Natoma Street (Westbound)</u></p> <ul style="list-style-type: none"> <li>○ The owner/applicant shall construct a 100-foot left-turn pocket with a raised median with a 60-foot taper on the westbound approach to Prison Road from East Natoma Street. The median shall allow emergency vehicle access/egress and the modifications required for emergency vehicle access/egress shall be approved by the City of Folsom Fire Department. With these proposed modifications, the westbound approach to Prison Road from East Natoma Street shall include one shared thru/right-turn lane and one left-turn lane.</li> </ul> <p><u>Prison Road (Southbound)</u></p> <ul style="list-style-type: none"> <li>○ Prior to entering State property, the contractor shall execute a right-of-entry agreement with the State of California, Department of Corrections.</li> <li>○ The owner/applicant shall restripe the existing right-turn lane at the southbound approach to East Natoma Street from Prison Road to indicate that this lane is a shared thru and right-turn lane. The existing dedicated left-turn lane shall remain as currently striped.</li> </ul> <p><u>Primary Project Driveway (East Natoma Street)</u></p> <ul style="list-style-type: none"> <li>○ The owner/applicant shall construct a shared thru/right-turn lane and a dedicated left-turn lane at the northbound approach to East Natoma Street at the primary project driveway. The shared thru/right-turn lane and dedicated left-turn lane shall include a 70-foot turn pocket and a 60-foot taper.</li> </ul>	I	CD (P)(E), PW
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<p>53. Cont.</p>	<p>✓</p>	<p><u>Secondary Project Driveway (East Natoma Street)</u></p> <ul style="list-style-type: none"> <li>○ The owner/applicant shall construct a raised median within Natoma Street and a right-turn channelization taper at the secondary project driveway to prevent left-turns into the project site from westbound East Natoma Street and left-turns out of the project site onto westbound East Natoma Street to the satisfaction of the Community Development Department.</li> <li>○ The owner/applicant shall install “Stop” signs, appropriate pavement markings, and signage at the secondary project exit at East Natoma Street.</li> </ul> <p><u>East Natoma Street/Prison Road Traffic Signal and Signal Timing</u></p> <ul style="list-style-type: none"> <li>○ The owner/applicant shall construct a traffic signal at the fourth leg of the intersection of East Natoma Street and Prison Road and modify all existing traffic signal improvements to the satisfaction of the Community Development Department.</li> <li>○ The owner/applicant shall coordinate retiming the traffic signal at the intersection of East Natoma Street and Prison Road as follows:                     <ul style="list-style-type: none"> <li>• Eastbound and westbound protected left turn phasing, northbound and southbound split phasing. 150 second cycle length, with 34 second northbound southbound split phases and 20 second eastbound and westbound protected phases, and 62 second eastbound and westbound through phases. Crosswalks shall be set to 22 seconds to accommodate a 3 feet per second walking speed.</li> </ul> </li> </ul> <p><u>East Natoma Street Frontage Improvements</u></p> <ul style="list-style-type: none"> <li>○ The owner/applicant shall install curbs, gutter, a bicycle lane, and sidewalks along the project’s frontage with East Natoma Street as shown on the submitted site plan. In addition, the owner/applicant shall construct curbs, gutters, a bicycle lane, and sidewalks from the project’s eastern boundary approximately 120-feet to the east to connect to the existing off-site sidewalk and associated improvements. The owner/applicant shall enter into a credit reimbursement agreement with the City to cover the costs of these off-site frontage improvements.</li> </ul>	<p>I</p>	<p>CD (P)(E), PW</p>
<p>54.</p>		<p>A minimum of 136 on-site parking spaces shall be provided for the project.</p>	<p>I, O</p>	<p>CD (P)(E)</p>
<p>55.</p>		<p>A minimum of 28 on-site bicycle parking spaces shall be provided for the project at locations that are close proximity to the primary building entrances.</p>	<p>I, O</p>	<p>CD (P)(E)</p>

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
<b>NOISE/VIBRATION REQUIREMENTS</b>				
56.	✓	Construction activities shall be required to comply with the following and be noted accordingly on the improvement plans:  1. Construction hours/Scheduling: The following are required to limit construction activities to the portion of the day when occupancy of the adjacent sensitive receptors are at the lowest: a. Construction activities for all phases of construction, including servicing of construction equipment shall only be permitted during the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between 8:00 a.m. to 5:00 p.m. on Saturdays. Construction is prohibited on Sundays and on all holidays. b. Delivery of materials or equipment to the site and truck traffic coming to and from the site is restricted to the same construction hours specified above. 2. Construction Equipment Mufflers and Maintenance: All construction equipment powered by internal combustion engines shall be properly muffled and maintained. 3. Idling Prohibitions: All equipment and vehicles shall be turned off when not in use. Unnecessary idling of internal combustion engines is prohibited. 4. Equipment Location and Shielding: All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from the adjacent homes. Acoustically shield such equipment when it must be located near adjacent residences. 5. Quiet Equipment Selection: Select quiet equipment, particularly air compressors, whenever possible. Motorized equipment shall be outfitted with proper mufflers in good working order. 6. Staging and Equipment Storage: The equipment storage location shall be sited as far as possible from nearby sensitive receptors.	G, I, B	CD (P)(E)



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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
57.	✓	The owner/applicant or designated contractor shall provide evidence to the City (via testing data or calculations from a qualified expert), demonstrating that vibratory rollers to be used on the project site would produce less than 80 VdB at nearby occupied residences, or all vibratory rollers shall be used in static mode only (no vibrations) when operating within 120-ft of an occupied residence.	G, I, B	CD (P)(E)
<b>ARCHITECTURE/SITE DESIGN REQUIREMENTS</b>				
58.		The final location, design, materials, and colors of the trash/recycling enclosures be subject to review and approval by the Community Development Department.	I, B	CD (P)(E)
59.		Decorative stone pilasters shall be integrated into the screen wall design at strategically placed locations to break up the long expanse of the wall and a decorative trim cap shall be placed on top of the screen wall for its entire length to the satisfaction of the Community Development Department. In addition, the final location, height, design, materials, and colors for the proposed retaining walls, screen walls, and fencing shall be subject to review and approval by the Community Development Department.	I, B	CD (P)(E)

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159)            CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS            103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
60.		<p>The project shall comply with the following architecture and design requirements:</p> <ol style="list-style-type: none"> <li>1. This approval is for a three-story apartment building totaling 111,755 square feet associated with the Vintage Apartments project. The applicant shall submit building plans that comply with this approval and the attached building elevations and color renderings dated June 3, 2022.</li> <li>2. The design, materials, and colors of the proposed Vintage Senior Apartments building shall be consistent with the submitted building elevations, color renderings, materials samples, and color scheme to the satisfaction of the Community Development Department.</li> <li>3. Brick pavers or another type of colored masonry material (ADA compliant) shall be used to designate pedestrian crosswalks on the project site, in addition to where pedestrian paths cross drive aisles, and shall be incorporated as a design feature at the driveway entrances at East Natoma Street to the satisfaction of the Community Development Department.</li> <li>4. Roof-mounted mechanical equipment, including satellite dish antennas, shall not extend above the height of the parapet walls. Ground-mounted mechanical equipment shall be shielded by landscaping or trellis type features.</li> </ol> <p>Utility equipment such as transformers, electric and gas meters, electrical panels, and junction boxes shall be screened by walls and or landscaping.</p>	I, B	CD (P)
<b>GRADING REQUIREMENT</b>				
61.		<p>Prior to the approval of the final facilities design and the initiation of construction activities, the applicant shall submit an erosion control plan to the City for review and approval. The plan shall identify protective measures to be taken during excavation, temporary stockpiling, any reuse or disposal, and revegetation. Specific techniques may be based upon geotechnical reports, the <u>Erosion and Sediment Control Handbook</u> of the State of California Department of Conservation, and shall comply with all updated City standards.</p>	G, I	CD (E)

Planning Commission  
 Vintage Senior Apartments (PN 21-159)  
 January 18, 2023

CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS 103 EAST NATOMA STREET				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
<b>SIGN REQUIREMENTS</b>				
62.		The proposed monument sign shall be constructed of masonry, stone, or wood materials to be more consistent with the design/materials of the apartment building. In addition, the final location, design, materials, and color of the monument sign be subject to review and approval by the Community Development Department. Lastly, the owner/applicant shall obtain a sign permit prior to installation of the monument sign.	B	CD (P)
<b>OTHER AGENCY REQUIREMENTS</b>				
63.		The owner/applicant shall obtain all required State and Federal permits and provide evidence that said permits have been obtained, or that the permit is not required, subject to staff review and approval of any grading or improvement plan.	G, I	CD (P)(E)
<b>CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW) REQUIREMENTS</b>				
64.		The owner/applicant shall submit a Notification of Lake or Streambed Alteration to the California Department of Fish and Wildlife (CDFW) prior to commencement of any clearing, grubbing, grading, or site work.	G, I	CD (P)(E)
65.		The owner/applicant shall incorporate bird and wildlife friendly strategies including: <ul style="list-style-type: none"> <li>• Implementing an education program for residents to keep domestic cats indoors.</li> <li>• Installing screens, window patterns, or new types of glass such as acid-etched, fritted, frosted, ultraviolet patterned, or channel.</li> </ul>	G, I, B	CD (P)

Planning Commission  
 Vintage Senior Apartments (PN 21-159)  
 January 18, 2023

<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159)                      CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS                      103 EAST NATOMA STREET</b>				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
<b>PACIFIC GAS &amp; ELECTRIC (PG&amp;E) REQUIREMENTS</b>				
66.		The owner/applicant shall implement the following measures as recommended by the Pacific Gas & Electric Company (PG&E): <ul style="list-style-type: none"> <li>• Additional bollards shall be placed within the parking lot to protect an existing PG&amp;E transmission tower located along the southern property boundary.</li> <li>• Cuts, trenches, or excavations shall not be made within 25 feet of any PG&amp;E transmission tower.</li> <li>• 25-foot clearance shall be maintained from any PG&amp;E transmission tower during grading activities.</li> <li>• On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs shall be limited to those varieties that do not exceed 15 feet in height at maturity.</li> <li>• PG&amp;E shall have access to its facilities at all times, including access by heavy equipment.</li> <li>• No planting is to occur within the footprint of the tower legs.</li> </ul>	G, I, OG	CD (P)(E)
<b>SACRAMENTO METROPOLITAN UTILITY DISTRICT (SMUD) REQUIREMENTS</b>				

Planning Commission  
 Vintage Senior Apartments (PN 21-159)  
 January 18, 2023

67.		<p>The owner/applicant shall implement the following measures as recommended by the Sacramento Metropolitan Utility District (SMUD):</p> <ul style="list-style-type: none"> <li>• Structural setbacks less than 14-feet shall require the owner/applicant to conduct a pre-engineering meeting with all utilities to ensure property clearances are maintained.</li> <li>• Any necessary future SMUD facilities located on the owner/applicant’s property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the owner/applicant’s property.</li> <li>• In the event the owner/applicant requires the relocation or removal of existing SMUD facilities on or adjacent to the subject property, the owner/applicant shall coordinate with SMUD. The owner/applicant shall be responsible for the cost of relocation or removal.</li> <li>• SMUD reserves the right to use any portion of its easements on or adjacent to the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.</li> <li>• The owner/applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The owner/applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, etc.).</li> <li>• In the event the City requires an Irrevocable Offer of Dedication (IOD) for future roadway improvements, the owner/applicant shall dedicate a 12.5-foot public utility easement (PUE) for overhead and/or underground facilities and appurtenances adjacent to the City’s IOD.</li> <li>• The owner/applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: <a href="https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services">https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services</a>.</li> <li>• The owner/applicant shall dedicate a 12.5-foot public utility easement for overhead and/or underground facilities and appurtenances adjacent to all public street rights-of-ways.</li> <li>• The owner/applicant shall dedicate any private drive, ingress and egress easement, (and 10-feet adjacent thereto) as a public utility easement for</li> </ul>	G, I, OG	CD (P)(E)
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Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS 103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
67. Cont.		(overhead and) underground facilities and appurtenances. All access roads shall meet minimum SMUD requirements for access roads. <ul style="list-style-type: none"> <li>The owner/applicant shall dedicate and provide all-weather vehicular access for service vehicles that are up to 26,000 pounds. At a minimum: (a) the drivable surface shall be 20-feet wide; and (b) all SMUD underground equipment and appurtenances shall be within 15-feet from the drivable surface.</li> </ul>		
<b>FIRE DEPARTMENT REQUIREMENTS</b>				
68.		The building shall have illuminated addresses visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and approved by the Fire Marshal.	I	FD
69.		Prior to the issuance of any improvement plans or building permits, the Community Development and Fire Departments shall review and approve all detailed design plans for accessibility of emergency fire equipment, fire hydrant flow location, and other construction features.	I, B	FD
70.		All fire protection devices shall be designed to be located on site: fire hydrants, fire department connections, post indicator valves, etc. off-site devices cannot be used to serve the building. A water model analysis that proves the minimum fire flow will be required before any permits are issued. The fire sprinkler riser location shall be inside a Fire Control Room (5' X 7' minimum) with a full-sized 3'-0" door. This room can be a shared with other building utilities. The room shall only be accessible from the exterior.	I, B	FD
71.		All-weather emergency access roads and fire hydrants (tested and flushed) shall be provided before combustible material or vertical construction is allowed on site. All-weather access is defined as 6" of compacted AB from May 1 to September 30 and 2"AC over 6" AB from October 1 to April 30.	I, B	FD
72.		All on-site curbing shall be painted as a fire zone (red-color) to the satisfaction of the Fire Department.	I, B	FD

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS 103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
<b>PARKS AND RECREATION REQUIREMENTS</b>				
73.		The owner/applicant shall provide and record a dedicate pedestrian access and bike trail easement for the realigned and existing bicycle/pedestrian trail located within the project site. Upon recordation of the bicycle/pedestrian trail easement, the City shall assume ownership of the bicycle/pedestrian trail and all associated maintenance responsibilities.	I, B	P, CD (E)
74.		The on-site pedestrian trail which connects to the Class 1 bike trail (within the dedicated pedestrian access and bike trail easement) shall be maintained by the owner/applicant. In addition, the owner/applicant shall install signage at the south end of the new trail connection that reads "Yield to Cross Traffic".	OG	P, CD (E)
<b>POLICE/SECURITY REQUIREMENT</b>				
75.		The owner/applicant shall consult with the Police Department in order to incorporate all reasonable crime prevention measures. The following security/safety measures shall be required: <ul style="list-style-type: none"> <li>• A security guard shall be on-duty at all times at the site or a six-foot security fence shall be constructed around the perimeter of construction areas. (This requirement shall be included on the approved construction drawings).</li> <li>• Security measures for the safety of all construction equipment and unit appliances shall be employed.</li> </ul> Landscaping shall not cover exterior doors or windows, block line-of-sight at intersections or screen overhead lighting.	G, I, B	PD
<b>MISCELLANEOUS REQUIREMENTS</b>				
76.		The proposed project shall comply with all State and local rules, regulations, Governor's Declarations, and restrictions including but not limited to: Proclamation of a State of Emergency due to drought conditions issued by the Governor of California on October 19, 2021 relative to water usage and conservation, requirements relative to water usage and conservation established by the State Water Resources Control Board, and water usage and conservation requirements established within the <u>Folsom Municipal Code, (Section 13.26 Water Conservation)</u> , or amended from time to time.	I, B, OG	CD (P)(E)

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**CONDITIONS**

See attached tables of conditions for which the following legend applies.

<b>RESPONSIBLE DEPARTMENT</b>		<b>WHEN REQUIRED</b>	
CD	Community Development Department	I	Prior to approval of Improvement Plans
(P)	Planning Division	M	Prior to approval of Final Map
(E)	Engineering Division	B	Prior to issuance of first Building Permit
(B)	Building Division	O	Prior to approval of Occupancy Permit
(F)	Fire Division	G	Prior to issuance of Grading Permit
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

# Attachment 5

## Vicinity Map

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

# **Attachment 6**

## **Site Plan, dated October 17, 2022**



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 7**

**Preliminary Utility Plan**  
**Dated November 16, 2021**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 8**

# **Preliminary Grading and Drainage Plan Dated October 17, 2022**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 9**

**Preliminary Grading Sections**  
**Dated October 17, 2022**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 10**

**Preliminary Landscape and Irrigation Plans**  
**Dated October 20, 2022**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 11**

**Preliminary Tree Impact Plan**  
**Dated October 17, 2022**



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 13**

# **Preliminary Access and Circulation Plan Dated October 17, 2022**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 14**

**Preliminary Fire Access Plan**  
**Dated October 17, 2022**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 15**

# **Preliminary Lighting Plan and Details Dated November 3, 2021**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 16**

**Building Elevations and Floor Plans**  
**Dated June 3, 2022**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

# **Attachment 17**

## **Color Building Renderings**

### **Dated June 3, 2022**



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 18**

**Building Site Sections**  
**Dated June 3, 2022**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

# **Attachment 19**

## **Color and Materials Board**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 20**

### **Vintage Senior Apartments Booklet (Separate Bound Document)**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

# Attachment 21

## Site Photographs

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 22**  
**Transportation Impact Study**  
**Dated July, 2022**



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 23**

### **Parking Memorandum, dated October 17, 2022**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

# **Attachment 24**

## **Parking Case Study, dated January 3, 2023**

## Attachment 25

**Initial Study, Mitigated Negative Declaration, and  
Mitigation Monitoring and Reporting Program,  
dated November, 2022 (electronic version  
available for viewing at  
[www.folsom.ca.us/government/community-  
development/planning-services/current-project-  
information](http://www.folsom.ca.us/government/community-development/planning-services/current-project-information)**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

# **Attachment 26**

## **Comment Letters from Public Agencies**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

# **Attachment 27**

## **Comment Letters from Residents**



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 28**

**CEQA Response Memorandum**  
**Dated January 3, 2023**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 12**

# **Preliminary Oak Tree Mitigation Plan Dated October 20, 2022**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 5**

### **Vicinity Map**

# Vicinity Map



CITY OF FOLSOM



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 6**  
**Site Plan, dated October 17, 2022**





Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 7**

**Preliminary Utility Plan**  
**Dated November 16, 2021**

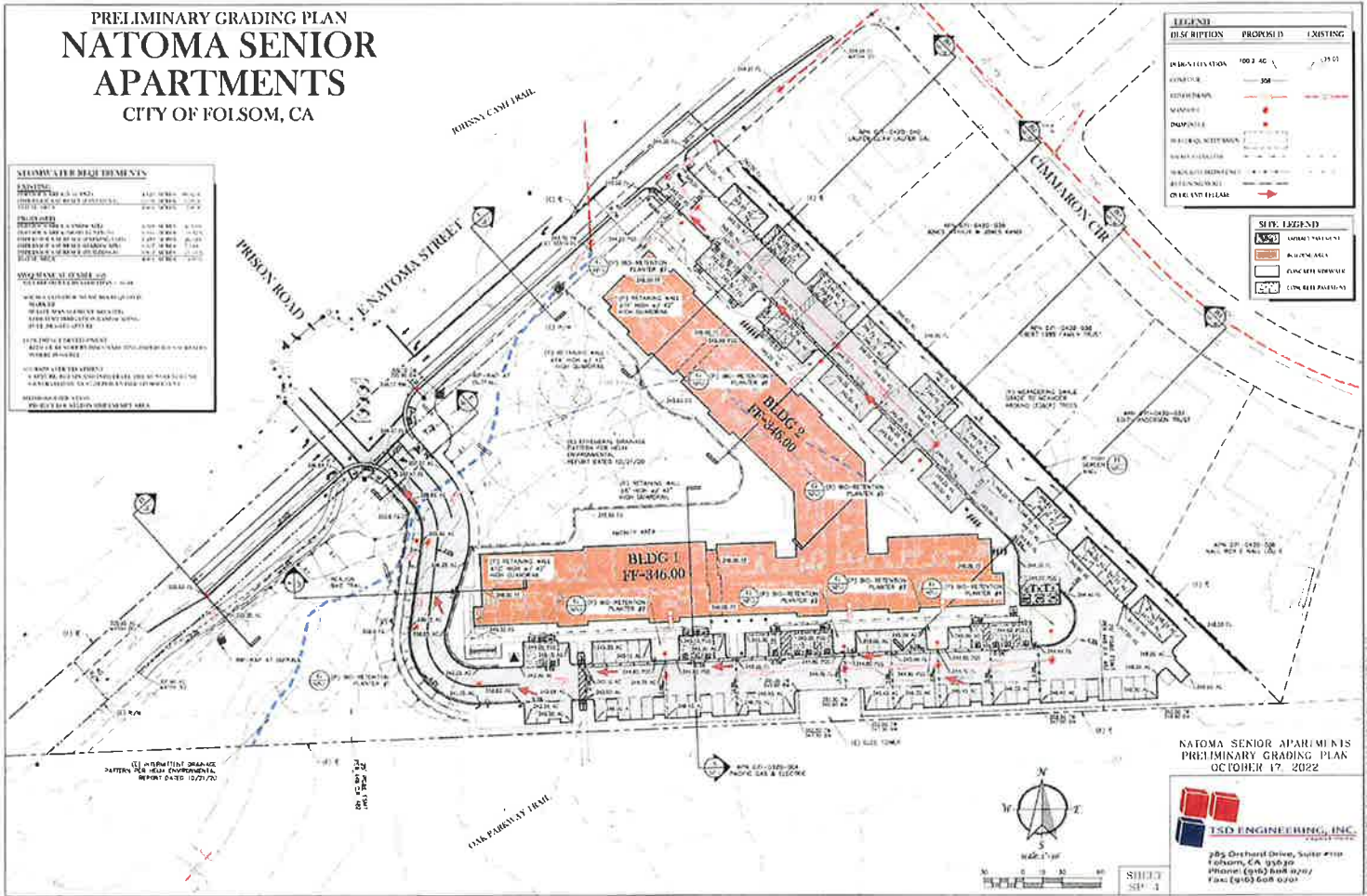


Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 8**

# **Preliminary Grading and Drainage Plan Dated October 17, 2022**







Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 9**

**Preliminary Grading Sections**  
**Dated October 17, 2022**

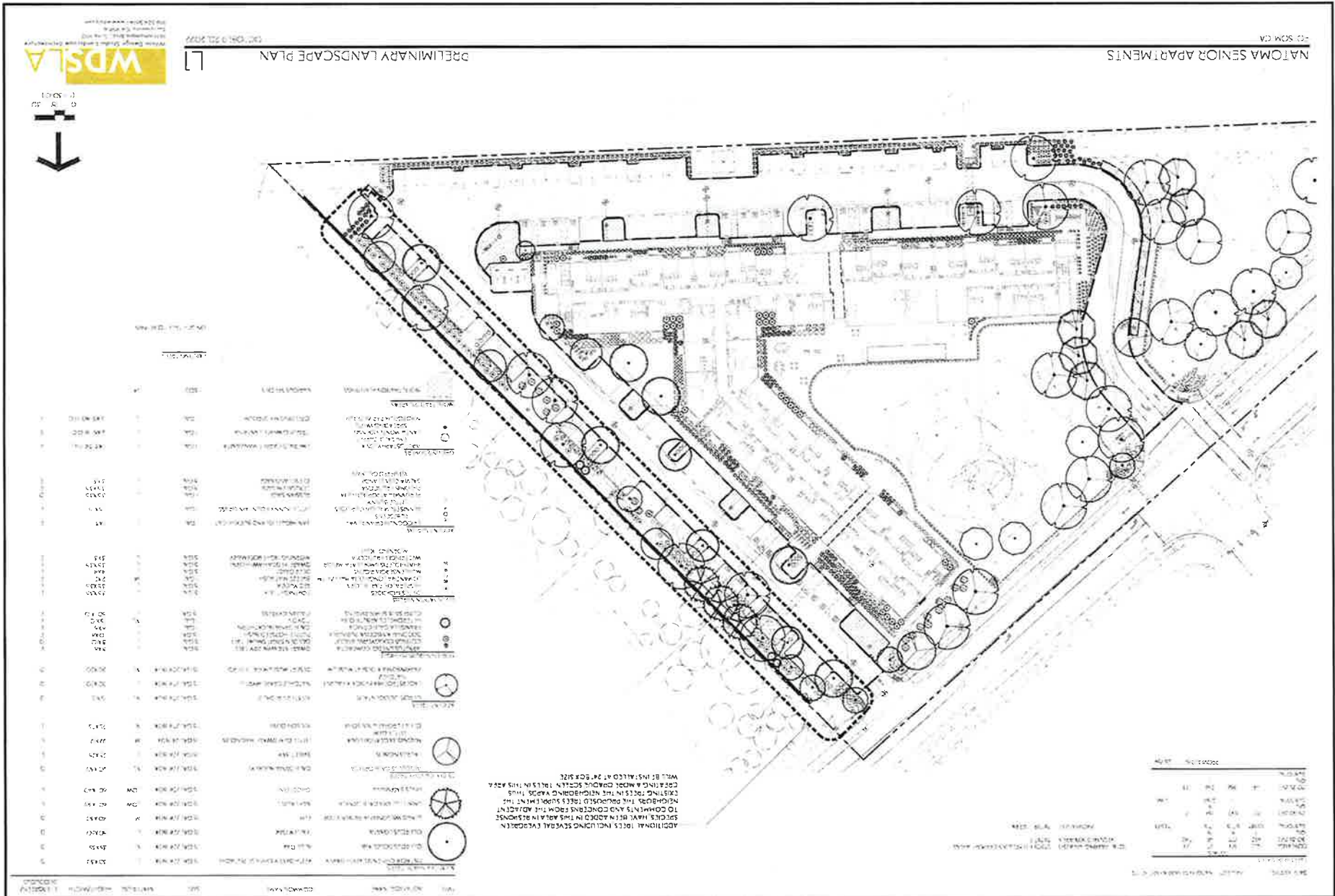




Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

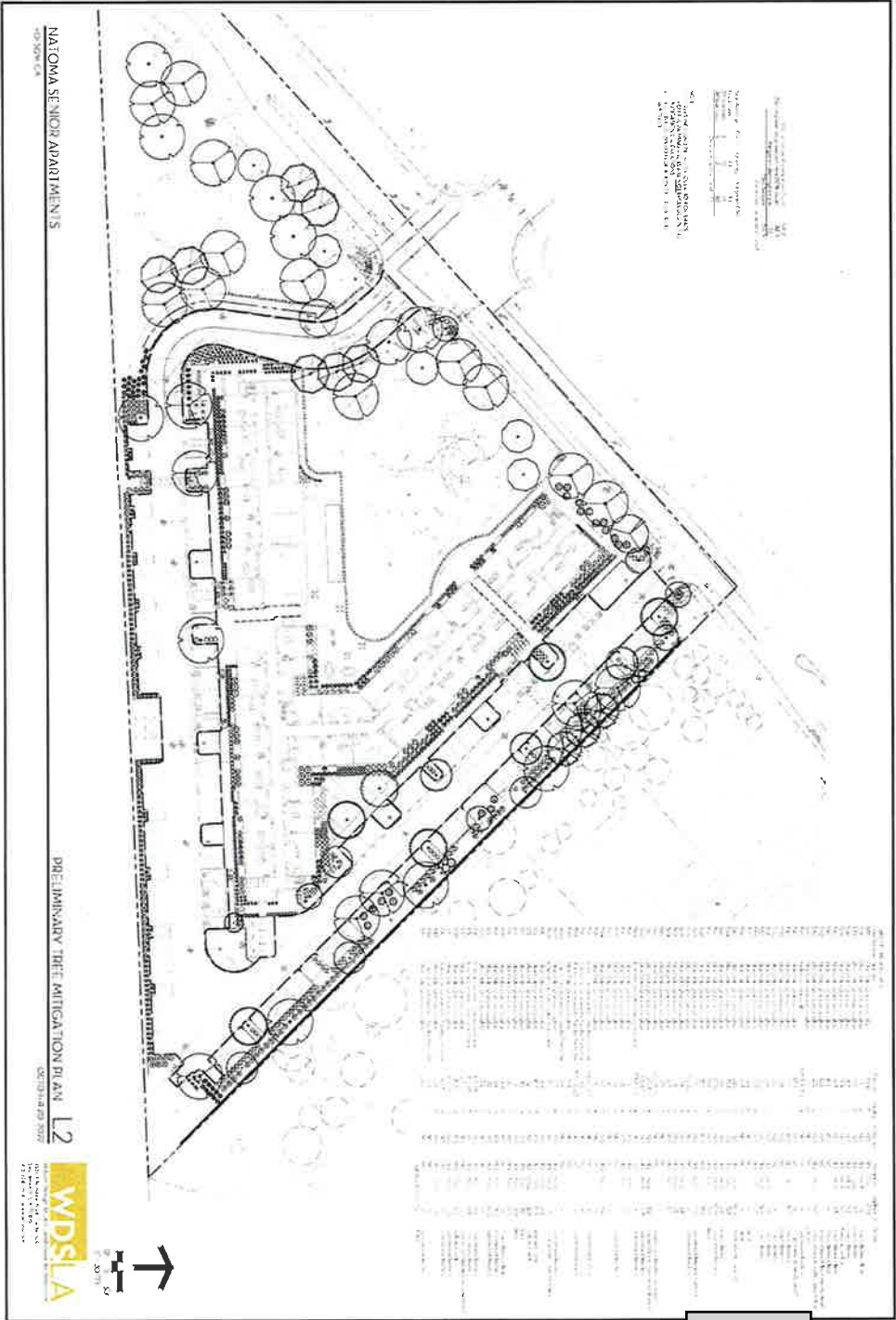
**Attachment 10**

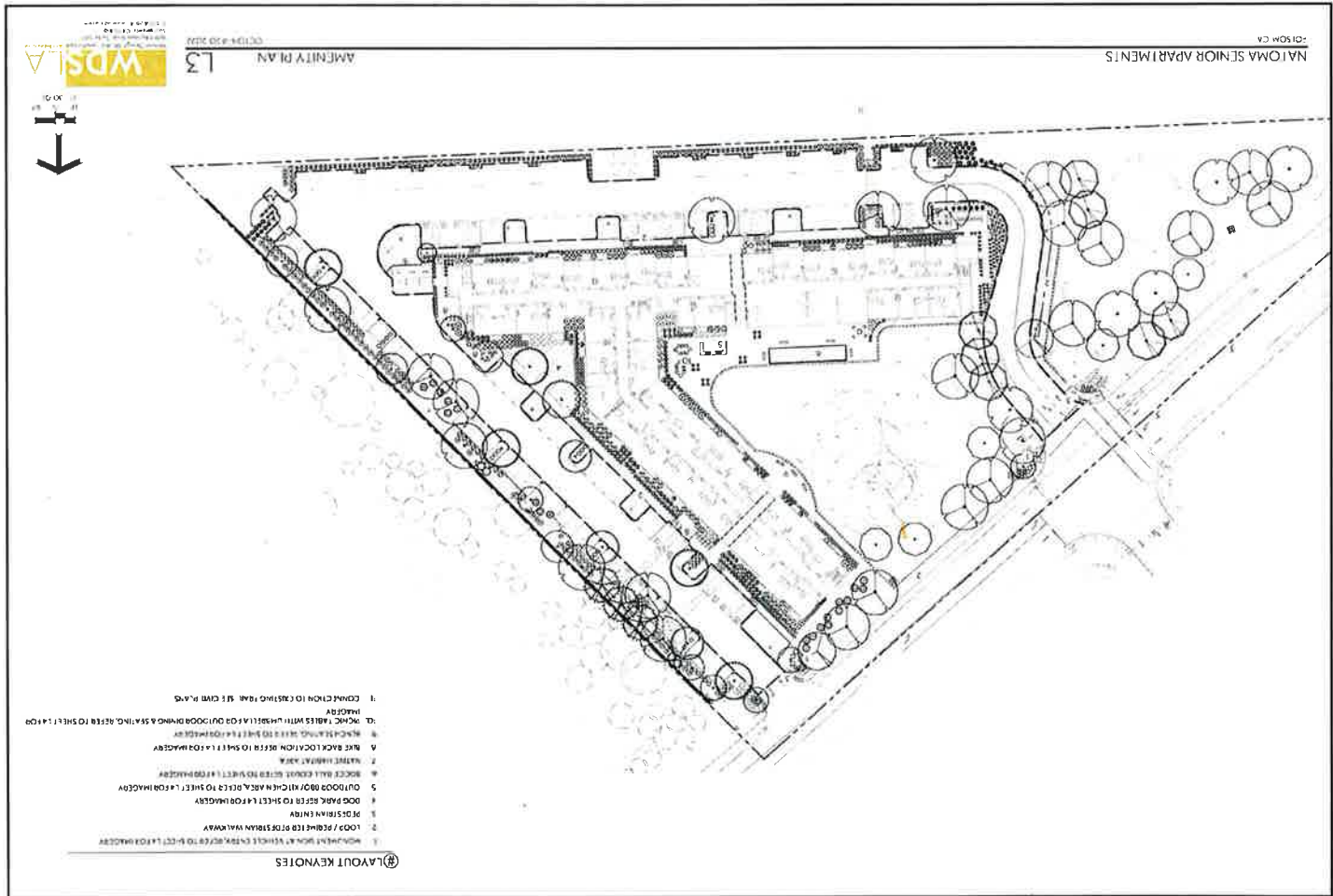
**Preliminary Landscape and Irrigation Plans**  
**Dated October 20, 2022**















MONUMENT SIGN



OUTDOOR SEATING & DINING AREA



DOG PARK



BOCCIE BALL COURT



BIKE RACK



PICNIC TABLE WITH UMBRELLA



OUTDOOR BBQ/KITCHEN



6 FT BENCH



NOTE: THESE IMAGES ARE FOR ILLUSTRATION PURPOSES ONLY. MATERIALS, COLORS, AND FINISHES MAY VARY FROM THE FINAL DESIGN. ALL DIMENSIONS ARE APPROXIMATE. © 2023 WDSLA

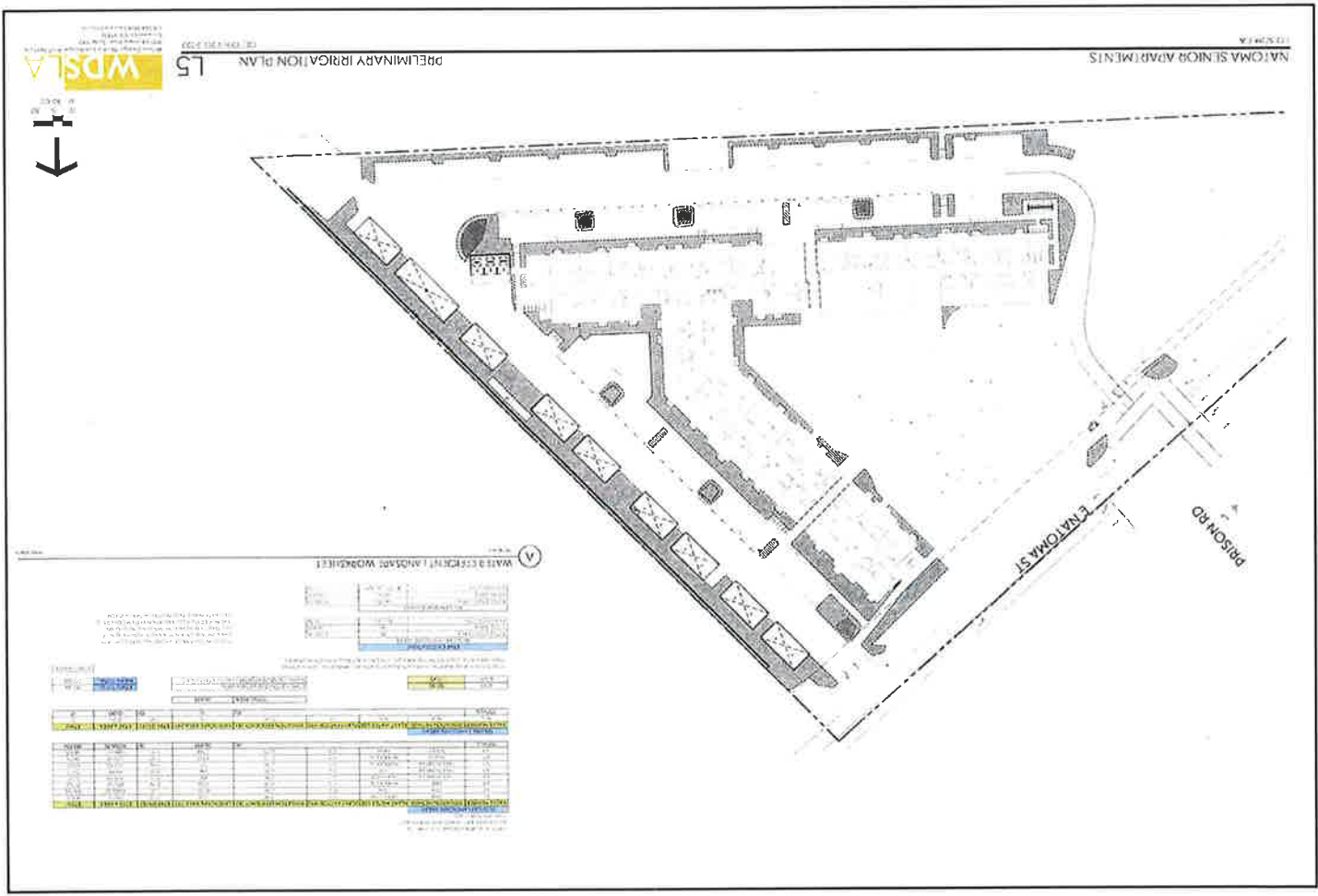
NATOMA SENIOR APARTMENTS  
101 SOMERSET

PRELIMINARY LANDSCAPE IMAGE BOARD

L4

OCTOBER 2023



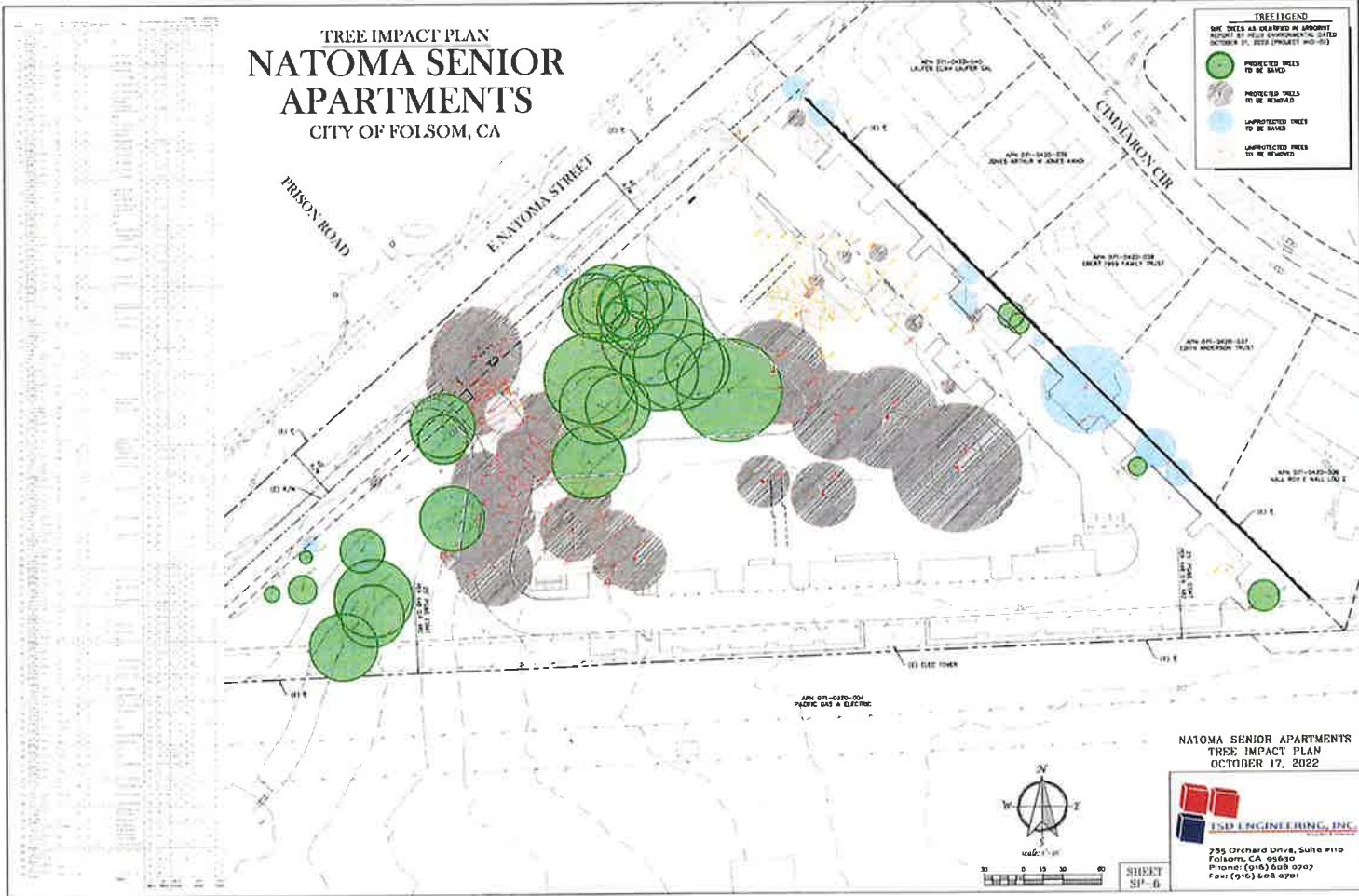




Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 11**

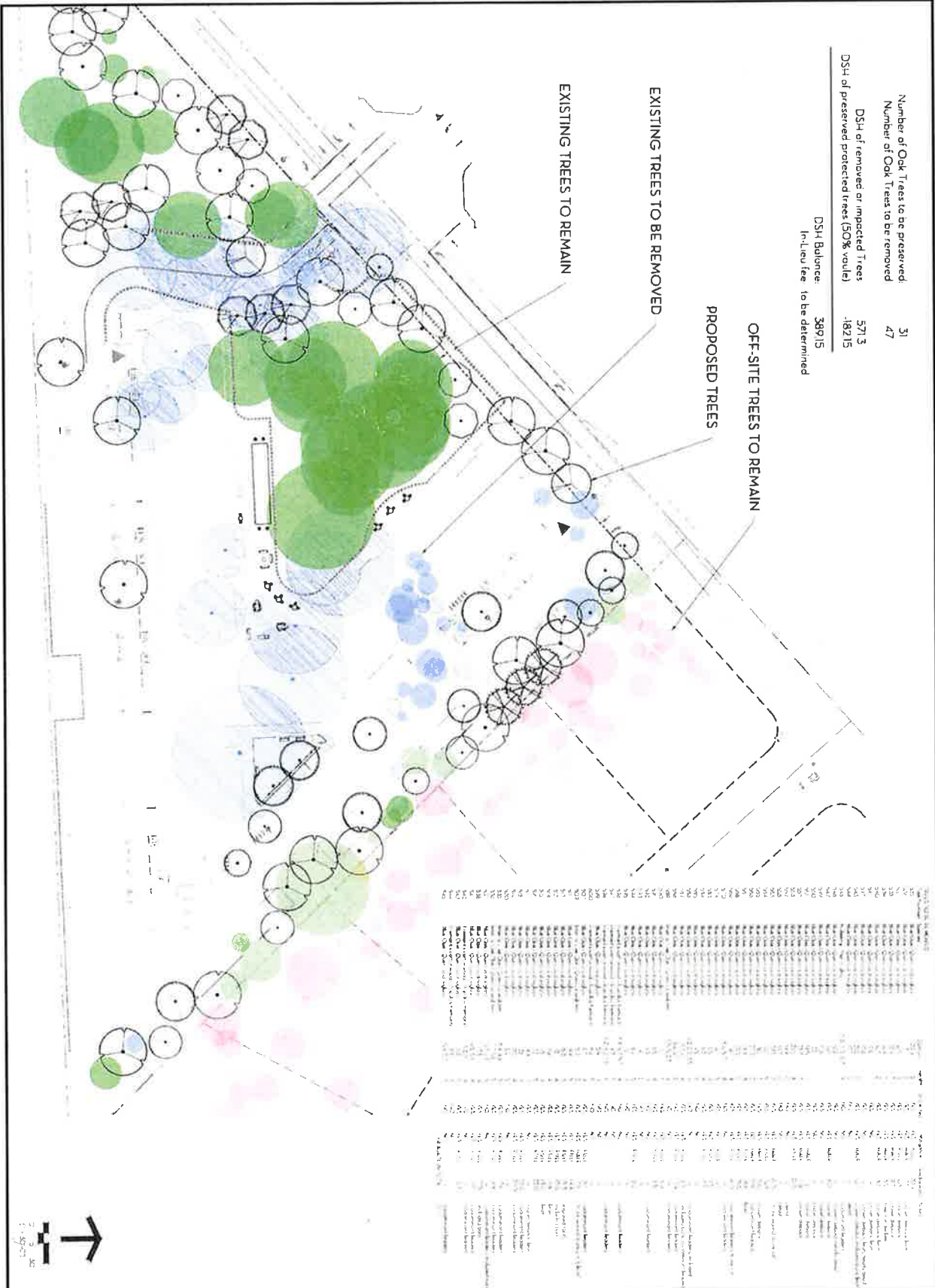
**Preliminary Tree Impact Plan**  
**Dated October 17, 2022**



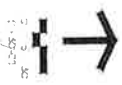
Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 12**

### **Preliminary Oak Tree Mitigation Plan Dated October 20, 2022**



Number of Oak Trees to be preserved:	31
Number of Oak Trees to be removed:	47
DSH of removed or impacted Trees:	571.3
DSH of preserved protected trees (50% value):	18215
DSH Balance:	36915
In-Lieu fee:	to be determined



<b>L-EX</b> SHEET 13	VINTAGE SENIOR HOUSING <b>TREE EXHIBIT</b> FOLSOM, CA	DESIGNED BY JG DRAWN BY JG CHECKED BY KB DATE 12/16/2022	REVISIONS NO. DATE DESCRIPTION	OWNER	
	(Empty space for notes or additional information)				

**Tree Impact Summary - Natoma Senior Apartments**

DSH of removed or impacted trees	571.3	(68 total trees = 47 protected + 21 unprotected)
DSH of preserved protected trees (50% vaule)	-182.2	(55 total trees = 31 protected + 24 unprotected)
Mitigation plantings on-site	0.0	
<hr/>		
DSH Balance	389.2	
In-Lieu fee	to be determined	

Site Tree Plantings	DSH	quantity	Mitigated DSH
15 gal trees	1	9	0
24' box trees	2		0
36' box trees	3	20	0
<hr/>			
No mitigation is proposed through proposed plantings			0

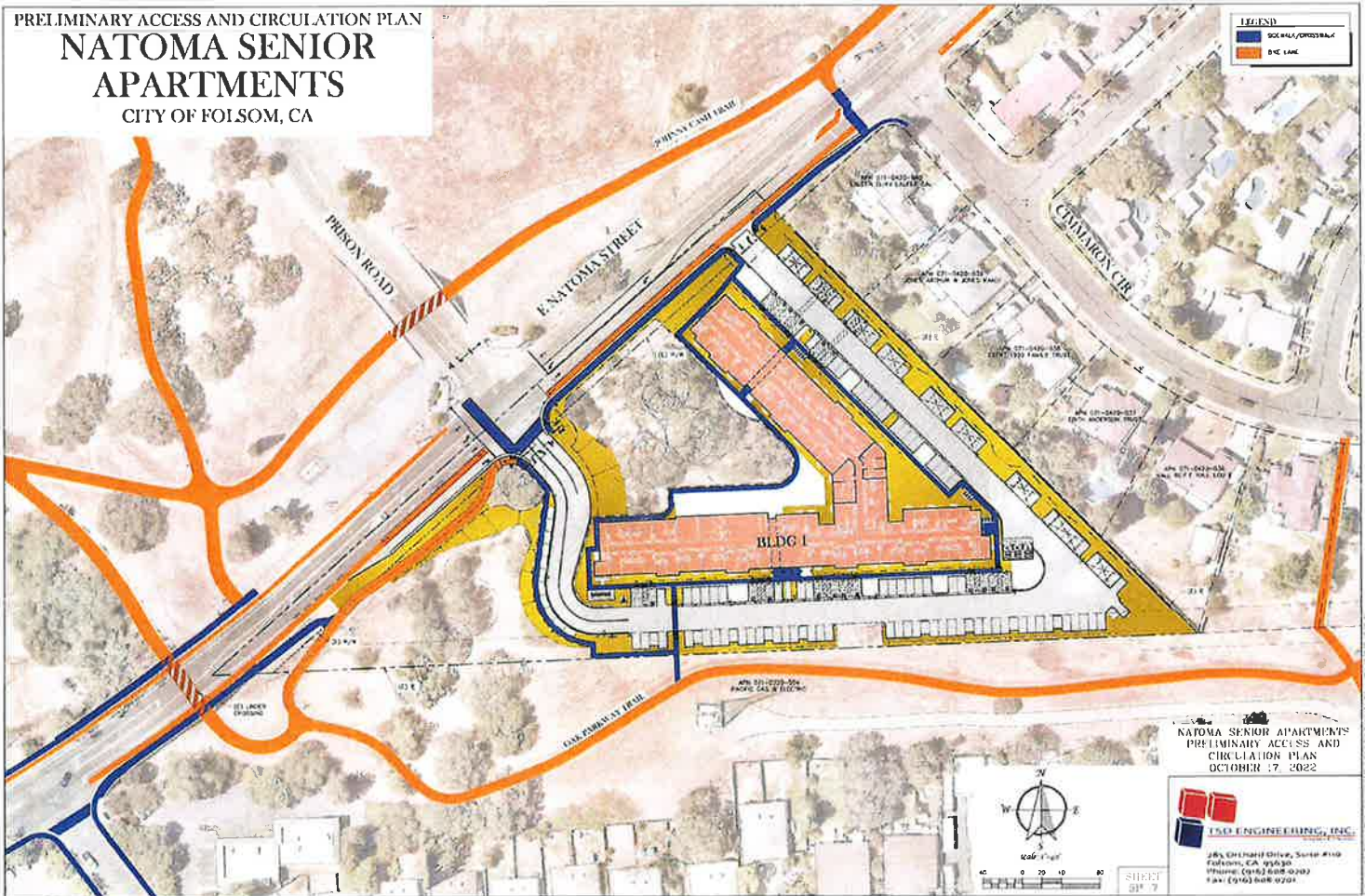
Tuesday, December 20, 2022



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 13**

### **Preliminary Access and Circulation Plan Dated October 17, 2022**



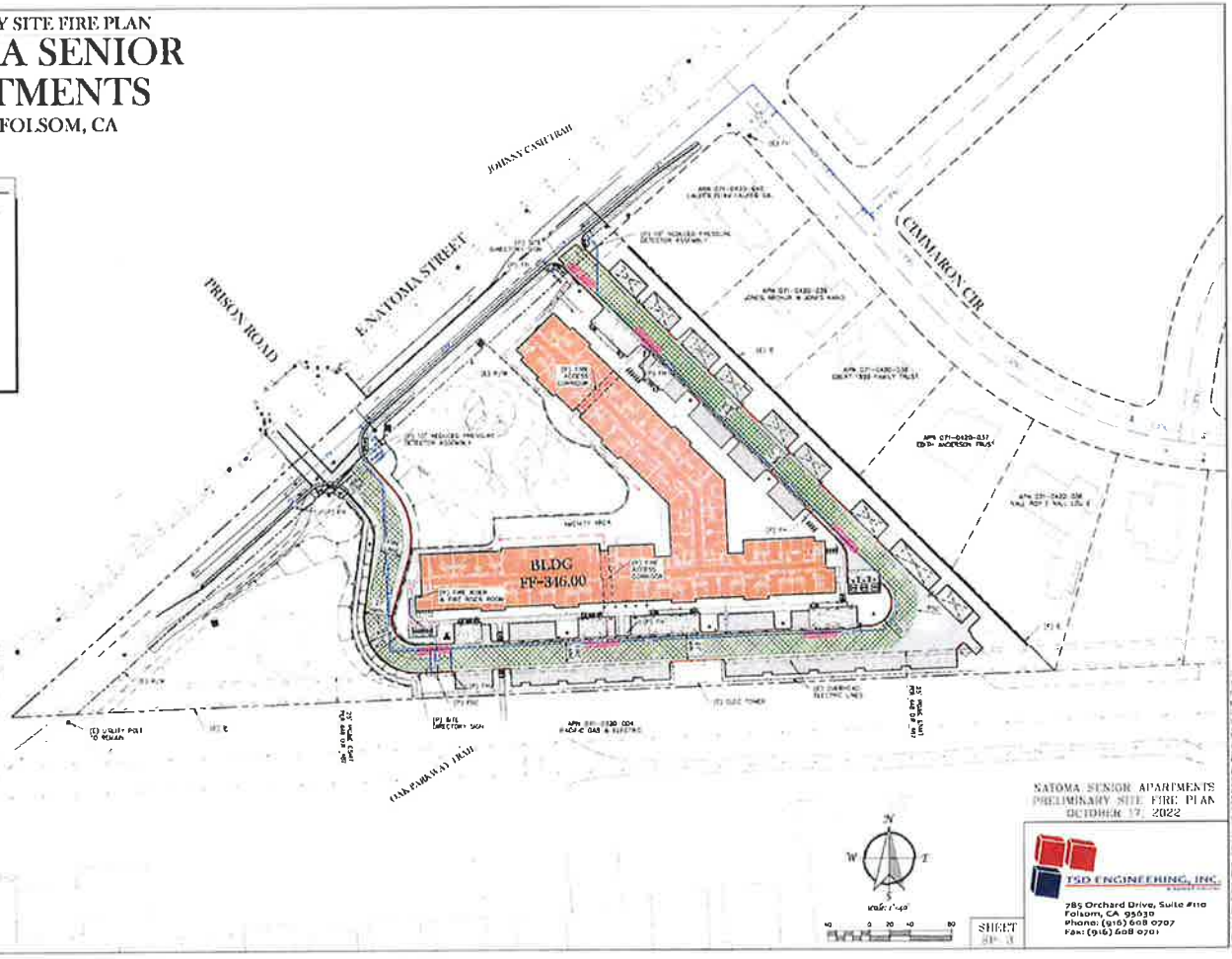
Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 14**

**Preliminary Fire Access Plan**  
**Dated October 17, 2022**

PRELIMINARY SITE FIRE PLAN  
**NATOMA SENIOR APARTMENTS**  
 CITY OF FOLSOM, CA

LEGEND	PROPOSED	EXISTING
WATER MAIN	---	---
SEWER MAIN	---	---
SEWER LATERAL	---	---
TRUNK TELEPHONE	---	---
FIRE HYDRANT	---	---
FIRE METER	---	---
FIRE ALARM	---	---
TRUCK LANE	---	---
PROPOSED SENIOR APARTMENTS	---	---
EXISTING AREA	---	---



NATOMA SENIOR APARTMENTS  
 PRELIMINARY SITE FIRE PLAN  
 OCTOBER 17, 2022

**YSD ENGINEERING, INC.**  
 285 Orchard Drive, Suite #110  
 Folsom, CA 95630  
 Phone: (916) 608 0207  
 Fax: (916) 608 0201

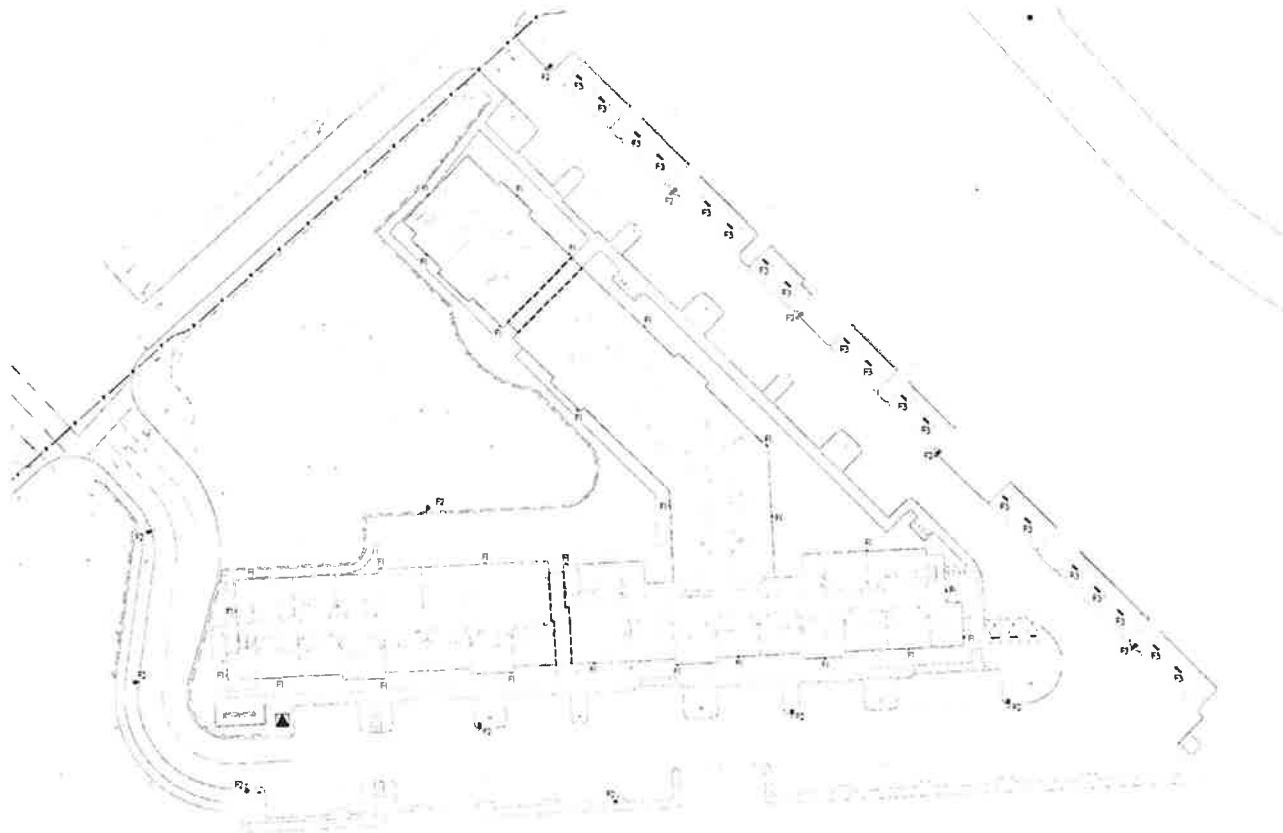
Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 15**

### **Preliminary Lighting Plan and Details Dated November 3, 2021**







4 SITE PLAN - LIGHTING

**NATOMAS SENIOR APARTMENTS**  
CITY OF FOLSOM, CA

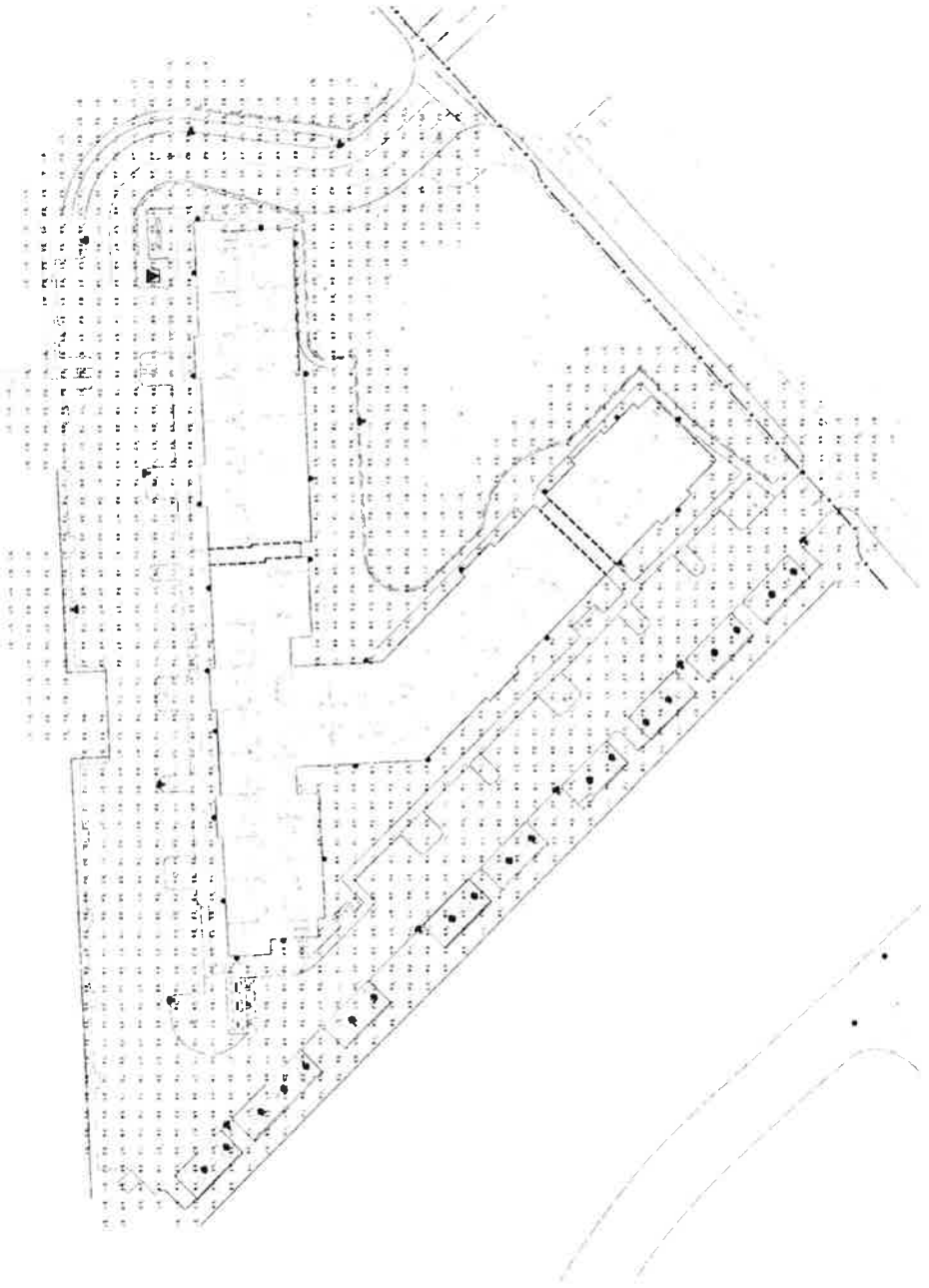
2021-1  
SITE ENTITLEMENT



NOVEMBER 3 2021  
SITE PLAN - LIGHTING

**JENSEN ENGINEERING and INC.**  
Electrical Engineers  
1800 Cambridge Drive, Folsom, CA 95630-2904  
Tel: (916) 452-2204 Fax: (916) 452-4304  
Email: jenseng@jenseng.com Website: www.jenseng.com

E1.1



1 SITE PHOTOMETRIC CALCULATION

SHEET NOTES: (SEE SHEET 0411)  
 1. THIS PHOTOMETRIC CALCULATION WAS PERFORMED USING VIRTUAL VEHICLE AND  
 2. FOOTCANDLE READINGS. THE RESULTS WOULD BE SUBJECT TO VARIATIONS IN  
 3. LIGHTING FIXTURES, NO CORRECTION FOR DISTANCE OR OTHER  
 4. LIGHTING VALUES.

and ENGINEERING  
 CIVIL ENGINEERING  
 1144 S. 20th St.  
 Folsom, CA 95630  
 Tel: (916) 992-1100  
 Fax: (916) 992-1101  
 www.foxgroup.com

E1.2

NOVEMBER 3, 2022  
 SITE PHOTOMETRIC  
 CALCULATION



2021-1  
 SITE ENTITLEMENT  
 DATE: 11/03/2021

**NATOMAS SENIOR  
 APARTMENTS**  
 CITY OF FOLSOM, CA









Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 16**

**Building Elevations and Floor Plans**  
**Dated June 3, 2022 .**

# FOLSOM

NATOMA SENIOR APARTMENTS  
VINTAGE HOUSING DEVELOPMENT  
REVISED



Folsom - Natoma Senior Apartments  
Vintage Housing Development

June 1, 2022



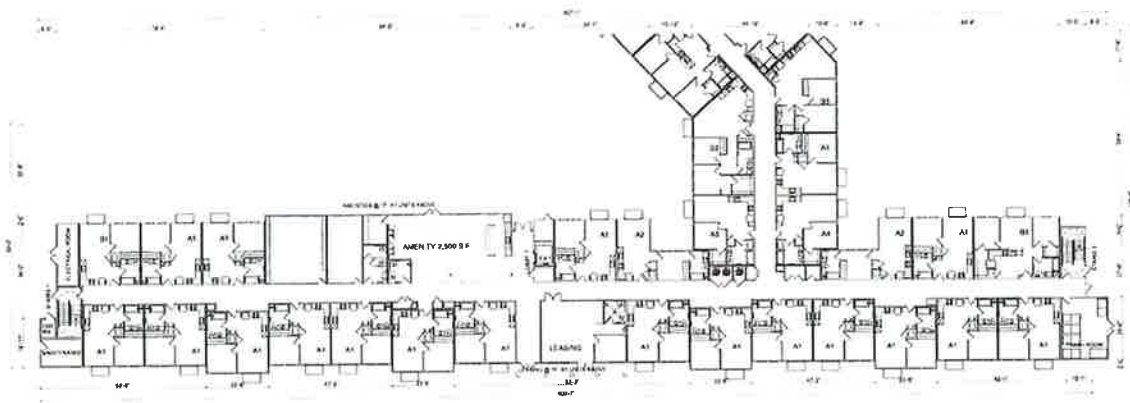


Folsom - Natoma Senior Apartments  
Vintage Housing Development

CHARACTER ELEVATIONS  
scale: 3/32" = 1'-0" on 24x36

June 3, 2022





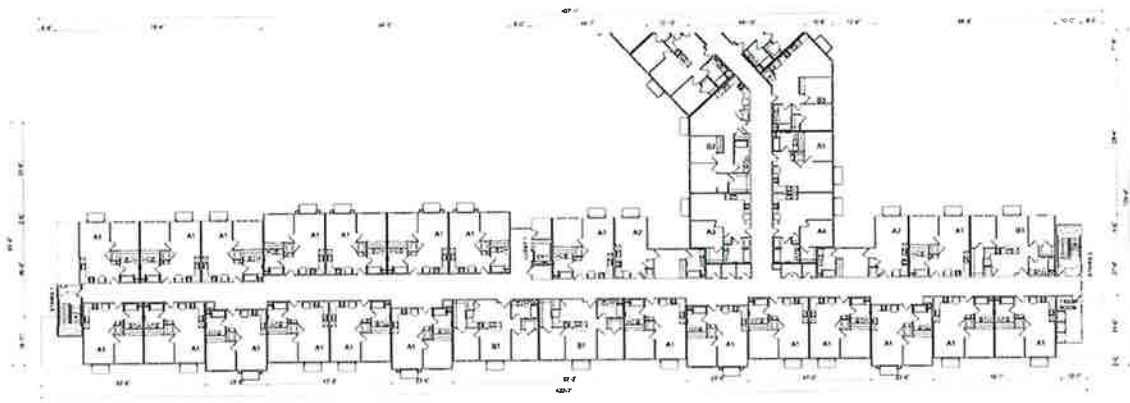
GROUND LEVEL PLAN

Folsom - Natoma Senior Apartments  
Vintage Housing Development

BUILDING PLAN - SOUTHERN HALF  
scale: 1/16" = 1'-0" on 24x36 sheet  
November 2, 2021





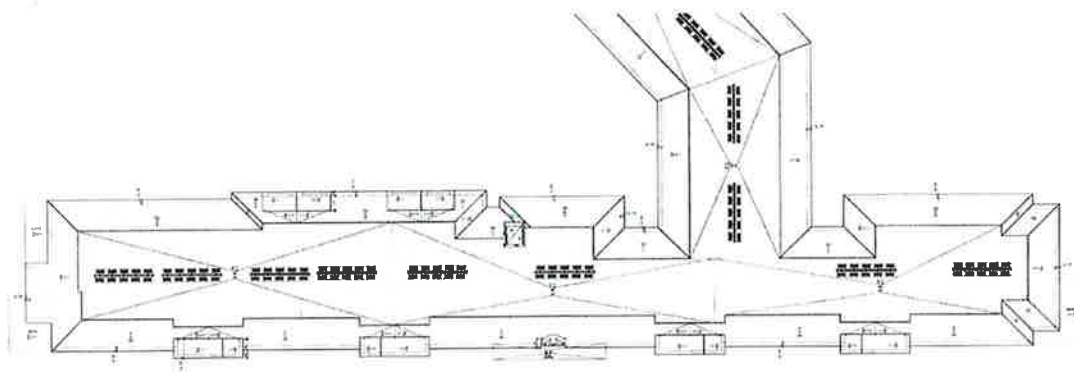


2nd & 3rd LEVEL PLAN

Folsom - Natoma Senior Apartments  
Vintage Housing Development

BUILDING PLAN - SOUTHERN HALF  
scale 1/16" = 1'-0" on 24x36 sheet  
November 2, 2021



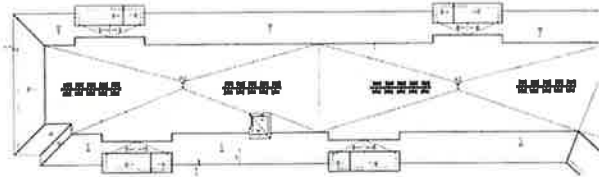


ROOF PLAN

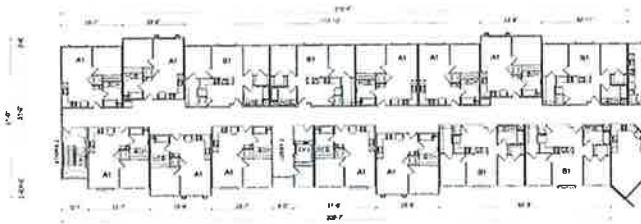
Folsom - Natoma Senior Apartments  
Vintage Housing Development

BUILDING PLAN - SOUTHERN HALF  
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November 2, 2021

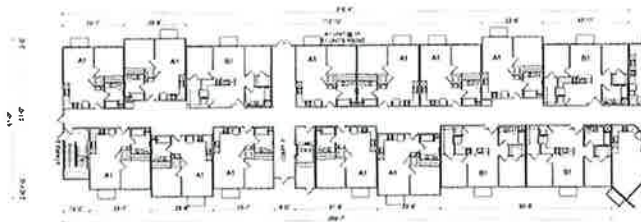




ROOF PLAN



2nd & 3rd LEVEL PLAN



GROUND LEVEL PLAN

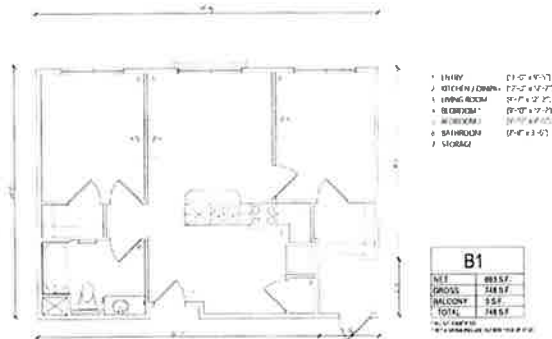
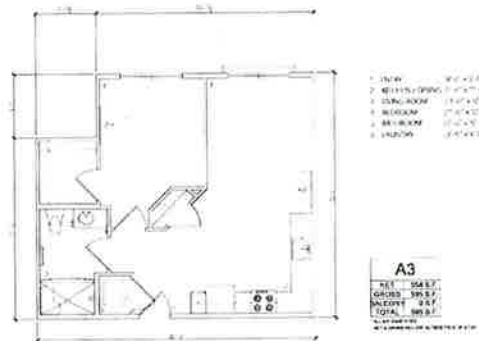
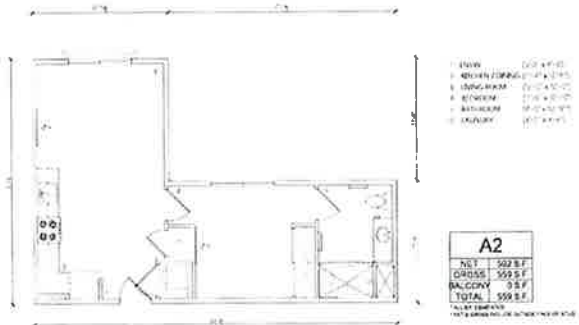
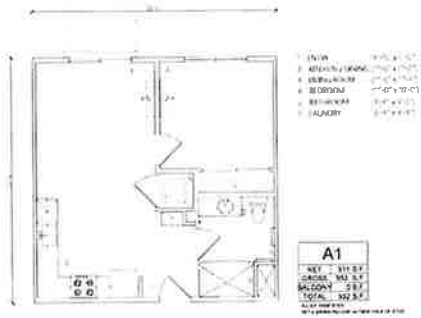
Folsom - Natoma Senior Apartments  
Vintage Housing Development

BUILDING PLANS - NORTHERN HALF

Scale: 1/16" = 1'-0" on 24x36 sheet

November 7, 2021





Folsom - Natoma Senior Apartments  
Vintage Housing Development

TYPICAL UNIT PLANS  
Scale: 1/4" = 1'-0" on 24x36 sheet  
November 2, 2021



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 17**

### **Color Building Renderings Dated June 3, 2022**





Folsom - Natoma Senior Apartments  
Vintage Housing Development

VIEW FROM NATOMA STREET NORTH

June 3, 2022





Folsom - Natoma Senior Apartments  
Vintage Housing Development

VIEW FROM NATOMA STREET AT ENTRY

June 3, 2022





Folsom - Natoma Senior Apartments  
Vintage Housing Development

VIEW FROM BIKE TRAIL WEST

June 1, 2022







Folsom - Natoma Senior Apartments  
Vintage Housing Development

VIEW FROM BIKE TRAIL EAST

June 3, 2022



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 18**

**Building Site Sections**  
**Dated June 3, 2022**







Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

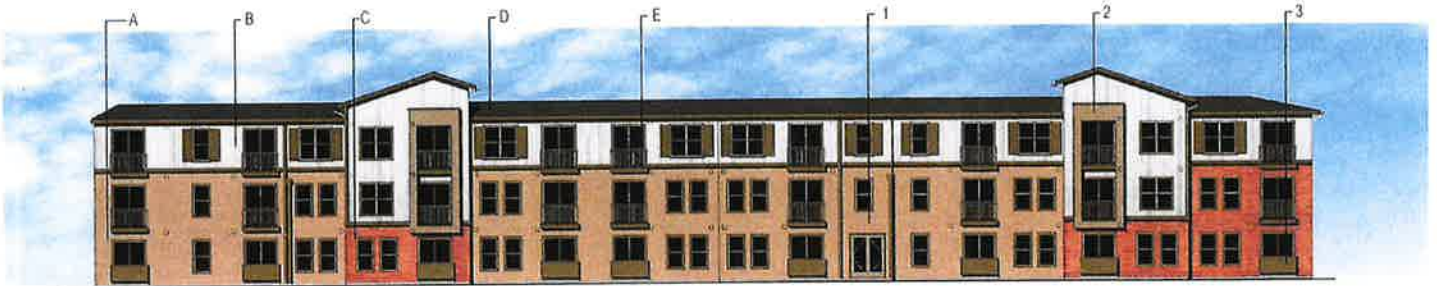
# **Attachment 19**

## **Color and Materials Board**



**LEGEND**

- 1. DUNN EDWARDS WOODED ACRE (DE6130)
- 2. DUNN EDWARDS WOODEN PEG (DE6215)
- 3. DUNN EDWARDS MIDNIGHT BROWN (DE6210)
  
- A. STUCCO
- B. BOARD AND BATTEN
- C. BRICK VENEER
- D. ASPHALT SHINGLE
- E. WROUGHT IRON RAILING



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 20**

### **Vintage Senior Apartments Booklet (Separate Bound Document)**



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

# **Attachment 21**

## **Site Photographs**

**PRELIMINARY PHOTO EXHIBIT  
NATOMA SENIOR  
APARTMENTS  
CITY OF FOLSOM, CA**

**M SITE PHOTO**  
DATE: 10/10/22

**N SITE PHOTO**  
DATE: 10/10/22

**NATOMA SENIOR APARTMENTS  
PRELIMINARY PHOTO EXHIBIT  
OCTOBER 17, 2022**

**TS&D ENGINEERING, INC.**  
285 Orchard Drive, Suite #110  
Folsom, CA 95630  
Phone: (916) 608-0707  
Fax: (916) 608-0701

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 22**

**Transportation Impact Study**  
**Dated July, 2022**

P21130

**Natoma Senior Apartments Transportation Impact Study**  
**Folsom, California**

Prepared for:  
City of Folsom  
Helix Environmental, Inc.  
FCC 50, LLC

Prepared By



TRANSPORTATION PLANNING  
& MANAGEMENT, INC.

Contact: Tom Kear PhD, PE,  
[tkear@tkearinc.com](mailto:tkear@tkearinc.com),  
(916) 340-4811  
[www.tkearinc.com](http://www.tkearinc.com)



February 2022  
Revised July 2022

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## REVISION HISTORY

Date	Title	Comment
Feb 1, 2022	Draft TIS	
Feb 10, 2022	Final Tis	Clarified geometry for secondary driveway and added review of parking supply at 139 spaces and 144 spaces.
July 5, 2022	Revision	Proposed parking reduced to 136 spaces and revised site plan.

## EXECUTIVE SUMMARY

This analysis describes the effect of the Natoma Senior Apartments project (the Project) on the motorized and unmotorized transportation systems in Folsom, California. This study has been prepared for the City of Folsom (City), Helix Environmental Inc., and FCC 50, LLC. A Planned Development Permit and Conditional Use Permit are requested by the applicant for the proposed 136 age-restricted affordable apartments.

### Project Description

**Figure ES-1** provides a Project vicinity map. The Project consists of 136 one- and two-bedroom affordable, age restricted, apartments located across from the main entrance to Folsom State Prison at 102 Natoma St, Folsom, CA 95630 (parcel 071-0320-042). Two access points to East Natoma St are planned: a full access driveway aligned with Prison Rd, and a right-in-right-out driveway near the eastern edge of the Project site. One hundred thirty-six parking stalls are included along the drive isle along the southern and eastern edges of the Project. A preliminary site plan is provided as **Figure ES-2**.

Accessible pathways are planned around the building to provide a walking path for residents. Sidewalks along the Project's East Natoma Street frontage are included from Prison Rd to the edge of the existing sidewalk at Cimmaron Circle. The existing multi-use trail connection from the Oak Parkway trail will be preserved, and a pedestrian connection will be added southerly from the Project to the Oak Parkway Trail.

The site is designated Professional-Office (PO) in the General Plan and zoned as Business Professional – Planned Development District (BP-PD). With the Planned Development Permit and Conditional Use Permit being requested the Project is consistent with the adopted General Plan and zoning.

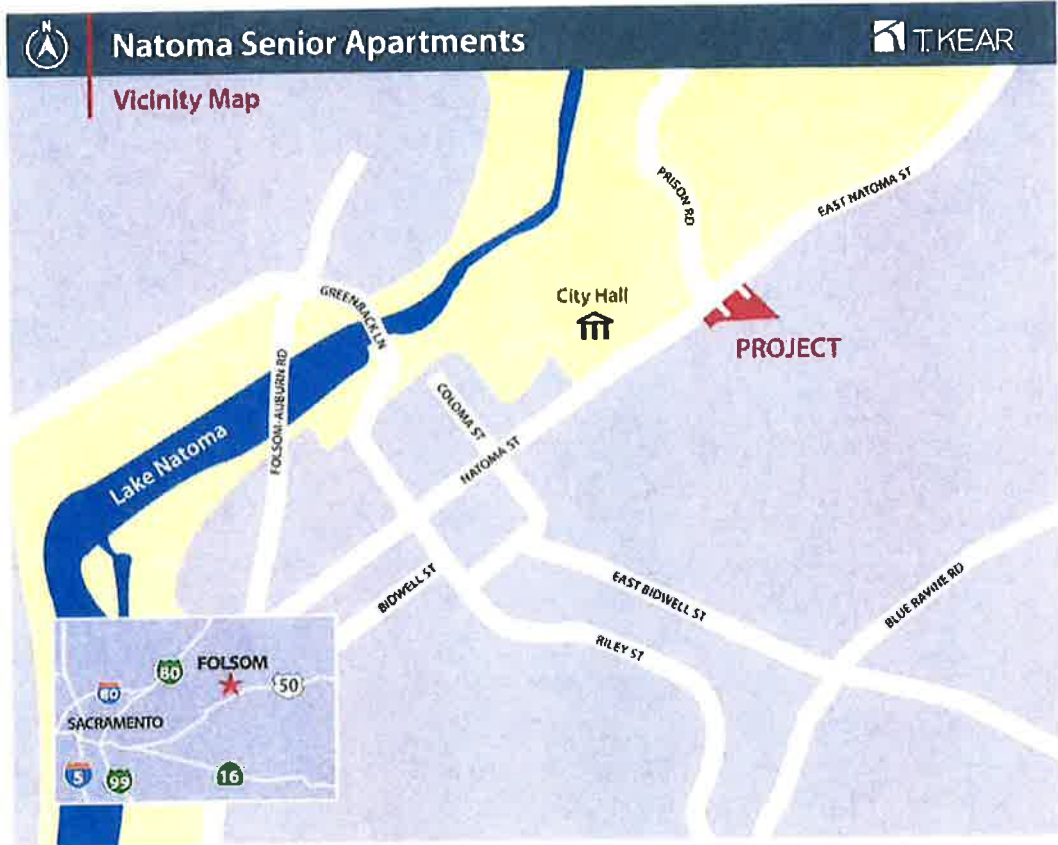


Figure ES-1. Scholar Way Senior Housing Vicinity Map

Natoma Senior Apartments  
Transportation Impact Study

Folsom,  
California

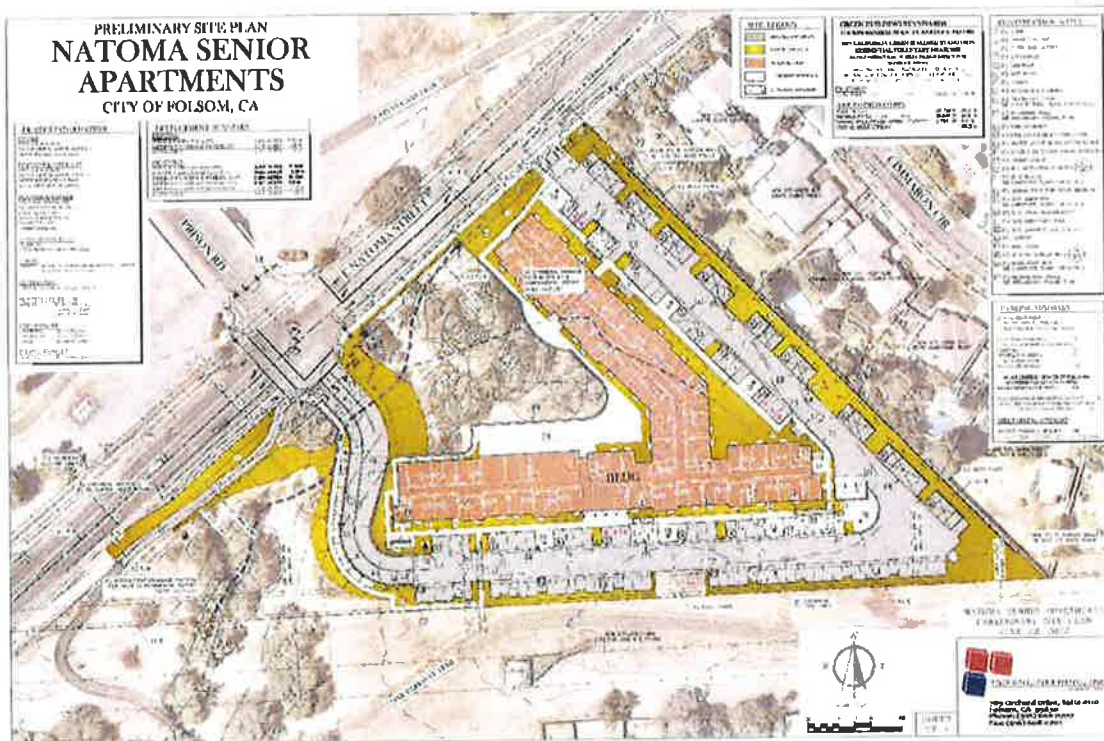


Figure ES-2. Preliminary Site Plan

### Analysis Scope

The analysis considers the traffic operations at intersections in Folsom that could potentially be impacted by project traffic. This TIS considers two study scenarios:

- Existing 2022 without Project condition
- Existing 2022 with Project condition

The two driveway intersections (shown in **Figure ES-2**) were evaluated for conformity to City policies and policies from the adopted Folsom General Plan. Internal circulation and sight lines, parking supply and fire access were all considered.

**Table ES-1. Study Intersections**

<b>Location</b>	<b>Control</b>
1. East Natoma St/Prison Rd	Signal
2. East Natoma St/Eastern Project Driveway	Side-Street-Stop-Control (SSSC)

### Findings

Project impacts are anticipated to be less than significant. Ten project specific findings are made.

**Finding 1 (Trip Generation):** The Project is anticipated to generate 441 daily vehicle trips including 39 AM peak-hour vehicle trips, and 41 PM peak-hour vehicle trips. Fewer than 50 peak-hour project trips are projected to pass through any intersection.

**Finding 2 (Level-of-Service):** All study intersections are anticipated to operate at level-of-service B or better under all study scenarios. The Project is not projected to create new deficiencies or worsen existing traffic level-of-service, pursuant to General Plan Policy M4.1.3. Impacts to level-of-service are considered less than significant.

**Finding 3 (Vehicle Miles Traveled):** Per capita Project VMT is projected to be at least 15% less than regional per capita VMT. Project VMT impacts are considered less than significant.

**Finding 4 (Parking):** The proposed parking supply of 136 spaces (1.00 spaces per unit). The Project was found to be adequately parked.

**Finding 5 (Minimum Required Throat Depth):** The standards for driveway throat depths are met.

**Finding 6 (Emergency Vehicle Access):** Emergency vehicle access is adequate.

**Finding 7 (Pedestrian and Bicycle):** The Project does not result in impacts to pedestrian and bicycle facilities. Impacts to pedestrian and bicycle facilities are considered less than significant.

**Finding 8 (Transit):** The Project does not result in impacts to transit facilities. Impacts to transit facilities are considered less than significant.

**Finding 9 (Driveway Geometry):** Proposed geometry for access to East Natoma St is adequate. Either a raised median or right-turn channelization should be used to limit the secondary (eastern) driveway to right-in-right access. Note that the secondary (eastern) driveway was modeled assuming a shared eastbound through-right turn lane, without a right turn taper or deceleration lane. Anticipated eastbound right turning volume is less than 10 vehicles during the AM and PM peak-hours and neither a right taper or deceleration lane is required per City of Folsom policy. However, the City reserves the right to require either a taper or pocket at the discretion of the City Engineer. **Finding 10 (Signal timing):** With the addition of a fourth leg to the East Natoma St/Prison Rd intersection, the signal timing and lane geometry was assumed to be configured as follows, or an equivalent plan to the satisfaction of the City Engineer:

- Eastbound: An eastbound right turn pocket was assumed with 150-foot of storage and a 60-foot taper; for a total of one left, one through, and one right turn lane.
- Westbound: A westbound left turn lane with 100-foot pocket plus 60-foot taper for a total of one left and one shared Through-right lane.
- Southbound: The existing exclusive right-turn lane is assumed to be restriped as a through-right turn lane (for a total of one left and one shared through-right).
- Northbound: The northbound approach is assumed to provide one left and one shared through-right lane. The northbound through-right lane is assumed to be in a 70' turn pocket plus 60' taper.
- Timing: Eastbound and westbound protected left turn phasing, northbound and southbound split phasing. 150 second cycle length, with 34 second northbound southbound split phases and 20 second eastbound and westbound protected phases, and 62 second eastbound and westbound through phases. Crosswalks are assumed across all legs of the intersection with flashing don't walk phases set to 22 seconds to accommodate a 3 foot per second walking speed.

City staff have noted that the East Natoma St/Prison Rd intersection may be an excellent location for protected-permissive left-turn phasing (i.e., "a flashing yellow arrow" to allow left turns during the conflicting through phase). Such phasing would increase the intersection capacity and reduce queuing for the eastbound through movement. It is our professional judgement that novel phasing plans, such as protected-permissive phasing, have the potential to confuse elderly drivers and pedestrians, resulting in increased accident rates. Because protected-permissive phasing is not necessary to maintain the General Plan level-of-service goals we do not recommend it for the entrance to age-restricted housing. The project adds a fourth leg to the existing T-intersection, which requires upgrading the traffic signal hardware. At the discretion of the City Engineer, those upgrades may include video vehicle detection, connecting the signal into the City traffic management center, and traffic signal controller upgrades to the satisfaction of the City Engineer.

Conditions of approval can be limited to the City of Folsom Standard conditions plus a requirement to time the traffic signal at East Natoma St/Prison Rd to be consistent with finding 10 above, or a similar timing plan, to the satisfaction of the City Engineer.

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## 1. INTRODUCTION

This Transportation Impact Study (TIS) identifies impacts of the proposed Natoma Senior Apartments project (the Project) on the motorized and unmotorized transportation systems in Folsom, California. This study has been prepared for the City of Folsom (City), Helix Environmental Inc., and FCC 50, LLC. A Planned Development Permit and Conditional Use Permit are requested by the applicant.

### 1.1 Project Description

**Figure 1** provides a Project vicinity map. The Project consists of 136 one- and two-bedroom affordable, age restricted, apartments located across from the main entrance to Folsom State Prison at 103 E. Natoma St, Folsom, CA 95630 (parcel 071-0320-042). Two access points to East Natoma St are planned: a full access driveway aligned with Prison Rd, and a right-in-right-out driveway near the eastern edge of the Project site. One hundred thirty-six parking stalls are included along the drive isle along the southern and eastern edges of the Project.

Accessible pathways are planned around the building to provide a walking path for residents. Sidewalks along the Project's East Natoma Street frontage are included from Prison Rd to the edge of the existing sidewalk at Cimmaron Circle. The existing multi-use trail connection from the Oak Parkway trail will be preserved, and a pedestrian connection will be added southernly from the Project to the Oak Parkway Trail.

The site is designated Professional-Office (PO) in the General Plan and zoned as Business Professional – Planned Development District (BP-PD). With the Planned Development Permit and Conditional Use Permit being requested the Project is consistent with the adopted General Plan and zoning.

### 1.2 Report Organization

This report includes the following sections: Introduction, Setting and Study Area (key roadways and intersections, regulatory setting, and analysis scenarios); Methodology (detailing the analysis procedures); analysis sections; discussion of other considerations, and findings and recommendations.

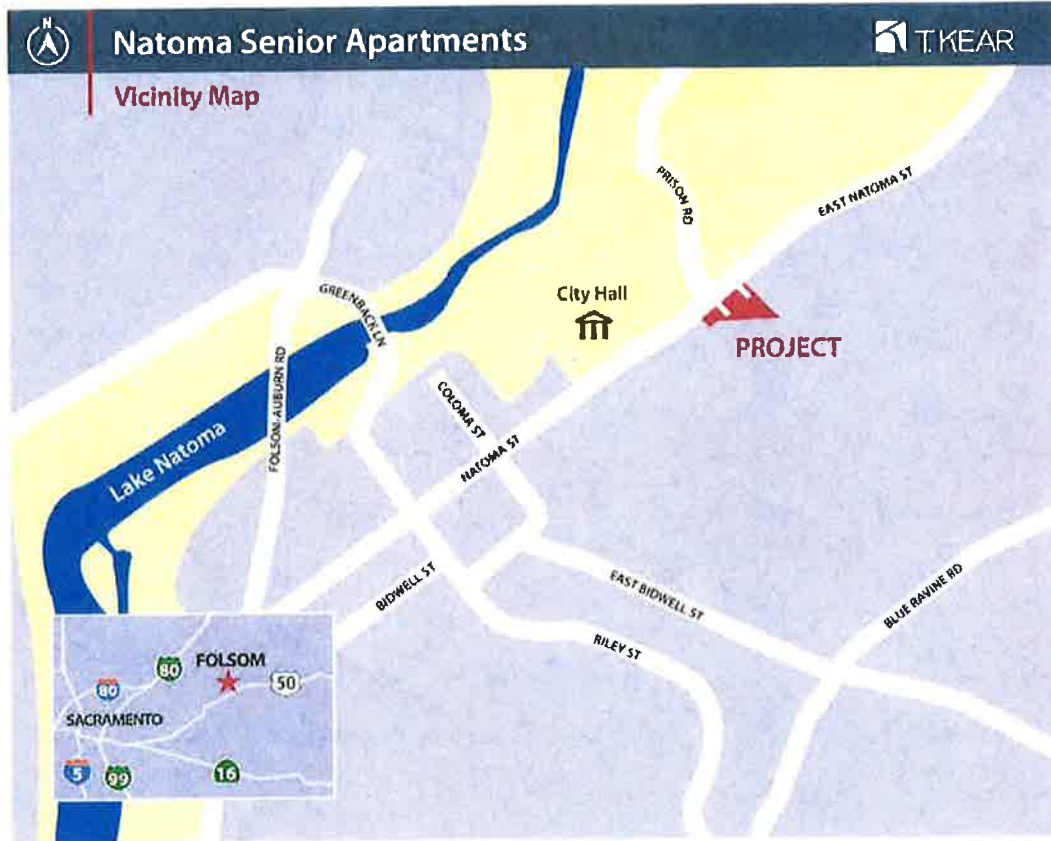


Figure 1. Natoma Senior Apartments Vicinity Map



**Natoma Senior Apartments  
Transportation Impact Study**

Folsom,  
California

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## 2. SCENARIOS, SETTING AND STUDY AREA

The Project generates fewer than 50 peak-hour trips which is the City's threshold for requiring the evaluation of Project traffic on the level-of-service at potential affected intersections. Consequently, this TIS evaluates traffic operations at the two Project driveway intersections.

### 2.1 Study Scenarios

Four scenarios were identified for inclusion in this TIS through consultation with City staff. These study scenarios were used to evaluate Project impacts relevant to General Plan Policy M4.1.3 relative to level of service. This study determines the weekday AM peak-hour, PM peak-hour, and Sunday peak-hour level-of-service at study intersections under the following scenarios:

- Existing 2022 without Project condition
- Existing 2022 with Project condition

Analysis of the existing condition reflects the traffic volumes and roadway geometry at the time the study began. This scenario quantifies performance measures for the existing condition and serves as a known reference point for those familiar with the study area. These scenarios, with and without the Project, identify Project related impacts anticipated to occur if the Project opened in 2020.

### 2.2 Project Area Roadways

Brief descriptions of the key roadways serving the Project site are provided below.

**Natoma St/East Natoma St** is a two-lane minor arterial connecting from Folsom Blvd, past Folsom City Hall, and connecting through Green Valley Rd and onto Empire Ranch Rd. From Folsom Blvd to Fargo Way, just east of City Hall, there are sidewalks, curb, and gutter with striped class 2 bike lanes. From Fargo Way to the east, fronting the Project site and Folsom State Prison, there are dirt shoulders without sidewalks until Folsom Crossing Rd, where East Natoma Street becomes a four-lane arterial with sidewalk, curb, gutter, and striped class 2 bike lanes to Empire Ranch Rd. At Coloma Street, near City Hall, Natoma St carries about 11,000 vehicles per day. A volume which drops to about 10,000 vehicles per day near the Project Site.

**Prison Rd** is a two-lane north-south access road from East Natoma St to Folsom State Prison. It has unpaved shoulders without bike lanes or sidewalks. Prison Road is signed to prohibit stopping or turning within the prison's property.



### 2.3 Study Intersections

There are two study intersections (Table 1), which are the driveway intersections shown in the site plan (Figure 2) shown previously. No segments were selected for analysis.

**Table 1. Study Intersections and Control**

<b>Location</b>	<b>Control</b>
1. East Natoma St/Prison Rd	Signal
2. East Natoma St/Eastern Project Driveway	Side-Street-Stop-Control (SSSC)

### 2.4 Transit

Folsom's public transportation includes bus and dial-a-ride service provided by the City through Folsom Stage Lines and light rail service provided by Sacramento Regional Transit District (SRTD). El Dorado County Transit (EDC Transit) also provides limited bus connections to El Dorado County.

#### Folsom Stage Lines and Dial-A-Ride

The Folsom Stage Line buses, operated by SRTD run Monday through Friday and there is no weekend service available. There are currently ten buses running on three routes. They are routes 10, 20 and 30 (Figure 3). Routes 10 and 20 intersect at Folsom Lake College. There is no charge to transfer from one Folsom Stage Line route to another.

- Route 10 - Serves Historic Folsom, E. Bidwell St., the Broadstone Market Place, Broadstone Plaza, Folsom Aquatics Center, Folsom Lake College, Intel, Kaiser Permanente, Folsom Premium Outlets, Mercy Hospital, Palladio Mall, and Century Theatres. It connects to light rail and with the RT bus service Line 24. Service with a one-hour headway starts at 5:25 AM with the last pickup at 7:25 PM.
- Route 20 - Serves Empire Ranch Road, East Natoma Street, Vista del Lago High School, Folsom Lake College and transfers to Route 10. There are one morning and two afternoon buses on Route 20.
- Route 30 - Serves Folsom State Prison, City Hall, and Woodmere Drive during peak-hours (6 a.m. – 8:10 a.m. and 2:35 p.m. – 4:55 p.m.) with four AM peak-period buses and five PM peak-period buses.

Dial-A-Ride is a curb-to-curb transportation service that operates within the Folsom city limits. It provides transportation to residents who have a physical, developmental, or mental disability. Senior citizens who are 55 years of age or older also qualify for this program.

#### Sacramento Regional Transit

SRTD light rail provides light rail service via the Gold Line connecting the Historic Folsom, Glenn, and Iron Point light rail stations to downtown Sacramento and points in between. Service is

provided from 5 AM to 7 PM with 30-minute headways. There is also a connection to SRTD bus route 24 from Folsom Stage Lines route 10 at the Madison/Main stop. SRTD route 24 provides service to Sunrise Mall on an approximately hourly headway from 6 AM to 7 PM.

El Dorado County Transit

The EDC Transit route 50X (the 50 Express) operates every hour from 6 AM until 7 PM Monday through Friday, with service from the Missouri Flat Transfer Center in El Dorado County to the Folsom Iron Point light rail station, Folsom Lake College, and back.

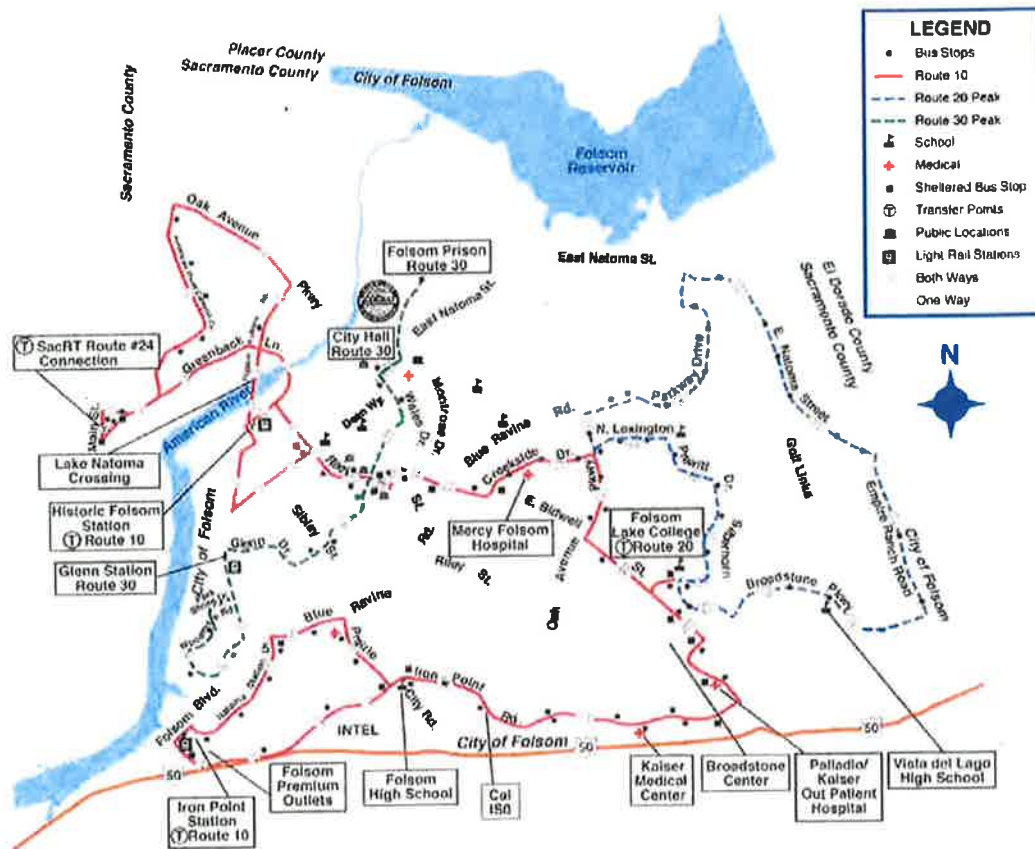


Figure 3. Folsom Stage Lines Routes 10, 20 and 30

2.5 Bicycle Facilities

Folsom is one of the most bike friendly settings in California, with an existing comprehensive bikeway system that is extensive and connects to a vast number of historical and recreational attractions. Existing and planned bicycle facilities within the Project area are described in the 2007

Folsom Bikeway Master Plan<sup>1</sup> which provides a framework for the design of a bikeway system that meets the California Street and Highway Code Section 890-894.2 - Bicycle Transportation Act and improves safety and convenience for all users. An updated bike plan is currently being prepared as part of the Folsom Active Transportation Plan. There are four types of bicycle facilities (Class 1, 2, 3, and 4) in Folsom.

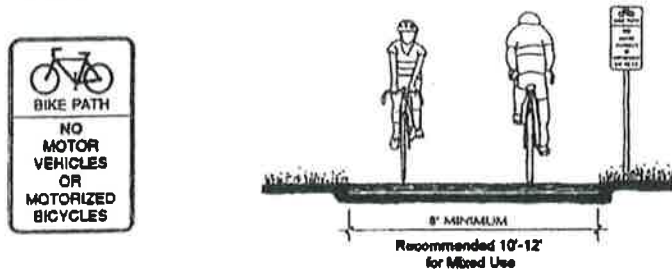
- Class 1 Bike Path:** A bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way (Figure 4).
- Class 2 Bike Lane:** Any portion of roadway designated for bicycle use and defined by pavement marking, curbs, signs, or other traffic-control devices (Figure 4).
- Class 3 Bike Route:** A designated route through high demand corridors on existing streets and are usually shared with motor vehicles. Are indicated by periodic signs and do not require pavement markings (Figure 4). A variant on Class III bikeways, shared lanes, or "sharrow" lanes, are becoming more common. Sharrows are a form of Class III bikeways where the general-purpose lane is too narrow for a bicycle and a vehicle to travel safely side-by-side within the same lane. A sharrow symbol painted (Figure 5) on the roadway is used to indicate the likely lateral location of bikes in the lane to inform motor vehicles.
- Class 4 Bikeway** (Separated Bikeway or "Cycle Track") The Protected Bikeways Act of 2014 (Assembly Bill 1193 - Ting, Chapter 495) established Class IV bikeways for California. Class IV bikeways provide a right-of-way designated exclusively for bicycle travel adjacent to a roadway and which are protected from vehicular traffic. Types of separation include, but are not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking. An example is shown in Figure 6.

Figure 7 provides a Folsom bike map. All road segments in the study area include Class 2 bike lanes. There are existing Class 1 trails paralleling the northern edge of East Natoma St (The Johnny Cash Trail, connecting Historic Folsom, Folsom Prison, and Folsom Lake). An existing Class 1 trail also follows underneath the high voltage line behind the Project site (the Oak Parkway Trail). Grade separated bike/pedestrian tunnels take these trails under Prison Road and East Natoma

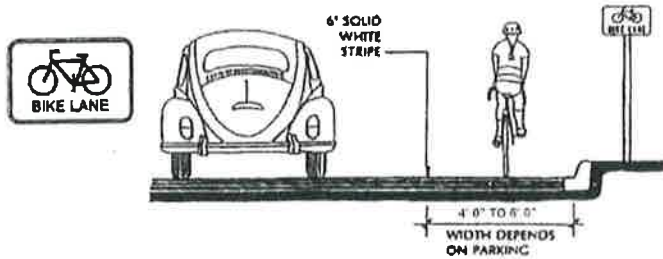
<sup>1</sup> Folsom (2007) Bikeway Master Plan, [www.folsom.ca.us/city\\_hall/depts/parks/parks\\_n\\_trails/trails/bikeway\\_master\\_plan.asp](http://www.folsom.ca.us/city_hall/depts/parks/parks_n_trails/trails/bikeway_master_plan.asp).

Street. There is also a bike only left turn from eastbound East Natoma St onto the Johnny Cash Trail at the East Natoma St/Cimmaron Circle intersection.

**BIKE PATH**



**BIKE LANE**



**BIKE ROUTE**



Figure 4. Bike Paths, Lanes, and Routes



**Figure 5. Sharrow**



**Figure 6. Class IV Bikeway**

(source: Gary Kavanagh image 1272: <https://flic.kr/p/hxp5e1>)



Natoma Senior Apartments  
Transportation Impact Study

Folsom  
California



Figure 7. Folsom Bike Map

**Natoma Senior Apartments  
Transportation Impact Study**

**Folsom,  
California**

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### 3. METHODOLOGY

This section provides a process overview, describes traffic forecasting, and discusses the methods/criteria used to evaluate level-of-service. Discussion of significance criteria is included.

#### 3.1 Process Overview

The overall analysis process was structured to identify potential adverse transportation effects related to the Project and evaluate consistency with General Plan Policy M4.1.3 relative to traffic level-of-service.

- Traffic volumes and turning movements for the Existing 2022 Condition were determined from observed traffic counts taken Tuesday December 7, 2021.
- Study intersection traffic operations were analyzed both with and without the proposed Project to identify any anticipated inconsistencies with General Plan Policy M4.1.3 relative to traffic level of service.
- California Environmental Quality Act (CEQA) impacts are based on qualitative vehicle miles of travel (VMT) analysis and significance criteria from the General Plan (Policy NCR 3.1.3), and CEQA guidance from the Governor's Office of Planning and Research<sup>2 3</sup>.

#### 3.2 Level-of-Service Methodology

Level-of-service (LOS) is a qualitative indication of the level of delay and congestion experienced by motorists using an intersection. Levels-of-service are designated by the letters A through F, with A being the best conditions and F being the worst (high delay and congestion). Calculation methodologies, measures of performance, and thresholds for each letter grade differ for road segments, signalized intersections, and unsignalized intersections.

Based on guidance from City staff, the following procedures described below for intersection traffic operations analysis were utilized for this TIS.

#### Intersection Traffic Operations Analysis

##### Signalized Intersections

The methodology from the Highway Capacity Manual (HCM) 6<sup>th</sup> Edition<sup>4</sup>, are used to analyze signalized intersections. Level-of-service can be characterized for the entire intersection, each approach, or by lane group. Control delay alone (the weighted average delay for all vehicles entering the intersection) is used to characterize level-of-service for the entire intersection or an approach. Control delay and volume to capacity ratio are used to characterize level-of-service for lane groups. The average delay criteria used to determine the level-of-service at signalized

<sup>2</sup> OPR (2018) Technical Advisory on Evaluating Transportation Impacts In CEQA, [http://www.opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](http://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf).

<sup>3</sup> OPR's webinar on SB 743 Implementation, 4/16/2020.

<sup>4</sup> Transportation Research Board (2016) Highway Capacity Manual, Washington, D.C.

intersections is presented in **Table 2**. The HCM 2010 methodology is used as the primary method. HCM 2000 methods are only utilized where the signal phasing is incompatible with HCM 2010 methods.

**Table 2. Level-of-Service Criteria for Signalized Intersections**

Level -of- Service	Description	Average Delay <sup>1</sup> (Sec. /Vehicle.)
A	Very Low Delay: This level-of-service occurs when progression is extremely favorable, and most vehicles arrive during a green phase. Most vehicles do not stop at all.	≤ 10.0
B	Minimal Delays: This level-of-service generally occurs with good progression, short cycle lengths, or both. More vehicles stop than at LOS A, causing higher levels of average delay.	10.1-20.0
C	Acceptable Delay: Delay increases due to only fair progression, longer cycle lengths, or both. Individual cycle failures ( <i>to service all waiting vehicles</i> ) may begin to appear at this level of service. The number of vehicles stopping is significant, though many still pass through the intersection without stopping.	20.1-35.0
D	Approaching Unstable/Tolerable Delays: The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high v/c ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.	35.1-55.0
E	Unstable Operation/Significant Delays: This is considered by many agencies the upper limit of acceptable delays. These high delay values generally indicate poor progression, long cycle lengths, and high v/c ratios. Individual cycle failures are frequent occurrences.	55.1-80.0
F	Excessive Delays: This level, considered to be unacceptable to most drivers, often occurs with oversaturation (i.e., when arrival flow rates exceed the capacity of the intersection). It may also occur at high v/c ratios below 1.00 with many individual cycle failures. Poor progression and long cycle lengths may also contribute to such delay levels.	> 80.0 or v/c >1.0

**Note 1:** Weighted average of delay on all approaches. This is the measure used by the Highway Capacity Manual to determine level-of-service. Any movement with a volume-to-capacity ratio (v/c) greater than 1.0 is considered to be level-of-service F.

**Source:** Transportation Research Board (2016) Highway Capacity Manual 6<sup>th</sup> Edition, Washington D.C.

### Unsignalized Intersections

The methodology from HCM 6<sup>th</sup> Edition is used for the analysis of unsignalized intersections. At an unsignalized intersection, most of the main street traffic is un-delayed and, by definition, have acceptable conditions. The main street left-turn movements and the minor street movements are all susceptible to delay of varying degrees. Generally, the higher the main street traffic volumes,

the higher the delay for the minor movements. Separate methods are utilized for Two-Way Stop-Controlled (TWSC) intersections and All-Way Stop-Controlled (AWSC) intersections.

- **TWSC:** The methodology for analysis of two-way stop-controlled intersections calculates an average total delay per vehicle for each minor street movement and for the major street left-turn movements, based on the availability of adequate gaps in the main street through traffic. A level-of-service designation is assigned to individual movements or combinations of movements (in the case of shared lanes) based upon delay, it is not defined for the intersection as a whole. Unsignalized intersection level-of-service is for each movement (or group of movements) based upon the respective average delay per vehicle. **Table 3** presents the average delay criteria used to determine the level-of-service at TWSC and AWSC intersections.
- **AWSC:** At all-way stop-controlled intersections, the level-of-service is determined by the weighted average delay for all vehicles entering the intersection. The methodologies for these types of intersections calculate a single weighted average delay and level-of-service for the intersection as a whole. The average delay criteria used to determine the level-of-service at all-way stop intersections is the same as that presented in **Table 3**. Level-of-service for specific movements can also be determined based on the TWSC methodology.

It is not unusual for some of the minor street movements at unsignalized intersections to have level-of-service D, E, or F conditions while the major street movements have level-of-service A, B, or C conditions. In such a case, the minor street traffic experiences delays that can be substantial for individual minor street vehicles, but the majority of vehicles using the intersection have very little delay. Usually in such cases, the minor street traffic volumes are relatively low. If the minor street volume is large enough, improvements to reduce the minor street delay may be justified, such as channelization, widening, or signalization.



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**Table 3. Level-of-Service Criteria for Unsignalized Intersections**

Level of Service (LOS)	Description	TWSC <sup>1</sup>	AWSC <sup>2</sup>
		Average Delay by Movement (seconds / vehicle)	Intersection Wide Average Delay (seconds / vehicle)
A	Little or no delay	< 10	< 10
B	Short traffic delay	> 10 and < 15	> 10 and < 15
C	Average traffic delays	> 15 and < 25	> 15 and < 25
D	Long traffic delays	> 25 and < 35	> 25 and < 35
E	Very long traffic delays	> 35 and < 50	> 35 and < 50
F	Extreme delays potentially affecting other traffic movements in the intersection	> 50 (or, v/c >1.0)	> 50

**Note 1:** Two-Way Stop-Control (TWSC) level-of-service is calculated separately for each minor street movement (or shared movement) as well as major street left turns using these criteria. Any movement with a volume to capacity ratio (v/c) greater than 1.0 is considered to be level-of-service F.

**Note 2:** All-Way Stop-Control (AWSC) assessment of level-of-service at the approach and intersection levels is based solely on control delay.

**Source:** Transportation Research Board (2016) Highway Capacity Manual 6<sup>th</sup> Edition, Washington D.C.

### 3.3 General Plan Thresholds

#### Level of Service

Consistency with General Plan level-of-service policies for the proposed Project were determined based on the methods described above and identified as either "conforming" or "non-conforming". General Plan Policy M4.1.3 addresses level of service:

*Strive to achieve at least traffic Level of Service "D" (or better) for local streets and roadways throughout the city. In designing transportation improvements, the City will prioritize use of smart technologies and innovative solutions that maximize efficiencies and safety while minimizing the physical footprint. During the course of Plan buildout, it may occur that temporally higher levels-of-service result where roadway improvements have not been adequately phased as development proceeds. However, this situation will be minimized based on annual traffic studies and monitoring programs. City Staff will report to the City Council at regular intervals via the Capital Improvement Program process for the Council to prioritize projects integral to achieving level-of-service D or better.*

The General Plan Environmental Impact Report (EIR) includes a criterion addressing potential impacts at locations that operate at level-of-service E or F under no-project conditions. Under this standard, a non-conforming situation would occur if the proposed project would:

*Increase the average delay by five seconds or more at an intersection that currently operates (or is projected to operate) at an unacceptable level-of-service under "no-project" conditions.*

For the purposes of this analysis, level-of-service is considered potentially non-conforming if implementation of the Project would result in any of the following:

- Cause an intersection in Folsom that currently operates (or is projected to operate) at level-of-service D or better to degrade to level-of-service E, or worse;
- Increase the average delay by five seconds or more at an intersection in Folsom that currently operates (or is projected to operate) at an unacceptable level-of-service E or F.

Bicycle/Pedestrian/Transit Facilities

An impact is considered significant if implementation of the Project would:

- Inhibit the use of bicycle, pedestrian, or transit facilities;
- Eliminate existing bicycle, pedestrian, or transit facilities;
- Prevent the implementation of planned bicycle, pedestrian, or transit facilities.

### 3.4 Vehicle Miles Traveled Standards of Significance

Under State Law (SB 743), on July 1, 2020, vehicle miles traveled (VMT) will become the only metric for evaluating significant transportation impacts in environmental impact analyses required under the California Environmental Quality Act (CEQA). Without specific General Plan guidance for VMT thresholds, this analysis uses a qualitative screening against The Governors' Office of Planning and Research (OPR) guidance of a 15% per capita VMT reduction and utilizes OPR's suggested exemption for affordable housing projects.

Folsom General Plan policy NCR 3.1.3 addresses VMT, as stated below:

Policy NCR 3.1.3 "Encourage efforts to reduce the amount of vehicle miles traveled (VMT). These efforts could include encouraging mixed-use development promoting a jobs/housing balance, and encouraging alternative transportation such as walking, cycling, and public transit."

OPR has published guidance recommending a CEQA threshold for transportation impacts of land use projects of a 15% VMT reduction per capita, relative to either city or regional averages

based on the California's Climate Scoping Plan<sup>5</sup>. Qualitative assessment of VMT reduction is acceptable to screen projects<sup>6</sup>.

Based on these criteria, a project will be considered to have a potentially significant impact if:

- Per capita VMT from residential projects is anticipated to be greater than 85% of the regional average per capita VMT.
- The project is anticipated to inhibit implementation of planned pedestrian, bicycle, or transit improvements.

### 3.5 Analysis Tools

#### Level-of-Service

Control delays and level-of-service for study intersections were calculated using the Synchro 11<sup>7</sup> analysis software (Version 11.1, build 1, revision 6). Synchro implements the methodologies of the 6<sup>th</sup> Edition of the Highway Capacity Manual to model traffic controls and vehicle delay.

The software requires data on road characteristics (geometric), traffic counts, and the signal timing data for each analysis intersection. In general, default parameters were used, except in locations where specific field data are available. Heavy vehicle percentages of 2% were assumed during the peak hour.

#### VMT

To support jurisdictions' SB743 implementation, The Sacramento Area Council of Governments (SACOG) staff developed thresholds and screening maps for residential and office projects, using outputs from the 2016 base year travel demand model run for the 2020 Metropolitan Transportation Plan/Sustainable Communities Strategies (MTP/SCS). SACOG travel demand model is activity/tour based and is designed to estimate an individual's daily travel, accounting for land use, transportation and demographics that influence peoples' travel behaviors.

For residential projects, the threshold is defined as total household VMT per capita achieving 15% of reduction comparing to regional (or any appropriate sub-area) average. The SACOG screening map uses "hex" geography, with each hex being about 1000 feet on edge. Residential VMT per capita per hex is calculated by tallying all household VMTs, including VMT traveling outside the region, generated by the residents living at the hex and divided by the total population in the hex. Hexes are then color coded with green and blue hexes depicting neighborhoods with at least a 15% reduction in residential VMT relative to the SACOG region. Yellow, orange, pink and red hexes have less than a 15% VMT reduction.

<sup>5</sup> OPR (2018) Technical Advisory on Evaluating Transportation Impacts In CEQA, [http://www.opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](http://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf).

<sup>6</sup> OPR's webinar on SB 743 implementation, 4/16/2020.

<sup>7</sup> <https://www.trafficware.com/synchro-studio.html>

#### 4. EXISTING 2022 CONDITION

This section presents the Existing Condition. For purposes of this TIS, Existing Conditions represent typical midweek, non-holiday, traffic volumes in 2022<sup>8</sup>

##### 4.1 Existing Condition

###### Data Sources

The analysis tools require a variety of data to generate the evaluation criteria. The following sections describe data collection procedures for Existing Conditions. There were three primary data elements (roadway characteristics, intersection turning movement counts, and traffic control data); and two supplementary elements (other recent studies, and field data) that comprised the data collection program for this traffic analysis.

###### Roadway Geometry and Usage Characteristics

The geometry and usage data for the analysis were collected through aerial photographs, field visits, and prior studies. Current intersection geometry was field validated. Table 4 shows the key items included in the geometric data and the source for each item.

**Table 4. Key Items and Sources for Geometry and Usage Data**

Key Item	Source
Lane configurations and width	Aerial photographs and field visits
Lane utilization	Prior studies, aerial photographs, and field visits
Intersection spacing	Aerial photographs and field visits
Length of storage bays	Aerial photographs and field visits
Transit stops and routes	Transit schedules, aerial photographs, and field visits
Turn prohibitions or allowance	Aerial photographs and field visits

**Lane configurations and width** – These data specify the number of lanes and the width of the roadway in each direction, and the directional turns that are allowed from each lane.

**Lane utilization** – These data specify how lanes are used by drivers, such as traffic distribution between lanes on a multi-lane roadway.

**Intersection spacing** – These data refer to the distance (in feet) between intersections.

**Length of storage bays** – These data refer to the length (in feet) of available storage for left-turning or right-turning vehicles where exclusive turn lanes are available. It is collected for right-turn lanes when the parking lane is used as a right-turn lane.

<sup>8</sup> Traffic Counts were collected on Tuesday December 7, 2021

**Transit stops and routes** – A transit stop is an area where passengers await, board, alight, and transfer between transit vehicles. A transit route is the roadway that transit vehicles operate on.

**Turn prohibitions or allowance** – These data specify if right turns on red (RTOR) are allowed on the roadway.

**Intersection Turning Movement Counts**

Existing morning and evening peak-period vehicle and pedestrian turning movement counts were collected at study intersections on Tuesday December 7, 2021. Traffic count data sheets are provided in **Appendix A** of this TIS. Peak-hour traffic counts were used to conduct the intersection level-of-service analysis. Turning movement counts at consecutive intersections were balanced and adjusted where appropriate to conservatively reflect existing traffic flows. Observed intersection peak hour factors (PHF) were applied. **Figure 8** provides a summary of the intersection lane geometry and peak-period turning movements under Existing Conditions As well as Project traffic and Existing Plus Project conditions).

Existing Condition Intersection and Segment Level-of-Service

**Table 5** presents a summary of level-of-service results for the study intersections under Existing Conditions, along with 95% queue lengths for left turns. All study intersections operate at level-of-service A or better during the AM, PM, and Sunday peak hours. Calculation sheets for intersection delay and level-of-service are provided in **Appendix B**. Left turn queues are adequately accommodated by the existing left turn storage pockets.

**Table 5. Existing 2022 Intersection Delay and Level-of-Service**

Intersection	Control	No Project (Delay and Level-of-Service)	
		AM	PM
E Natoma St/Prison Rd	Signal	9.3 A	9.1 A
Eastern Project Driveway	SSSC *	n/a	n/a
Intersection	Approach	No Project 95% Queues (Feet)	
		AM	PM
E Natoma St/Prison Rd	EB Left	173'	30'
	WB Left	n/a	n/a
	SB Left	22'	49'
	NB Left	n/a	n/a
Eastern Project Driveway	NB	n/a	n/a

\* SSSC = Side Street Stop Control



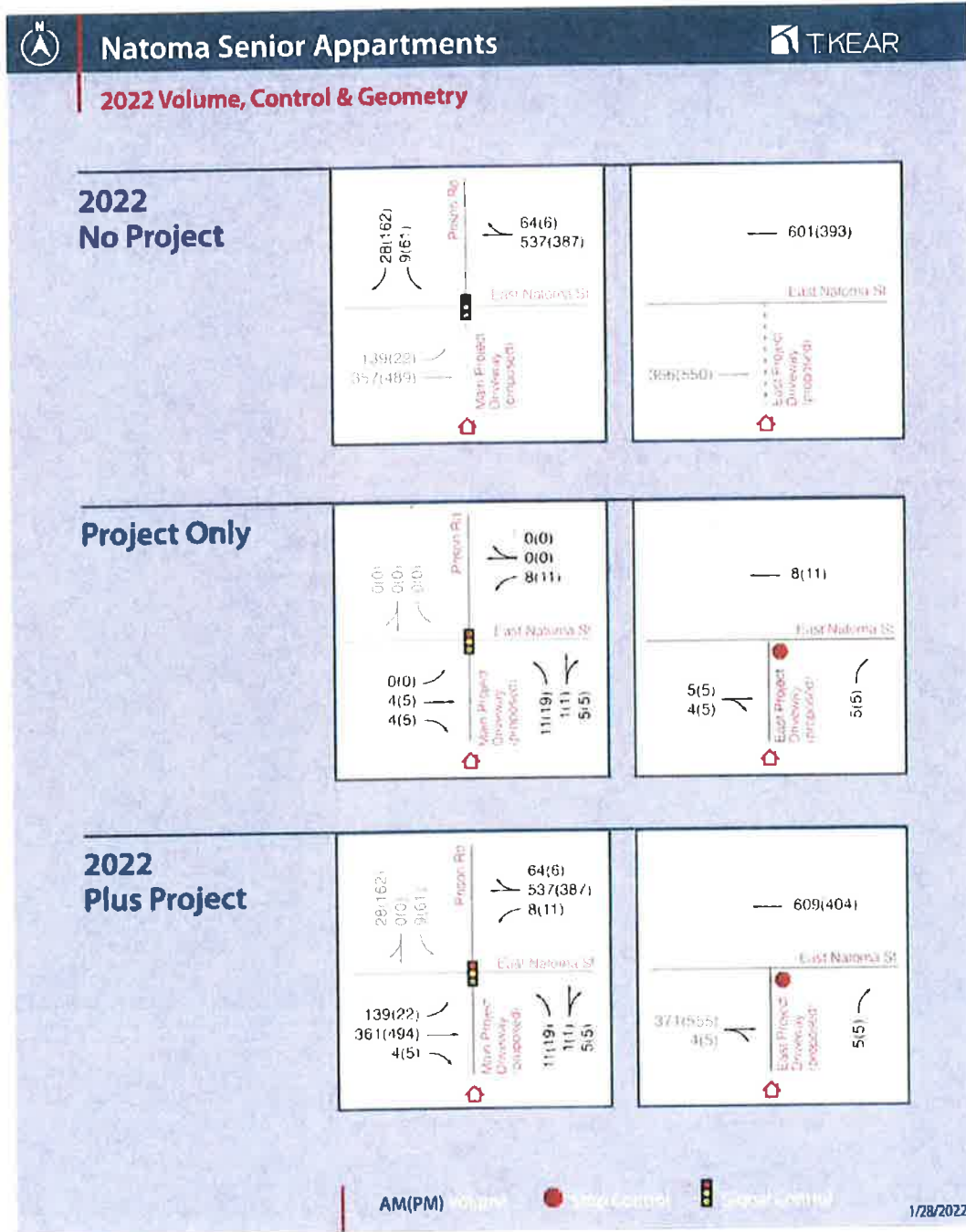


Figure 8. Existing Condition Turn Movements and Geometry

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#### 4.2 Assessment of Proposed Project

##### Trip Generation

Projected traffic generated by the proposed Project was calculated using trip generation factors from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11<sup>th</sup> Edition (2021), and is provided in Table 6 below.

**Table 6. Project Trip Generation**

Land Use	ITE Category	Quantity	Data	Daily	AM Peak hour			PM Peak hour		
					Total	Inbound	Outbound	Total	Inbound	Outbound
Senior Adult Housing (Multifamily)	252	136 dwelling units	Rate	3.24	0.29	45%	55%	0.3	54%	46%
			Trips	441	39	17	22	41	22	19

Source: ITE (2021) Trip Generation Manual, Institute of Transportation Engineers, Washington DC. (Higher value of either the average rate or the fitted equation-based rate for peak hour of generator).

##### Trip Distribution

Trip distribution was based on observed traffic counts and select zone analysis within the travel demand model. New Project trips were distributed as follows:

- 48% to/from the west on East Natoma Street
- 48% to/from the east on East Natoma Street
- 4% to/from the north via Prison Road

Project trip assignment is shown in Figure 9.

##### Signal Timing and Geometry

With the addition of a fourth leg to the East Natoma St/Prison Rd intersection, the signal timing and lane geometry was assumed to be configured as follows:

- Eastbound: An eastbound right turn pocket was assumed with 150-feet of storage and a 60-foot taper; for a total of one left, one through, and one right turn lane.
- Westbound: A westbound left turn lane with 100-foot pocket plus 60-foot taper for a total of one left and one shared through-right lane.
- Southbound: The existing exclusive right-turn lane is assumed to be restriped as a through-right turn lane (for a total of one left and one shared through-right).
- Northbound: The northbound approach is assumed to provide one left and one shared through-right lane. The northbound through-right lane is assumed to be in a 70' turn pocket plus 60' taper.
- Timing: Eastbound and westbound protected left turn phasing, northbound and southbound split phasing. 150 second cycle length, with 34 second northbound southbound split phases and 20 second eastbound and westbound protected phases, and

62 second eastbound and westbound through phases. Crosswalks are assumed across all legs of the intersection with flashing don't walk phases set to 22 seconds to accommodate a 3 feet per second walking speed.

City staff have noted that the East Natoma St/Prison Rd intersection may be an excellent location for protected-permissive left-turn phasing (i.e., "a flashing yellow arrow" to allow left turns during the conflicting through phase). Such phasing would increase the intersection capacity and reduce queuing for the eastbound through movement. It is our professional judgement that novel phasing plans, such as protected-permissive phasing, have the potential to confuse elderly drivers and pedestrians, resulting in increased accident rates. Because protected-permissive phasing is not necessary to maintain the General Plan level-of-service goals we do not recommend it for the entrance to age-restricted housing. The project adds a fourth leg to the existing T-intersection, which requires upgrading the traffic signal hardware. At the discretion of the City Engineer, those upgrades may include video vehicle detection, connecting the signal into the City traffic management center, and traffic signal controller upgrades to the satisfaction of the City Engineer. The eastern Project driveway was assumed to be configured as right-in-right-out. Because there are fewer than ten peak-hour vehicle trips anticipated to enter the Project via the eastern driveway, no deceleration lane or taper is necessary.

#### 4.3 Existing 2022 with Project Conditions

Project peak-hour traffic was added to the Existing 2022 turning volumes at each intersection. Delay and level-of-service were determined at the study intersections. **Figure 8** summarized the turning movements and lane configurations for the Existing with Project Condition. **Table 7** presents a summary of level-of-service results for the study intersections under Existing Conditions. All study intersections operate at level-of-service B or better during the AM, PM, and Sunday peak hours. Calculation sheets for intersection delay and level-of-service are provided in **Appendix B**. Left turn queues are adequately accommodated by the existing left turn storage pockets.



Figure 9. Project Trip Distribution

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**Table 7. Baseline 2022 Intersection Delay and Level-of-Service, with and without Project**

Intersection	Control	No Project (Delay and Level-of-Service)		With Project (Delay and Level-of-Service)	
		AM	PM	AM	PM
E Natoma St/Prison Rd	Signal	9.3 A	9.1 A	15.9 B	16.7 B
Eastern Project Driveway	SSSC *	n/a	n/a	10.6 B (NB)	12.3 B (NB)
Intersection	Approach	No Project 95% Queues (Feet)		With Project 95% Queues (Feet)	
		AM	PM	AM	PM
E Natoma St/Prison Rd	EB Left	173'	30'	166'	37'
	WB Left	n/a	n/a	22'	23'
	SB Left	22'	49'	23'	73'
	NB Left	n/a	n/a	27'	21'
Eastern Project Driveway	NB	n/a	n/a	0	0

\* SSSC = Side Street Stop Control



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## 5. PROJECT VMT IMPACTS AND GENERAL PLAN LEVEL-OF-SERVICE CONFORMITY

### 5.1 Vehicle Miles Traveled

Folsom General Plan policy NCR 3.1.3 addressed vehicle miles traveled (VMT) as shown below:

Policy NCR 3.1.3 “Encourage efforts to reduce the amount of vehicle miles traveled (VMT). These efforts could include encouraging mixed-use development promoting a jobs/housing balance, and, encouraging alternative transportation such as walking, cycling, and public transit.”

The Governors’ Office of Planning and Research (OPR) has published guidance recommending a CEQA threshold for transportation impacts of land use projects of a 15% VMT reduction per capita, relative to either city or regional averages, based on the California’s Climate Scoping Plan<sup>9</sup>. Qualitative assessment of VMT reduction is acceptable to screen projects<sup>10</sup>.

Under State Law (SB 743), VMT became the only CEQA threshold of significance for transportation impacts on July 1, 2020. Without specific General Plan guidance for VMT thresholds, this analysis uses qualitative screening against OPR’s guidance of a 15% per capita VMT reduction.

To support jurisdictions’ SB743 implementation, SACOG developed thresholds and screening maps (Figure 10) for residential projects<sup>11</sup>, using outputs from the 2016 base year travel demand model run for the 2020 MTP/SCS. SACOG’s travel demand model is activity/tour based and is designed to estimate an individual’s daily travel, accounting for land use, transportation and demographics that influence peoples’ travel behaviors. For residential projects, the threshold is defined as total household VMT per capita achieving 15% of reduction compared to regional (or any appropriate sub-area) average VMT. The map uses HEX geography. Residential VMT per capita per HEX is calculated by tallying all household VMTs, including VMT traveling outside the region, generated by the residents living at the HEX and divided by the total population in the HEX. Green hexagons denote areas where residential VMT is 50% to 85% of the regional average and yellow hexagons denote areas where residential VMT is 85% to 100% of the regional average.

The Project is located within one of the green hexagons with average residential VMT of 17 miles per capita (per day). The Project is anticipated to generate less than 82% of the regional

<sup>9</sup> OPR (2018) Technical Advisory on Evaluating Transportation Impacts In CEQA, [http://www.opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](http://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf).

<sup>10</sup> OPR’s webinar on SB 743 implementation, 4/16/2020.

<sup>11</sup> SACOG (2021) <https://sb743-sacog.opendata.arcgis.com/>

per capita residential daily VMT of 20.82 miles. **The Project is therefore anticipated to have a less-than-significant impact on VMT.**

#### 5.2 Conformance with General Plan Level-of-Service Policy

**All study intersections are anticipated to operate at level-of-service B or better under all study scenarios, both with and without the addition of Project traffic. The Project is not anticipated to create new level-of-service deficiencies, or to or worsen any existing deficiencies, based on General Plan Policy M4.1.3.**

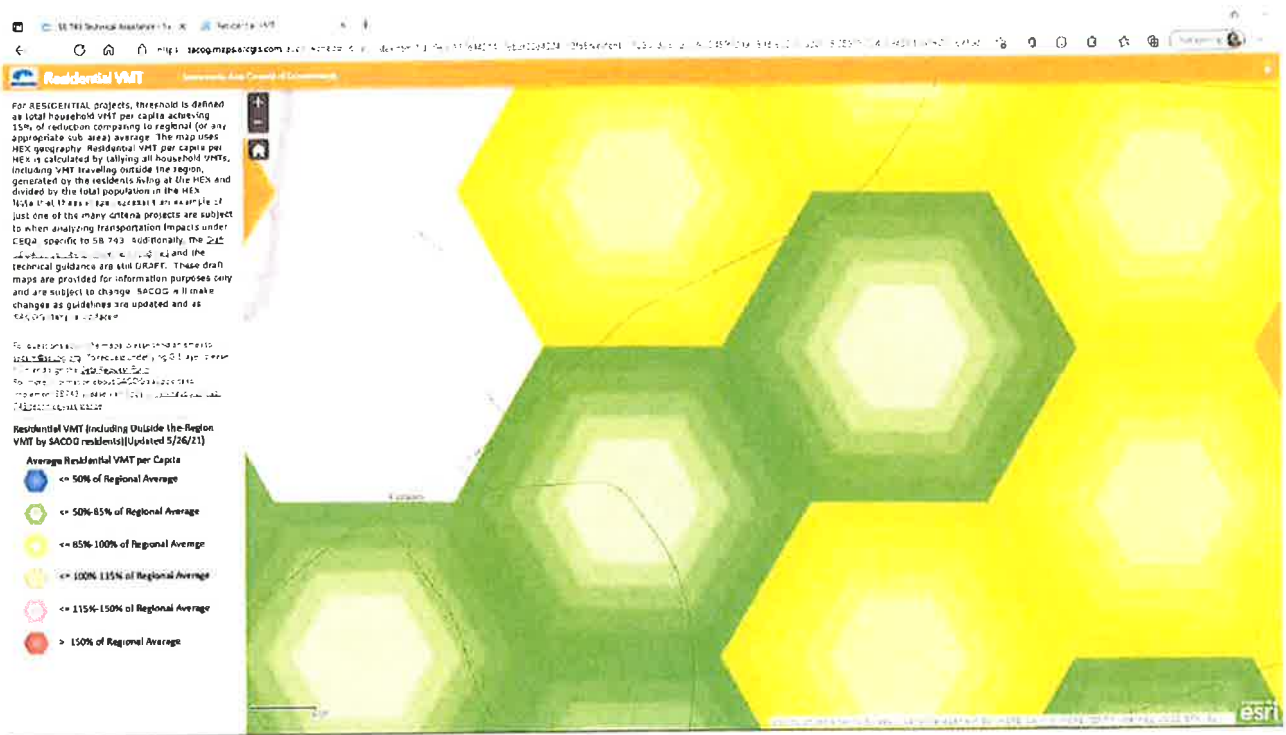


Figure 10. SACOG SB 743 Regional VMT Screening Map

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## 6. OTHER CONSIDERATIONS

### 6.1 Internal Circulation and Site Plan Review

This section reviews parking, driveway throat-depth, and emergency vehicle access shown on the preliminary site plan shown in **Figure 2** (page 3).

#### Parking Requirements

The City does not have an adopted parking standard for age-restricted (senior) multi-family housing or affordable age-restricted multi-family housing. With a Planned Development (PD), parking supply is established through the PD permit process.

**Proposed Project Parking:** Proposed Parking consists of 136 spaces (1.00 parking spaces per unit). This exceeds that of many other recently approved age restricted multi-family projects in and around Folsom. The 136 spaces include 8 accessible spaces (i.e., with the adjacent space striped out to provide vehicle access for wheelchairs and/or mobility scooters) and 14 spaces with electric vehicle charging.

**Parking Demand:** The ITE Parking Generation Manual<sup>12</sup> lists an average peak parking demand of 0.59 vehicles per dwelling unit for Land Use 252 (Senior Adult Housing-Attached), with a standard deviation of 0.12. The ITE sample size is small (three observations), yet the proposed parking ratio of 1.00 is more than 3.5 standard deviations greater than the mean parking demand. Consequently, the proposed parking for the Project is sufficient to meet the anticipated parking demand with a parking ratio of 1.00.

For comparison, Revel Senior Living, a similar project approved by Folsom in 2018 had a parking ratio of 0.81 spaces per dwelling unit. The Revel project conducted a parking survey of six similar Sacramento area facilities. All six facilities were found to use less than 0.60 spaces per dwelling unit during peak parking demand hours (consistent with the ITE parking demand data referenced above.)

**Finding:** The proposed parking supply of 136 spaces is adequate for the 136 multi-family units proposed in the Project.

#### Minimum Required Throat-Depth

**Minimum Required Throat-Depth (MRTD):** For an 81-160 unit apartment complex, the standard for the MRTD is 50 feet<sup>13</sup>. This 50-foot length represents vehicle storage equivalents, which means the total required length may be achieved by summing the throat depths for several access points if more than one access point is to serve the site.

**Throat-Depth Provided:** As shown on the preliminary site plan in **Figure 2** (page 3), the throat depths for the primary and second driveways exceed 50 feet and 25 feet, respectively.

<sup>12</sup> ITE (2010) Parking Generation 4<sup>th</sup> Edition, Institute of Transportation Engineers, Washington DC.

<sup>13</sup> Folsom (2020) Design and Procedures Manual and Improvement Standards, site access Table 12-1, <https://www.folsom.ca.us/civic.ax/filebank/blobdload.aspx?t=66183.89&BlobID=38340>.

**Finding:** The MRTD of the Project driveways meet the standard because the primary driveway throat depth meets the minimum standard of 50 feet.

#### Emergency Vehicle Access

The Project's internal drive isles are designed with minimum 25-foot inner and 50-foot turning radii to accommodate fire department access.

**Finding:** Emergency vehicle access is designed consistent with standards and is adequate.

#### 6.2 Bicycle/Pedestrian/Transit Facilities

The Project does not inhibit the use of bicycle or pedestrian facilities; eliminate existing bicycle, or pedestrian facilities; or prevent the implementation of planned bicycle, or pedestrian facilities. The Project includes accessible pathways around the building to provide a walking path for residents. Path connections are planned to paths internal to the Project site, south to the Oak Parkway Trail, and west to the East Natoma St underpass to the Johnny Cash Trail.

**Finding:** The Project has a **less-than-significant** impact on pedestrians and bicycles. With relocation of the effected bus stop, transit impacts will be less-than-significant.

#### 6.3 Queueing

Anticipated 95<sup>th</sup>-percentile left turn queue lengths were reviewed and are anticipated to be less than the supplied storage lengths in the turn bays.

**Finding:** Existing turn pockets are adequate.

#### 6.4 Driveway Geometry

City standards requires a 60-foot right turn taper in conditions with ten or more peak-hour right turns into a driveway, and a 150-foot pocket plus 60-foot taper, with 50 or more peak-hour right turns. Neither project driveway is anticipated to have ten or more right turning vehicles into the Project during the AM or PM peak-hours. The main driveway at the signalized East Natoma Street/Prison Rd intersection includes an eastbound right turn pocket and a westbound left turn pocket accessing the Project, these are adequate to safely accommodate Project traffic without hindering existing traffic.

The secondary (eastern) driveway is restricted to right-in-right-out movements and is anticipated to only have fewer than ten eastbound right-turns into the Project during either the AM or PM peak hours. No turn pockets are necessary. The eastern driveway should be channelized to restrict left turns from entering or existing the Project via the eastern driveway. Such channelization may be accomplished by either a triangular island located within the driveway, or by extending the raised median at the East Natoma St/Cimmaron Cir intersection west-word across the eastern Project driveway.

**Finding:** Driveway geometry has been determined to be adequate, left turns at the eastern Project driveway should be restricted through the use of channelization.

### 6.5 Fire Lane and Internal Geometry

The Project proposes two access points connected by a fire lane which circles the back of the Proposed apartments. All internal radii have at least a 25' inner radius and 50' outer radius per City requirements.

### 6.6 Accident History

Potential geometric constraints and safety issues were evaluated, including driveway spacing, sight triangles, and Statewide Integrated Traffic Records System (SWITRS) collision data. Driveway spacing, throat depth, and corner sight distance are all adequate. In the last five years, there have been three accidents proximate to the Project site including:

- One eastbound rear-end collision at the existing traffic light,
- Two driving under the influence (DUI) accidents (one a sideswipe, and the other a single vehicle overturn.)

These are not accident varieties that would be anticipated to be worsened by the Project, and the project does not require any project specific traffic safety treatments.

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## 7. FINDINGS, MITIGATION, AND RECOMMENDED CONDITIONS

**Finding 1 (Trip Generation):** The Project is anticipated to generate 441 daily vehicle trips including 39 AM peak-hour vehicle trips, and 41 PM peak-hour vehicle trips. Fewer than 50 peak-hour project trips are projected to pass through any intersection.

**Finding 2 (Level-of-Service):** All study intersections are anticipated to operate at level-of-service B or better under all study scenarios. The Project is not projected to create new deficiencies or worsen existing traffic level-of-service, pursuant to General Plan Policy M4.1.3. Impacts to level-of-service are considered less than significant.

**Finding 3 (Vehicle Miles Traveled):** Per capita Project VMT is projected to be at least 15% less than regional per capita VMT. Project VMT impacts are considered less than significant.

**Finding 4 (Parking):** The proposed parking supply of 136 spaces (1.00 spaces per unit). The Project was found to be adequately parked with either parking ratio.

**Finding 5 (Minimum Required Throat Depth):** The standards for driveway throat depths are met.

**Finding 6 (Emergency Vehicle Access):** Emergency vehicle access is adequate.

**Finding 7 (Pedestrian and Bicycle):** The Project does not result in impacts to pedestrian and bicycle facilities. Impacts to pedestrian and bicycle facilities are considered less than significant.

**Finding 8 (Transit):** The Project does not result in impacts to transit facilities. Impacts to transit facilities are considered less than significant.

**Finding 9 (Driveway Geometry):** Proposed geometry for access to East Natoma St is adequate. Either a raised median or right-turn channelization should be used to limit the secondary (eastern) driveway to right-in-right-out access. Note that the secondary (eastern) driveway was modeled assuming a shared eastbound through-right turn lane, without a right turn taper or deceleration lane. Anticipated eastbound right turning volume is less than 10 vehicles during the AM and PM peak-hours and neither a right taper or deceleration lane is required per City of Folsom policy. However, the City reserves the right to require either a taper or pocket at the discretion of the City Engineer.

**Finding 10 (Signal Timing):** With the addition of a fourth leg to the East Natoma St/Prison Rd intersection, the signal timing and lane geometry was assumed to be configured as follows:

- Eastbound: An eastbound right turn pocket was assumed with 150-feet of storage and a 60-foot taper; for a total of one left, one through, and one right turn lane.
- Westbound: A westbound left turn lane with 100-foot pocket plus 60-foot taper for a total of one left and one shared through-right lane.
- Southbound: The existing exclusive right-turn lane is assumed to be restriped as a through-right turn lane (for a total of one left and one shared through-right).

- **Northbound:** The northbound approach is assumed to provide one left and one shared through-right lane. The northbound through-right lane is assumed to be in a 70' turn pocket plus 60' taper.
- **Timing:** Eastbound and westbound protected left turn phasing, northbound and southbound split phasing. 150 second cycle length, with 34 second northbound southbound split phases and 20 second eastbound and westbound protected phases, and 62 second eastbound and westbound through phases. Crosswalks are assumed across all legs of the intersection with flashing don't walk phases set to 22 seconds to accommodate a 3 feet per second walking speed.

City staff have noted that the East Natoma St/Prison Rd intersection may be an excellent location for protected-permissive left-turn phasing (i.e., "a flashing yellow arrow" to allow left turns during the conflicting through phase). Such phasing would increase the intersection capacity and reduce queuing for the eastbound through movement. It is our professional judgement that novel phasing plans, such as protected-permissive phasing, have the potential to confuse elderly drivers and pedestrians, resulting in increased accident rates. Because protected-permissive phasing is not necessary to maintain the General Plan level-of-service goals we do not recommend it for the entrance to age-restricted housing. The project adds a fourth leg to the existing T-intersection, which requires upgrading the traffic signal hardware. At the discretion of the City Engineer, those upgrades may include video vehicle detection, connecting the signal into the City traffic management center, and traffic signal controller upgrades to the satisfaction of the City Engineer.



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 23**

### **Parking Memorandum, dated October 17, 2022**



## MEMORANDUM

<b>Date:</b>	October 17th, 2022	<b>TG:</b>	1.21286.00
<b>To:</b>	Steven Banks, City of Folsom		
<b>From:</b>	Mike Swenson – Transpo Group Jessica Lambert – Transpo Group		
<b>cc:</b>	Jenifer Vangerpen – Vintage housing		
<b>Subject:</b>	Vintage Folsom – Parking Study		

The following memorandum summarizes the parking demand analysis that was conducted for the proposed affordable attached senior housing development in the City of Folsom, CA. City staff provided the following comment in response to the initial site plan application.

- Parking: The submitted site plan indicates that 136 on-site parking spaces are proposed for the 136-unit senior affordable living community (1:1 parking ratio). The Folsom Municipal Code does not include any specific parking requirements with regard to senior affordable apartment communities. As a result, a justification for the proposed parking ratio is requested (similar projects?). As part of the parking analysis, please provide information on the total number of employees on the project site at any one time. Also, will employees have designated parking spaces? Project-specific parking standards for this development can be accommodated through the Planned Development Permit.*

### Project Description

The proposed project is located in Folsom, CA and would include development of up to 136 affordable attached senior housing units with up 136 on-site parking stalls. The project is proposing to provide 98 1-bedroom units and 38 2-bedroom units and would employ 3.5 full time employees.

### Parking Requirements

The Folsom Municipal Code does not include any specific parking requirements with regard to senior affordable apartment communities. As noted in the City comments, parking requirements are established through the Planned Development Permit process. The purpose of the following analysis is to establish a parking supply for the proposed project based on similar projects and demand rates published in the ITE Parking Generation Manual.

Previous proposed senior adult attached housing developments in Folsom have proposed similar parking ratios to the current proposal. Table 1 provides a summary of parking ratios for similar attached senior housing developments in the City.

**Table 1. Historic City of Folsom Senior Attached Housing Parking Ratios**

Project Name	Number of Units	Total Parking Spaces	Parking Ratio Supply (spaces/unit)
Scholar Way Senior Housing	110	115	1.05 spaces/unit
Avenida Folsom Senior Living	154	168	1.09 spaces/unit
Revel Folsom	166	135	0.81 spaces/unit

As shown in Table 1, while not specifically affordable housing units, the parking ratios range between 0.81 and 1.09 spaces per unit. The proposed project is within the range of similar projects in the area.

## Parking Demand Forecasts

Data was collected and submitted as part of previous applications in the City. Figure 1 summarizes the data that was submitted as part of the *Parking Survey Evaluation Revel Folsom Senior Living Community, Uhora Excellence, April 27, 2018*<sup>1</sup>.

**Table 1.1 Parking Summary**

Facility Name	Location	Type*	No. of Units	Total # of Parking Stalls	Parked Cars Observed	Parking Stall to Unit Ratio (Stalls/Unit)	Parked Cars to Units Ratio (Cars/Unit)
Atrium	Carmichael	IL	151	76	49	0.50 : 1	0.32 : 1
Creekside Oaks	Folsom	IL	109	69	48	0.63 : 1	0.44 : 1
Park Folsom	Folsom	IL	90	83	27	0.92 : 1	0.30 : 1
Campus Commons	Sacramento	IL	126	64	49	0.51 : 1	0.39 : 1
Winding Commons	Carmichael	IL	102	78	51	0.76 : 1	0.50 : 1
El Dorado Estates	El Dorado Hills	IL	130	85	71	0.65 : 1	0.55 : 1
<b>Revel Folsom</b>	<b>Folsom</b>	<b>IL</b>	<b>166</b>	<b>135</b>		<b>0.81 : 1</b>	

\* Independent Living (IL)

*Figure 1 On-Site Parking Summary*

As shown in Figure 1, the six observed facilities had parking demand ratios less than 0.60 vehicles per dwelling unit.

Additionally, peak parking demand for the proposed project was evaluated based on parking rates provided in the ITE Parking Generation Manual (5th Edition) for the Senior Adult Housing – Attached use. The results are shown in Table 2.

**Table 2. Parking Demand - ITE**

Element	Residential Units	Peak Parking Demand Rate <sup>1</sup>	Peak Parking Demand	Proposed Parking Supply	Excess Parking Stalls
Vintage Affordable Senior Housing <sup>2</sup>	136	0.61 per dwelling unit	83	136	+53

1. ITE Parking Generation, 5th Edition average rate.

2. ITE LU #252, Senior Adult Housing - Attached

<sup>1</sup> *Parking Survey Evaluation Revel Folsom Senior Living Community, Uhora Excellence, April 27, 2018*



As shown in Table 2, the ITE average parking demand rate of 0.61 stalls per units results in an anticipated peak parking demand of 83 vehicles and could be accommodated in the proposed supply of 136 stalls with a surplus of approximately 53 stalls. The ITE demand rate is also consistent with the rate observed as part of the Revel Folsom Parking Study. Table 2 demonstrates that there is adequate parking for the proposed senior housing project considering ITE parking demand rates. Additionally, affordable housing developments typically result in lower parking demand rates than market rate developments; therefore, the resulting analysis should be considered conservative.

### **Summary/Justification**

The proposed project would develop 136 affordable attached senior housing units with up 136 on-site parking stalls. The resulting parking demand ratio of 1:1 stalls per unit is consistent with previously approved developments in the area. Additionally, as identified in this analysis, the proposed project is projected to have adequate parking supply to accommodate the peak parking demand.

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 24**

### **Parking Case Study, dated January 3, 2023**

**VINTAGE SENIOR APARTMENTS  
PARKING DEMAND CASE STUDY ANALYSIS  
January 3, 2023**

Vintage Housing has requested their property management company, FPI Management, to perform case study of real time review of parking demand at seven existing Vintage owned Senior Apartment Communities that are similarly located in suburban settings. The seven Senior properties/projects are as follows:

1. Vintage at Bouquet Canyon; Santa Clarita, CA  
264 Units & 181 Parking Spaces (0.69 Spaces per Unit)  
1-bedroom = 182 & 2-bedroom = 82; Total Bedroom = 346 (0.52 spaces per Bedroom)
2. Vintage at The Crossings; Reno, NV  
230 Units & 175 Parking Spaces (0.76 Spaces per Unit)  
1-bedroom = 140 & 2-bedroom = 90; Total Bedroom = 320 (0.55 spaces per Bedroom)
3. Vintage at Sanctuary; Reno, NV  
208 Units & 100 Parking Spaces (0.48 Spaces per Unit)  
Studio = 3 & 1-bedroom = 205; Total Bedroom = 208 (0.48 spaces per Bedroom)
4. Vintage at Seven Hills; Reno NV  
244 Units & 244 Parking Spaces (1.0 Spaces per Unit)  
1-bedroom = 70 & 2-bedroom = 174; Total Bedroom = 418 (0.58 spaces per Bedroom)
5. Vintage at Bennett Valley; Santa Rosa CA  
189 Units & 210 Parking Spaces (1.11 Spaces per Unit)  
1-bedroom = 125 & 2-bedroom = 64; Total Bedroom = 253 (0.83 spaces per Bedroom)
6. Vintage at Napa; Napa CA  
115 Units & 62 Parking Spaces (0.54 Spaces per Unit)  
1-bedroom = 109 & 2-bedroom = 6; Total Bedroom = 121 (0.51 spaces per Bedroom)
7. Seasons at Laguna; Elk Grove CA  
222 Units & 158 Parking Spaces (0.71 Spaces per Unit)  
1-bedroom = 150 & 2-bedroom = 72; Total Bedroom = 294 (0.54 spaces per Bedroom)

Property Management (FPI) has been managing all seven properties for many years and is acutely aware of all management items of the seven properties listed above. Based on historical experience the peak demand for parking typically takes place after 8 PM. Property Management (FPI) performed a parking count on the following dates of September 19, 2022, or November 14, 2022, after the 8 PM hour. Property Management (FPI) reviewed parking demand and the projects above and reported back on the following questions:

- Do you have parking problems?
- Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused?
- Are your residents parking off site (on streets).

Attached to this letter is Property Management (FPI) summary findings of Parking Demand at each of the Senior Apartment Projects listed above.

Based on review of the Data for each Senior Apartment project Vintage Housing findings are as follows:



1. **Vintage at Bouquet Canyon; Santa Clarita, CA (0.69 stalls per unit//0.52 spaces per Bedroom)**  
Project was noted to have an onsite parking supply issue, not based on parking stalls being provided, however City code requires that 33 spaces (18%) be reserved by guests. Guest parking spaces at peak demand were going underutilized. FPI working with the City to allow for the use of the guest parking spaces for overnight parking by residents. FPI ongoing/continual efforts of collaborating with the City and assigning and enforcing parking rules and regulations parking is adequate with no on-street parking.
2. **Vintage at The Crossings; Reno, NV (0.76 stalls per unit//0.55 spaces per Bedroom)**  
Project was noted to have no onsite parking supply issues. Based on counts 10-12 spaces go unused in the peak hours. However, it was noted on street parking is allowed and up to 4 residents choose to park on the street based on the proximity of the unit to on-street parking. FPI assigns parking and manages accordingly and FPI does not report any parking demand issues.
3. **Vintage at Sanctuary; Reno, NV (0.48 stalls per unit//0.48 spaces per Bedroom)**  
Project was noted to be experiencing a lack of onsite parking supply resulting in resident parking on the adjacent streets. On-Street parking is encouraged and allowed by the City in the zoning district. FPI does report that onsite parking is assigned, and demand is high for these parking spaces. Through FPI continual ongoing management and enforcement of parking, residents parking both onsite and/or on-street meets the demand of the project. FPI did note that all units in this project are either Studios or 1-Bedroom units.
4. **Vintage at Seven Hills; Reno NV (1.0 stalls per unit//0.58 spaces per Bedroom)**  
Project was noted to have no onsite parking supply issues. FPI assigns parking and manages accordingly and FPI does report during peak hours most if not all the parking stalls are utilized. FPI did identify this Senior Apartment Community does have a relatively high 2-bedroom unit mix (71%) and based on this FPI experience the 1 to 1 parking to unit ratio works fine based on the high 2-Bedroom count.
5. **Vintage at Bennett Valley; Santa Rosa CA (1.11 stalls per unit//0.83 spaces per Bedroom)**  
Project was noted to have no resident onsite parking supply issues and during peak demand there are several parking stalls not being utilized. FPI experience is that these routinely unused parking stalls do become a bit of a nuisance as these parking stalls tend to attract non-operable vehicles that are in violation of property management rules and in rare instances require towing. FPI did note at the main entry location periodic loading and unloading is an issue that is continually managed by property management.
6. **Vintage at Napa; Napa, CA (0.54 Spaces per Unit //0.51 spaces per Bedroom)**  
Project was noted to be experiencing a lack of onsite parking supply. This is resulting in residents/visitors parking on the adjacent local streets. FPI does report that onsite parking is assigned, and demand is extremely high for these parking spaces. Through FPI continual ongoing management and enforcement of onsite parking by residents, FPI is able to manage the parking demand of the project. FPI did note that this project has a relatively high 1-Bedroom count (95% units) and if there were more 2-Bedroom units parking would need to be restricted.
7. **Seasons at Laguna; Elk Grove, CA (0.71 Spaces per Unit //0.54 spaces per Bedroom)**  
Project was noted to be experiencing a lack of onsite parking supply resulting in resident parking on the adjacent streets. On-Street parking is currently being allowed by the city. FPI does report

that onsite parking is assigned, and demand is high for these parking spaces. Through FPI continual ongoing management and enforcement the parking of residents both onsite and on the street meets the demand of the project. FPI did note that this property has 2 large loading areas on both the west and east side of the and ownership/management discussions have taken place and studies would indicate that an additional 20 onsite parking spaces could be provided.

Vintage Housing review, including assistance from Property Management (FPI), of both historical experience and real time data provided for the seven Case Studies includes a relatively wide range of onsite parking allocation range from the lower end of 0.48 stalls/unit (0.48 stalls/bedroom) to 1.11 stall/unit (0.83 stalls/bedroom). In this review it was noted that any parking analysis should consider both the total number of units and the actual unit mix of 1-Bedroom to 2-Bedrooms. In this review the high percentage of 1-Bedrooms could support a lower demand for parking ratio and a high percentage of 2-Bedrooms yielded a higher demand parking ratio. Furthermore, based on zoning districts the City's desire for allowing on-street parking should be considered.

Based on both experience and data provided to determine adequate onsite parking is provided for residents/guests/employees, doing any analysis of parking based on total number of units could be misleading as parking demand for 1-bedroom and 2-bedroom can vary widely. Instead for the purpose of this analysis we used the number of bedrooms to analyze parking demand. Based on the Data provided the average parking to bedroom ratio was 0.57 parking spaces per unit. Vintage Housing upon review of this data inquired with Property Management (FPI) should a parking ratio of 0.60 spaces per bedroom be provided for each of the six projects listed would this resolve any onsite parking demand issues. Property Management (FPI) after performing an analysis of the potential increase in number of parking spaces for six of the seven properties Property Management (FPI) indicated that the additional parking spaces onsite would meet the demand for residents/guest /employees.

The proposed Natoma Senior Apartments being a 136-unit Senior Residential Apartment (98 1-Bedroom (72%) and 38 2-Bedroom (28%)) and providing 136 parking spaces at ration of 1-space/1-unit or 0.78 space/bedroom provides more than the 0.60 spaces per bedroom as analyzed above. Natoma Senior Apartment parking ratio provided of 0.78 spaces/bedroom will yield an onsite parking facility that should exceed the demand of the proposed Senior Apartment complex to included residents/guests/employees.

**VINTAGE SENIOR APARTMENTS  
SUMMARY PARKING DEMAND CASE STUDY ANALYSIS  
3-Jan-23**

PROPERTY	LOCATION	TOTAL UNITS	TOTAL PARKING STALLS	PARKING/UNIT RATIO	# 1-BED	% 1-BED	# 2-BED	% 2-BED	TOTAL BEDROOMS	PARKING/BEDROOM RATIO
Vintage at Bouquet Canyon	Santa Clarita, CA	264	181	0.69	182	69%	82	31%	346	0.52
Vintage at The Crossings	Reno, NV	230	175	0.76	140	61%	90	39%	320	0.55
Vintage at Sanctuary	Reno, NV	208	100	0.48	208	100%	0	0%	208	0.48
Vintage at Seven Hills	Reno NV	244	244	1.00	70	29%	174	71%	418	0.58
Vintage at Bennett Valley	Santa Rosa CA	189	210	1.11	125	66%	64	34%	253	0.83
Vintage at Napa	Napa CA	115	62	0.54	109	95%	6	5%	121	0.51
Seasons at Laguna	Elk Grove CA	222	158	0.71	150	68%	72	32%	294	0.54
Natoma Senior Apartments	Folsom CA	136	136	1.00	98	72%	38	28%	174	0.78

# FPI MANAGEMENT

CULTURE GROUNDED IN H.E.A.R.T. 

Parking Study  
Week of: September 19, 2022  
Vintage at Bouquet Canyon  
Santa Clarita, CA

Q: How many apartment homes and parking spaces do you have at your property?

- 264 total apartment homes
- 181 total spaces = 0.69 ratio (stall/unit)
- 1 bedroom = 182
- 2 bedrooms = 82
- 0.52 ratio (stall/bedroom)

Q: Do you have parking problems

- Yes. Mostly due to city requiring 33 spaces for "guest parking".

Q: Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused.

- During a recent study, management counted, most if not all spaces occupied during this time period.

Q: Are your residents parking off site (on streets). For senior projects only.

- It doesn't appear that residents are parking on the city streets

# FPI MANAGEMENT

CULTURE GROUNDED IN H.E.A.R.T. 

Parking Study  
Week of: September 19, 2022  
Vintage at The Crossings  
Reno, NV

Q: How many apartment homes and parking spaces do you have at your property?

- 230 total apartment homes
- 175 total spaces = 0.76 ratio (stall/unit)
- 1 bedroom = 140
- 2 bedrooms = 90
- 0.55 ratio (stall/bedroom)

Q: Do you have parking problems

- No issues with parking. Many of our residents do not own a car. We have many services within walking distance of the property for their convenience.

Q: Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused.

- Yes, we have open spaces. It varies at different times. During a recent study, management counted 10-12 available parking spaces.

Q: Are your residents parking off site (on streets). For senior projects only.

- Approximately 3-4 residents park on the street by choice. This is not required based on frequent open parking available.

# FPI MANAGEMENT

CULTURE GROUNDED IN H.E.A.R.T. 

Parking Study  
Week of: September 19, 2022  
Vintage at Sanctuary  
Reno, NV

Q: How many apartment homes and parking spaces do you have at your property?

- 208 total apartment homes
- 100 total spaces = 0.48 ratio (stall/unit)
- Studio = 3
- 1 bedroom = 205
- 0.48 ratio (stall/bedroom)

Q: Do you have parking problems

- Yes. We have many seniors with cars.

Q: Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused.

- During a recent study, management counted all parking spaces were occupied.

Q: Are your residents parking off site (on streets). For senior projects only.

- Yes, residents park on the street.



# FPI MANAGEMENT

CULTURE GROUNDED IN H.E.A.R.T. 

Parking Study  
Week of: September 19, 2022  
Vintage at Seven Hills  
Reno, NV

Q: How many apartment homes and parking spaces do you have at your property?

- 244 total apartment homes
- 244 total spaces = 1.0 ratio (stall/unit)
- 1 bedroom = 70
- 2 bedroom = 174
- 0.58 ratio (stall/bedroom)

Q: Do you have parking problems

- No issues with parking.

Q: Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused.

- During a recent study, management counted most if not all parking spaces were occupied.

Q: Are your residents parking off site (on streets). For senior projects only.

- No, residents do not park on the street.

# FPI MANAGEMENT

CULTURE GROUNDED IN H.E.A.R.T. 

**Parking Study**  
**Week of: November 14, 2022**  
**Vintage at Bennett Valley**  
**Santa Rosa, CA**

**Q: How many apartment homes and parking spaces do you have at your property?**

- 189 total apartment homes
- 210 total spaces = 1.11 ratio (stall/unit)
- 1 bedroom = 125
- 2 bedroom = 64
- 0.83 ratio (stall/bedroom)

**Q: Do you have parking problems**

- Periodic loading and unloading parking violations by the Leasing office.

**Q: Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused.**

- During a recent study, there are a lot of open spaces near the north side of the property.

**Q: Are your residents parking off site (on streets). For senior projects only.**

- No, residents do not park on the street.

# FPI MANAGEMENT

CULTURE GROUNDED IN H.E.A.R.T. 

Parking Study  
Week of: November 14, 2022  
Vintage at Napa  
Napa, CA

Q: How many apartment homes and parking spaces do you have at your property?

- 115 total apartment homes
- 62 total spaces = 0.54 ratio (stall/unit)
- 1 bedroom = 109
- 2 bedrooms = 6
- 0.51 ratio (stall/bedroom)

Q: Do you have parking problems

- Yes, not enough parking for the number of resident cars and caregivers.

Q: Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused.

- No, parking is always full.

Q: Are your residents parking off site (on streets). For senior projects only.

- Yes. Parking along side street

# FPI MANAGEMENT

CULTURE GROUNDED IN H.E.A.R.T. 

Parking Study  
Week of: November 14, 2022  
Seasons at Laguna  
Elk Grove, CA

Q: How many apartment homes and parking spaces do you have at your property?

- 222 total apartment homes
- 158 total spaces = 0.71 ratio (stall/unit)
- 1 Bedroom = 150
- 2 Bedroom = 72
- 0.54 ratio (stall/bedroom)

Q: Do you have parking problems

- Yes, not enough parking for the number of resident cars and caregivers.

Q: Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused.

- No, parking is always full.

Q: Are your residents parking off site (on streets). For senior projects only.

- Yes. Parking along side street

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 25**

**Initial Study, Mitigated Negative Declaration, and  
Mitigation Monitoring and Reporting Program,  
dated November, 2022 (electronic version  
available for viewing at  
[www.folsom.ca.us/government/community-  
development/planning-services/current-project-  
information](http://www.folsom.ca.us/government/community-development/planning-services/current-project-information)**

# Vintage at Folsom Senior Apartments

## Initial Study/Mitigated Negative Declaration

*Prepared by:*

**City of Folsom  
Community Development Department**  
50 Natoma Street  
Folsom, CA 95630

*With technical support from:*

**HELIX Environmental Planning, Inc.**  
11 Natoma Street, Suite 155  
Folsom, CA 95630

November 2022



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- K**     **Mitigation Monitoring and Reporting Program**

## ACRONYMS AND ABBREVIATIONS

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AB	Assembly Bill
APN	Assessors Parcel Number
AWSC	All-Way Stop Control
BMP	Best Management Practices
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CARB	California Air Resources Control Board
CBC	California Building Code
CCAA	California Clean Air Act
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CH <sub>4</sub>	Methane
CO	Carbon Monoxide
CO <sub>2</sub>	Carbon Dioxide
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CRHR	California Register of Historic Resources
CWA	Clean Water Act
dB	Decibels
dba	A-weighted Decibel
DBH	Diameter at Breast Height
DTSC	Department of Toxic Substances Control
EBC	East Bidwell Corridor
EIR	Environmental Impact Report
EO	Executive Order
EPA	U.S. Environmental Protection Agency
EPAP	Existing plus Approved Project
EVCS	Electric vehicle charging station
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
GHG	Greenhouse Gas Emissions
GWh	Gigawatt hours
GWP	Global Warming Potential
HFC	Hydrofluorocarbons
HVAC	Heating, Ventilation and Air Conditioning
ISMND	Initial Study/Mitigated Negative Declaration
ITE	Institute of Transportation Engineers
LOS	Level of Service
LSAA	Lake and Streambed Alteration Agreement
MBTA	Migratory Bird Treaty Act
MHD	Multi-Family High Density
MLD	Most Likely Descendent



MMRP	Mitigation Monitoring and Reporting Program
MPH	Miles per Hour
MTP	Metropolitan Transportation Plan
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCIC	North Central Information Center
NOX	Nitrogen Oxides
NPDES	National Pollution Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
N <sub>2</sub> O	Nitrous Oxide
OHP	Office of Historic Preservation
OPR	Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
O <sub>3</sub>	Ozone
PACE	Property Assessed Clean Energy
PD	Planned Development
PFC	Perfluorocarbons
PG&E	Pacific Gas & Electric
PM	Particulate Matter
PRC	Public Resources Code
ROG	Reactive Organic Gases
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCS	Sustainable Communities Strategy
sf	Square foot/feet
SF <sub>6</sub>	Sulfur Hexafluoride
SIP	State Implementation Plan
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Municipal Utilities District
SSC	Species of Special Concern
SSO	Sanitary Sewer Overflows
STC	Sound Transmission Class
SWITRS	Statewide Integrated Traffic Records System
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
SVAB	Sacramento Valley Air Basin
TCR	Tribal Cultural Resources
TIS	Transportation Impact Study
TNM	Traffic Noise Model
TWSC	Two-Way Stop Control
UAIC	United Auburn Indian Community
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
VMT	Vehicle Miles Traveled
WL	Watch List

## 1.0 INTRODUCTION

Vintage at Folsom, LP (Applicant) proposes to develop the Vintage at Folsom Senior Apartments Project (proposed project), which includes construction and operation of a 136-unit, affordable senior (i.e., age-restricted) rental housing community on an estimated 4.86-acre site. The site is located at 103 East Natoma Street, approximately 350-feet (ft) northeast of the intersection of Fargo Way and Natoma Street in the City of Folsom.

This Initial Study addresses the proposed project and whether it may cause significant effects on the environment. These potential environmental effects are further evaluated to determine whether they were examined in the Folsom General Plan 2035 Environmental Impact Report (EIR; 2018). In particular, consistent with Public Resources Code (PRC) §21083.3, this Initial Study focuses on any effects on the environment which are specific to the proposed project, or to the parcels on which the project would be located, which were not analyzed as potentially significant effects in the General Plan EIR, or for which substantial new information shows that identified effects would be more significant than described in the previous EIRs. For additional information regarding the relationship between the proposed project and the previous EIRs, see Section 6 of this Initial Study.

The Initial Study is also intended to assess whether any environmental effects of the project are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or by other means [§15152(b)(2)] of the California Environmental Quality Act (CEQA) Guidelines. If such revisions, conditions, or other means are identified, they will be identified as mitigation measures.

This Initial Study relies on CEQA Guidelines §15064 and 15064.4 in its determination of the significance of environmental effects. According to §15064, the finding as to whether a project may have one or more significant effects shall be based on substantial evidence in the record, and that controversy alone, without substantial evidence of a significant effect, does not trigger the need for an EIR.

## 2.0 PROJECT BACKGROUND

The proposed project is comprised of Assessor Parcel Number (APN) 071-0320-042 in Sacramento County, California. The following project specific technical reports or surveys were used in preparation of this Initial Study and are incorporated by reference:

- Biological Resources and Wetland Evaluation Letter Report by HELIX (October 2020).
- Cultural Resources Assessment by HELIX (March 2022).
- Geotechnical Engineering Study by Youngdahl Consulting Group, Inc. (December 2021).
- Traffic Impact Study by T. Kear Transportation Planning & Management, Inc. (February 2022).
- Arborist Inventory Letter Report by HELIX (March 2022).
- Air Quality Assessment, Greenhouse Gas Emissions Analysis by HELIX (April 2022).
- Noise Impact Analysis by HELIX (May 2022).
- Tribal Consultation Record for Compliance with Assembly Bill 52 and CEQA, prepared by ECORP Consulting, Inc. (June 2022).
- Preliminary Drainage and Storm Water Quality Report by TSD Engineering, Inc. (August 2022).

## 3.0 PROJECT DESCRIPTION

### 3.1 Project Location

The project site is located at 103 East Natoma Street, approximately 350-ft northeast of the intersection of Fargo Way and Natoma Street, in the City of Folsom (City) in Sacramento County, California. The project site is approximately 4.86-acres and is identified as Assessor's Parcel Number (APN) 071-0320-042. The project site frontage is along East Natoma Street. The site is located within Rios de los Americanos Land Grant (Mount Diablo Base and Meridian, United States Geological Survey 7.5-minute "Folsom Quadrangle"). Refer to Figure 1 for the Vicinity Map, Figure 2 for the Aerial Map, and Figure 3 for the Site Plan (Note: All figures are located in **Appendix A**). The property is owned by Vintage at Folsom, LP.

### 3.2 Project Setting and Surrounding Land Uses

The triangle shaped project site is currently vacant and undeveloped. The project site is considered to be blue oak woodland, surrounded by urban development. Historic aerial imagery shows that the project site has changed little since 1952 and habitat types/vegetation communities in the project site include blue oak woodland and ephemeral and intermittent drainages. The site is moderately disturbed. There is evidence of recreational use by bicycles and the site has a constructed dirt track with several constructed dirt ramps and jumps for bicycles, presumably constructed by children from the adjacent residential neighborhood. It also has debris piles and other evidence of use by transients. The terrain in the project site and vicinity is locally flat. The elevation on the project site ranges from 350- to 370-ft above mean sea level (amsl) and has low to moderate slope from east to west.

Folsom State Prison is located immediately north of the site, along Prison Road. East of the project site is single family homes along Cimmaron Circle, and south of the project site is Pacific Gas & Electric (PG&E) powerlines, single-family homes, and duplexes. West of the project, along Fargo Way, is office space and across from Fargo way is the Folsom City Police Department.

Neighboring land uses are summarized in **Table 1**.

**Table 1. Neighboring Land Uses**

<b>Direction</b>	<b>Land Use</b>
North	Prison Road, Folsom State Prison
East	Cimmaron Circle, Single Family Homes
South	PG&E Powerlines, Single Family Homes, Duplexes
West	Fargo Way, Office Space, Folsom City Police Department

### 3.3 Project Characteristics

The proposed project is a 136-unit, affordable senior (i.e., age-restricted) rental housing community with a mix of one- and two-bedroom units in a three-story building. All 136-units would be Age Restricted Senior (+60 age restricted) Affordable Apartment as defined by the State and City requirements with 14 of the units offered to seniors with incomes at or below 30 percent of area median income (AMI) and 122-units would be available to seniors with incomes at or below 60 percent

of AMI. The project site would include surfaced driveways and parking spots surrounding the proposed building to accommodate 136 parking stalls. The site would also include 28 bicycle parking spaces, landscaping, and indoor and outdoor amenities. Table 2 provides a summary of all pervious and impervious project features on the 4.86-acre site.

**Table 2. Summary of Project Features**

<b>Project Feature</b>	<b>Acreage/ Percentage of Total Site</b>
Landscape (Pervious Area)	2.318 (47.69%)
Bioretention (Pervious Area)	0.045 (0.92%)
Parking Lot (Impervious Area)	1.289 (26.52%)
Hardscape (Impervious Area)	0.357 (7.34%)
Building (Impervious Area)	0.852 (17.53%)
<b>Total</b>	<b>4.861 (100%)</b>

The proposed three-story apartment building would include 98 one-bedroom units and 38 two-bedroom units. Residential units would range from approximately 552- to 748-square feet (sf) each. Each unit would be designed with a full kitchen, living space, kitchen/dining, bathroom, laundry, and a balcony. In-unit amenities would include dishwashers, garbage disposals, refrigerators, in-unit laundry, patios, and/or decks. Furthermore, 15 percent of the units would be set aside for persons with disabilities. Apartment units are planned on each of the three levels of the building and would be accessible from the hallway corridors. Entrances to the building would be located on each side of the irregularly shaped building. Maximum projected building height would be less than 34-ft with architectural elements ranging from 40-ft, 6-inches to up to 42-ft, 6-inches from grade.

Community amenities would include an estimated 2,500-sf community center on the ground floor, as well as a game room, a library room, exercise room and a craft room. A leasing office, electrical room, maintenance room, and trash room would also be located on the ground floor. Additional amenities on the project site would include outdoor seating and dining areas, perimeter walkways, a bocce ball court, bike racks, picnic tables with umbrellas, outdoor barbeques/ kitchens, and 6-ft benches. Landscaped areas with various trees and shrubs would surround the parking area and the proposed building.

### **3.3.1. Parking and Circulation**

Primary vehicle access to the site would be from a proposed main access driveway (36-ft) on East Natoma Street, across from Prison Road. The main entrance would modify the existing three-way signalization intersection at East Natoma Street and Prison Road, into a four-way signalized intersection. An additional right only ingress/egress driveway (27-ft) would be located on the northeastern corner of

the project site, with no traffic signal control. The main access driveway (36-ft) would wrap around the proposed building and connect with the additional egress/ingress point. The circulation driveway would range from 27- to 36-ft wide with parking spaces on either side. Turnarounds for emergency vehicle access would have an inner turning radius of 25-ft and an outer turning radius of 50-ft.

Oak Parkway Trail, a Class I Bikeway, surrounds the project site. This biking trail would enter the southwestern corner of the site boundary. Within the site boundary, the Oak Parkway Trail would be realigned and connected to a concrete sidewalk proposed for the project. The concrete sidewalk would extend around the southern parking area and connect to the existing Oak Parkway Trail section located south of the site boundary. The realignment would add a pedestrian connection to the existing Oak Parkway Trail. Additional proposed concrete sidewalks would be located at the frontage of the project site and would provide a sidewalk extension to Cimmaron Circle and would connect to internal sidewalks proposed around the building. These concrete sidewalks would provide walking paths for residents.

The proposed project would include 136 parking spaces in asphalt paved areas surrounding the proposed building. The parking supply includes 92 standard spaces (including 37 carport parking spaces), 10 compact parking stalls, 16 standard accessible stalls, four van accessible stalls, 12 standard electric vehicle charging station (EVCS) stalls, and two loading EVCS stalls. The electric vehicle charging spaces would be approximately 10.3 percent of the total parking spaces, which meets the electric vehicle charging station requirement outlined by CalGreen (Title 24, Part 11). Proposed parking is provided at a ratio of spaces per unit of 1:1.

The total parking area square feet excluding the carport areas would be 52,525-sf. The Folsom Municipal Code (FMC, Section 17.57 G (3) Planters, Landscaping) states that tree shall be interspersed through the parking area so that in 15 years, 40 percent of the parking lot will be in shade at high noon. In addition, the new California Green Code requires a project's parking lot area needs to provide 50 percent shade coverage within 15 years. Within the project site, the total shaded area would be 26,759-sf, which is approximately 50.9 percent of the total parking lot square footage, exceeding the minimum shade requirements of the Folsom Municipal Code and the California Green Code.

The applicant proposes a parking supply of 136 spaces to correspond to the development being age-restricted to seniors over 60 years of age and occupied with a population that typically has fewer drivers and a lower rate of vehicle ownership compared to conventional (family) multi-family communities. The reduced parking demand of age-restricted communities is also the result of reduced household sizes occupied by residents who no longer drive vehicles or who less frequently drive vehicles. Additionally, The Folsom Municipal Code does not address specific parking standards for senior residential uses. Formerly approved senior apartments project (for both Market Rate and Affordable) have varied from 0.81 parking stalls per unit to 1.09 parking stalls per unit.

Additionally, the Folsom Municipal Code requires one bicycle parking space for every five residential units. With 136 residential units, the project requires 27 bicycle parking spaces. Bike racks would accommodate 28 bicycle parking spaces on the eastern side of the project site, east of the proposed building.

### **3.3.2. Utilities**

Proposed utilities include domestic water, sewer utilities, fire service line and fire water main, primary and secondary electricity lines, storm drain line, telephone/cable line, and gas line. Electrical, telephone/cable, and gas lines would be connected to existing facilities within the same vicinity of the project site, on East Natoma Street. All on site sewer utilities and water utilities (fire, domestic, and irrigation) are to be privately owned, operated, maintained. All public water within the site boundary would be constructed in accordance with the City of Folsom water design standards and water construction details as a condition of approval. On-site water supply would be connected to the Zone 3 Cimmaron pressure zone located off-site. On-site sewer utilities would connect with a publicly owned sewer collection system off-site. Proposed fire hydrants are located throughout the project site. Along the frontage of the site, a 12.5-ft public utility easement would be installed for overhead or underground facilities.

### **3.3.3. Sustainability Features**

The project design incorporates sustainable features consistent with General Plan Goal LU 9.1 and the California Green Building Standards Code (CalGreen). The project would exceed the 2019 California Building Energy Efficiency Standards (Title 24, Part 6) by 15 percent or more. The project provides 10 percent electric vehicle parking spaces (14), which is consistent with CalGreen standards. Cool paving features would be incorporated in the project site such as shade trees (39.3 percent), sidewalks/patios (24.9 percent), and parking stall/trash apron (4 percent), for a total reduction of 68.2 percent. This exceeds the minimum 50 percent reduction of nonroof heat islands on the project site. A cool roof would be installed per CalGreen/California Building Code (CBC) and a solar array is proposed for the asymmetrical, gabled rooftops.

### **3.3.4. Trash/Recycling**

A City standard trash enclosure would be enclosed with a trellis cover. The trash enclosure would have refused bins for recyclables, organics, and general waste. The trash enclosure would be located in the southeastern corner of the project site. Additionally, a trash room would be located on the ground floor of the proposed apartment building.

### **3.3.5. Fencing and Signage**

An 8-ft masonry wall is proposed on the eastern side of the project site, behind the single-family residences. The masonry wall would tie into an existing wood fence that runs along the eastern boundary line. A 6-ft-tall monument sign would be placed adjacent to the main access driveway, along East Natoma Street.

### **3.3.6. Amenities and Landscaping**

Community amenities would include an estimated 2,500-sf community center on the ground floor, as well as a game room, a library room, exercise room and a craft room. Additional amenities on the project site would include outdoor seating and dining areas, perimeter walkways, a bocce ball court, bike racks, picnic tables with umbrellas, outdoor barbeques/ kitchens, and 6-ft benches. The project is



located just over one mile to East Bidwell and the Historic Folsom District which offers a variety of shopping centers, mercantile services, restaurants, state parks, and Light Rail Transit Access.

Landscaping would be designed to complement the buildings and make a positive contribution to the overall aesthetic of the site. The project would preserve key open space areas, including existing Oak Groves and portions of perennial creeks, through an interactive landscape design process. Within the property site, 30- to 35-ft diameter shade trees, 25-ft diameter shade trees, accent trees, screen shrubs, foundation shrubs, accent shrubs, groundcovers, and bio infiltration species would be planted. Under existing conditions, the runoff from residential properties located east of the property flows onto the property site. This offsite runoff would be intercepted by proposed landscaped swales within 15-ft landscape planters along the eastern boundary of the property. This runoff would then be redirected towards East Natoma Street and would enter the public storm drain system. Additionally, eight bio-retention planters are proposed throughout the project site to manage stormwater runoff.

### **3.4 Construction and Phasing**

The project would be graded and constructed in a single phase. Construction would likely begin in spring 2023 and would take approximately 18 months to complete.

### **3.5 City Regulation of Urban Development**

#### **3.5.1. General Plan**

The site is designated as Professional Office (PO) in the Folsom 2035 General Plan. The PO designation provides for low-intensity business and professional offices that are compatible with higher-intensity residential uses.

#### **3.5.2. Zoning Ordinance**

The zoning designation of the site is in the Business and Professional (BP) District. According to Section 17.22.30 of the Folsom Municipal Code, the BP zoning district generally permits office building and related uses such as banks, doctor's offices, general business office, and general uses. The purpose of a BP zoning district is to provide an area for business and professional office and compatible related uses. This zoning district is intended to promote a harmonious development of business and professional office areas with adjacent commercial or residential development. However, Senior citizens (Age 55+) residential complexes are considered a permitted land use within the BP zoning district upon approval of a Conditional Use Permit by the Planning Commission according to FMC Section 17.22.030E).

Entitlement requests for this project include a Planned Development Permit (PD) Permit and a Conditional Use Permit. The purpose of the PD Permit is to allow for greater flexibility in the design of integrated developments than otherwise possible through strict application of land use regulations. With the PD Permit, the project's site plan, elevations, and overall project design would be evaluated, and specific development standards would be defined. A Conditional Use Permit is required to allow for development of senior apartments on the project site based on the BP PD zoning designation.

### **3.6 Other City Regulation of Urban Development**

#### **3.6.1. Community Development Department Standard Construction Conditions**

The City's standard construction requirements are set forth in the City of Folsom, Community Development Standard Construction Specifications updated in July 2020. A summary of these requirements is set forth below and incorporated by reference into the project description. Copies of these documents may be reviewed at the City of Folsom, Community Development Department, 50 East Natoma Street, Folsom, California 95630.

The Department's standard construction specifications are required to be adhered to by any contractor constructing a public or private project within the City.

*Use of Pesticides* – Requires contractors to store, use, and apply a wide range of chemicals consistent with all local, state, and federal rules and regulations.

*Air Pollution Control* – Requires compliance with all Sacramento Metropolitan Air Quality Management District (SMAQMD) and City air pollution regulations.

*Water Pollution* – Requires compliance with City water pollution regulations, including National Pollutant Discharge Elimination System (NPDES) provisions.

*Noise Control* – Requires that all construction work comply with the Folsom Noise Ordinance (discussed further below), and that all construction vehicles be equipped with a muffler to control sound levels.

*Naturally Occurring Asbestos* – Requires compliance with all SMAQMD and City air pollution regulations, including preparation and implementation of an Asbestos Dust Mitigation Plan consistent with the requirements of Section 93105 of the State Government Code.

*Weekend, Holiday, and Night Work* – Prohibits construction work during evening hours, or on Sunday or holidays, to reduce noise and other construction nuisance effects.

*Public Convenience* – Regulates traffic through the work area, operations of existing traffic signals, roadway cuts for pipelines and cable installation, effects to adjacent property owners, and notification of adjacent property owners and businesses.

*Public Safety and Traffic Control* – Regulates signage and other traffic safety devices through work zones.

*Existing Utilities* – Regulates the relocation and protection of utilities.

*Preservation of Property* – Requires preservation of trees and shrubbery and prohibits adverse effects to adjacent property and fixtures.

*Cultural Resources* – Requires that contractors stop work upon the discovery of unknown cultural or historic resources, and that an archaeologist be retained to evaluate the significance of the resource and to establish mitigation requirements, if necessary.

*Protection of Existing Trees* – Specifies measures necessary to protect both ornamental and native oak trees.

*Clearing and Grubbing* – Specifies protection standards for signs, mailboxes, underground structures, drainage facilities, sprinklers and lights, trees and shrubbery, and fencing. Also requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to control erosion and siltation of receiving waters.

*Reseeding* – Specifies seed mixes and methods for reseeded of graded areas.

### 3.6.2. City of Folsom Municipal Code

The City regulates many aspects of construction and development through requirements and ordinances established in the Folsom Municipal Code. These requirements are summarized in **Table 3**, and hereby incorporated by reference into the Project Description as though fully set forth herein. Copies of these documents may be reviewed at the City of Folsom, Office of the City Clerk, 50 Natoma Street; Folsom, California 95630.

**Table 3. City of Folsom Municipal Code Regulating Construction and Development**

<b>Code Section</b>	<b>Code Name</b>	<b>Effect of Code</b>
8.42	Noise Control	Establishes interior and exterior noise standards that may not be exceeded within structures, including residences; establishes time periods for construction operations.
8.70	Stormwater Management and Discharge Control	Establishes conditions and requirements for the discharge of urban pollutants and sediments to the storm-drainage system; requires preparation and implementation of Stormwater Pollution Prevention Plans.
9.34	Hazardous Materials Disclosure	Defines hazardous materials; requires filing of a Hazardous Material Disclosure Form by businesses that manufacture, use, or store such materials.
9.35	Underground Storage of Hazardous Substances	Establishes standards for the construction and monitoring of facilities used for the underground storage of hazardous substances, and establishes a procedure for issuance of permits for the use of these facilities.
12.16	Tree Preservation	Regulates the cutting or modification of trees, including oaks and specified other trees; requires a Tree Permit prior to cutting or modification; establishes mitigation requirements for cut or damaged trees.
13.26	Water Conservation	Prohibits the wasteful use of water; establishes sustainable landscape requirements; defines water use restrictions.
14.19	Energy Code	Adopts the California Energy Code, 2019 Edition, published as Part 6, Title 24, C.C.R. to require energy efficiency standards for structures.

14.20	Green Building Standards Code	Adopts the California Green Building Standards Code (CalGreen Code), 2019 Edition, excluding Appendix Chapters A4, A5, and A6.1 published as Part 11, Title 24, C.C.R. to promote and require the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices.
14.29	Grading Code	Requires a grading permit prior to the initiation of any grading, excavation, fill or dredging; establishes standards, conditions, and requirements for grading, erosion control, stormwater drainage, and revegetation.
14.32	Flood Damage Prevention	Restricts or prohibits uses that cause water or erosion hazards, or that result in damaging increases in erosion or in flood heights; requires that uses vulnerable to floods be protected against flood damage; controls the modification of floodways; regulates activities that may increase flood damage or that could divert floodwaters.

## 4.0 PROJECT OBJECTIVES

The project objective is to provide affordable senior rental housing consistent with the 2035 General Plan, including the Housing Element, which identifies guiding principles, goals, and policies for housing choices for all generations.

## 5.0 REQUIRED APPROVALS

A listing and brief description of the regulatory permits and approvals required to implement the proposed project are provided below. This Initial Study is intended to address the environmental impacts associated with all of the following decision action and approval:

- Planned Development Permit (PD Permit);
- Conditional Use Permit (CUP); and,
- Density Bonus.

The City of Folsom has the following discretionary powers related to the proposed project:

- Adoption of the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program: The City of Folsom Planning Commission will act as the lead agency as defined by the California Environmental Quality Act (CEQA) and will have authority to determine if the Initial Study is adequate under CEQA.
- Approval of project: The City of Folsom Planning Commission will consider approval of the project and the entitlements described above.

## 6.0 PREVIOUS RELEVANT ENVIRONMENTAL ANALYSIS

### 6.1 City of Folsom General Plan

The Program EIR for the City of Folsom General Plan (2018) provides relevant policy guidance for this environmental analysis. The EIR evaluated the environmental impacts that could result from implementation of the City of Folsom 2035 General Plan (2035 General Plan) (City of Folsom 2018a). The Program EIR is intended to provide information to the public and to decision makers regarding the potential effects of adoption and implementation of the 2035 General Plan, which consists of a comprehensive update of Folsom's current General Plan. The 2035 General Plan consists of a policy document, including Land Use and Circulation Diagrams.

### 6.2 Tiering

"Tiering" refers to the relationship between a program-level EIR (where long-range programmatic cumulative impacts are the focus of the environmental analysis) and subsequent environmental analyses such as the subject document, which focus primarily on issues unique to a smaller project within the larger program or plan. Through tiering a subsequent environmental analysis can incorporate, by reference, discussion that summarizes general environmental data found in the program EIR that establishes cumulative impacts and mitigation measures, the planning context, and/or the regulatory background. These broad-based issues need not be reevaluated subsequently, having been previously identified and evaluated at the program stage.

Tiering focuses the environmental review on the project-specific significant effects that were not examined in the prior environmental review, or that are susceptible to substantial reduction or avoidance by specific revisions in the project, by the imposition of conditions or by other means. Section 21093(b) of the Public Resources Code requires the tiering of environmental review whenever feasible, as determined by the Lead Agency.

In the case of the proposed project, this Initial Study tiers from the EIR for the Broadstone Unit No. 3 Specific Plan, and the EIR for the City of Folsom General Plan. The Folsom General Plan, as amended, is a project that is related to the proposed project and, pursuant to §15152(a) of the CEQA Guidelines, tiering of environmental documents is appropriate. CEQA Guidelines §15152(g) specifically provides that:

The above mentioned EIRs can be reviewed at the following location:

City of Folsom  
Community Development Department  
50 Natoma Street (2<sup>nd</sup> Floor)  
Folsom, CA 95630  
Contact: Mr. Steve Banks, Principal Planner  
(916) 461-6207

## 7.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.


<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Energy
<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards and Hazardous Materials
<input type="checkbox"/> Hydrology and Water Quality	<input type="checkbox"/> Land Use and Planning	<input type="checkbox"/> Mineral Resources
<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Population and Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input checked="" type="checkbox"/> Transportation	<input checked="" type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Utilities and Service Systems	<input type="checkbox"/> Wildfire	<input checked="" type="checkbox"/> Mandatory Findings of Significance



7.1 DETERMINATION

On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
 \_\_\_\_\_  
 Signature  
 Pamela Johns  
 \_\_\_\_\_  
 Printed Name

11/7/22  
 \_\_\_\_\_  
 Date  
 Community Development  
 \_\_\_\_\_  
 Title  
 Director

## 8.0 ENVIRONMENTAL INITIAL STUDY CHECKLIST

The lead agency has defined the column headings in the environmental checklist as follows:

- A. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant even with the incorporation of mitigation. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- B. "Less Than Significant with Mitigation Incorporated" applies where the inclusion of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." All mitigation measures are described, including a brief explanation of how the measures reduce the effect to a less than significant level. Mitigation measures from earlier analyses may be cross-referenced.
- C. "Less Than Significant Impact" applies where the project does not create an impact that exceeds a stated significance threshold.
- D. "No Impact" applies where a project does not create an impact in that category. "No Impact" answers do not require an explanation if they are adequately supported by the information sources cited by the lead agency which show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project specific screening analysis).

The explanation of each issue identifies the significance criteria or threshold used to evaluate each question; and the mitigation measure identified, if any, to reduce the impact to less than significance. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [CEQA Guidelines Section 15063(c)(3)(D)]. Where appropriate, the discussion identifies the following:

- a) Earlier Analyses Used. Identifies where earlier analyses are available for review.
- b) Impacts Adequately Addressed. Identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Incorporated," describes the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

**I. AESTHETICS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

The 4.86-acre parcel proposed for development is currently vacant and undeveloped. Folsom State Prison is located immediately north of the site, along Prison Road. East of the project site is single family homes along Cimmaron Circle, and south of the project site is Pacific Gas & Electric (PG&E) utility powerlines, single-family homes, and duplexes. West of the project, along Fargo Way, is office space and across from Fargo Way is the Folsom City Police Department. Oak Parkway Trail is located west and south of the site, and Johnny Cash Recreation Trail is located north of the project site. The local setting is characterized by commercial development to the south and west, residential to the east and south, and institutional to the north. Existing utility lines are located along East Natoma Street and south of the project site.

**Evaluation of Aesthetics**

a) Have a substantial adverse effect on a scenic vista?

**No impact.** Neither the project site nor the surrounding areas are scenic vistas due to the existing nearby commercial, residential developments. Further, neither the project site, nor views to or from the project site, have been designated as important scenic resources by the City or any other public agency. Therefore, the proposed development would not interfere with or degrade a scenic vista, and no impact would occur.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

**No impact.** The project site is currently vacant and undeveloped. The nearest officially designated state scenic highway is the segment of US Highway 50 from Placerville to Echo Summit, approximately 20 miles east (CalTrans 2019). Therefore, the project would not impact scenic resources, such as trees, rock outcroppings or historic buildings within a state scenic highway, and no impact would occur.

- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

**Less than significant impact.** The proposed project is located within an urbanized area of Folsom, surrounded by commercial and residential development and institutional land. The site is vacant and undeveloped, and the existing character of the site would be modified by the proposed development. The proposed project would construct a 136-unit affordable senior housing development, as well as proposed parking (bicycle and vehicle), landscape, and outdoor and indoor amenities. The apartment building roof height is 34-ft, with architectural elements ranging from 42-ft, 6-inches to up to 42-ft, 6-inches above grade, and would be designed with stucco, board and batten, brick veneer, asphalt shingles, and wrought iron railing. The building would be visually compatible with the proposed landscaping throughout the project site. Please refer to Figure 4, Figure 5, Figure 6, and Figure 7 for architectural renderings of the proposed project site viewed from Natoma Street and the bike trail.

In order to accommodate for the change in existing character, the proposed project would implement landscape screening, site amenities, and building designs to blend the proposed project with surrounding development and screen the project from residential neighbors. Along the proposed 8-ft masonry wall on the eastern boundary, shade, and accent trees, as well as several evergreen species would be planted as landscape screening. The landscape screening would be planted in order to block the sightline of homes along Cimmaron Circle and surrounding streets from the third story of the proposed building. Tree height would range from 15- to 35-ft based on tree type and would supplement the existing trees in the neighboring yards. Please refer to Figure 8 and Figure 9 for architectural renderings of the proposed sightline screening. Additionally, landscaped areas with various trees and shrubs would surround the proposed building and parking area, and a bocce ball court, and outdoor seating areas would be included to add to the overall visual aesthetic. The proposed building would have asymmetrical gabled roofs to add visual interest.

The proposed project is consistent with types of uses envisioned and permitted in the Folsom General Plan. The project is consistent with the BP zoning district development standards and would be designed consistent with the City's Design Guidelines for Senior Housing Development. Entitlement requests for this project include a Planned Development Permit (PD Permit) and a Conditional Use Permit (CUP). The Conditional Use Permit is required to allow for development of a senior residential apartment community on the project site. The proposed land use is consistent with the overall suburban character and ongoing development in the vicinity and is expected to integrate into the existing and planned development of the area. The proposed project would have a less than significant impact on visual character and no mitigation is necessary.

- d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

**Less than significant impact.** The project includes a combination of free-standing, pole-mounted parking lot and walkway lights, recessed carport and elevator lights, and building-mounted lights. To minimize potential lighting-related impacts, free-standing parking lot lights and recessed carport lights would be screened, shielded, and directed downward to minimize glare towards the surrounding properties. New lighting installed with the development of the proposed project would be subject to City standard practices regarding night lighting that would be made a condition of approval of the PD Permit. The proposed units and other project features would comply with design standards outlined in the Folsom Municipal Code. The exterior of the proposed apartment buildings would be designed with architectural detailing that would not produce glare and would not affect day or nighttime views, and existing City standards would limit light spillover and intensity. Therefore, impacts would be less than significant, and no mitigation is necessary.

**II. AGRICULTURE AND FORESTRY RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non- forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

No agricultural activities or timber management occur on the project site or in adjacent areas and the project site is not designated for agricultural or timberland uses. The California Important Farmlands Map prepared for Sacramento County by the California Resources Agency classifies the project site and surrounding area as Other Land (California Department of Conservation (CDC) 2016). Other Land is land not included in any other mapping category. Common examples include low density rural developments; brush timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and non-agricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land (CDC 2016).

The Natural Resources Conservation Service (NRCS) soil survey report generated for the project site (NRCS 2020) indicates that the soil units at the site, Argonaut-Auburn complex, 3 to 8 percent slopes, and Argonaut-Auburn-Urban complex, 3 to 8 percent slopes, are not Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, or Unique Farmland.



## Evaluation of Agriculture and Forestry Services

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

**No impact.** The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide importance (Farmland), as indicated in the Sacramento County Important Farmland 2016 Map (CDC 2016). Therefore, the project would have no impact on these farmland resources.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

**No impact.** The project site is not zoned for agricultural use or a Williamson Act contract.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

**No impact.** The project site is not zoned or designated as farmland, and the surrounding land uses are primarily residential developments, office space, and institutional land. Therefore, the nature and location of the project would not directly or indirectly result in the conversion of Farmland to non-agricultural uses. No impact would occur.

- d) Result in the loss of forest land or conversion of forest land to non-forest use?

**OR**

- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

**No impact.** Because no portion of the City or the project site are zoned for forest land or timberland, no impact would occur for questions d) and e).

**III. AIR QUALITY**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

HELIX Environmental Planning conducted air quality modeling (CalEEMod) for the proposed project based primarily on the preliminary site plan and the Transportation Impact Study conducted by T. Kear Transportation Planning and Management (2022). Air quality modeling output files and quantitative results are presented in **Appendix B**.

**Environmental Setting**

Climate in the Folsom area is characterized by hot, dry summers and cool, rainy winters. During summer’s longer daylight hours, plentiful sunshine provides the energy needed to fuel photochemical reactions between oxides of nitrogen (NO<sub>x</sub>) and reactive organic gases (ROG), which result in ozone (O<sub>3</sub>) formation. High concentrations of O<sub>3</sub> are reached in the Folsom area due to intense heat, strong and low morning inversions, greatly restricted vertical mixing during the day, and daytime subsidence that strengthens the inversion layer. The greatest pollution problem in the Folsom area is from NO<sub>x</sub>.

The City of Folsom lies within the eastern edge of the Sacramento Valley Air Basin (SVAB). The Sacramento Metropolitan Air Quality Management District (SMAQMD) is responsible for implementing emissions standards and other requirements of federal and state laws in the project area. As required by the California Clean Air Act (CCAA), SMAQMD has published various air quality planning documents as discussed below to address requirements to bring the District into compliance with the federal and state ambient air quality standards. The Air Quality Attainment Plans are incorporated into the State Implementation Plan (SIP), which is subsequently submitted to the U.S. Environmental Protection Agency (USEPA), the federal agency that administrates the Federal Clean Air Act of 1970, as amended in 1990.

Ambient air quality is described in terms of compliance with state and national standards, and the levels of air pollutant concentrations considered safe, to protect the public health and welfare. These standards are designed to protect people most sensitive to respiratory distress, such as people with asthma, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. The USEPA has established national ambient air quality standards (NAAQS) for seven air pollution constituents. As permitted by the Clean Air Act, California has adopted more stringent air emissions standards (California Ambient Air Quality Standards [CAAQS]) and expanded the number of regulated air constituents.

The California Air Resources Board (CARB) is required to designate areas of the state as attainment, nonattainment, or unclassified for any state standard. An "attainment" designation for an area signifies that pollutant concentrations do not violate the standard for that pollutant in that area. A "nonattainment" designation indicates that a pollutant concentration violated the standard at least once. The air quality attainment status of the SVAB, including the City of Folsom, is shown in Table 4.

**Table 4. Sacramento Valley Air Basin -- Attainment Status**

Pollutant	State of California Attainment Status	Federal Attainment Status
Ozone (1-hour)	Nonattainment	No Federal Standard
Ozone (8-hour)	Nonattainment	Nonattainment
Coarse Particulate Matter ( $PM_{10}$ )	Nonattainment	Attainment
Fine Particulate Matter ( $PM_{2.5}$ )	Attainment	Nonattainment
Carbon Monoxide (CO)	Attainment	Attainment/Unclassified
Nitrogen Dioxide ( $NO_2$ )	Attainment	Attainment/Unclassified
Lead	Attainment	Attainment/Unclassified
Sulfur Dioxide ( $SO_2$ )	Attainment	Unclassified
Sulfates	Attainment	No Federal Standard
Hydrogen Sulfide	Unclassified	No Federal Standard
Visibility Reducing Particles	Unclassified	No Federal Standard

Sources: SMAQMD 2020

Sacramento County is designated as nonattainment for the state and federal ozone standards, the state  $PM_{10}$  standards, and the federal  $PM_{2.5}$  standards. Concentrations of all other pollutants meet state and federal standards.

Ozone is not emitted directly into the environment, but is generated from complex chemical reactions between ROG, or non-methane hydrocarbons, and  $NO_x$  that occur in the presence of sunlight. ROG and  $NO_x$  generators in Sacramento County include motor vehicles, recreational boats, other transportation sources, and industrial processes.  $PM_{10}$  and  $PM_{2.5}$  arise from a variety of sources, including road dust, diesel exhaust, fuel combustion, tire and brake wear, construction operations, and windblown dust.

#### Toxic Air Contaminants

Toxic air contaminants (TAC) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or in serious illness or that may pose a present or potential hazard to human health. TACs can cause long-term chronic health effects such as cancer, birth defects, neurological damage, asthma, bronchitis, or genetic damage, or short-term acute effects such as eye watering, respiratory irritation (a cough), runny nose, throat pain, and headaches. TACs are considered either carcinogenic or

noncarcinogenic based on the nature of the health effects associated with exposure to the pollutant. For carcinogenic TACs, there is no level of exposure that is considered safe and impacts are evaluated in terms of overall relative risk expressed as excess cancer cases per one million exposed individuals. Noncarcinogenic TACs differ in that there is generally assumed to be a safe level of exposure below which no negative health impact is believed to occur. These levels are determined on a pollutant-by-pollutant basis.

The Health and Safety Code (§39655[a]) defines TAC as “an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health.” All substances that are listed as hazardous air pollutants pursuant to subsection (b) of Section 112 of the CAA (42 United States Code Sec. 7412[b]) are designated as TACs. Under State law, the California Environmental Protection Agency (CalEPA), acting through CARB, is authorized to identify a substance as a TAC if it determines the substance is an air pollutant that may cause or contribute to an increase in mortality or an increase in serious illness, or that may pose a present or potential hazard to human health.

Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material. The solid material in diesel exhaust is referred to as diesel particulate matter (DPM). Almost all DPM is 10 microns or less in diameter, and 90 percent of DPM is less than 2.5 microns in diameter (CARB 2022). Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung. In 1998, CARB identified DPM as a TAC based on published evidence of a relationship between diesel exhaust exposure and lung cancer and other adverse health effects. DPM has a notable effect on California’s population—it is estimated that about 70 percent of total known cancer risk related to air toxics in California is attributable to DPM (CARB 2022).

### **Sensitive Receptors**

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved and are referred to as sensitive receptors. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. CARB and the Office of Environmental Health Hazard Assessment (OEHHA) have identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, infants (including in utero in the third trimester of pregnancy), and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis (CARB 2005; OEHHA 2015).

Residential areas are considered sensitive receptors to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. Children and infants are considered more susceptible to health effects of air pollution due to their immature immune systems, developing organs, and higher breathing rates. As such, schools are also considered sensitive receptors, as children are present for extended durations and engage in regular outdoor activities.

The closest existing sensitive receptors to the project site are the single-family residences that border the project site to the east and the single-family residences located approximately 100-ft south of the project site. Additionally, Vibra Hospital of Sacramento is located approximately 350-ft south of the project site. The closest schools to the project site are Theodore Judah Elementary School and Blanche Sprentz Elementary School, located approximately 1,400-ft to the southwest and 2,000-ft to the southeast, respectively.

## Methodology and Assumptions

Criteria pollutant, precursor, and GHG emissions for project construction and operation were estimated using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0. CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use projects. The model was developed for the California Air Pollution Control Officers Association (CAPCOA) in collaboration with the California air districts. CalEEMod allows for the use of default data (e.g., emission factors, trip lengths, meteorology, source inventory) provided by the various California air districts to account for local requirements and conditions, and/or user-defined inputs. The calculation methodology and default data used in the model are available in the CalEEMod User's Guide, Appendices A, D, and E (CAPCOA 2021). The CalEEMod output files are included in Attachment A to this letter.

Construction of the project is anticipated to begin as early as January 2023 and be completed in April 2024. Construction modeling assumes the following anticipated schedule: site preparation 10 working days; grading 87 working days; building construction 207 working days; paving 21 working days; and architectural coating 22 working days. Construction equipment assumptions were based on estimates from CalEEMod defaults. The project would not require an import or export of soil during construction activities. Construction emissions modeling assumes implementation of basic dust control practices (watering exposed areas twice per day) to comply with the requirements of: SMAQMD Rule 403, *Fugitive Dust*.

Operational mobile emissions were modeled using the project trip generation of 441 average daily trips from the project Transportation Impact Study (T. Kear Transportation Planning and Management, Inc. 2022). Operational emissions resulting from energy use, water use, and solid waste generation were modeled using CalEEMod defaults with an added 20 percent reduction in water use to account for the requirements of the 2019 CALGreen, and an additional 25 percent solid waste diversion to account for AB 341 requirements.

## Standards of Significance

While the final determination of whether or not a project has a significant effect is within the purview of the lead agency pursuant to CEQA Guidelines Section 15064(b), SMAQMD recommends that its air pollution thresholds be used to determine the significance of project emissions. The criteria pollutant thresholds and various assessment recommendations are contained in SMAQMD's *Guide to Air Quality Assessment in Sacramento County* (CEQA Guide; 2020, revised), and are discussed under the checklist questions below.

## Evaluation of Air Quality

- a) Conflict with or obstruct implementation of the applicable air quality plan?

**Less than Significant Impact.** In accordance with SMAQMD's Guide, construction-generated NOX, PM10, and PM2.5, and operational-generated ROG and NOX (all ozone precursors) are used to determine consistency with the Ozone Attainment Plan. The Guide states:



*By exceeding the District's mass emission thresholds for operational emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>, the project would be considered to conflict with or obstruct implementation of the District's air quality planning efforts.*

As shown in the discussion for question 2) below, the project's construction-generated emissions of NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> and operation-generated emissions ROG and NO<sub>x</sub> would not exceed SMAQMD thresholds. The project would not conflict with or obstruct implementation of the applicable air quality plan and the impact would be less than significant.

- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

**Less than Significant Impact.** The Sacramento region is in non-attainment for ozone (ozone precursors NO<sub>x</sub> and ROG) and particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>). The project's emissions of these criteria pollutants and precursors during construction and operation are evaluated below.

#### Construction Emissions

CalEEMod version 2020.4.0 was used to quantify project-generated construction emissions. The model output sheets are included in Attachment A. Construction activities were assumed to commence as early as January 2023 and be completed in April 2024. The quantity, duration, and intensity of construction activity influence the amount of construction emissions and related pollutant concentrations that occur at any one time. As such, the emission forecasts provided herein reflect a specific set of conservative assumptions based on the expected construction scenario wherein a relatively large amount of construction activity is occurring in a relatively intensive manner. Because of this conservative assumption, actual emissions could be less than those forecasted. If construction is delayed or occurs over a longer time period, emissions could be reduced because of (1) a more modern and cleaner-burning construction equipment fleet mix than assumed in CalEEMod; and/or (2) a less intensive buildout schedule (i.e., fewer daily emissions occurring over a longer time interval).

The project's construction period emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are compared to the SMAQMD construction thresholds in Table 5. The SMAQMD does not have a recommended threshold for construction-generated ROG. However, quantification and disclosure of ROG emissions is recommended. The SMAQMD considers any emissions of PM<sub>10</sub> and PM<sub>2.5</sub> to be significant unless the Basic Construction Emissions Control Practices are implemented, also known as Best Management Practices (BMPs). The project would implement the SMAQMD BMPs to control fugitive dust in accordance with SMAQMD Rule 403. The modeling accounts for emissions reductions resulting from watering exposed surfaces twice daily. As shown in Table 5, the proposed project's construction period emissions of the ozone precursor NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> would not exceed the SMAQMD thresholds. Impacts related to construction-generated emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> would be less than significant.



**Table 5. Construction Criteria Pollutant and Precursor Emissions**

<b>Construction Activity</b>	<b>ROG (pounds/day)</b>	<b>NO<sub>x</sub> (pounds/day)</b>	<b>PM<sub>10</sub> (pounds/day)</b>	<b>PM<sub>2.5</sub> (pounds/day)</b>
Site Preparation	2.7	27.6	10.2	5.7
Grading	1.8	18.0	4.1	2.3
Building Construction	1.9	15.3	1.5	0.9
Paving	0.9	8.3	0.6	0.4
Architectural Coatings	62.6	1.3	0.2	0.1
<b>Maximum Daily Emissions</b>	<b>62.6</b>	<b>27.6</b>	<b>10.2</b>	<b>5.7</b>
<i>SMAQMD Thresholds</i>	<i>None</i>	<i>85</i>	<i>80</i>	<i>82</i>
<i>Exceed Thresholds?</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>

Source: CalEEMod (output data is provided in Attachment A)

ROG = reactive organic gases; NO<sub>x</sub> = nitrogen oxides; PM<sub>10</sub> = particulate matter 10 microns or less in diameter; PM<sub>2.5</sub> = particulate matter 2.5 microns or less in diameter; SMAQMD= Sacramento Metropolitan Air Quality Management District

### Operational Emissions

Emissions generated from operational activities would include:

- Areas sources – combustion emissions from the use of landscape maintenance equipment, the reapplication of architectural coatings for maintenance, and the use of consumer products.
- Energy sources – combustion emissions from the use of natural gas appliances, water heaters, and heating systems.
- Mobile emissions – combustion, fuel evaporation, brake and tire wear, and road dust emission resulting from worker, customer, and vendor vehicle traveling to and from the project site.

The results of the modeling for project operational activities are shown in Table 6. The data is presented as the maximum anticipated daily emissions for comparison with the SMAQMD thresholds, the model output and calculation sheets are included as Attachment A to this letter. As shown in Table 6, the proposed project operation period emissions of the ozone precursor NO<sub>x</sub>, ROG, PM<sub>10</sub>, and PM<sub>2.5</sub> would not exceed the SMAQMD thresholds. Impacts related to operation-generated emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> would be less than significant.

**Table 6. Maximum Daily Operational Emissions**

<b>Source</b>	<b>ROG (pounds/day)</b>	<b>NO<sub>x</sub> (pounds/day)</b>	<b>PM<sub>10</sub> (pounds/day)</b>	<b>PM<sub>2.5</sub> (pounds/day)</b>
Area	3.1	0.1	<0.1	<0.01
Energy	<0.1	0.3	<0.1	<0.01
Mobile	1.1	1.5	2.4	0.7
<b>Maximum Daily Emissions</b>	<b>4.2</b>	<b>2.0</b>	<b>2.5</b>	<b>0.7</b>
<i>SMAQMD Thresholds</i>	<i>65</i>	<i>65</i>	<i>80</i>	<i>82</i>
<i>Exceed Thresholds?</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>

Source: CalEEMod (output data is provided in Attachment A)

ROG = reactive organic gases; NO<sub>x</sub> = nitrogen oxides; PM<sub>10</sub> = particulate matter 10 microns or less in diameter; PM<sub>2.5</sub> = particulate matter 2.5 microns or less in diameter; SMAQMD= Sacramento Metropolitan Air Quality Management District

As shown in Table 5 and Table 6, the project's maximum daily construction or operational emissions would not exceed the SMAQMD's thresholds. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment, and the impact would be less than significant.

c) Expose sensitive receptors to substantial pollutant concentrations?

**Less than Significant Impact.** CARB and OEHHA have identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, infants (including in utero in the third trimester of pregnancy), and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis (CARB 2005, OEHHA 2015). Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved and are referred to as sensitive receptor locations. Examples of these sensitive receptor locations are residences, schools, hospitals, and daycare centers.

- The closest existing sensitive receptors to the project site are the single-family residences that border the project site to the east and the single-family residences located approximately 100-ft south of the project site. Additionally, Vibra Hospital of Sacramento is located approximately 350-ft south of the project site. The closest schools to the project site are Theodore Judah Elementary School and Blanche Sprentz Elementary School, located approximately 1,400-ft to the southwest and 2,000-ft to the southeast, respectively.

The dose (of TAC) to which receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance in the environment and the extent of exposure a person has with the substance; a longer exposure period to a fixed quantity of emissions would result in higher health risks. Current models and methodologies for conducting cancer health risk assessments are associated with longer-term exposure periods (typically 30 years for individual residents based on guidance from OEHHA) and are best suited for evaluation of long duration TAC emissions with predictable schedules and locations. These assessment models and methodologies do not correlate well with the temporary and highly variable nature of construction activities. Cancer potency factors are based on animal lifetime studies or worker studies where there is long-term exposure to the carcinogenic agent. There is considerable uncertainty in trying to evaluate the cancer risk from projects that will only last a small fraction of a lifetime (OEHHA 2015). In addition, concentrations of mobile source DPM emissions disperse rapidly and are typically reduced by 70 percent at approximately 500-ft (CARB 2005). Considering this information, the highly dispersive nature of DPM, and the fact that construction activities would occur at various locations throughout the project site, it is not anticipated that construction of the project would expose sensitive receptors to substantial DPM concentrations.

According to the SMAQMD, land use development projects do not typically have the potential to result in localized concentrations of criteria air pollutants that expose sensitive receptors to substantial pollutant concentrations. This is because criteria air pollutants are predominantly generated in the form of mobile-source exhaust from vehicle trips associated with the land use development project. These vehicle trips occur throughout a paved network of roads, and, therefore, associated exhaust emissions of criteria air pollutants are not generated in a single location where high concentrations could be formed (SMAQMD 2020). Therefore, localized concentration of CO from exhaust emissions, or "CO hotspots," would only be a concern on high-volume roadways where vertical and/or horizontal mixing is substantially limited, such as tunnels or below grade highways. There are no high-volume roadways in the region with limited mixing that would be affected by project generated traffic. Once operational, the

project would not be a significant source of TACs. Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations, and the impact would be less than significant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

**Less than Significant Impact.** The project could produce odors during construction activities resulting from heavy diesel equipment exhaust and VOC released during application of asphalt. The odor of these emissions is objectionable to some; however, emissions would disperse rapidly from the project site and therefore should not be at a level that would affect a substantial number of people. Any odors emitted during construction activities would be temporary, short-term, and intermittent in nature, and would cease upon the facility maintenance. As a result, impacts associated with temporary odors during construction are not considered significant.

As an affordable senior rental housing development, operation of the project would not result in odors affecting a substantial number of people. Solid waste generated by the project would be collected by a contracted waste hauler, ensuring that any odors resulting from on-site waste would be managed and collected in a manner to prevent the proliferation of odors. The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people, and the impact would be less than significant.

**IV. BIOLOGICAL RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

An Arborist Inventory Letter Report was prepared by HELIX Environmental Planning, Inc. on March 22, 2022 (HELIX 2022a) and is included as **Appendix C**. A Biological Resources Evaluation (BRE) was also prepared by HELIX Environmental Planning, Inc. on October 21, 2020 (HELIX 2020) and is included as **Appendix D**.

**Environmental Setting**

The project site is a vacant, wooded parcel within the City of Folsom. The site is generally bordered by residential parcels and small commercial buildings, as well as the paved Oak Parkway cycling trail. Folsom State Prison is located north of the project site, on the opposite side of Natoma Street.

## Site Conditions

The entire project site is considered to be blue oak woodland, surrounded by urban development. Historic aerial imagery shows that the project site has changed little since 1952 and has consisted of oak woodland with a drainage running through the site. The site is moderately disturbed. There is evidence of recreational use by bicycles and the site has a constructed dirt track with several constructed dirt ramps and jumps for bicycles, presumably constructed by kids from the adjacent residential neighborhood. It also has debris piles and other evidence of use by transients.

## Methods

Studies conducted in support of the BRE included a special-status species evaluation, an aquatic resources evaluation, and a biological and wetlands reconnaissance survey. An Arborist Report was also concluded.

### Special-Status Species Evaluation

For the purposes of the BRE, special-status species are those that fall into one or more of the following categories:

- Listed as endangered or threatened under the Federal Endangered Species Act of 1973 (FESA), including candidate species and species proposed for listing;
- Listed as endangered or threatened under the California Endangered Species Act (CESA), including candidate species and species proposed for listing;
- Designated as a Species of Special Concern (SSC) or watch-list (WL) species by the California Department of Fish and Wildlife (CDFW), or “Fully Protected” under the California Fish and Game Code (FP), or a sensitive natural community; and/or,
- Designated by the California Native Plant Society (CNPS) as California Rare Plant Rank 1A, 1B, 2A, 2B, or 3.

In order to evaluate special-status species and/or their habitats with the potential to occur in the project site and/or be impacted by the proposed project, HELIX obtained lists of special-status species known to occur and/or having the potential to occur on the proposed project site and vicinity from the U.S. Fish and Wildlife Service (USFWS; USFWS 2020), the California Native Plant Society (CNPS; CNPS 2020), and the California Natural Diversity Database (CNDDDB; CDFW 2020), which are included as **Appendix D**. The potential for these regionally occurring special-status species to occur in the project site is analyzed in **Appendix D**.

### Aquatic Resources Evaluation

The U.S. Fish and Wildlife Service’s National Wetlands Inventory (NWI) online database<sup>1</sup> was reviewed to determine if there are any wetlands or other waters of the U.S. mapped by the USFWS on the project site. The NWI provides reconnaissance level information on wetlands and deepwater habitats from analysis of high-altitude aerial imagery. Historic aerial imagery from National Environmental Title Research (NETR)<sup>2</sup> was reviewed for information on past land uses and presence of aquatic features visible on aerial imagery. NETR provides aerial imagery covering the study area at irregular intervals

from 1956 to 2016.

## Biological and Wetland Resource Evaluation

A biological and wetlands reconnaissance survey was conducted on September 30, 2020 by HELIX Principal Biologist Stephen Stringer, M.S. and HELIX Biologist Stephanie McLaughlin, M.S. between 0830 and 1400 hours. The project site was assessed to identify the habitat type(s) present on-site and the potential to support special-status plant and wildlife species. The survey consisted of a pedestrian survey of the project site and the surrounding area. Meandering transects of the site were performed to obtain visual coverage of the site. Plant species were identified to the level necessary to determine whether or not they were a special-status species.

The three-parameter method was used to determine the presence/absence of wetlands, which involves identifying indicators of hydrophytic vegetation, hydric soils, and wetland hydrology according to the *Corps of Engineers Wetlands Delineation Manual* (USACE 1987), the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (Version 2.0; USACE 2008), *A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (Lichvar and McColley 2008) and the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* prepared by the State Water Resources Control Board and which became effective May 28, 2020. The presence/absence of other non-wetland aquatic resources was determined by searching for the presence of an ordinary high water mark and bed and bank. The extent of waters on the project site were mapped in the field with sub-meter accuracy using a Trimble GeoXT Global Positioning System (GPS) hand-held unit. The GPS data were downloaded from the unit, exported into ArcMap 10.7.1®, and used to produce the map of aquatic features in the delineation area and to calculate the acreage of each aquatic feature.

Weather during the survey was clear and warm and hazy conditions. A complete list of plant and animal species observed on the project site during the biological reconnaissance survey is included in **Appendix D**.

## Arborist Inventory

The arborist inventory was conducted on September 24, 2020 by HELIX Biologist and ISA Certified Arborist Stephanie McLaughlin, M.S. (WE-12922A). Woody plants in the project area with a trunk diameter of at least 4-inches at 4.5-ft above grade (diameter at breast height) were located and assessed. A diameter tape or calipers were used to verify each trunk diameter. The measurement from the trunk to the end of the longest lateral limb was estimated and used as the dripline radius. All accessible trees were numbered with a pre-printed aluminum tag. Approximate trunk locations were mapped using a sub-meter accurate global positioning system (GPS). Approximate tree locations are identified in Figure 3 of the arborist report (**Appendix C**).

The condition of each tree was rated on a scale of 1 to 5, with 1 indicating poor condition, 3 indicating fair condition, and 5 indicating good condition. The rating considers factors health and structural factors such as the size, color, and density of the foliage; the amount of deadwood within the canopy; bud viability; evidence of wound closure; and the presence or evidence of stress, disease, nutrient deficiency, and/or insect infestation; trunk and branch configuration; canopy balance; the presence of included bark and other structural defects such as decay; and the potential for structural failure.



## **Regulatory Framework Related to Biological Resources**

### ***State and Federal Endangered Species Acts***

Special status species are protected by state and federal laws. The California Endangered Species Act (CESA; California Fish and Game Code Sections 2050 to 2097) protects species listed as threatened and endangered under CESA from harm or harassment. This law is similar to the Federal Endangered Species Act of 1973 (FESA; 16 USC 1531 et seq.) which protects federally threatened or endangered species (50 CFR 17.11, and 17.12; listed species) from take. For both laws, take of the protected species may be allowed through consultation with and issuance of a permit by the agency with jurisdiction over the protected species.

### ***California Code of Regulations and California Fish and Game Code***

The official listing of endangered and threatened animals and plants is contained in the California Code of Regulations Title 14 § 670.5. A state candidate species is one that the California Fish and Game Code has formally noticed as being under review by CDFW for inclusion on the state list pursuant to Sections 2074.2 and 2075.5 of the California Fish and Game Code. CDFW also designates Species of Special Concern that are not currently listed or candidate species.

Legal protection is also provided for wildlife species in California that are identified as “fully protected animals.” These species are protected under Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fishes) of the California Fish and Game Code. These statutes prohibit take or possession of fully protected species at any time. The CDFW is unable to authorize incidental take of fully protected species when activities are proposed in areas inhabited by these species. The CDFW has informed non-federal agencies and private parties that they must avoid take of any fully protected species. However, Senate Bill (SB) 618 (2011) allows the CDFW to issue permits authorizing the incidental take of fully protected species under the CESA, so long as any such take authorization is issued in conjunction with the approval of a Natural Community Conservation Plan that covers the fully protected species (California Fish and Game Code Section 2835).

### ***California Native Plant Protection Act***

The California Native Plant Protection Act of 1977 (California Fish and Game Code Sections 1900 to 1913) requires all state agencies to use their authority to implement programs to conserve endangered and otherwise rare species of native plants. Provisions of the act prohibit the taking of listed plants from the wild and require notification of CDFW at least 10 days in advance of any change in land use other than changing from one agricultural use to another, which allows CDFW to salvage listed plants that would otherwise be destroyed.

### ***Nesting and Migratory Birds***

Nesting birds are protected by state and federal laws. California Fish and Game Code (§3503, 3503.5, and 3800) prohibits the possession, incidental take, or needless destruction of any bird nests or eggs; Fish and Game Code §3511 designates certain bird species “fully protected” (including all raptors), making it unlawful to take, possess, or destroy these species except under issuance of a specific permit. The Attorney General of California has released an opinion that the Fish and Game Code prohibits incidental take. Under the Migratory Bird Treaty Act (MBTA) of 1918 (16 USF §703-711), migratory bird

species and their nests and eggs that are on the federal list (50 CFR §10.13) are protected from injury or death, and project-related disturbance must be reduced or eliminated during the nesting cycle. The U.S. Court of Appeals for the 9<sup>th</sup> Circuit (with jurisdiction over California) has ruled that the MBTA does not prohibit incidental take (952 F 2d 297 – Court of Appeals, 9<sup>th</sup> Circuit, 1991).

### ***City of Folsom Tree Preservation Ordinance***

Requirements related to biological resources also include protection of existing trees and specifies measures necessary to protect both ornamental and native oak trees. Chapter 12.16 of the Folsom Municipal Code, the Tree Preservation Ordinance, further regulates the cutting or modification of trees, including oaks and specified other trees; requires a Tree Permit prior to cutting or modification; and establishes mitigation requirements for cut or damaged trees (City of Folsom 2020b). The Tree Preservation Ordinance establishes policies, regulations, and standards necessary to ensure that the City will continue to preserve and maintain its “urban forests”. Anyone who wishes to perform “Regulated Activities” on “Protected Trees” must apply for a permit with the City. Regulated activities include:

- Removal of a Protected Tree;
- Pruning/trimming of a Protected Tree; and/or,
- Grading or trenching within the Protected zone.

Protected trees include:

- Native oak trees with a diameter of 6-inches or larger for single trunk trees 20-inches or larger combined diameter of native oak multi-trunk trees;
- Heritage oak trees - native oaks with a trunk diameter of 19-inches or greater and native oaks with a multi-trunk diameter of 38 inches or greater;
- Landmark trees identified individually by the City Council through resolution as being a significant community benefit; and/or,
- Street trees within the tree maintenance strip.

### ***Jurisdictional Waters***

Any person, firm, or agency planning to alter or work in “waters of the U.S.,” including the discharge of dredged or fill material, must first obtain authorization from the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA). Section 401 requires an applicant for a federal license or permit that allows activities resulting in a discharge to waters of the U.S. must obtain a state certification that the discharge complies with other provisions of the CWA. The Regional Water Quality Control Board (RWQCB) administers the certification program in California. The RWQCB also regulates discharges of pollutants or dredged or fill material to waters of the State which is a broader definition than waters of the U.S.

### **California Fish and Game Code Section 1602 – Lake and Streambed Alteration Program**

Diversions or obstructions of the natural flow of, or substantial changes or use of material from the bed, channel, or bank of any river, stream, or lake in California that supports wildlife resources are subject to regulation by CDFW, pursuant to Section 1602 of the California Fish and Game Code. The CDFW requires notification prior to commencement of any such activities, and a Lake and Streambed Alteration Agreement (LSAA) pursuant to Fish and Game Code Sections 1601-1603, if the activity may substantially adversely affect an existing fish and wildlife resource.

### **Habitat Types/ Vegetation Communities**

Habitat types/vegetation communities in the project site include blue oak woodland and ephemeral and intermittent drainages.

#### *Blue Oak Woodland*

Blue oak woodland is the predominant habitat type in the project site and occupies approximately 4.82-acres within the site. Vegetation in the blue oak woodland habitat consists primarily of blue oak (*Quercus douglasii*) and interior live oak (*Quercus wislizeni*), with some non-native species including mulberry (*Morus alba*), Chinese tallow (*Triadica sebifera*), Chinese hackberry (*Celtis sinensis*), and ornamental cherry (*Prunus* sp.). The understory is dominated by non-native grasses and forbs, including cultivated oats (*Avena* sp.), Italian rye grass (*Festuca perennis*), and yellow star-thistle (*Centaurea solstitialis*). Disturbed areas, such as bike trails and jumps occur beneath the canopy of the oak woodland, and there is a significant amount of trash and debris in these areas. A small segment of the bike trail occurs in this habitat.

### **Topography**

The terrain in the project site and vicinity is locally flat. The elevation on the project site ranges from 350- to 370-ft above mean sea level and has low to moderate sloping from east to west.

### **Soils**

The project site includes two soil mapping units (NRCS 2020): Argonaut-Auburn-Urban land complex, 3 to 8 percent slopes and Argonaut-Auburn complex, 3 to 8 percent slopes. Soils on the National Hydric Soils List for Sacramento County (NRCS 2015) are not present in the project site.

Both soils occur on hills and are derived from residuum weathered from metamorphic rock. A typical profile of the Argonaut-Auburn-Urban land complex and Argonaut-Auburn complex, 3 to 8 percent slopes include loam from 0- to 14-inches, clay from 14- to 29-inches and bedrock from 29- to 33-inches; the depth to water table is more than 80-inches.

### **Special-Status Plant Species**

No special-status plant species were determined to have the potential to occur on the project site or be impacted by the proposed project. Of the 17 regionally occurring special-status plant species that were identified during the database queries and desktop review, the majority occur in wetland habitats such as vernal pools or seeps, which are absent from the site. Several others are limited to grassland or

cismontane woodland habitats. Although the site contains blue oak woodland, the study area is located in an urban area dominated by non-native species that does not provide suitable habitat for special status plant species. Therefore, no impacts to special-status plants are anticipated as a result of the proposed project.

### Special-Status Wildlife Species

A total of 23 regionally occurring special-status wildlife species were identified during the database searches and desktop review. The majority of the special-status wildlife species are associated with aquatic habitats of the adjacent Sacramento Valley such as rivers, sloughs, and freshwater wetlands, including vernal pools. The remaining species are associated with specific habitats such as bats roosting in rocky habitats, caves or abandoned buildings, which are not present in or near the study area.

There are no reported occurrences of special-status animal species on or adjacent to the site. However, the site provides suitable habitat for white-tailed kite (*Elanus leucurus*) and other nesting migratory birds. These species are discussed briefly below. Species determined to have no potential to occur on the project site or be impacted by the proposed project (**Appendix D**) are not discussed further in this report.

#### White-Tailed Kite

White-tailed kite is a year-round resident in coastal and valley lowlands, where it inhabits herbaceous and open stages of most habitat types. Individuals forage in grasslands, farmlands, and wetlands, preying mostly on small diurnal mammals. Nests are built near the top of dense tree stands, usually near open foraging areas (Zeiner et al. 1988).

No white-tailed kites were observed during any of the biological surveys conducted for the proposed project. The nearest reported extant occurrence of white-tailed kite in the CNDDDB is located approximately 3-miles southwest of the project site near Lake Natoma (CDFW 2020). Nesting habitat is present on the site in large trees and foraging habitat is present in the ruderal vegetation. However, habitat for white-tailed kite is marginal due to the urban character of the surrounding area.

No adverse effects to white-tailed kite foraging habitat are anticipated as a result of the loss of oak woodland habitat that would occur due to development of the proposed project. Non-breeding adults could readily avoid contact with construction equipment or personnel by moving out of the construction area. Displacement of non-breeding adults would not be a significant impact. The project has potential for adverse effects to white-tailed kite through nest disturbance leading to destruction of eggs or nestlings if this species were to nest in or adjacent to the project site. Eggs and young still dependent on the nest would be susceptible to injury or mortality through physical contact or through nest abandonment caused by displacement of adults. Destruction of eggs or young would be a violation of the Fish and Game Code and a significant impact.

Implementation of Mitigation Measure BIO-01 would reduce impacts to white-tailed kite and other nesting birds to a less than significant level.

## Migratory Birds and Raptors

The project site provides suitable habitat for nesting migratory birds and raptors. However, migratory and non-game birds are protected during the nesting season by California Fish and Game Code. The project site and immediate vicinity provides nesting and foraging habitat for a variety of native birds common to urbanized areas. Nests were not observed during surveys; however, a variety of migratory birds have the potential to nest in and adjacent to the site, in trees, shrubs and on the ground in vegetation.

Project activities such as clearing and grubbing during the avian breeding season (February 1 – August 31) could result in injury or mortality of eggs and chicks directly through destruction or indirectly through forced nest abandonment due to noise and other disturbance. Needless destruction of nests, eggs, and chicks would be a violation of the Fish and Game Code and a significant impact.

## Aquatic Resource Evaluation

The project site is located in the City of Folsom in the Upper American River hydrologic unit (HUC12: 180201110201). NWI mapping shows no aquatic features on the project site.

HELIX conducted a routine assessment of waters of the U.S. and State on September 30, 2020, generally in accordance with the U.S. Army Corps of Engineers' (USACE) Corps of Engineers Wetlands Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0). A formal delineation of wetlands was not completed. HELIX identified two aquatic resources; an intermittent drainage and an ephemeral drainage totaling 0.04-acre of aquatic resources that are potentially jurisdictional waters of the U.S. and state. The drainage features are depicted on the Habitat and Resource Map, which is included in Attachment A of **Appendix D**. No other aquatic resources are present on the site.

The intermittent drainage totals 0.03-acre and flows in a southwesterly direction along the northern boundary of the project site. The intermittent drainage is fed by an unnamed emergent wetland swale located north of the site on the Folsom State Prison grounds, via a 24-inch metal culvert that runs beneath Natoma Street to enter the project site. The drainage also receives stormwater runoff from Natoma Street. The water to the site flows intermittently, with water persisting after rain events. The banks of the drainage are incised with a stream channel that is approximately 3-ft wide at the ordinary high-water mark. The intermittent drainage on the project site does not support wetland vegetation, with most of the vegetation within the feature consistent with vegetation in the blue oak woodland vegetation community. Upon leaving the site, the intermittent drainage continues in a southwesterly direction and enters an unnamed tributary to the American River/Lake Natoma west of the prison.

An ephemeral drainage is characterized as a feature with a bed and a bank that channels water from uplands and typically only flows during periods of precipitation. Ephemeral drainages typically do not support wetlands due to their brief hydroperiods, although they typically have an incised bank. In the project site, there is one ephemeral drainage totaling 0.01-acre that crosses the eastern portion of the site and intersects with the intermittent drainage. The ephemeral drainage in the project site supports vegetation consistent with understory vegetation described in the blue oak woodland and is dominated by weedy grasses and forbs.

Determination of regulatory jurisdiction must be made by the U.S. Army Corps of Engineers (USACE), Central Valley Regional Water Quality Control Board (CVRWQCB), and CDFW. It is likely that impacts to the drainages would occur as a result of the proposed project, which would be a significant impact if they are considered waters of the U.S. or state or subject to CDFW jurisdiction.

### Protected Trees

A total of 111 trees are present on the site, including 94 blue oaks, seven Fremont's cottonwoods (*Populus fremontii*), four interior live oaks, two Gooding's black willow (*Salix gooddingii*), one mulberry, one Chinese hackberry, one Chinese tallow, and one ornamental cherry (Figure 3). The City of Folsom regulates trees under Section 12.16 of the Folsom Municipal Code (Tree Preservation Ordinance). A permit is required to remove native oaks (defined as valley oak, blue oak, interior live oak, and coast live oak) measuring 6-inches in diameter at standard height (i.e., 54-inches above natural grade, DSH), or a multi-stemmed native oak measuring a total of 20-inches at DSH. For a tree with a common root system that branches at the ground, DSH is defined as the sum of the diameter of the largest trunk and one-half the cumulative diameter of the remaining trunks measured at 4.5-ft above natural grade.

A total of 77 trees on the project site are considered protected by Folsom City Code. None of the Fremont's cottonwood, Chinese hackberry, Chinese tallow, mulberry, ornamental cherry or Gooding's black willow are protected. See Attachment B in **Appendix C** for additional data on the trees found on the project site.

**Table 7** outlines the number of trees, with their respective DSH, to be impacted or to be retained. The project includes a total of 111 trees on the project site, of which 77 trees are protected by the Folsom City Code. Of the total 77 protected trees, 65 protected trees require mitigation (the remaining 12 trees do not warrant mitigation due to poor health). Under the proposed project, 30 protected trees, with 473.1-inches at DSH, would be retained. The proposed project would result in direct or indirect impact of the remaining 47 protected trees, which would require 571.3-inches at DSH of mitigation. However, the final mitigation for the impact of protected trees is to be determined by the City Arborist prior to issuance of a City Grading Permit. Please refer to Figure 10 for the Tree Impact Plan.

**Table 7: On-Site Tree Designation**

	Total Trees on Project Site	Unprotected Trees	Protected Trees	Protected Trees to be impacted	Protected Trees to be retained
<b>Number</b>	111	34	77	47	30
<b>DSH (inches)</b>	--	--	--	571.3	473.1

Based on Figure 10 included in Appendix A.



## Evaluation of Biological Resources

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

**Less than significant with mitigation.** The trees and understory grassland areas within the project site provide suitable nesting habitat for white-tailed kite and other raptors as well as other native birds and large trees adjacent to the site provide nesting habitat for raptors. Removal of vegetation containing active nests would potentially result in destruction of eggs and/or chicks; noise, dust, and other anthropogenic stressors in the vicinity of an active nest could lead to forced nest abandonment and mortality of eggs and/or chicks. Needless destruction of eggs or chicks would be a violation of the Fish and Game Code and a significant impact. Pre-construction surveys should be conducted prior to project implementation to determine if nesting birds are present on or adjacent to the site, so that measures could be implemented if needed to avoid harming nesting birds. Implementation of Mitigation Measure BIO-01 would reduce impacts to white-tailed kite and other nesting birds to a less than significant level.

### Mitigation Measure BIO-01: Avoid and minimize impacts to white-tailed kite and other nesting birds.

- If project (construction) ground-disturbing or vegetation clearing and grubbing activities commence during the avian breeding season (February 1 – August 31), a qualified biologist shall conduct a pre-construction nesting bird survey no more than 14 days prior to initiation of project activities and again immediately prior to construction. The survey area shall include suitable raptor nesting habitat within 500-ft of the project boundary (inaccessible areas outside of the project site can be surveyed from the site or from public roads using binoculars or spotting scopes). Pre-construction surveys are not required in areas where project activities have been continuous since prior to February 1, as determined by a qualified biologist. Areas that have been inactive for more than 14 days during the avian breeding season must be resurveyed prior to resumption of project activities. If no active nests are identified, no further mitigation is required. If active nests are identified, the following measure is required:
  - A suitable buffer (e.g., 500-ft for raptors; 100-ft for passerines) shall be established by a qualified biologist around active nests and no construction activities within the buffer shall be allowed until a qualified biologist has determined that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest, or the nest has failed). Encroachment into the buffer may occur at the discretion of a qualified biologist. Any encroachment into the buffer shall be monitored by a qualified biologist to determine whether nesting birds are being impacted.

With implementation of Mitigation Measure BIO-01, impacts to the white-tailed kite and nesting birds would be less than significant.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

**No impact.** No riparian habitats, sensitive natural communities, or other protected habitats are located on or adjacent to the project site. Therefore, no impact would occur.

- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

**Less than significant with mitigation.** The 0.04-acre of aquatic features located on the project site are potentially regulated by the USACE, CVRWQCB, and CDFW under the Clean Water Act, Porter-Cologne Act, and Section 1600 of the Fish and Game Code. Therefore, removal or fill of the aquatic features would likely require a permit from these agencies. In order to avoid impacts to jurisdictional wetland and waters, Mitigation Measure BIO-02 would be implemented, mitigating impacts to a less than significant level.

**Mitigation Measure BIO-02: Avoid and minimize impacts to jurisdictional wetland and waters**

- Prior to start of construction, the project proponent shall either prepare a formal delineation and submit it to the USACE for verification or obtain verification based on the mapping of aquatic resources in this report as well as contact the USACE, CVRWQCB, and CDFW to determine the need for permits and secure any required aquatic resources permits for impacts to waters of the U.S./State from the USACE, CVRWQCB, and CDFW, pursuant to Sections 404 and 401 of the Clean Water Act, the California Water Code, Section 1600 of the Fish and Game Code, and the State Water Resource Control Board Dredge and Fill Policy. The project proponent shall comply with all conditions of such permits including providing compensatory mitigation at a minimum 1:1 ratio as required to achieve no net loss of wetlands or other waters.
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

**No impact.** The project site is surrounded by development including Prison Road and Folsom State Prison to the north, Cimmaron Circle and single-family homes to the east, PG&E powerlines, single family homes, and duplexes to the south, and Fargo Way, Office Space, and Folsom City Police Department to the west. The project site does not provide any wildlife movement corridors or wildlife nursery sites. Therefore, there would be no impacts to wildlife corridors or the use of native wildlife nursery sites as a result of the proposed project.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

**Less than significant impact with mitigation.** Of the 111 trees on the project site, 77 trees are considered protected by Folsom City Code. If protected trees will be removed by the proposed project mitigation will be required per Section 12.16.150.

Protected trees rated 3, 4 or 5 shall be replaced at a ratio of one-inch equivalent for every one-inch of DSH removed as shown in **Table 8**. Protected trees rated 2 shall be replaced at a ratio of one-half-inch equivalent for every one inch removed. Protected trees rated 0 or 1 require no replacement or any other mitigation. Mitigation for trees can be done through on-site replacement planting, payment of in lieu fees, or a combination thereof.

**Table 8. Tree Replacement Equivalency Table**

Replacement Tree Size	DSH Equivalency
A Sampling tree; or	0.5-inch DSH
Tree in container less than 15 gallons	0.5-inch DSH
15-gallon container tree	1-inch DSH
24-inch box tree	2-inch DSH
36-inch box tree	3-inch DSH

Of the 77 trees protected by Folsom City Code, only 65 trees require potential mitigation based on having a health rating of 5, 4, 3, or 2. Of those 65 trees potentially requiring mitigation, the proposed project would only result in direct or indirect impact to 47 protected oak trees, which would require 571.3-inches at DSH of mitigation (Table 7). With implementation of Mitigation Measure BIO-03, impacts to protected trees would be less than significant.

**Mitigation Measure BIO-03: Avoid and minimize impacts to protected trees**

- The applicant shall provide mitigation for directly or indirectly impacted oak trees based on having a health rating of 5,4,3, or 2. Based on the DSH equivalency ratio, the project applicant shall mitigate for the removal of approximately 47 oak trees (571.3 inches at DSH) that will be removed with development of the project. Final mitigation requirements shall be determined by the City Arborist upon receipt of final design plans prior to the issuance of a grading permit. Mitigation for trees shall be done through on-site replacement planting, payment of in-lieu fees as determined by the City, or a combination thereof.
- A Tree Permit Application containing an Application Form, Tree Protection and Mitigation Plan, and Arborist Report shall be submitted to the City of Folsom by the owner/applicant for issuance of a Tree Work Permit and Tree Removal Permit prior to commencement of any grading or site improvement activities. The tree protection and mitigation plan shall be prepared in collaboration with a qualified arborist and shall be subject to review and approval by the City. The tree protection and mitigation plan shall contain the contact information of the project arborist and shall be included in all associated plan sets for the project.
- Removal of any protected tree shall be mitigated by planting replacement trees and/or payment of "In-Lieu" fees on a diameter inch basis in accordance with FMC, Section 12.16.150. The proposed method of mitigation shall be subject to review and approval by the City.
- Prior to starting construction, oak trees to be preserved shall be fenced with high visibility fencing consistent with the city-approved tree protection and mitigation plan. Parking of vehicles, equipment, or storage of materials is prohibited within the Tree Protection Zone of Protected Trees at all times. Signs shall be posted on exclusion fencing stating that the enclosed trees are to be preserved. Signs shall state the penalty for damage to, or removal of, the protected tree.
- The owner/applicant shall retain the services of a project arborist for the duration of the development project to monitor the health of oak trees to be preserved and carry out the City-approved tree protection plan. All regulated activity conducted within the Critical Root Zone of protected trees, as that term is defined in Folsom Municipal Code (FMC) 12.16.020, shall be

performed under the direct supervision of the project arborist. A copy of the executed contract for these arboricultural services shall be submitted to the City prior to the issuance of any tree or grading permits

- Certification letters by the project arborist attesting compliance with the tree protection and mitigation plan and tree permit conditions shall be submitted to the City.
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

**No impact.** No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan has been approved for the City of Folsom. Therefore, no impacts to an existing adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan would occur.

**V. CULTURAL RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The discussion below is based on a cultural resources assessment prepared by HELIX Environmental Planning, Inc. (HELIX 2022b), attached to this Initial Study as **Appendix E**. This assessment, which addresses both archaeological and architectural resources, is based on the results of an archival records search, Native American coordination, and a pedestrian survey of the project site.

**Environmental Setting**

State and federal legislation require the protection of historical and cultural resources. In 1971, President’s Executive Order No. 11593 required that all federal agencies initiate procedures to preserve and maintain cultural resources by nomination and inclusion on the National Register of Historic Places. In 1980, the Governor’s Executive Order No. B-64-80 required that state agencies inventory all “significant historic and cultural sites, structures, and objects under their jurisdiction which are over 50 years of age and which may qualify for listing on the National Register of Historic Places.” Section 15064.5(b)(1) of the CEQA Guidelines specifies that projects that cause “...physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historic resource would be materially impaired” shall be found to have a significant impact on the environment. For the purposes of CEQA, an historical resource is a resource listed in, or determined eligible for listing in the California Register of Historical Resources. When a project could impact a resource, it must be determined whether the resource is an historical resource, which is defined as a resource that:

(A) is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political or cultural annals of California; and,

(B) Meets any of the following criteria: 1) is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage; 2) is associated with the lives of persons important in our past; 3) embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or 4) has yielded, or may be likely to yield, information important in prehistory or history. The City of Folsom Standard Construction Specifications were developed and approved by the City of Folsom in May 2004 and updated in

April 2015. They include Article 11 - Cultural Resources, which provides direction on actions to be taken in the event that materials are discovered that may ultimately be identified as a historical or archaeological resource, or human remains (City of Folsom 2015).

### **Cultural Background**

The following is a brief overview of the prehistory, ethnography, and historic background of the project area intended to provide a historical context for cultural resources that might be found in the vicinity of the APE. This section is not intended to be a comprehensive review of the current resources available; rather, it serves as a general overview of human occupations and uses of the general project vicinity. Further details can be found in ethnographic studies, mission records, and major published sources, including Beardsley (1948), Bennyhoff (1950, 1954, 1977), Fredrickson (1973 and 1974), Kroeber (1925), Chartkoff and Chartkoff (1984), and Moratto (1984).

### **Prehistoric Background**

Early archaeological investigations in central California were conducted at sites located in the Sacramento-San Joaquin Delta region. The first published account documents investigations in the Lodi and Stockton area (Schenck and Dawson 1929). The initial archaeological reports typically contained descriptive narratives, with more systematic approaches sponsored by Sacramento Junior College in the 1930s. At the same time, University of California at Berkeley excavated several sites in the lower Sacramento Valley and Delta region, which resulted in recognizing archaeological site patterns based on variations of inter-site assemblages. Research during the 1930s identified temporal periods in central California prehistory and provided an initial chronological sequence (Lillard and Purves 1936; Lillard et al. 1939). In 1939, Lillard noted that each cultural period led directly to the next and that influences spread from the Delta region to other regions in central California (Lillard et al. 1939). In the late 1940s and early 1950s, Beardsley documented similarities in artifacts among sites in the San Francisco Bay region and the Delta and refined his findings into a cultural model that ultimately became known as the Central California Taxonomic System (CCTS). This system proposed a uniform, linear sequence of cultural succession (Beardsley 1948 and 1954). The CCTS system was challenged by Gerow, whose work looked at radiocarbon dating to show that Early and Middle Horizon sites were not subsequent developments but, at least partially, contemporaneous (Gerow 1954, 1974; Gerow and Force 1968).

To address some of the flaws in the CCTS system, Fredrickson (1973) introduced a revision that incorporated a system of spatial and cultural integrative units. Fredrickson separated cultural, temporal, and spatial units from each other and assigned them to six chronological periods: Paleo-Indian (10000 to 6000 B.C.); Lower, Middle and Upper Archaic (6000 B.C. to A.D. 500), and Emergent (Upper and Lower, A.D. 500 to 1800). The suggested temporal ranges are like earlier horizons, which are broad cultural units that can be arranged in a temporal sequence (Moratto 1984). In addition, Fredrickson defined several patterns—a general way of life shared within a specific geographical region. These patterns include:

- Windmill Pattern or Early Horizon (3000 to 1000 B.C.);
- Berkeley Pattern or Middle Horizon (1000 B.C. to A.D. 500); and,
- Augustine Pattern or Late Horizon (A.D. 500 to historic period).

Brief descriptions of these temporal ranges and their unique characteristics are presented below.



*Windmill Pattern or Early Horizon (3000 to 1000 B.C.)*

The Windmill Pattern, or, the Early Horizon culture, was centered in the Cosumnes district of the Delta and emphasized hunting rather than gathering, as evidenced by the abundance of projectile points in relation to plant processing tools. Additionally, atlatl, dart, and spear technologies used typically included stemmed projectile points of slate and chert. Obsidian projectile points, however, are sparingly found on Windmill sites. The large variety of projectile point types and faunal remains suggests exploitation of numerous types of terrestrial and aquatic species (Bennyhoff 1950; Ragir 1972). Burials occurred in cemeteries and intra-village graves. These burials typically were ventrally extended, although some dorsal extensions are known with a westerly orientation and a high number of grave goods. Trade networks focused on acquisition of ornamental and ceremonial objects in finished form rather than as raw material. The presence of artifacts made of exotic materials such as quartz, obsidian, and shell indicate an extensive trade network that may represent the arrival of Utian populations into central California. Also indicative of this period are rectangular *Haliotis* and *Olivella* shell beads, and charmstones that usually were perforated.

*Berkeley Pattern or Middle Horizon (1000 B.C. to A.D. 500)*

The Middle Horizon is characterized by the Berkeley Pattern, which displays considerable changes from the Early Horizon. This period exhibited a strong milling technology represented by minimally shaped cobble mortars and pestles, although metates and manos were still used. Dart and atlatl technologies during this period were characterized by non-stemmed projectile points made primarily of obsidian. Fredrickson (1973) suggests that the Berkeley Pattern marked the eastward expansion of Mi-Wuk groups from the San Francisco Bay Area. Compared with the Early Horizon there is a higher proportion of grinding implements at this time, implying an emphasis on plant resources rather than on hunting. Typical burials occurred within the village with flexed positions, variable cardinal orientation, and some cremations. As noted by Lillard, the practice of spreading ground ochre over the burial was common at this time (Lillard et al. 1939). Grave goods during this period are generally sparse and typically include only utilitarian items and a few ornamental objects. However, objects such as charmstones, quartz crystals, and bone whistles occasionally were present, which suggest the religious or ceremonial significance of the individual (Hughes 1994). During this period, larger populations are suggested by the number and depth of sites compared with the Windmill Pattern. According to Fredrickson (1973), the Berkeley Pattern reflects gradual expansion or assimilation of different populations rather than sudden population replacement and a gradual shift in economic emphasis.

*Augustine Pattern or Late Horizon (A.D. 500 to Historic Period)*

The Late Horizon is characterized by the Augustine Pattern, which represents a shift in the general subsistence pattern. Changes include the introduction of bow and arrow technology; most importantly, acorns became the predominant food resource. Trade systems expanded to include raw resources as well as finished products. There are more baked clay artifacts and extensive use of *Haliotis* ornaments of many elaborate shapes and forms. Burial patterns retained the use of flexed burials with variable orientation, but there was a reduction in the use of ochre and widespread evidence of cremation (Moratto 1984). Judging from the number and types of grave goods associated with the two types of burials, cremation seems to have been reserved for individuals of higher status, whereas other individuals were buried in flexed positions. Johnson (1976) suggests that the Augustine Pattern represents expansion of the Wintuan population from the north, which resulted in combining new traits with those established during the Berkeley Pattern.

Central California research has expanded from an emphasis on defining chronological and cultural units to a more comprehensive look at settlement and subsistence systems. This shift is illustrated by the early use of burials to identify mortuary assemblages and more recent research using osteological data to determine the health of prehistoric populations (Dickel et al. 1984). Although debate continues over a single model or sequence for central California, the general framework consisting of three temporal/cultural units is generally accepted. Having said that, the identification of regional and local variation remains a major goal of current archaeological research.

### **Ethnographic Background**

The cultural groups that occupied the project area at the time of Euro-American contact around 1845 are the Southern Maidu, sometimes called the Nisenan. This group speaks a language related to the Penutian stock, and it is generally agreed that they entered the region sometime after 1750 AD, and that their territory included the Bear River, American River, Yuba River, and southern portions of the Feather River drainages (Wilson and Towne 1978:387). Southern Maidu settlements were often located on ridges that separated parallel streams, or terraces located part way up slopes (Kroeber 1925).

The Southern Maidu village of Yodok was thought to have been originally located on the south side of the American River, in the approximate vicinity of the current town of Folsom (Kroeber 1925:394). Later ethnographers however, depict the village on the north side of the river (Bennyhoff 1977:125, 165; Wilson and Towne 1978:388), close to the present-day location of the Cliff House Restaurant (located at 9900 Greenback Lane). It is suspected that additional large settlements existed in the region prior to Euroamerican contact which went undocumented due to the speed with which the Southern Maidu way of life was impacted by white settler colonialism.

Ethnographic descriptions of the Southern Maidu suggest a varied subsistence strategy based on the exploitation of available resources. They hunted a variety of large and small mammals, (including deer, bear, elk, antelope, and rabbit), fish (salmon, trout, and eel), and birds (waterfowl, crows, and pigeons), and gathered numerous edible seeds, nuts, berries, herbs, and native fruits (Kroeber 1925). The Maidu were nomadic throughout the year, following game and gathering plants. Population movements were predicated upon the changes of seasons in an effort to make subsistence gathering easier. Winter villages were formed along drainages at elevations below 2,500-ft (Johnson 1982:74-75). Spring, summer, and early fall were spent at higher elevation camps, where resources were gathered, prepared, and stored for winter (Wilson and Towne 1978:388).

Maidu dwellings include a conical structure built out of poles thatched with bark, sticks, leaves, and pine needles. These structures were often built on top of shallowly excavated pits, with dirt built up around their perimeters. These structures measured between 10- and 15-ft in diameter. Larger Maidu villages often included dance houses, which measured between 20- and 40-ft in diameter, as well as other larger structures which functioned as sweat houses and lodges. These larger structures extended down into the subsurface, with 10- to 20-ft high posts used to support a domed roof which consisted of poles and thatched sticks, bark, and pine needles. An outer layer of earth, measuring roughly 1-foot thick, was used to seal the structure against the elements (Kroeber 1925:407-408).

The epidemic of 1833, which was brought by Euromericans into the Folsom area, had terrible impacts on local Maidu populations. Thought to be malaria, this epidemic is estimated to have killed up to 75 percent of the Sacramento Valley native population, Maidu included. Another major impact to the Maidu way of life came with the discovery of gold in Coloma in 1848. This prompted thousands of

miners to move into the region and stake claims for mining operations. This carving up of territory on maps was quickly followed by the removal of trees, and the diversion of rivers and creeks from their natural beds, resulting in the siltation of local streams. Beyond the environmental degradations these activities caused, mining operations radically reduced the hunting and gathering territories of the Maidu and other native American groups all but extinguishing their means of maintaining self-sufficient levels of food collection/production as well as their capacity to collect materials used in the crafting of tools, structures, trade goods, and medical supplies (Levy 1978, Wilson and Towne 1978). By the 1870s, the surviving Maidu were largely working in Euro-American owned mines and ranches or working as day laborers in industrial or agricultural settings (Powers 1975). Still, Maidu people continue to live in the region to this day, and are striving to maintain, reinvigorate, and safeguard their cultural heritage and traditional practices.

### **Historic Background**

The first Europeans to visit the interior of California were Spanish expeditions launched to recapture Native Americans who had escaped from the rule of coastal missions (Heizer and Almquist 1971, McGruder 1950, Napton 1997:6). Catholic missions were the hallmark of the Spanish Period (1796-1822) in California, during which time 21 missions were established by the Franciscan Order along the coast between San Diego (among the earliest of missions) and San Francisco. Among the first Europeans to formally explore the Central Valley was Lieutenant Gabriel Moraga, who led excursions in the area between 1806 and 1808 to examine the area's main water ways including what we today call the American, Calaveras, Cosumnes, Feather, Merced, Mokelumne, Sacramento, San Joaquin, and Stanislaus rivers. In 1813, Moraga again ventured into the Central Valley, this time focusing on the south, and coined the name of the San Joaquin River (Hoover et al. 2002:369). Luis Arguello led the last of the Spanish expeditions into the Central Valley in 1817 when he traveled up the Sacramento River, past current day Sacramento, and into the mouth of the Feather River before turning back to the coast (Beck and Haase 1974:18, 20, Grunsky 1989:3-4).

The Mexican Revolution, which took place between 1810 and 1821, resulted in the end of Spanish rule in modern day California and ushered in Mexican governance in the area, which was marked by an extensive issuance of land grants, mostly of lands in the interior of the state. Californios (or Mexican Citizens in California who were given land grants) were given locations by the Mexican Republic in the interior, with the goal of increasing populations in areas further from the coast where Spanish era settlements had already been established and developed into bustling areas of commerce.

Settlement of the Sacramento area began by late 1830s and early 1840s, when entrepreneurs such as John Sutter and Jared Sheldon obtained land grants from the Mexican government in exchange for an agreement to protect Mexican interest in these remote regions. In 1839, John Sutter built the earliest Euro-American settlement within Sacramento County. Named Sutter's Fort, it was well known outpost that brought with it an increase in Euro-American trappers, hunters, and settlers to the Sacramento area. John Sutter also founded New Helvetia, a trading and agricultural outfit, that was based out of Sutter's Fort, close to the location where the Sacramento and American rivers split, near today's City of Sacramento (Hoover et al. 2002).

The Mexican period was also characterized by exploration of the western Sierra Nevada mountain range by American fur trappers and later, miners. Jedediah Smith, an American trapper, is known to have explored the Sierra Nevadas in 1826 and 1827, entering the Sacramento Valley and traveling along the American and Cosumnes rivers and through the San Joaquin Valley. Soon after other trappers ventured

into the area, including those involved with the Hudson's Bay Company in 1832 (Hoover et al. 2002:370). Colonel J. Warner is also known to have traveled with the Ewing-Young trapping expedition which passed through the Central Valley in 1832 and 1833 (Gilbert 1879:11).

The American period in California began in 1848 with the end the Mexican American War (1846 – 1848), and the ensuing Treaty of Guadalupe Hidalgo which officially made California a territory of the United States. Soon after, gold was discovered at Sutter's Mill, located along the American River in Coloma. By 1849 over 80,000 people had emigrated to try and stake their claims and strike it rich in the California Gold Rush. Due to this population boom, and the industries that popped up as a result, California was made the 31st state of the United States in 1850, and by 1854, the bustling town of Sacramento was made the state capital.

### **Local History**

The City of Folsom was named after Captain Joseph Libbey Folsom, a West Point graduate who arrived in California in 1847 to serve as Quartermaster in San Francisco. In 1848 Captain Folsom purchased a 35,000-acre Mexican land grant located just to the east of John Sutter's land grant and hired Theodore Judah, a railway engineer, and surveyor, to lay out a town initially named Granite City. After Captain Folsom's death in July 19, 1885, his executors changed the town name to Folsom (Gudde 1998). The history of the city is steeped in the development of the mining and transportation industries, and later was heavily influenced by the development of the Folsom Prison and hydroelectric dams.

Mormon Bar, located just a few miles east of Folsom, was the second major gold find within California and by the spring of 1848 a group of Mormons had developed mining operations in the area (Hoover et al. 1990, The Telegraph 1966:8). These efforts were soon followed by the exploration of the other gravel bars along the American River; by 1849 mining works were established between Mormon Island and Mississippi Bar, including Alabama Bar, Slate Bar, Beam or Bean's Bar, and Sailor Bar. Other nearby mining camps included Texas Hill, just south of present-day Folsom and Big Gulch mining camp, north along the American River (Hoover et al. 1990:289). Negro Bar was also located on the American River, near present day Decatur and Reading streets, and was first mined by Afro-Americans in 1849. The community that sprang up around Negro Bar began within the current townsite of Folsom and extended almost a mile downstream. These works, camps, and residences housed some 700 inhabitants as of 1851, and the settlements included two general stores and two hotels (Gudde 1975:235, Hoover et al. 1990:289). In 1852, however, a massive flood on the river forced a relocation of the community onto the bluffs above the bar (Gudde 1975).

In 1851, check dams were built by the Natomas Water and Mining Company on the South Fork American River two miles above Salmon Falls to facilitate the supply of water for mining operations in the growing Folsom Mining District. By 1854 these dams diverted water across 20-miles of ditches and sluice gates that supplied the Folsom area, and included a main canal that reached Prairie City to the south (Barrows 1966, Reed 1923:130, Thompson and West 1880). The area saw an infusion of Chinese immigrants around 1850, with many of them hired to help build the ditches and dams for the Natomas Company. Some also established themselves in the Folsom area by reworking abandoned claims and tailings piles (Barrows 1966:70-71, Thompson and West 1880). By the mid-1850s there were over 1,200 Chinese living in the area, primarily working as miners.

Mining in the area persisted through the 1960s, though to a far lesser extent than the mining boom in the 1850s. these efforts included placer and drift mining ventures near Alder Creek and Willow Springs,



at the Golden Treasure Mine close to Leidersdorff Street, at the White and Donnelly Gravel Mine between Leidesdorff and Sutter Street, and at Wool and Reading streets (Maniery and Syda 1991:25). Dredge mining the American River was first attempted by W. P. Bonright and Company when they obtained title and rights to the Mississippi Bar (Barrows 1966:54-55). By the 1900s and 1910s several companies seeking to emulate the successes of the Bonright dredging endeavor moved into the region, with some working the gravels at Sailor Bar and Texas Hill (The Telegraph, May 30, 1903). Mining remained the primary focus on the Folsom economy until the 1940s, when the federal government placed a moratorium on the mining of non-essential metals as a result of the outbreak of World War II. Though mining/dredging operations resumed after the war in 1946, the returns proved to be not nearly as profitable as they had in earlier years. The last mining enterprise in the region halted operations in 1962 (Barrows 1966).

In 1852 the Sacramento Valley Railroad Company (SVRR) was developed to build a rail line between Sacramento and Negro Bar. The route was surveyed and laid in 1854. Construction began in 1855 and completed by 1856, making it the first line completed in California (Barrows 1966:16, Reed 1923:130). A terminus for the SVRR was built in Folsom near already established hotels and stores. The railway opened on February 22, 1856 and quickly made Folsom a transportation center for freight and passengers who needed to push further into the California interior, or to arrive in Sacramento for shipment by boat to San Francisco and then elsewhere. Many would arrive in Folsom to stage voyages to Sonora, Placerville, Auburn, and Marysville (Thompson and West 1880:223). As a result Folsom grew along with the railroad traffic, with the years between 1856 and 1865 characterized by the development of hotels, houses, churches, an academy, and businesses including a flour mill, and the Folsom Telegraph building (Thompson and West 1880:223). A series of fires (two in 1871, one in 1872, and another in 1886) destroyed a tremendous amount of property in the area, but each time the city's business district found ways to quickly bounce back with the construction of larger and grander buildings.

In the 1870s Folsom also saw an increase in agricultural activity as the Natoma Water and Mining Company began renting out large swaths of their property for use as vineyards, gardens, and orchards (Reed 1923:130). Chinese, Native Americans, Portuguese, Italians, and African Americans worked in these agricultural fields and took on the roles of cooks, laborers, and handymen in the Folsom area. Growth in the area was also spurred in the 1870s and 1880s by the opening of Folsom State prison in 1878. This prison remains a major employer for the town through the present day.

Originally intended to house the surplus of criminals held at San Quentin prison, construction began on the Folsom Prison in 1874, with the efforts largely supplied by local Folsom businesses. The prison was built on land owned by the Natoma Water and Mining company. In exchange for the state gaining possession of the land, convict labor was to be used to construct a dam for the company (Barrows 1966:77). A railroad spur intended to supply the new prison facility was built along the south bank of the American River and extended to the intended dam site. The first cell block was completed in 1880 prompting the first transfer of 44 convicts from San Quentin. These men were soon put to work building an additional cellhouse and the dam for the Natoma Company. These buildings were made with granite quarried from the prison grounds, and as the prison was expanded, so was the prisoner population. The prison was unique in that it had an electric power plant on the grounds to power interior lighting and the arc-lights that illuminated the boundaries of the prison grounds (Barrows 1966:78). Convict labor from the prison was used to build the Folsom dam as intended, which led to the development of the nearby hydroelectric plant.

The dam and the first half-mile of the associated canal were completed in 1893. Soon after log booms

were constructed so that logs could be floated through the power canal and to a milling pond and sawmill near Folsom. These logging businesses were operated by the American River Land and Lumber Company which were affiliated with the Natoma Company (Barrows 1966). By 1895, a hydroelectric system consisting of a two-story powerhouse, intake gates, penstocks, McCormick turbines, and GE generators was completed. Once operational, this powerhouse brought electric current through transmission lines to Sacramento, forming the longest transmission line in the world at the time (Barrows 1966:23). This hydroelectric system was continuously upgraded and remained in use until 1952 when the Folsom Dam was demolished in anticipation of the construction of a new dam further upstream.

In the latter half of the 20<sup>th</sup> century the City of Folsom continued to expand and grow. The new Folsom Dam project began in 1952 and was completed by 1956. This new dam was built to control flooding in Sacramento and to provide hydroelectric power to nearby cities. In the 1960s, musician Johnny Cash brought fame to the city and the Folsom Prison, with his hit single "Folsom Prison Blues" and the subsequent recording of an album on the prison grounds in 1968. In 1982 Intel Corporation, the computer hardware company, made Folsom its home and purchased 234 acres to set up offices, warehouses and manufacturing center. Today the 1.5 million square foot Intel campus employs over 6,000 employees and is the single largest employer in the city. In more recent decades, especially the 1990s, Folsom has been the site of rapid expansion, as the suburbs of Sacramento spread out into the Folsom city limits. As of the 2020 census, Folsom is home to some 80,454 residents. This recent growth has spurred the development of numerous residential neighborhoods, apartment complexes and shopping centers.

## Cultural Resource Record Search

### Previous Studies

On January 21, 2022, a records search addressing the APE and a 0.50-mile radius beyond the APE boundaries was conducted by the North Central Information Center (NCIC) at California State University, Sacramento. The purpose of the records search was to: (1) identify prehistoric and historic resources previously documented in the APE and within 0.5-mile of APE boundaries; (2) determine which portions of the APE may have been previously studied, when those studies took place, and how the studies were conducted; and, (3) ascertain the potential for archaeological resources, historical resources, and human remains to be found in the APE. This search also included a review of the appropriate USGS topographic maps on which cultural resources are plotted, archaeological site records, building/structure/object records, and data from previous surveys and research reports. The California Points of Historical Interest, the California Historical Landmarks, the NRHP, the CRHR, and the California State Historic Resources Inventory listings were also reviewed to ascertain the presence of designated, evaluated, and/or historic-era resources within the APE. Historical maps and historical aerial photographs of the area were also examined (NETROnline 2022).

The cultural resources records search identified 10 studies that have previously been conducted within a 0.5-mile radius of the APE (Table 9). Of these, two studies overlapped with the current APE for at least part of their survey area; these include report numbers 004508 (Maniery 1993) and 004509 (Maniery and Syda 1991). Brief summaries of the reports pertaining to surveys that overlapped with the current APE are provided below Table 9.



Table 9. Previous Studies Conducted within 0.5-Mile of the APE

Report	Year	Author(s)	Affiliation	Includes APE?	Title
004508	1993	Maniery, Mary L.	PAR Environmental Services, Inc.	Yes	Determination of Effect, American River Bridge Crossing Project, City of Folsom, Sacramento County, California
004509	1991	Maniery, Mary L. and Keith A. Syda	PAR Environmental Services, Inc.	Yes	Cultural Resources Investigation for the American River Bridge Crossing Project, City of Folsom, Sacramento County, California
000155	1977	Greenway, Gregory	Archaeology Study Center, CSU Sacramento	No	An Archaeological Survey of the Oak Avenue Parkway, Ashland Water Transmission Main and Storage, Blue Ravine Water Transmission Main, and the Lew Howard Memorial Park for the City of Folsom, Sacramento County, California
001837	1997	Waechter, Sharon	Sharon Waechter	No	Archaeological Survey for the Proposed Natoma Pipeline Expansion, Folsom Dam to the City of Folsom Water Treatment Plant
003761	2001	Billat, Lorna Beth	EarthTouch, LLC	No	Nextel Communications (on-air) CA-0205A / West Folsom Entrance Road to Folsom State Prison
006933	1998	Maniery, Mary L. and Cindy Baker	PAR Environmental Services, Inc.	No	Cultural Resources Investigation for the Folsom Sanitary Sewer Rehabilitation Project- Phase 1 Folsom, CA
011288	2013	PAR Environmental Services, Inc.	PAR Environmental Services, Inc.	No	Supplemental Historic Property Survey Report for the Johnny Cash Class 1 Bicycle Trail, City of Folsom, California Federal Project No. 5288 (025)
011533	2014	Wills, Carrie D. and Kathleen A. Crawford	Environmental Assessment Specialist, Inc.	No	Cultural Resources Records Search and Site Visit Results for T-Mobile West, LLC Candidate SC 14633A (East Natoma & Randall), 235 Marchant Drive, Folsom, Sacramento County, California
011755	2015	Allen, Josh	PAR Environmental Services, Inc.	No	Cultural Resources Survey of Folsom Zoo, Sacramento County, California
013383	2015	Wills, Carrie	HELIX Environmental Planning Inc.	No	Oak Parkway Trail Undercrossing, Draft Initial Study & Environmental Evaluation

Source: Helix 2022b.

**Report 004508** – *Determination of Effect, American River Bridge Crossing Project, City of Folsom, Sacramento County, California* was written by Mary.L. Maniery in 1993. The American River Bridge Crossing Project APE consisted of four linear alignments or alternatives that extended (east to west) from near the current Folsom Dam, to downstream of the existing Rainbow Bridge. Intersection improvements and road widening activities were also planned as part of the project. The survey area covered for this effort encompassed four possible alignments (referred to in the report as “alternatives”) for a bridge that would be built across the American River. The records searches and surveys conducted for these alternative alignments encountered 10 historic period cultural resources including Folsom’s “Chinatown” district (CA-SAC-426-H), the Sacramento Valley Railroad (CA-SAC-428-H), the Folsom Hydroelectric System (CA-SAC-429-H), the Folsom Powerhouses (National Historic Landmark/CHL #633), Rainbow Bridge (Bridge #246-67), and several individual built resources on APNs 070-0113-001, 070-0105-012, 070-0010-019, 070-0010-019 and 070-0091-007. However, none of the identified resources fall within the currently proposed APE, nor are any of these resources anticipated to be affected by the currently proposed undertaking.

**Report 004509** – *Cultural Resources Investigation for the American River Bridge Crossing Project, City of Folsom, Sacramento County, California*, was written by Mary L. Maniery and Keith A. Syda in 1991. Similar to report 004508, this cultural resource investigation examined four linear alignments or alternatives for a proposed bridge that would cross the American River, as well as associated road improvements that extended (east to west) from near the current Folsom Dam to downstream of the existing Rainbow Bridge. The investigation identified 13 archaeological sites, five isolated artifacts, and 55 historic structures. None of the resources identified during the records searches or pedestrian surveys covered within this report fall within the currently proposed APE, and none of the resources mentioned in the report are anticipated to be affected by the current undertaking.

#### Previously Recorded Searches

The records search revealed that elements of one cultural resource, the Folsom Mining District (P-34-000335 / CA-SAC-000308H) may be present within the APE, and that eight previously recorded cultural resources lie within 0.5-mile of the APE. A brief description of resource P-34-000335 (CA-SAC-000308H) is provided below **Table 10**.

**P-34-000335 (CA-SAC-000308H):** Most recently updated by Coleman, Talcott, and Wolpert of Solano Archaeological Services, this resource, known as the Folsom Mining District, is comprised of a variety of elements from the region’s historic mining period (spanning from the 1840s through the mid-twentieth century) including mines, quarries, tailings, mining equipment, habitation sites, roads, railroad grades, water conveyances, and structural foundations. The results of HELIX’s records search indicated that elements of this historic district could be present within the currently proposed APE. NCIC records suggest that the Folsom Mining District taken as a unified entity has been determined to be ineligible for listing on the NRHP and CRHR, but that individual elements within the district may be eligible for listing and that they should be evaluated as eligible or ineligible on a case-by-case basis.

**Table 10. Previously Recorded Cultural Resources within 0.5-Mile of the APE**

Primary	Trinomial	Year	Recorder	Description
P-34-000335	CA-SAC-0 00308H	1969	K. G. S.	Historic period district- Folsom Mining District, several incorporating elements including foundations and structure pads, a water conveyance system, mines, quarries, and tailings
P-34-000016	n/a	1990	Syda, K., and C. Thomas	Prehistoric period isolate - Mano
P-34-000017	n/a	1990	Syda, K., and C. Thomas	Prehistoric period isolate - Pestle
P-34-000018	n/a	1990	Syda, K., and C. Thomas	Historic period site- Concrete rubble and 3 quarried granite blocks
P-34-000451	CA-SAC-000424	1990	Syda, K., and C. Thomas	Historic period site - Water conveyance system, associated with Folsom Mining District
P-34-000452	CA-SAC-000425	1990	Syda, K., and C. Thomas	Prehistoric period site - Lithic scatter
P-34-000456	CA-SAC-000429H	1989	Gerry, R., and M. Peak	Historic period site - Water conveyance system, roads/trails/railroad grades, dams, and standing structures
P-34-005017	n/a	2014	Crawford, K. A.	Historic period site – 1960s PG&E Tower constructed with bolted steel L-shaped profiles and cross arms
P-34-005119	CA-SAC-000426	2011	Appleby, Richard Allen	Historic period site - Folsom State Prison Railroad, no longer extant, plotted route appears on 1892 USGS topo map

Source: HELIX 2022b

**Historic Maps and Aerial Photographs**

Historic maps and aerial photographs examined for this review include plat maps from 1857 and 1866; Folsom USGS 7.5-minute quadrangle maps from 1914, 1944, 1954, and 1967; and a series of aerial photographs dating from 1952 through 2018 (NETROnline 2022). The plat maps and USGS quadrangle maps reveal no signs of development of the APE through 1967. The aerial photograph series of the APE reveals the development of Natoma Street by 1952 and several dirt roads to the southwest of the APE. By 1964, the area adjacent south of the APE has been further developed with paved roads and the construction of a few residential houses. By 1993 development in the area increased considerably, with residential construction having taken place to the northeast, east, south, southwest, and northwest of the APE. Due north of the APE, however, the land remained undeveloped save for the paved road that leads to the Folsom prison located 2.5-miles north of the APE. Despite these developments in the

vicinity of the APE throughout the 20th century, the aerial photography analysis suggests that no developments took place within the currently proposed APE (NETROnline 2022).

### **Native American Heritage Commission Sacred Lands File Search**

On January 21, 2022, HELIX requested that the NAHC conduct a search of their Sacred Lands File (SLF) for the presence of Native American sacred sites or human remains in the vicinity of the proposed project area. On February 9, 2022 HELIX received a response from the NAHC that indicated the SLF search returned negative results but that the absence of specific site information in the SLF does not necessarily indicate the absence of cultural resources within the project area. As a result, the letter recommended that HELIX reach out to 10 Native American tribal representatives (Appendix E) who may also have knowledge of cultural resources in the project area. The recommended points of contact with Native American Tribes included:

- Dahlton Brown, Director of Administration, Wilton Rancheria
- Grayson Coney, Cultural Director, Tsi Akim Maidu
- Pamela Cubbler, Treasurer, Colfax-Todds Valley Consolidated Tribe
- Regina Cuellar, Chairperson, Lone Band of Miwok Indians
- Sara A. Dutschke, Chairperson, Lone Band of Miwok Indians
- Steven Hutchason, Tribal Historic Preservation Office, Wilton Rancheria
- Rhonda Morningstar Pope, Chairperson, Buena Vista Rancheria of Me-Wuk Indians
- Clyde Prout, Chairperson, Colfax-Todds Valley Consolidated Tribe
- Jesus Tarango, Chairperson, Wilton Rancheria
- Gene Whitehouse, Chairperson, United Auburn Indian Community of the Auburn Rancheria

HELIX sent letters to these tribal representatives on February 10, 2022. As of the date of this report no responses have been received.

### **Pedestrian Survey**

HELIX Staff Archaeologist, Jentin Joe, surveyed the undertaking's APE on February 8, 2022. The survey involved the systematic investigation of the APE's ground surface by walking in parallel 10-meter (m) transects. During the survey the ground surface was examined for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, fire-affected rock, prehistoric ceramics), soil discoloration that might indicate the presence of a prehistoric cultural midden, soil depressions, and features indicative of the former presence of structures or buildings (e.g., standing exterior walls, postholes, foundations, wells) or historic debris (e.g., metal, glass, ceramics). Ground disturbances such as gopher holes, burrows, cut banks, and drainage banks were also visually inspected. Representative survey photographs are found in **Appendix E**.

The topography of the APE is largely flat, with small rises in elevation in the northeast which dip down to a small creek which lies along the north boundary of the property and runs east to west. The APE is bounded by residential neighborhoods to the south, and east, a small business center to the west, and by Natoma Street to the north, with the Folsom Prison property just north of Natoma Street. The APE is mostly covered in oak trees and tall grasses, and the surveyor encountered fairly poor surface visibility (10 percent or less) with the exception of exposed patches of the ground surface that have been

modified (Photograph 1). These patches have clearly been disturbed and reveal light brown, loamy soils with few inclusions. The patches are signs of significant and recent ground disturbance in the form of excavations and earthen works that appear to have been designed to create an informal mountain biking trail/racing course (Photograph 2). The surveyor also found a great deal of modern trash on the site, including planks of wood, scraps of plastic, and a discarded mattress (Photograph 3). To the west is a walking trail that extends just outside the southern boundary of the APE.

No prehistoric or historic-era materials or features were observed during HELIX's intensive pedestrian survey of the APE.

### **Evaluation of Cultural Resources**

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

#### **Less than significant impact with mitigation.**

The results of this Cultural Resources Assessment indicate that there are no known or newly discovered cultural resources within the APE, prompting HELIX to recommend that the area is not likely to contain surface based archaeological deposits. Although the NCIC records search indicated that elements of district P-34-000335 (the Folsom Mining District) may potentially be located within the current APE, no traces of the district were found during HELIX's pedestrian survey of the project area. As a result, the current project is anticipated to have no impacts on district P-34-000335.

Based on the results of HELIX's cultural resource assessment the APE can be assumed to have a low sensitivity for surficial cultural resources and this project is anticipated to have no impacts to historical resources for the purposes of compliance with both Section 106 of the NHPA and CEQA. The recommendations provided below are intended to minimize the potential for buried and undocumented cultural resources to be significantly impacted during project implementation.

Consequently, HELIX recommends that there would be no effect on historic properties or historical resources, including archaeological and built-environment resources as a result of project implementation. No additional studies, archaeological work, or construction monitoring are recommended. However, in light of the presence of prehistoric resources within the study area (P-34-0000016 and P-34-000017) and the potential presence of elements of district P-34-000335 to lie within the study area, HELIX recommends that the Mitigation Measure CUL-01 and CUL-02 outlined below be implemented in the unlikely event that cultural resources are encountered during construction. If historical or archaeological resources are discovered, implementation of Mitigation Measure CUL-01 and Mitigation Measure CUL-02 would reduce any potential impact to a less than significant level for questions a) and b).

#### **Mitigation Measure CUL-01: Inadvertent Discovery**

- In the event that cultural resources are exposed during ground-disturbing activities, construction activities should be halted within 100-ft of the discovery. Cultural resources could consist of but are not limited to stone, bone, wood, or shell artifacts, or features including



hearths, structural remains, or historic dumpsites. If the resources cannot be avoided during the remainder of construction, an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards should then be retained, in coordination with USACE and the City, to assess the resource and provide appropriate management recommendations. If the discovery proves to be NRHP- and/or CRHR-eligible, additional work, such as data recovery excavation, may be warranted and should be discussed in consultation with USACE and the City.

#### **Mitigation Measure CUL-02: Worker Awareness Training Program**

- All construction personnel involved in ground disturbing activities shall be trained in the recognition of possible cultural resources and protection of such resources. The training will inform all construction personnel of the procedures to be followed upon the discovery of archaeological materials, including Native American burials. Construction personnel will be instructed that cultural resources must be avoided and that all travel and construction activity must be confined to designated roads and areas. The training will include a review of the local, state, and federal laws and regulations related to cultural resources, as well as instructions on the procedures to be implemented should unanticipated resources be encountered during construction, including stopping work in the vicinity of the find and contacting the appropriate environmental compliance specialist.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

**Less than significant impact with mitigation.** No human remains are known to exist within the project area nor were there any indications of human remains found during the field survey. However, there is always the possibility that subsurface construction activities associated with the proposed project, such as trenching and grading, could potentially damage or destroy previously undiscovered human remains. This is a potentially significant impact. However, if human remains are discovered, implementation of Mitigation Measure CUL-02 and Mitigation Measure CUL-03 would reduce this potential impact to a less than significant level.

#### **Mitigation Measure CUL-03: Treatment of Human Remains**

- Although considered highly unlikely, there is always the possibility that ground disturbing activities during construction may uncover previously unknown human remains. In the event of an accidental discovery or recognition of any human remains, Public Resource Code (PRC) Section 5097.98 must be followed. Once project-related earthmoving begins and if there is a discovery or recognition of human remains, the following steps shall be taken:
  1. There shall be no further excavation or disturbance of the specific location or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains are Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the "most likely descendant" of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in PRC Section 5097.98, or



2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendent or on the project area in a location not subject to further subsurface disturbance:
  - a. The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission;
  - b. The descendent identified fails to make a recommendation; or
  - c. The landowner or his authorized representative rejects the recommendation of the descendent,

## VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

California's electricity needs are satisfied by a variety of entities, including investor-owned utilities, publicly owned utilities, electric service providers and community choice aggregators. In 2020, the California power mix totaled 272,576 gigawatt hours (GWh). In-state generation accounted for 51 percent of the state's power mix. The remaining electricity came from out-of-state imports (CEC 2021a). Table 11 provides a summary of California's electricity sources as of 2020.

**Table 11. Previously Recorded Cultural Resources within 0.5-Mile of the APE**

Fuel Type	Percent of California Power
Coal	2.74
Large Hydro	12.21
Natural Gas	37.06
Nuclear	9.33
Oil	0.01
Other (Petroleum Coke/Waste Heat)	0.19
Renewables	33.09

Source: CEC 2021a.

Natural gas provides the largest portion of the total in-state capacity and electricity generation in California, with nearly 45 percent of the natural gas burned in California used for electricity generation in a typical year. Much of the remainder is consumed in the residential, industrial, and commercial sectors for uses such as cooking, space heating, and as an alternative transportation fuel. In 2012, total

natural gas demand in California for industrial, residential, commercial, and electric power generation was 2,313 billion cubic feet per year (bcf/year), up from 2,196 bcf/year in 2010 (CEC 2021b).

Transportation accounts for a major portion of California's energy budget. Automobiles and trucks consume gasoline and diesel fuel, which are nonrenewable energy products derived from crude oil. Gasoline is the most used transportation fuel in California, with 97 percent of all gasoline being consumed by light-duty cars, pickup trucks, and sport utility vehicles (SUVs). In 2015, 15.1 billion gallons of gasoline were sold in California (CEC 2021c). Diesel fuel is the second most consumed fuel in California, used by heavy-duty trucks, delivery vehicles, buses, trains, ships, boats, and farm and construction equipment. In 2015, 4.2 billion gallons of diesel were sold in California (CEC 2021d).

### Evaluation of Energy

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

**Less than significant impact.** Energy used for construction would primarily consist of fuels in the form of diesel and gasoline for the operation of construction equipment and construction worker vehicles. While construction activities would consume petroleum-based fuels, consumption of such resources would be temporary and would cease upon the completion of construction. The Air Quality and Greenhouse Gas Emissions Technical Report estimated the proposed project's GHG emissions using CalEEMod (HELIX 2022c). The construction energy calculations from the prepared for the proposed project is shown in **Table 12**.

**Table 12. Construction Energy Summary**

Source	Gallons Diesel	Gallons Gas	kBtu
Off-Road Construction Equipment	14,104	-	1,960,515
On-Road Construction Traffic	2,926	8,916	1,512,319
<b>Project Construction Total</b>	<b>17,031</b>	<b>8,916</b>	<b>3,472,834</b>

Source: HELIX 2022c; kBtu = kilo-British thermal unit

The project's construction-related energy usage would not represent a significant demand on energy resources because it is temporary in nature. Additionally, with implementation of the low impact design features, project construction would avoid or reduce inefficient, wasteful, and unnecessary consumption of energy. Therefore, the project's construction-phase energy impacts would be less than significant.

Operation of the proposed project would increase the consumption of energy related to electricity, natural gas, water, and wastewater. However, implementation of low impact design, energy efficient, and sustainable features would also reduce the energy usage. The project design incorporates sustainable features that would exceed the requirement of the California Building Energy Efficiency Standards (Title 24, Part 6), by 15 percent or more. The project would provide 14 electric vehicle charging stations, as required under the City's General Plan GHG Reduction Measure T-8 and would provide 28 bicycle parking spaces, as required under the City's General Plan GHG Reduction Measure T-3 (**Appendix B**).

Hardscapes, such as pedestrian and bicycle pathways, outdoor seating and dining areas, and parking stalls/ trash apron would be constructed with cool paving materials (e.g., slab concrete). Cool paving areas, including shaded areas, account for approximately 68.2 percent of the non-roof impervious area.

The operational energy calculations prepared for the proposed project are shown in Table 13.

**Table 13. Operational energy Summary**

Energy Type	Quantity	kBtu
Gasoline (Gallons)	41,472	5,142,521
Diesel (Gallons)	3,099	430,744
Natural Gas (kBtu)	1,280.610	1,280,610
Electricity (kWh)	598,537	2,042,292
	<b>Total</b>	<b>8,896,167</b>

Source: HELIX 2022c; kBtu = kilo-British thermal unit

During operations, the majority of fuel consumption resulting from the project would involve the use of motor vehicles traveling to and from the project site, as well as fuels used for alternative modes of transportation that may be used by residents. It should be noted that over the lifetime of the project, the fuel efficiency of vehicles is expected to increase. As such, the amount of gasoline consumed as a result of vehicular trips to and from the project site during operation is expected to decrease over time. Based on these considerations, implementation of the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy. Impacts would be less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

**No impact.** The proposed project would not conflict with or obstruct a state or local plan for renewable energy efficiency. The project would conform to all applicable state, federal, and local laws and codes. Therefore, the proposed project would have no impact.

## VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Geology and Soils section of this document is based on the project-specific Geotechnical Engineering Study prepared by Youngdahl Consulting Group, Inc (Youngdahl 2021). The environmental setting discussion below is largely from this geotechnical study, which is included as **Appendix F**.

### Environmental Setting

#### Surface Conditions

The project site is located on the southeastern side of East Natoma Street in Folsom, California and is bounded by East Natoma Street to the northwest, existing residential subdivisions to the northeast and

south, and Folsom Prison to the north. A paved pedestrian path is present between the site and the subdivision to the west and south, along with transformer towers and overhead power lines. Seasonal drainage paths are present, extending from the east to the southwest along the northern property boundary. Topography at the site generally consists of the highest elevation at the southeast corner, sloping downward in various directions. The existing slopes within the site are generally 2H:1V (Horizontal: Vertical) or flatter. Vegetation throughout the project generally consisted of seasonal grasses and trees.

### **Geology**

The project site is situated on the eastern edge of Sacramento County, located within the western foothills of the Sierra Nevada geomorphic province of California. According to the Geologic Map of the Sacramento Quadrangle, California (D.L. Wagner, et al., 1981), this portion of the foothills and the project site is underlain by Copper Hill Volcanic Rocks. The Copper Hill volcanic are a sequence of Late Jurassic-age volcanic rock that overlies the Salt Spring Slate.

Based upon the records currently available from the California Department of Conservation, the project site is not located within an Alquist-Priolo Regulatory Review Zone and there are no known faults located at the project site.

### **Subsurface Conditions**

Subsurface explorations by Youngdahl Consulting Group, Inc., were conducted on November 5, 2021, and included the excavation of eight exploratory test pits. Subsurface soil conditions at the project site primarily consisted of sands, silts, and clays overlying weathered bedrock. The site was generally observed to be surfaced with sand and silt layers in a medium dense/ stiff condition, that were present to depths of 1- to 2.5-ft below existing grade. Test pit 8 consisted of clays in stiff condition, and in Test pits 1-7, clay layers were in a medium to stiff condition. The clays were primarily present in layer thicknesses between approximately 0.5- to 1-ft; however, 3-ft clay layers were encountered in Test pits 1 and 3. No clays were observed in Test pit 6. Bedrock was encountered at 1.5- to 4-ft below the ground surface and was completely to slightly weathered and soft to very hard condition range. A permanent groundwater table was not encountered at the project site with no impact to the development of the site. Due to shallow depth and low permeability of the underlying rock, perched water is common to the area and could be encountered during grading operations (Youngdahl 2021).

### **City Regulation of Geology and Soils**

The City of Folsom regulates the effects of soils and geological constraints on urban development primarily through enforcement of the California Building Code, which requires the implementation of engineering solutions for constraints to urban development posed by slopes, soils, and geology.



Additionally, the City adopted a Grading Code (Folsom Municipal Code Section 14.29) that regulates grading citywide to control erosion, storm water drainage, revegetation, and ground movement.

### Evaluation of Geology and Soils

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?

**Less than significant impact.** According to the Geotechnical Engineering Survey, there are no known active faults crossing the property, and the project site is not located within an Earthquake Fault Zone (Youngdahl 2021). Therefore, ground rupture is unlikely at the subject property, and impacts would be less than significant.

- ii. Strong seismic ground shaking?

**Less than significant impact.** The site-specific Geotechnical Engineering Survey identified the project site as a Site Class C in accordance with the 2016 California Building Code (Class A requires least earthquake resistant design and Class F the most earthquake resistant design). Seismic design parameters based on the 2016 California Building Code and site investigations were outlined in the Geotechnical Engineering Survey for use in structural design. Evaluation of seismicity for the project site included the review of existing fault maps and the implementation of seismic design parameters from the United State Geological Survey (USGS) online calculator and databases (Youngdahl 2021). Conformance to the current building code would minimize potential ground shaking impacts to a less than significant level.

- iii. Seismic-related ground failure, including liquefaction?

**Less than significant impact.** Liquefaction is the sudden loss of soil shear strength and sudden increase in porewater pressure caused by shear strains, which could result from an earthquake. Research has shown that saturated, loose to medium-dense sands with a silt content less than about 25 percent located within the top 40-ft are most susceptible to liquefaction and surface rupture or lateral spreading. Slope instability can occur as a result of seismic ground motions and/or in combination with weak soils and saturated conditions.

Due to the absence of a permanently elevated groundwater table, the relatively low seismicity of the area, and the relatively shallow depth to rock, the potential for seismically induced damage due to site liquefaction, surface rupture, and settlement was considered low (Youngdahl 2021). For the above-mentioned reasons, mitigation for these potential hazards is not considered necessary for the development of this project. Therefore, liquefaction is unlikely at the subject property and impacts would be less than significant.

- iv. Landslides?

**Less than significant impact.** The existing slopes on the project site were observed to have adequate vegetation on the slope face, appropriate drainage away from the slope face, and no apparent tension

cracks or slip blocks in the slope face or at the head of the slope. Additionally, due to the absence of permanently elevated groundwater table, the relatively low seismicity of the area, and the relatively shallow depth to bedrock, the potential for seismicity induced slope instability for the existing slopes was considered low (Youngdahl 2021). Therefore, landslides are unlikely at the subject property and impacts would be less than significant.

b) Result in substantial soil erosion or the loss of topsoil?

**Less than significant impact.** The 2016 CBC (California Building Code) and the City's Grading Code and standard conditions for project approval contain requirements to minimize or avoid potential effects from water erosion hazards. As a condition of approval, prior to the issuance of a grading or building permit, the City would require the applicant to prepare a soils report, a detailed grading plan, and an erosion control plan by a qualified and licensed engineer. The soils report would identify soil hazards, including potential impacts from erosion. The City would be required to review and approve the erosion control plan based on the California Department of Conservation's "Erosion and Control Handbook." The erosion control plan would identify protective measures to be implemented during excavation, temporary stockpiling, disposal, and revegetation activities. With the approval of a soils report, grading plan, and an erosion control plan, impacts relating to substantial soil erosion or loss of topsoil would be less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

**Less than significant impact with mitigation.** The proposed project is relatively long, irregular in shape, and anticipated to be supported by variable thicknesses of soil and or bedrock. Due to these features, the primary geotechnical concern associated with the planned development is the potential for excessive differential settlement, which can stress and damage foundations and other structural and architectural elements. Generally, foundations constructed within the planned cut areas of the building pad would bear a relatively thin section of native soils and or bedrock. However, foundations constructed within the planned fill areas could bear significantly thicker sections to fill, which have a much higher potential for settlement.

A Geotechnical Engineering Survey by Youngdahl Consulting Group, Inc. prepared recommendations for the foundation, construction, and design of the proposed building in the project site (See **Appendix F** for more detail on site recommendations). With the implementation of Mitigation Measure GEO-01, outlined below, the impacts relating to unstable soils in the project area would be less than significant with mitigation.

#### **Mitigation Measure GEO-01: Implementation of Recommendations in the Geotechnical Engineering Survey**

- A Geotechnical Engineering Survey was prepared by Youngdahl Consulting Group, Inc. in December 2021. The proposed projects' design plans and specifications outlined in the survey shall be reviewed and approved by a California-licensed geotechnical engineer or engineering geologist prior to contract bidding. A review shall be performed to determine whether the recommendations contained within the Geotechnical Engineering Survey are still applicable to the project. Modifications to the recommendations provided in the Geotechnical Engineering

Survey prepared by Youngdahl Consulting Group, Inc. or to the design may be necessary at the time of review based on the proposed plans. The project applicant shall implement all applicable recommendations approved by a California-licensed geotechnical engineer or engineering geologist prior to issuance of a grading permit.

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

**Less than significant impact with mitigation.** Plastic materials (clay soils) were encountered in relatively thin layers at the project site. An expansion index test was performed on a sample of the clay, which resulted in a value of 40 (low expansion). The majority of the remaining materials encountered in the exploration were generally non-plastic (rock, sand, and non-plastic silt). The non-plastic materials are generally considered to be non-expansive. The Geotechnical Engineering Study provided recommendations relating to mitigation of expansive soils in the project site (See Appendix F for more detail). Due to the configuration of the proposed construction, the anticipated grading, and with implementation of Mitigation Measure GEO-01, it is not anticipated that *special design considerations* for expansive soils would be required. With these conditions, the impacts would be less than significant with mitigation.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

**No impact.** The proposed sewer system would connect to the public sewer system and would not require septic systems or an alternative waste disposal system. No impact would occur.

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

**Less than significant impact with mitigation.** No previous surveys conducted in the project area have identified the project site as sensitive for paleontological resources or other geologically sensitive resources, nor have testing or ground disturbing activities performed to date uncovered any paleontological resources or geologically sensitive resources. While the likelihood encountering paleontological resources and other geologically sensitive resources is considered low, project-related ground disturbing activities could affect the integrity of a previously unknown paleontological or other geologically sensitive resource, resulting in a substantial change in the significance of the resource. Therefore, the proposed project could result in potentially significant impacts to paleontological resources. Implementation of Mitigation Measure GEO-02 would reduce potentially significant impacts to a less than significant level.

#### **Mitigation Measure GEO-02: Identification of Paleontological Resource During Project Construction**

- In the event a paleontological or other geologically sensitive resources (such as fossils or fossil formations) are identified during any phase of *project construction*, all excavations within 100-ft of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at the City of Folsom who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the City shall implement those measures which may include avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code Section 21083.2.

**VIII. GREENHOUSE GAS EMISSIONS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

HELIX Environmental Planning conducted a greenhouse gas emissions assessment for the proposed project based primarily on the results of the City’s Greenhouse Gas Reduction Strategy Consistency Checklist as presented in **Appendix B**.

**Environmental Setting**

Global climate change refers to changes in average climatic conditions on Earth including temperature, wind patterns, precipitation, and storms. Global temperatures are moderated by atmospheric gases. These gases are commonly referred to as greenhouse gasses (GHG) because they function like a greenhouse by letting sunlight in but preventing heat from escaping, thus warming the Earth’s atmosphere.

GHGs are emitted by natural processes and human (anthropogenic) activities. Anthropogenic GHG emissions are primarily associated with burning of fossil fuels during motorized transport; electricity generation; natural gas consumption; industrial activity; manufacturing; and other activities such as deforestation, agricultural activity, and solid waste decomposition.

The GHGs defined under California’s Assembly Bill (AB) 32 include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride (SF<sub>6</sub>). Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. Estimates of GHG emissions are commonly presented in carbon dioxide equivalents (CO<sub>2</sub>e), which weigh each gas by its global warming potential (GWP). Expressing GHG emissions in CO<sub>2</sub>e takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO<sub>2</sub> were being emitted. GHG emissions quantities in this analysis are presented in metric tons (MT) of CO<sub>2</sub>e. For consistency with United Nations Standards, modeling, and reporting of GHGs in California and the U.S. use the GWPs defined in the Intergovernmental Panel on Climate Change’s (IPCC) Fourth Assessment Report (IPCC 2007): CO<sub>2</sub> – 1; CH<sub>4</sub> – 25; N<sub>2</sub>O – 298.

## GHG Reduction Regulations and Plans

The primary GHG reduction regulatory legislation and plans (applicable to the project) at the State, regional, and local levels are described below. Implementation of California's GHG reduction mandates is under the authority of CARB at the state level, SMAQMD and the Sacramento Area Council of Governments (SACOG) at the regional level, and the City at the local level.

**Executive Order S-3-05:** On June 1, 2005, Executive Order (EO) S-3-05 proclaimed that California is vulnerable to climate change impacts. It declared that increased temperatures could reduce snowpack in the Sierra Nevada, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To avoid or reduce climate change impacts, EO S-3-05 calls for a reduction in GHG emissions to the year 2000 levels by 2010, to year 1990 levels by 2020, and to 80 percent below 1990 levels by 2050. Executive Orders are not laws and can only provide the governor's direction to state agencies to act within their authority to reinforce existing laws.

**Assembly Bill 32 – Global Warming Solution Act of 2006:** The California Global Warming Solutions Act of 2006, widely known as AB 32, requires that CARB develop and enforce regulations for the reporting and verification of statewide GHG emissions. CARB is directed by AB 32 to set a GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill requires CARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG emission reductions.

**Executive Order B-30-15:** On April 29, 2015, EO B-30-15 established a California GHG emission reduction target of 40 percent below 1990 levels by 2030. The EO aligns California's GHG emission reduction targets with those of leading international governments, including the 28 nation European Union. California achieved the target of reducing GHGs emissions to 1990 levels by 2020, as established in AB 32. California's new emission reduction target of 40 percent below 1990 levels by 2030 will make it possible to reach the goal established by EO S-3-05 of reducing emissions 80 percent under 1990 levels by 2050.

**Senate Bill 32:** Signed into law by Governor Brown on September 8, 2016, Senate Bill (SB) 32 (Amendments to the California Global Warming Solutions Action of 2006) extends California's GHG reduction programs beyond 2020. SB 32 amended the Health and Safety Code to include Section 38566, which contains language to authorize CARB to achieve a statewide GHG emission reduction of at least 40 percent below 1990 levels by no later than December 31, 2030. SB 32 codified the targets established by EO B-30-15 for 2030, which set the next interim step in the State's continuing efforts to pursue the long-term target expressed in EO B-30-15 of 80 percent below 1990 emissions levels by 2050.

**California Air Resources Board:** On December 11, 2008, the CARB adopted the Climate Change Scoping Plan (Scoping Plan) as directed by AB 32. The Scoping Plan proposes a set of actions designed to reduce overall GHG emissions in California to the levels required by AB 32. Measures applicable to development projects include those related to energy-efficiency building and appliance standards, the use of renewable sources for electricity generation, regional transportation targets, and green building strategy. Relative to transportation, the Scoping Plan includes nine measures or recommended actions related to reducing vehicle miles traveled (VMT) and vehicle GHGs through fuel and efficiency measures. These measures would be implemented statewide rather than on a project-by-project basis (CARB 2008).



In response to EO B-30-15 and SB 32, all state agencies with jurisdiction over sources of GHG emissions were directed to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 targets. The mid-term target is critical to help frame the suite of policy measures, regulations, planning efforts, and investments in clean technologies and infrastructure needed to continue driving down emissions (CARB 2014). In December 2017, CARB adopted the 2017 Climate Change Scoping Plan Update, the Strategy for Achieving California's 2030 Greenhouse Gas Target, to reflect the 2030 target set by EO B-30-15 and codified by SB 32 (CARB 2017).

**Sacramento Area Council of Governments:** As required by the Sustainable Communities and Climate Protection Act of 2008 (SB 375), SACOG has developed the 2020 Metropolitan Transportation Plan and Sustainable Communities Strategy. This plan seeks to reduce GHG and other mobile source emissions through coordinated transportation and land use planning to reduce VMT.

**City of Folsom:** As part of the 2035 General Plan, the City prepared an integrated Greenhouse Gas Emissions Reduction Strategy (Appendix A to the 2035 General Plan; adopted August 28, 2018). The purpose of the Greenhouse Gas Emissions Reduction Strategy (GHG Strategy) is to identify and reduce current and future community GHG emissions and those associated with the City's municipal operations. The GHG Strategy includes GHG reduction targets to reduce GHG emissions (with a 2005 baseline year) by 15 percent in 2020, 51 percent in 2035, and 80 percent in 2050. The GHG Strategy identifies policies within the City of Folsom General Plan that would decrease the City's emissions of greenhouse gases. The GHG Strategy also satisfies the requirements of CEQA to identify and mitigate GHG emissions associated with the General Plan Update as part of the environmental review process and serves as the City's "plan for the reduction of greenhouse gases", per Section 15183.5 of the CEQA Guidelines, which provides the opportunity for tiering and streamlining of project-level emissions for certain types of discretionary projects subject to CEQA review that are consistent with the General Plan (City 2018).

### **Methodology and Assumptions**

Criteria pollutant, precursor, and GHG emissions for project construction and operation were estimated using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0. CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use projects. The model was developed for the California Air Pollution Control Officers Association (CAPCOA) in collaboration with the California air districts. CalEEMod allows for the use of default data (e.g., emission factors, trip lengths, meteorology, source inventory) provided by the various California air districts to account for local requirements and conditions, and/or user-defined inputs. The calculation methodology and default data used in the model are available in the CalEEMod User's Guide, Appendices A, D, and E (CAPCOA 2021). The CalEEMod output files are included in **Appendix B**.

Construction of the project is anticipated to begin as early as January 2023 and be completed in April 2024. Construction modeling assumes the following anticipated schedule: site preparation 10 working days; grading 87 working days; building construction 207 working days; paving 21 working days; and architectural coating 22 working days. Construction equipment assumptions were based on estimates from CalEEMod defaults. The project would not require an import or export of soil during construction activities. Construction emissions modeling assumes implementation of basic dust control practices (watering exposed areas twice per day) to comply with the requirements of: SMAQMD Rule 403, *Fugitive Dust*.



Operational mobile emissions were modeled using the project trip generation of 441 average daily trips from the project Transportation Impact Study (T. Kear Transportation Planning and Management, Inc. 2022). Operational emissions resulting from energy use, water use, and solid waste generation were modeled using CalEEMod defaults with an added 20 percent reduction in water use to account for the requirements of the 2019 CALGreen, and an additional 25 percent solid waste diversion to account for AB 341 requirements.

### Standards of Significance

The final determination of whether or not a project has a significant effect is within the purview of the lead agency pursuant to CEQA Guidelines Section 15064(b). The City's GHG Strategy, described above, is a qualified plan for the reduction of greenhouse gases pursuant to CEQA Guidelines Section 15183.5. Consistency with the GHG Strategy may be used to determine the significance of the project's GHG emissions.

The City's 2035 General Plan Policy NCR 3.2.8 and GHG Strategy include criteria to determine whether the potential greenhouse gas emissions of a proposed project are significant (City 2018).

#### NCR 3.2.8 Streamlined GHG Analysis for Projects Consistent with the General Plan

Projects subject to environmental review under CEQA may be eligible for tiering and streamlining the analysis of GHG emissions, provided they are consistent with the GHG reduction measures included in the General Plan and EIR. The City may review such projects to determine whether the following criteria are met:

- Proposed project is consistent with the current general plan land use designation for the project site;
- Proposed project incorporates all applicable GHG reduction measures (as documented in the Climate Change Technical Appendix to the General Plan EIR) as mitigation measures in the CEQA document prepared for the project; and
- Proposed project clearly demonstrates the method, timing and process for which the project will comply with applicable GHG reduction measures and/or conditions of approval, (e.g., using a CAP/GHG reduction measures consistency checklist, mitigation monitoring and reporting plan, or other mechanism for monitoring and enforcement as appropriate).

### Evaluation of Greenhouse Gas Emissions

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

**Less than Significant Impact with Mitigation.** GHG emissions would be generated by the project during construction (vehicle engine exhaust from construction equipment, vendor trips, and worker commuting trips) and during long-term operation (electricity and natural gas use, electricity resulting from water consumption; solid waste disposal, and vehicle engine exhaust). GHG emissions were calculated used CalEEMod, as described in Methodology and Assumptions.

The calculated GHG emissions anticipated to be generated during construction of the project are shown below in **Table 14**. Due to the cumulative nature of GHGs, SMAQMD recommends amortizing a project's construction emissions over the operational lifetime of the project. Therefore, the construction emissions are amortized (i.e., averaged) over 30 years and added to operational emissions in this analysis.

**Table 14. Construction GHG Emissions**

Year	Emissions (MT CO <sub>2</sub> e)
2023	396.1
2024	92.4
<b>Total<sup>1</sup></b>	<b>488.5</b>
<i>Amortized Construction Emissions</i>	<i>16.3</i>

Source: CalEEMod (output data is provided in Attachment A)

<sup>1</sup> Totals may not sum due to rounding.

GHG = greenhouse gas; MT = metric tons; CO<sub>2</sub>e = carbon dioxide equivalent

The results of the 2025 Operational GHG Emissions are provided below in **Table 15**.

**Table 15. Operational GHG Emissions**

Emission Sources	2025 Emissions (MT CO <sub>2</sub> e)
Area	2.3
Energy	118.2
Mobile	370.0
Waste	23.6
Water	9.1
<b>Subtotal<sup>1</sup></b>	<b>523.3</b>
<i>Amortized Construction Emissions</i>	<i>16.3</i>
<b>Total</b>	<b>539.6</b>

Source: CalEEMod (output data is provided in Attachment A)

<sup>1</sup> Totals may not sum due to rounding.

GHG = greenhouse gas; MT = metric tons; CO<sub>2</sub>e = carbon dioxide equivalent

To determine significance of the project's GHG emissions, the City's Greenhouse Gas Reduction Strategy Consistency Checklist was completed (City of Folsom 2021; included in **Appendix B**).

#### Part 1: Land Use Consistency

The proposed project is consistent with the City's 2035 General Plan land use and zoning designations?

The project parcel is designated as Professional Office (PO) in the Folsom 2035 General Plan, which provides for low-intensity business and professional offices that are compatible with higher-intensity residential uses. The zoning designation of the project site is Business and Professional (BP) District. In accordance with the Greenhouse Gas Reduction Strategy Consistency Checklist, if the project would require a change in land use designation or a rezone, consistency would be determined by calculating the estimated the GHG emissions resulting from maximum buildout of the project site allowed using the current zoning and using the

proposed zoning change. If the land use designation/zoning change would not result in an increase in annual GHG emissions, the project would be consistent (*City 2021a*). However, the project would not result in a land use designation/zoning change and therefore, there would be no change in GHG emissions.

A senior housing development would be an allowable use for the BP zoning district. Entitlement requests for this project include a Planned Development Permit (PD Permit) and a Conditional Use Permit. The purpose of the PD Permit is to allow for greater flexibility in the design of integrated developments than otherwise possible through strict application of land use regulations. With the PD Permit, the project's site plan, elevations, and overall project design would be evaluated, and specific development standards would be defined. The project is consistent with applicable development standards for the BP zoning district. As shown in Table 15 above, the proposed project is anticipated to result in approximately 539.6 MT CO<sub>2</sub>e per year.

**Part 2: GHG Reduction Measures Consistency (only applicable measures shown):**

**E-1 Building energy Sector: The project will exceed the requirements of the California Building Energy Efficiency Standards (Title 24, Part 6) by 15 percent or more?**

Consistent. The project would exceed the requirement of the California Building Energy Efficiency Standards (Title 24, Part 6), by 15 percent or more.

**T-1 Project Location and Density: The project is a mixed-use building with two or more uses (i.e., residential, commercial, office, etc.) or if the site is 5 acres or larger there are two or more uses on the site connected by protected pedestrian paths (e.g., sidewalks, elevated walkways) excluding driveways?**

Consistent. The project is less than 5 acres and is located within an existing empty lot. Implementation of the proposed development would include a mix of uses including residential units, community center, and leasing office. The project would include a concrete sidewalk that would extend around the southern parking area and connect to the existing Oak Parkway Trail section located south of the site boundary. Additional proposed concrete sidewalks would be located at the frontage of the project site and would connect to internal sidewalks proposed around the building.

**T-3 Bicycle Parking: Project provides 5 percent more bicycle parking spaces than required in the City's Municipal Code?**

Consistent with mitigation. With 136 residential units, the project requires 27 bicycle parking spaces. Bike racks would accommodate 28 bicycle parking spaces on the eastern side of the project site, exceeding the number of bicycle parking spaces required by five percent. Mitigation Measure GHG-01 would require the installation of bicycle parking 5 percent or more higher than the requirements of City Code section 17.57.090.

**T-6 High-Performance Diesel (Construction only): Use high-performance diesel (also known as Diesel-HPR or Reg-9000/RHD) for construction equipment?**

Consistent with mitigation. Mitigation Measure GHG-02 would require the use of high-performance diesel for all project construction activities.

**T-8 Electric Vehicle Charging (Residential):** For multifamily projects with 17 or more dwelling units, provide electric vehicle charging in 5 percent of total parking spaces?

Consistent with mitigation. Mitigation Measure GHG-03 would require installation of 14 electrical vehicle charging stations based on the 136 total parking spaces proposed for the project.

**SW-1 Enhanced Construction Waste Diversion:** Project diverts to recycle or salvage at least 65 percent of nonhazardous construction and demolition waste generated at the project site in accordance with Appendix A4 (Residential) of CALGreen?

Consistent with mitigation. Mitigation Measure GHG-04 would require a minimum of 65 percent of nonhazardous construction and demolition waste to be diverted, recycled or salvaged.

**W-1 Water Efficiency:** For new residential and non-residential projects, the project will comply with all applicable indoor and outdoor water efficiency and conservation measures required under CALGreen Tier 1?

Consistent with mitigation. Mitigation Measure GHG-05 would require implementation of all 2019 CALGreen Tier 1 applicable indoor and outdoor water efficiency and conservation measures.

With implementation of Mitigation Measures GHG-01 through GHG-05, the project would be consistent with the City's GHG Strategy. Therefore, the project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, and the impact would be less than significant with mitigation.

**Mitigation Measure GHG-01: Bicycle Parking**

- In accordance with the City General Plan GHG Reduction Measure T-3, the project shall provide a minimum of 5 percent more bicycle parking than required in the City's Municipal Code Section 17.57.090.

**Mitigation Measure GHG-02: High-Performance Diesel**

- In accordance with the City General Plan GHG Reduction Measure T-6, the project shall use high-performance diesel (also known as Diesel-HPR or Reg-9000/RHD) for all diesel-powered equipment utilized in construction of the project.

**Mitigation Measure GHG-03: Electric Vehicle Charging**

- In accordance with the City General Plan GHG Reduction Measure T-8, the project shall provide 14 electric vehicle charging stations based on the 136 total parking spaces proposed for the project.

**Mitigation Measure GHG-04: Enhanced Construction Waste Diversion**

- In accordance with the City General Plan GHG Reduction Measure SW-1, the project shall divert to recycle or salvage a minimum 65 of nonhazardous construction and demolition waste generated at the project site in accordance with Appendix A4 (Residential) of the as outlined in the California Green Building Standards Code (2019 CALGreen).

**Mitigation Measure GHG-05: Water Efficiency**

- In accordance with the City General Plan GHG Reduction Measure W-1, the project shall comply with all applicable indoor and outdoor water efficiency and conservation measures required under 2019 CALGreen Tier 1, as outlined in the California Green Building Standards Code.
- b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Less than Significant Impact with Mitigation.** There are numerous State plans, policies, and regulations adopted for the purpose of reducing GHG emissions. The principal overall State plan and policy is AB 32, the California Global Warming Solutions Act of 2006. The quantitative goal of AB 32 is to reduce GHG emissions to 1990 levels by 2020. SB 32 would require further reductions of 40 percent below 1990 levels by 2030. The mandates of AB 32 and SB 32 are implanted at the state level by the CARB's Scoping Plan. Because the project's operational year is post-2020, the project aims to reach the quantitative goals set by SB 32. Statewide plans and regulations such as GHG emissions standards for vehicles (AB 1493), the LCFS, and regulations requiring an increasing fraction of electricity to be generated from renewable sources are being implemented at the statewide level; as such, compliance at the project level is not addressed. Therefore, the proposed project would not conflict with those plans and regulations.

The Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) for Sacramento County is the 2020 MTP/SCS adopted by the Sacramento Area Council of Governments (SACOG) on November 18, 2019. The 2020 MTP/SCS lays out a transportation investment and land use strategy to support a prosperous region, with access to jobs and economic opportunity, transportation options, and affordable housing that works for all residents. The plan also lays out a path for improving our air quality, preserving open space and natural resources, and helping California achieve its goal to reduce greenhouse gas emissions (SACOG 2019). The transportation sector is the largest source of GHG emissions in the state. A project's GHG emissions from cars and light trucks are directly correlated to the project's VMT. According to the Transportation Impact Study prepared for the project, the project is anticipated to generate at least 15 percent less VMT per capita than the regional average (T. Kear Transportation Planning and Management, Inc. 2022). This VMT reduction meets the 15 percent reduction required by SB 743. In addition to regional VMT projections, SACOG utilizes local growth projections to develop the strategies and measures in the 2020 MTP/SCS. As discussed in question a), above, there would be no change in land use and zoning, and no change in GHG emissions would result. Therefore, the regional VMT and population growth resulting from implementation of the project would be consistent with the assumptions used in the 2020 MTP/SCS.

As discussed in question a), above, with implementation of Mitigation Measures GHG-01 through GHG-05, the project would be consistent with the City's GHG Strategy, a qualified plan for the reduction of greenhouse gases pursuant to CEQA Guidelines Section 15183.5. Therefore, the project would not

conflict with CARB's 2017 Scoping Plan, the SACOG's 2020 MTP/SCS, or the City's GHG Strategy, and the impact would be less than significant with mitigation.



**IX. HAZARDS AND HAZARDOUS MATERIALS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

The project site is currently undeveloped has no past land uses associated with potentially hazardous sites. The schools nearest to the project site are St. John's Notre Dame School, approximately 0.2-miles east of the site, Theodore Judah Elementary School, approximately 0.5-miles southwest of the site, Blanche Sprentz Elementary School, approximately 0.7-miles southeast of the site and Folsom Middle School, approximately 1.5-miles southeast of the site.

The following databases were reviewed for the project site and surrounding area to identify potential hazardous contamination sites: the SWRCB Geotracker (SWRCB 2020); California Department of Toxic Substance Control's EnviroStor online tool (DTSC 2020); and the US EPA's Superfund National Priorities

List (EPA 2019). Based on the results of the databases reviewed, no hazardous waste sites are located on the project site.

Federal and state laws include provisions for the safe handling of hazardous substances. The federal *Occupational Safety and Health Administration* (OSHA) administers requirements to ensure worker safety. Construction activity must also be in compliance with the California OSHA regulations (*Occupational Safety and Health Act of 1970*).

### Evaluation of Hazards and Hazardous Materials

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

**Less than significant impact.** The site has no known history of past land uses associated with potentially hazardous sites. Construction of the proposed project would result in an increase in the generation, storage, and disposal of hazardous wastes. During project construction oil, gasoline, diesel fuel, paints, solvents, and other hazardous materials may be used. If spilled, these substances could pose a risk to the environment and to human health.

Following construction, household hazardous materials such as various cleaners, paints, solvents, pesticides, pool chemicals, and automobile fluids would be expected to be used. The routine transport, use, and disposal of hazardous materials are subject to local, state, and federal regulations to minimize risk and exposure.

Further, the City has set forth its hazardous materials goals and policies in the *Hazardous Materials Element* of the General Plan. The preventative policies protect the health and welfare of residents of Folsom through management and regulation of hazardous materials. Consequently, use of the listed materials above for their intended purpose would not pose a significant risk to the public or environment and would therefore cause a less than significant impact.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

**Less than significant impact.** As discussed above, the proposed project site has no known history of past land uses associated with potentially hazardous sites and construction of the proposed project would follow all local, state, and federal regulations. These regulations protect the health and welfare of residents of Folsom through management and regulation of hazardous materials in a manner that focus' on preventing problems. With the implementation of these regulations, the potential for a foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be low, and therefore would cause a less than significant impact.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

**Less than significant impact.** The nearest school is St. John's Notre Dame School, approximately 0.2-miles east of the site. During project construction, oil, gasoline, diesel fuel, paints, solvents, and other hazardous materials may be used, but they would be used accordingly to local, state, and federal regulations. With these regulations in place, the proposed project would have a less than significant impact.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

**No impact.** The site is not included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No hazardous materials sites are located at the project site based on review of the *EnviroStar* (DTSC 2020), *Geotracker* (SWRCB 2020), and *EPA Superfund Priority List* (EPA 2019). Therefore, project implementation would have no impact on hazards to the public or environment.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

**No impact.** The nearest public or public use airport is Cameron Airpark, approximately 11-miles east of the project site. At this distance, the project is not within the airport land use plan area and the project would have no impact on safety hazards or excessive noise related to airports.

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**Less than significant impact.** The City of Folsom maintains pre-designated emergency evacuation routes as identified in the *City of Folsom Evacuation Plan* (City of Folsom 2020a). The proposed project is located in evacuation plan area #10-Cimmaron Hill/ Rancho Diablo, which identifies East Natoma Street as a major evacuation route and Cimmaron Circle as a minor evacuation route. The proposed project would not modify any pre-designated emergency evacuation route or preclude their continued use as an emergency evacuation route. Emergency vehicle access would be maintained throughout the project site to meet the Fire Department standards for fire truck maneuvering, location of fire truck to fight a fire, rescue access to the units, and fire hose access to all sides of the building. Therefore, project impacts to the City's adopted evacuation plan and emergency plans would be less than significant.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

**Less than significant impact.** The project site is located in an urbanized area in the City of Folsom and is provided urban levels of fire protection by the City. The site is designed for clear fire lane/fire truck access and fire hose access to all parts of the buildings. The project would include fire hydrants, exterior Fire Department Connection assemblies, and fire riser rooms. Emergency vehicle access would be maintained on the site to meet the Fire Department standards for fire truck maneuvering, location of fire truck to fight a fire, rescue access to the units, and fire hose access to all sides of the building. The fire lane would be 27-ft minimum, with an inner turning radius of 25-ft and an outer turning radius of 50-ft. All curbs adjacent to the fire lane would be painted red for emergency fire services. Therefore, the proposed project would not expose people or structures to a significant risk of loss due to wildland fires, and impacts would be less than significant.

## X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A Preliminary Drainage and Stormwater Quality Report was prepared by TSD Engineering Inc. on August 19, 2022, and is included as **Appendix G**.

### Environmental Setting

A Preliminary Drainage and Storm Water Quality Report was prepared for the proposed project by TSD Engineering and is included as **Appendix G**. This memo was used when analyzing potential impacts to hydrology and water quality resources. The project site is vacant and undeveloped with a fairly dense oak tree canopy and a drainage channel traversing the site adjacent to East Natoma Street. The Oak Parkway Trail separated the project site from residential properties to the south. The Cimmaron Hill Sub-division is located east of the project site and the entrance to Folsom State Prison (Prison) and the Johnny Cash Trail are located on the northwest side of E. Natoma Street. The project is proposing 2.318

acres of landscape (pervious area), 0.05-acres of bioretention (pervious area), 1.3-acres of parking lots (impervious surface), 0.4-acres of hardscape (impervious surface), and 0.9-acres of building (impervious surface).

The existing channel conveys runoff from a portion of the Cimmaron Hill Subdivision as well as runoff from a portion of the Prison open space. Runoff from the Prison property is conveyed to the existing channel through a 24-inch culvert that crosses E. Natoma Street. The channel conveys runoff to a 48-inch culvert that crosses and discharges on the northwest side of E. Natoma Street, ultimately discharging into the American River approximately 2,500-ft west of E. Natoma Street.

The existing 24-inch culvert that conveys runoff from the Prison site limits the contribution of runoff to the existing channel from the prison site. The 24-inch culvert has a maximum flow rate of 23.3-cubic feet per second (cfs) based on the size, slope and maximum headwater elevation. It is assumed that once the ponding area upstream of the 24-inch culvert is full, runoff will release overland, following the bike trail to trench drains located under the Prison Road bridge, ultimately reaching the American River through Robbers Ravine.

Precipitation is the source of surface water for the project site. Because the area is currently undeveloped, implementation of the project would result in an increase of impervious surface area and channelization of storm water runoff, the rates and volumes of which would increase. As the proposed project would create more than one acre of impervious area, the project is required to implement source control measures, low impact development measures, storm impact treatment and full trash captures measures in accordance with the Stormwater Quality Design Manual for the Sacramento Region, dated July 2018 (SWQ Manual).

Federal Emergency Management Agency (FEMA) flood insurance rate maps were reviewed for the project's proximity to a 100-year floodplain. The proposed project is on FEMA panel 06067C0117H, effective August 16, 2012. The project site is not located within a 100-year floodplain (FEMA 2012).

The site is not located in an area of important groundwater recharge. Domestic water in the City is provided solely by surface water sources. The City is the purveyor of water for the site.

### **Regulatory Framework Relating to Hydrology and Water Quality**

The City is a signatory to the Sacramento Countywide National Pollutant Discharge Elimination Program (NPDES) permit for the control of pollutants in urban stormwater. Since 1990, the City has been a partner in the Sacramento Stormwater Quality Partnership, along with the County of Sacramento and the Cities of Sacramento, Citrus Heights, Elk Grove, Galt, and Rancho Cordova. These agencies are implementing a comprehensive program involving public outreach, construction and industrial controls (i.e., BMPs), water quality monitoring, and other activities designed to protect area creeks and rivers. This program would be unchanged by the proposed project, and the project would be required to implement all appropriate program requirements.

In addition to these activities, the City maintains the following requirements and programs to reduce the potential impacts of urban development on stormwater quality and quantity, erosion and sediment



control, flood protection, and water use. These regulations and requirements would be unchanged by the proposed project.

Standard construction conditions required by the City include:

- Water Pollution – requires compliance with City water pollution regulations, including NPDES provisions.
- Clearing and Grubbing – specifies protection standards for signs, mailboxes, underground structures, drainage facilities, sprinklers and lights, trees and shrubbery, and fencing. Also requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to control erosion and siltation of receiving waters.
- Reseeding – specifies seed mixes and methods for reseeding of graded areas.

Additionally, the City enforces the following requirements of the Folsom Municipal Code as presented in Table 16.

**Table 16. City of Folsom Municipal Code Sections Regulating the Effects on Hydrology and Water Quality from Urban Development**

<b>Code Section</b>	<b>Code Name</b>	<b>Effect of Code</b>
8.70	Stormwater Management and Discharge Control	Establishes conditions and requirements for the discharge of urban pollutants and sediments to the storm-drainage system; requires preparation and implementation of Stormwater Pollution Prevention Plans.
13.26	Water Conservation	Prohibits the wasteful use of water; establishes sustainable landscape requirements; defines water use restrictions.
14.20	Green Building Standards Code	Adopts the California Green Building Standards Code (CalGreen Code), 2010 Edition, excluding Appendix Chapters A4 and A5, published as Part 11, Title 24, C.C.R. to promote and require the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices.
14.29	Grading Code	Requires a grading permit prior to the initiation of any grading, excavation, fill or dredging; establishes standards, conditions, and requirements for grading, erosion control, stormwater drainage, and revegetation
14.32	Flood Damage Prevention	Restricts or prohibits uses that cause water or erosion hazards, or that result in damaging increases in erosion or in flood heights; requires that uses vulnerable to floods be protected against flood damage; controls the modification of floodways; regulates activities that may increase flood damage or that could divert floodwaters.
14.33	Hillside Development	Regulates urban development on hillsides and ridges to protect property against losses from erosion, ground movement and flooding; to protect significant natural features; and to provide for functional and visually pleasing development of the city's hillsides by establishing procedures and standards for the siting and design of physical improvements and site grading.

Source: City of Folsom 2020b



## Evaluation of Hydrology and Water Quality

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
  - i. Result in substantial erosion or siltation on- or off-site?
  - ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site?
  - iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff?
  - iv. Impede or redirect flood flows?
- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

**Less than significant impact.** The project site consists of open space with a fairly dense oak tree canopy and a drainage channel traversing the site adjacent to E. Natoma Street. The Oak Parkway Trail separates the project site from residential properties to the south. The Cimmaron Hill Sub-division is located east of the project site and the entrance to Folsom State Prison is located northwest of East Natoma Street. The existing channel conveys runoff from a portion of the Cimmaron Hill Subdivision as well as runoff from a portion of the Prison open space. Implementation of the proposed project would alter the existing drainage patterns on the project site. The site conditions would be replaced with impervious surfaces from the three-story building, associated parking and drive aisles, and landscaping. The existing drainage channel will remain and will be required to maintain the existing drainage patterns, conveying the runoff generated onsite and *offsite*, as is the case under existing conditions.

Modifications to the existing drainage patterns may result in localized flooding, and an increase in impervious surfaces may result in an increase in the total volume and peak discharges of the proposed project has the potential to degrade water quality associated with urban runoff. Ground disturbing activities would expose soil to erosion and may result in the transport of sediments which could adversely affect water quality. A 36-inch culvert is proposed to be installed under the southernmost driveway to allow runoff to continue to flow through the existing channel. The 36-inch culvert will restrict the developed flows, causing water to back up in the existing channel. The existing channel will function as a detention basin in high intensity storm events. The preliminary analysis considered the worst possible scenario under a 10-year, 24-hour storm event, and under a 100-year, 24-hour storm event.

Sacramento Method within SacCalc software was used to estimate runoff, employing the same methods used to determine the runoff under existing conditions, as outlined in the Preliminary Drainage and Stormwater Quality Report. Comparison of the runoff rates under existing and developed conditions during the 10-year, 24-hour storm event show equal flow rates under existing and developed conditions

during the 10-year, 24-hour storm event. Therefore, the development of the site would maintain existing drainage paths and would not have a negative effect on the existing storm system.

Preliminary hydrologic and hydraulic analysis estimates a decrease of 5.84 cfs during 100-year, 24-hour storm event *due to the development* of the site as proposed. Table 17 shows the peak discharge rates under existing conditions and developed conditions. The hydrologic estimations neglect losses due to friction, travel time and proposed onsite storage and should be considered conservative.

**Table 17. Peak Discharge Rates (Downstream from the Project Site)**

	Existing (cfs)	Mitigated Developed (cfs)
10-Year	75.3	75.3
100-Year	112.3	106.46

The preliminary analysis determined the development site would not increase the flow rate through the existing channel during the 10-year, 24-hour storm event, and flow rates through the existing channel are estimated to decrease during the 100-year, 24-hour storm event. The existing channel has the capacity, upstream from the proposed 36-inch culvert, to detain flows exceeding the capacity of the culvert while maintain at least 1-foot of freeboard. The offsite areas draining through the existing channel and associated underground system will not be negatively affected by the development of this project. Impacts would be less than significant.

Additionally, the proposed project would be required to comply with various State and local water quality standards which would ensure the proposed project would not violate water quality standards or waste discharge permits, or otherwise substantially degrade water quality. As the project is greater than one acre, the proposed project would be subject to NPDES permit conditions which include the preparation of a SWPPP for implementation during construction. The proposed project would also be subject to all of the City's standard Code requirements, including conditions for the discharge of urban pollutants and sediments to the storm drainage system, and restrictions on uses that cause water or erosion hazards.

As outlined previously, the preliminary analysis concluded flow rates with the development site would be equal to or decrease under the 10-year and 100-year storm events. Additionally, compliance with these requirements would ensure that water quality standards and discharge requirements are not violated, and water quality is protected. Therefore, mpacts would be less than significant, and no mitigation would be necessary for questions a), c), d), e), and f).

- b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

**Less than significant impact.** Implementation of the proposed project would not result in the use of groundwater supplies because domestic water in the City is provided solely from surface water sources from the Folsom Reservoir. While development of the proposed project would increase the percentage of impervious surface on the site that could affect groundwater recharge, the site is not previously known to be important to groundwater recharge. Further, because the proposed project would not rely on groundwater for domestic water and irrigation purposes, and because the site is not an important area of groundwater recharge, the proposed project would not deplete groundwater supplies or interfere substantially with groundwater recharge that would result in a net deficit in aquifer volume or

a lowering of the local groundwater table. Therefore, impacts to groundwater supplies and recharge would be less than significant.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

**Less than significant impact.** The project site is not located within a 100-year floodplain and is not subject to flood hazard. The project site is also approximately 70-miles northeast of the nearest tsunami inundation area near Benicia, CA (California Emergency Management Agency 2009). The nearest body of water is the American River, which is approximately 0.5-miles west, and Folsom Lake, which is approximately 1-mile north of the project site. Based on the site's location away from the 100-year floodplain, distance from tsunami inundation area, and distance to Folsom Lake, the project site is not subject to release of pollutants due to inundation.

The City of Folsom is located approximately 95-miles from the Pacific Ocean, at elevations ranging from approximately 140- to 828-ft amsl. Because of this, there would be no possibility of inundation by tsunami. The City is located adjacent to Folsom Lake, a reservoir of the American River impounded by a main dam on the river channel and wing dikes. Areas of the City adjacent to the wing dikes could be adversely affected by a seiche as a result of an earthquake, either through sloshing within a full reservoir or by a massive landslide or earth movement into the lake. Although historic seismic activity has been minor, the potential for strong ground shaking is present and the possibility exists of a strong earthquake occurring when lake levels are high. This could create a large enough wave to overtop or breach the wing dikes although this is considered to be a remote possibility.

Mudslides and other forms of mass wasting occur on steep slopes in areas having susceptible soils or geology, typically as a result of an earthquake or high rainfall event. Slopes associated with the edges of the building pads are located on the project site; however, City grading standards, including requirements to evaluate slope stability and implement slope stabilizing measures as necessary, would prevent this potential effect. In summary, there would be no potentially significant effect from inundation by seiche, tsunami, or mudflow and no mitigation would be necessary.

**XI. LAND USE AND PLANNING**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

Land use in the project area is regulated by the City of Folsom through the various plans and ordinances adopted by the City. These include the City of Folsom General Plan and the City of Folsom Municipal Code, including the Zoning Code. The project site is designated in the General Plan as Professional Office (PO) which provides low-intensity business and professional offices that are compatible with higher-intensity residential uses.

The zoning designation of the site is in the Business and Professional (BP) District. According to the Folsom City Municipal Code, the BP zoning district generally permits office building and related uses such as banks, doctor’s offices, general business office, and general uses. The purpose of a BP zoning district is to provide an area for business and professional office and compatible related uses. This zoning district is intended to promote a harmonious development of business and professional office areas with adjacent commercial or residential development. A senior citizens residential complex is allowed in the BP zoning district with approval of a minor Conditional Use Permit.

Entitlement requests for this project include a Planned Development Permit (PD Permit) and a Conditional Use Permit (CUP). The purpose of the PD Permit is to allow for greater flexibility in the design of integrated developments than otherwise possible through strict application of land use regulations. With the PD Permit, the project’s site plan, elevations, and overall project design would be evaluated, and specific development standards would be defined. The Conditional Use Permit is required to allow development of a senior citizens residential complex within the BP zoning district.

**Evaluation of Land Use and Planning**

a) Physically divide an established community?

**Less than significant impact.** The proposed project would develop a vacant, undeveloped lot, surrounded by residential, commercial, and institutional land uses. The construction would not barricade or reduce access to East Natoma Street, Fargo Way, Cimmaron Circle, or Prison Road. The community would not be gated, and the main access driveway would be on East Natoma Street, across from Prison Road. Oak Parkway Trail surrounds the project site and would enter into the southwestern corner of the site boundary. Within the site boundary, the Oak Parkway Trail would be realigned and

connected to a concrete sidewalk proposed for the project site. The concrete sidewalk would extend around the southern parking area and connect to the existing Oak Parkway Trail section located south of the site boundary. The realignment would add a pedestrian connection to Oak Parkway Trail. Although the proposed project would realign the Oak Parkway Trail for a pedestrian connection, the existing trail surrounding the site would not be physically impacted. The proposed project would not divide an established community and therefore impacts would be less than significant.

- b) Cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

**No impact.** The proposed project is consistent with both the General Plan land use and zoning designations for the site, as affordable senior housing is identified as a permitted land use with a minor Conditional Use Permit. A CUP is a required approval for the implementation of the proposed project. The density of the proposed project would be 0.32 FAR which is consistent with the maximum 0.5 FAR densities permitted under the BP zoning district and PO land use designation. The proposed project would not conflict with any land use plan, policy, or regulation and, therefore, would have no impact.

**XII. MINERAL RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The Folsom area regional geologic structure is defined by the predominantly northwest to southeast trending belt of metamorphic rocks and the strike-slip faults that bound them. The structural trend influences the orientation of the feeder canyons into the main canyons of the North and South Forks of the American River. This trend is interrupted where the granodiorite plutons outcrop (north and west of Folsom Lake) and where the metamorphic rocks are blanketed by younger sedimentary layers (west of Folsom Dam) (Geotechnical Consultants, Inc. 2013). The four primary rock divisions found in the area are: ultramafic intrusive, metamorphic, granodiorite intrusive, and volcanic mud flows.

The presence of mineral resources within the City has led to a long history of gold extraction, primarily placer gold. No areas of the City are currently designated for mineral resource extraction. Based on a review of the *Mineral Land Classification of the Folsom 15' Quadrangle, Sacramento, El Dorado, Placer, and Amador Counties, California* (Department of Conservation 1984), no known mineral resources are mapped in the project area.

**Evaluation of Mineral Resources**

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

**No impact.** The proposed project is not located in a zone of known mineral or aggregate resources. No active mining operations are present on or near the site. Implementation of the project would not interfere with the extraction of any known mineral resources. Thus, no impacts would result, and no mitigation would be necessary for questions a) and b).



### XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the Folsom General Plan or noise ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generate excessive ground-borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public use airport or private airstrip, expose people residing or working in the project area to excessive noise.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A Noise and Vibration Assessment was prepared by HELIX on May 5, 2022, and is included as **Appendix H**. The components of the report are summarized below.

#### Noise Metrics

All noise-level and sound-level values presented herein are expressed in terms of decibels (dB), with A weighting, abbreviated "dBA," to approximate the hearing sensitivity of humans. Time averaged noise levels of one hour are expressed by the symbol "L<sub>EQ</sub>" unless a different time period is specified. Maximum noise levels are expressed by the symbol "L<sub>MAX</sub>." Some of the data also may be presented as octave-band-filtered and/or A-octave band-filtered data, which are a series of sound spectra centered on each stated frequency, with half of the bandwidth above and half of the bandwidth below, the stated frequency. These data are typically used for machinery noise analysis and barrier-effectiveness calculations. The Community Noise Equivalent Level (CNEL) is a 24-hour average, where noise levels during the evening hours of 7:00 p.m. to 10:00 p.m. have an added 5 dBA weighting, and sound levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. have an added 10 dBA weighting. This is similar to the Day Night sound level (L<sub>DN</sub>), which is a 24-hour average with an added 10 dBA weighting on the same nighttime hours but no added weighting on the evening hours.

Because decibels are logarithmic units, S<sub>PL</sub> cannot be added or subtracted through standard arithmetic. Under the decibel scale, a doubling of sound energy corresponds to a 3 dBA increase. In other words, when two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3 dBA higher than from one source under the same conditions. For example, if one automobile produces an S<sub>PL</sub> of 70 dBA when it passes an observer, two cars passing simultaneously would not produce 140 dBA—rather, they would combine to produce 73 dBA. Under the decibel scale, three sources of equal loudness together produce a sound level 5 dBA louder than one source.

Under controlled conditions in an acoustical laboratory, the trained, healthy human ear is able to discern 1 dBA changes in sound levels, when exposed to steady, single-frequency (“pure-tone”) signals in the mid-frequency (1,000 Hertz [Hz]–8,000 Hz) range. In typical noisy environments, changes in noise of 1 to 2 dBA are generally not perceptible. It is widely accepted, however, that people begin to detect sound level increases of 3 dB in typical noisy environments. Further, a 5 dBA increase is generally perceived as a distinctly noticeable increase, and a 10 dBA increase is generally perceived as a doubling of loudness.

### **Vibration Metrics**

Groundborne vibration consists of rapidly fluctuating motions or waves transmitted through the ground with an average motion of zero. Sources of groundborne vibrations include natural phenomena and anthropogenic causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous (e.g., factory machinery) or transient (e.g., explosions). Peak particle velocity (PPV) is commonly used to quantify vibration amplitude. The PPV, with units of inches per second (in/sec), is defined as the maximum instantaneous positive or negative peak of the vibration wave. Decibels are also used to compress the range of numbers required to describe vibration. Vibration velocity level (LV) with units of VdB are commonly used in evaluating human reactions to vibrations.

### **Environmental Setting**

#### **Existing Noise Environment**

The project site is currently vacant and undeveloped. Surrounding land uses include Folsom State Prison to the north; single-family residences to the northeast; Pacific Gas & Electric (PG&E) powerlines and a bicycle trail to the south; single- and multi-family residences to the south; and office space and the City of Folsom Police Department to the west. Noise sources in the project vicinity are dominated by traffic noise from East Natoma Street. Additional noise sources in the area include typical suburban residential noise (e.g., landscape maintenance equipment; building heating, ventilation, and air conditioning (HVAC) systems; dogs) and occasional noise from operation of the Folsom State prison, approximately 2,500-ft (0.5-mile) to the north.

#### **Noise Sensitive Land Uses**

Noise-sensitive land uses (NSLUs) are land uses that may be subject to stress and/or interference from excessive noise, including residences, hospitals, schools, hotels, resorts, libraries, sensitive wildlife habitat, or similar facilities where quiet is an important attribute of the environment. Noise receptors (receivers) are individual locations that may be affected by noise. The closest existing NSLUs to the project site are five single-family residences adjacent to the project’s northeast property line. Additional single-family and multi-family residence are located approximately 120-ft south of the project site. The closest school to the project site is the *Saint John's Notre Dame School* approximately 320-ft to the southeast. The closest hospital to the project site is the *Vibra Hospital of Sacramento*, approximately 350-ft to the south.

#### **Noise Survey**

A site visit/noise survey was on conducted on March 29, 2022, which included two short-term (10 minute) ambient noise measurements. Measurement M1 was conducted on the northeast side of

the project site approximately 150-ft from the residences along Cimmaron Drive and approximately 300-ft from East Natoma Street. Measurement M2 was conducted the northwest side of the project site approximately 40-ft from East Natoma Street and approximately 300-ft northeast of the Folsom Prison Road intersection. Traffic counts were conducted during measurement M2. The noise measurement survey notes are included as Attachment A to this report. The noise measurement locations are shown on Figure 2 in Appendix H. The measured noise levels are shown on Table 18.

**Table 18. Noise Measurement Results**

<b>M1</b>	
Date	March 29, 2022
Time	1:57 p.m. – 2:07 p.m.
Location	Northeast side of the project site, approximately 150 feet from residences on Cimmaron Drive
Noise Level	56.7 dBA $L_{eq}$
Notes	Noise primarily from vehicular traffic on East Natoma Street and residential landscape maintenance equipment.
<b>M2</b>	
Date	March 29, 2022
Time	2:10 p.m. – 2:20 p.m.
Location	Northwest side of the project site, approximate 40 feet from East Natoma Street.
Noise Level	65.5 dBA $L_{eq}$
Notes	Noise primarily from traffic on East Natoma Street. Traffic count: 170 cars, 1 medium truck.

## Regulatory Framework

### City of Folsom General Plan Noise Element

The Safety and Noise Element of the City of Folsom General Plan regulates noise emissions from public roadway traffic on new development of residential or other noise sensitive land uses. Policy SN 6.1.2 and Table SN-1 from the General Plan provide noise compatibility standards for land uses. For multi-family housing, noise due to traffic on public roadways, railroad line operations, and aircraft shall be reduced to or below 65 CNEL for outdoor activity areas and reduced to or below 45 CNEL for interior use areas. For other land uses that may be affected by project-generated traffic noise, the exterior noise compatibility limit is: 60 CNEL for single-family residential uses and 70 CNEL for commercial uses (City 2021b).

Policy SN 6.1.8 requires construction projects and new development anticipated to generate a significant amount of vibration to ensure acceptable interior vibration levels at nearby vibration-sensitive uses based on Federal Transit Administration criteria. Table SN-3 from the General Plan provides vibration impact criteria. For construction with infrequent vibration events (defined as fewer than 30 vibration events of the same source per day), impacts would be significant if nearby residences are subject to ground borne vibrations in excess of 80 VdB (City 2021b).

## City of Folsom Municipal Code

For stationary noise sources, the City has adopted a Noise Ordinance as Section 8.42 of the City Municipal Code (City 1993). The Noise Ordinance establishes hourly noise level performance standards that are most commonly quantified in terms of the one-hour average noise level ( $L_{EQ}$ ). Using the limits specified in Section 8.42.040 of the Noise Ordinance, noise levels generated on the project site (other than noise from HVAC systems) for 30 or more minutes in any hour would be significant if they exceed 50 dBA  $L_{EQ}$  from 7:00 a.m. to 10:00 p.m. and 45 dBA  $L_{EQ}$  from 10:00 p.m. to 7:00 a.m., measured at off-site residential property boundaries. Section 8.42.060 exempts construction noise from these standards provided that construction does not occur before 7:00 a.m. or after 6:00 p.m. on weekdays, or before 8:00 a.m. or after 5:00 p.m. on Saturday or Sunday. Noise from the project's HVAC would be significant if exterior noise levels exceed 50 dBA, per Section 8.42.070 of the City Municipal Code measured at off-site residential property boundaries.

## Methodology and Assumptions

### Noise Modeling Software

Project construction noise was analyzed using the U.S. Department of Transportation (USDOT) Roadway Construction Noise Model (RCNM); USDOT 2008), which utilizes estimates of sound levels from standard construction equipment.

Modeling of the exterior noise environment for this report was accomplished using the Computer Aided Noise Abatement (CadnaA) model version 2021. Traffic noise was evaluated within CadnaA using the U.S. Department of Transportation Federal Highway Administration (FHWA) Traffic Noise Model (TNM) version 2.5 (USDOT 2004). The noise models used in this analysis were developed from the site plan provided by the project architect. Input variables included building mechanical equipment reference noise levels, road alignment, lane configuration, projected traffic volumes, estimated truck composition percentages, and vehicle speeds

### Off-Site Traffic Noise

The one-hour  $L_{EQ}$  traffic noise level is calculated utilizing peak-hour traffic. The model-calculated one-hour  $L_{EQ}$  noise output is the equivalent to the CNEL (Caltrans 2009). The off-site traffic noise modeling includes does not account buildings, structures or terrain. The project Transportation Impact Study (TIS) included an intersection analysis with data for calculation of peak hour traffic volumes on streets in the project vicinity (T. Kear 2022). Existing traffic for East Natoma Street was estimated from intersection turning counts included in the TIS. The PM peak hour traffic volumes used in the analysis is shown in **Table 19**. The noise modeling input and output are included in **Appendix H**. Traffic was assumed to be comprised of a typical mix of vehicles for suburban streets in California: 96 percent cars and light trucks; 3 percent medium trucks and buses; and 1 percent heavy trucks.

**Table 19. PM Peak Hour Traffic Volumes**

Roadway Segment	Existing (2022)	Existing (2022) + Project
East Natoma Street – Fargo Street to Folsom Prison Road	1,060	1,089
East Natoma Street – Folsom Prison Road to Cimmaron Circle	943	969

Source: T. Kear 2022

### Heating, Ventilation, and Air Conditioning

The project would use one residential-sized HVAC units for each apartment, with the air conditioning condenser located on the rooftop of the building. The condensers would be located behind a parapet wall of equal or greater height to the HVAC unit, which would provide substantial noise attenuation. Specific details on planned HVAC units were not available at the time of this analysis. A typical system for apartments in multi-story buildings would be a Carrier model 38BRC-024-34 2-ton split system for, which has a sound rating of 76 dBA  $S_{WL}$  (Carrier 2005). The manufacturer's noise data for the HVAC units is provided below in Table 20.

**Table 20. HVAC Condenser Noise Data (SWL dBA)**

	<b>125 Hz</b>	<b>250 Hz</b>	<b>500 Hz</b>	<b>1 kHz</b>	<b>2 kHz</b>	<b>4 kHz</b>	<b>8 kHz</b>	<b>Overall Noise Level</b>
	55.5	62.5	68.0	70.0	67.0	61.5	58.5	76.0

Source: Carrier 2005

$S_{WL}$  = sound power level; Hz = Hertz; kHz = kilohertz

### Standards of Significance

Based on Appendix G of the CEQA Guidelines, implementation of the project would result in a significant adverse impact if it would:

1. Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the City of Folsom General Plan or noise ordinance;
2. Generate excessive ground-borne vibration or ground borne noise levels; or
3. For a project located within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public use airport or private airstrip, expose people residing or working in the project area to excessive noise.

Per the City General Plan, impacts related to the generation of noise on the project site would be significant if noise levels generated by the project site HVAC systems would be significant if it would exceed 50 dBA  $L_{EQ}$  residential property boundaries. For traffic-related noise, impacts would be considered significant if the project would cause ambient noise levels at nearby NSLUs to exceed the noise compatibility limits defined in the City General Plan or would increase noise levels by 1.5 CNEL or more in areas with existing ambient noise levels exceeding the noise compatibility limits.

In accordance with the City Municipal Code, any noise from project construction activity would be considered significant for construction occurring before 7:00 a.m. or after 6:00 p.m. on weekdays, or before 8:00 a.m. or after 5:00 p.m. on Saturday or Sunday.

In accordance with the City General Plan, excessive ground-borne vibration would occur if construction-related ground-borne vibration exceeds 80 VdB at nearby residential properties.



## Evaluation of Noise

- a) *Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the Folsom General Plan or noise ordinance?*

**Less than significant with mitigation.**

### Construction Noise

The nearest NSLUs to the project site area are single-family residences approximately adjacent to the project's northeast property line. Heavy earthmoving equipment would have the potential to be as close as 15-ft from the residential property line, including rubber-tired dozers and graders. Over the course of one hour, it is anticipated that the average distance of heavy earthmoving equipment from residential property lines would be approximately 50-ft. Modeling shows that the combined one-hour noise from a dozer and grader would result in 82.7 dBA  $L_{EQ}$  at the closest residential property. Because construction equipment would be mobile as it moves across the project site, the noise level experienced by the neighboring uses would vary throughout the day. The modeling output for the anticipated construction equipment is included in Attachment B, within **Appendix H**.

According to the City Code Section 8.42.060, noise sources associated with construction of the project which are conducted between the hours of 7:00 a.m. and 6:00 p.m., on Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday, are exempt from the City noise standard (City 1993). Nighttime construction noise is not anticipated for the project. However, nighttime construction is not exempt from the City Noise Ordinance and would exceed the nighttime standard of 45 dBA if it were to occur, resulting in a potentially significant noise impact. Mitigation measure NOI-01 would prohibit construction activities outside the above daytime hours.

### Operation Noise

#### *Off-Site Traffic Noise*

As described above, modeling of the exterior noise environment for this report was accomplished using CadnaA and the TNM. According to the TIS, the project is expected to generate approximately 504 daily trips and 41 trips during the PM peak hour (T. Kear 2022). Future traffic noise levels presented in this analysis are based on traffic volumes (as described above) for the existing (2022) and existing plus project scenarios. The modeling does not account for intervening terrain or structures (e.g., sound walls, buildings).

The calculated off-site traffic noise levels are shown in Table 21, *Off-Site Traffic Noise Levels*. In typical outdoor environments, a 3 dBA increase in ambient noise level is considered just perceptible and a 5 dBA increase is considered distinctly perceptible. In areas where existing or future ambient noise exceeds the land use compatibility standards, an individual project's contribution to increases in ambient noise level could be considered significant if it exceeds 1.5 dBA. Because areas along the analyzed road segments already exceed the residential land use noise compatibility standard listed in the City General Plan (60 CNEL for low density residential; 65 CNEL for multi-family residential), this analysis uses a threshold of a 1.5 CNEL increase to determine significance of the impact.

As shown in **Table 21**, the maximum change in CNEL as a result of project-generated traffic would be 0.1 CNEL, a change in ambient noise level that is lower than the threshold and is not discernable.



Therefore, impacts related to the project generating a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of General Plan standards from project-generated traffic would be less than significant.

**Table 21. Off-Site Traffic Noise Levels**

Roadway Segment	Existing 2021 (CNEL)	Existing + Project (CNEL)	Change In CNEL
East Natoma Street – Fargo Street to Folsom Prison Road (Commercial)	63.4	63.5	0.1
East Natoma Street – Folsom Prison Road to Cimmaron Circle (Residential)	67.5	67.6	0.1

Source: TNM version 2.5

#### *Heating, Ventilation, and Air Conditioning Noise*

The primary potential noise sources on the project site would be roof-top mounted HVAC systems, as described in the Methodology and Assumptions section, above. HVAC systems were analyzed using the CadnaA software, assuming 140 condenser units (one per apartment plus additional for common areas) as shown on the project roof plan. Modeling assumed one hour of continuous operation of all equipment. Modeled noise levels were analyzed at receivers placed at the property line of nearby NSLUs (see Figure 2 for NSLU areas) at a height of 5-ft above the ground. The modeled 1-hour ( $L_{EQ}$ ) noise level at the adjacent property lines is compared with the City standard in Table 22, *Operational HVAC Noise*. As shown in Table 22, noise from the project's HVAC systems would not exceed the City's noise ordinance standard of 50 dBA  $L_{EQ}$ , and impacts from project HVAC noise would be less than significant.

**Table 22. Operational HVAC Noise**

Receptor	Description	Modeled Noise (dBA $L_{EQ}$ )	HVAC Standard (dBA $L_{EQ}$ )	Exceed Standards?
R1	Single-family residence	28.5	50	No
R2	Single-family residence	29.7	50	No
R3	Single-family residence	29.7	50	No
R4	Single-family residence	28.6	50	No
R5	Single-family residence	26.2	50	No
R6	Multi-family residence	28.8	50	No
R7	Single-family residence	28.6	50	No
S1	School	20.3	50	No
H1	Hospital	24.5	50	No

Source: CadnaA; City Noise Ordinance Sections 8.42.050

#### *Off-site Traffic Noise*

Modeling of the exterior noise environment on the project site was accomplished using the CadnaA model and the road segment traffic volumes, as described above.

### Exterior Noise

As discussed above, the City General Plan Safety and Noise Element has established an exterior noise standard of 65 CNEL for multi-family residential outdoor activity areas, defined as “[...] the patios or common areas where people generally congregate for multifamily development” (City 2021b). The patio/outdoor kitchen/bocce ball and seating areas on the west side of the project building would be the outdoor activity areas for the project. The modeling shows ground level noise for the outdoor common areas would range from approximately 55.5 CNEL to 58.6 CNEL. This noise level would not exceed the City exterior noise standard of 65 CNEL and the impact would be less than significant.

### Interior Noise

Standard building design and construction using current building codes provides approximately 20 dBA of exterior to interior noise reduction with the windows and doors closed. The noise at the exterior facades for the project end units facing East Natoma Street was modeled for apartments on the first through third floors, and is shown in **Table 23**.

**Table 23. Building Exterior Noise Levels**

Floor	North Arm (CNEL)	West Arm (CNEL)
First	66.3	62.7
Second	66.0	62.5
Third	65.7	62.0

Source: CadnaA version 2021

Buildings with exterior noise levels exceeding 65 dBA could result in interior noise levels in excess of the City General Plan Safety and Noise Element standard of 45 CNEL. Noise levels for the end unit apartments on the project building north arm would exceed 65 CNEL. Therefore, interior noise levels were calculated based on the architectural plans for the project. The calculation sheets are included in Attachment B. The calculations show, with construction meeting minimum code requirements, interior noise levels would not exceed the City standard of 45 CNEL, and the impact would be less than significant.

### Impact Conclusion

If project construction activities were to occur outside the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday, construction noise generated by the project would not be exempt for the City’s noise ordinance nighttime exterior standard of 45 dBA, and the impact would be potentially significant. Implementation of Mitigation Measure NOI-01 would restrict construction hours.

The addition of permanent project-generated traffic vicinity on roadways would not result in a discernable increase in ambient noise levels. The project would not expose future project residents to noise levels that exceed compatibility guidelines in the General Plan.

Long-term operation of project would not result in noise levels from on-site sources, including HVAC systems, exceeding the City noise ordinance standards, measured at the property line of the closest NSLUs to the project site.

Therefore, with implementation of Mitigation Measure NOI-01, the project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the Folsom General Plan or noise ordinance and the impact would be less than significant.

#### **Mitigation Measure NOI-01: Construction Hours/Scheduling**

- The City shall specify on all grading, and construction permits that construction activities for all phases of construction, including servicing of construction equipment shall only be permitted during the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between 8:00 a.m. to 5:00 p.m. on Saturdays. Construction shall be prohibited on Sundays and on all holidays. Delivery of materials or equipment to the site and truck traffic coming to and from the site shall be restricted to the same construction hours specified above.

b) *Generation of excessive ground-borne vibration or ground borne noise levels?*

**Less than significant with mitigation.**

An on-site source of vibration during project construction would be a vibratory roller. A vibratory roller would primarily be used to achieve soil compaction as part of the foundation and paving construction, and for aggregate and asphalt compaction as part of project driveway and parking lot construction). Vibratory rollers could be used within approximately 65-ft of the single-family residences to the northwest. A large vibratory roller creates approximately 0.21 in/sec PPV at a distance of 25-ft, or 94 VdB (Caltrans 2020). At a distance of 65-ft, a vibratory roller would create a PPV of 0.073 in/sec, or 85 VdB.<sup>1</sup> This would exceed the City General Plan residential standard of 80 VdB, and the impact would be potentially significant. Once operational, the project would not be a source of groundborne vibrations. A large vibratory roller would result in approximately 80 VdB or greater at distances less than 120-ft. Mitigation measure NOI-02 would require the contractor demonstrate that the rollers to be used on the project site would produce less than 80 VdB at nearby occupied residences, or use vibratory rollers in static mode only (no vibrations) when operated within 120-ft of occupied residences. Therefore, with implementation of Mitigation Measure NOI-02, the project would not generate excessive ground-borne vibration levels and the impact would be less than significant.

#### **Mitigation Measure NOI-02: Vibratory Roller**

- The applicant or designated contractor shall provide evidence to the City (via testing data or calculations from a qualified expert), demonstrating that vibratory rollers to be used on the project site would produce less than 80 VdB at nearby occupied residences, or all vibratory rollers shall be used in static mode only (no vibrations) when operating within 120-ft of an occupied residence. The City shall specify vibratory roller model, size, or operating mode restrictions on all demolition, grading, and construction permits.

<sup>1</sup> Equipment PPV = Reference PPV \* (25/D)<sup>n</sup>(in/sec), where Reference PPV is PPV at 25 feet, D is distance from equipment to the receptor in feet, and n= 1.1 (the value related to the attenuation rate through the ground); formula from Caltrans 2020. VdB = 20 \* Log(PPV/4/10<sup>-6</sup>).

- c) *For a project located within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public use airport or private airstrip, expose people residing or working in the project area to excessive noise.*

The closest airports to the project site are the Cameron Park Airport, approximately 9-miles to the east, and Mather Airport, approximately 10.7-miles to the southwest. The project site is not located within the influence area or noise contours for the Cameron Park Airport (El Dorado County 2012). The project site is located within the influence area and is identified as a review area in the Mather Airport Land Use Compatibility Plan (ALUCP). The project site is beneath the approach paths for runways 22 Left and 22 Right, however, the project site is not with the 60 dBA noise contour for the airport (Sacramento County Association of Governments 2020). Therefore, although the project site is subject to overflight by aircraft approaching and departing Mather Airport, residents of the proposed project or people working in the project area would not be exposed to excessive levels of noise due to aircraft or airport operations, and the impact would be less than significant.

**XIV. POPULATION AND HOUSING**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

Folsom’s estimated population in 2019 was 81,328 people (U.S. Census Bureau 2019). The population is projected to increase to 97,485 by 2035 (City of Folsom 2018a). The proposed project would construct 136 affordable one- and two-bedroom senior apartment units within an estimated 109,608-sf building.

**Evaluation of Population and Housing**

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

**Less than significant impact.** Implementation of the proposed project would result in the construction of 136 affordable one- and two-bedroom units for seniors aged 60 and older. Existing backbone infrastructure and roads in the area would not need to be expanded or extended as a result of the project. A signal would need to be added to the existing stoplight at the intersection of East Natoma Street and Prison Road for the proposed main access driveway.

The proposed project would accommodate the demand for housing and would not induce substantial growth in the City of Folsom. Although it is anticipated that the majority of individuals relocating to the apartment community would be from the area, it is possible that the apartment units could draw in between 136 to 358 new residents (assuming 2.63 people per unit, based on projected household size in 2035 [City of Folsom 2018a]). The projected household size is for single family homes, which is larger than the predicted unit size of a senior housing complex proposed for the project. The project would be restricted to residents 60 years and older and units would be one- or two- bedroom. The population generated by the project is within the projected increase in population from planned growth as projected in the City’s Housing Element. Therefore, impacts from project implementation would be less than significant, and no mitigation would be required.

- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

**No Impact.** The project site is currently vacant. Therefore, there would be no impact on displacement of existing people or housing.



**XV. PUBLIC SERVICES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

The proposed project is in an area currently served by urban levels of all utilities and services. Public services provided by the City of Folsom in the project area include fire, police, school, library, and park services. The site is served by all public utilities including domestic water, wastewater treatment, and storm water utilities.

The City of Folsom Fire Department provides fire protection services. There are five fire stations providing fire/rescue and emergency medical services within the City of Folsom. Station 38 is nearest to the project site and is located at 1300 Blue Ravine Road, approximately 2.5-miles southeast of the project site. The Fire Department responds to over 6,000 requests for service annually with an average of 16.4 per day (City of Folsom 2018b). The City of Folsom Police Department is located at 46 Natoma Street, approximately 1-mile southwest of the project site.

The project site is located within the Folsom Cordova Unified School District and is within the attendance area for St. John’s Notre Dame School, Blanche Sprentz Elementary School, Folsom Middle School, and Folsom Lake High School. There are several parks near the project site, including the Folsom City Lions Park, Granite Mini Park, Castle Park, Elvie Perazzo Briggs Park, and Econome Family Park.

The Sacramento Municipal Utilities District (SMUD) would supply electricity to the project site. Pacific Gas & Electric (PG&E) provides natural gas to the area and would provide natural gas to the project site. The City of Folsom has a program of maintaining and upgrading existing utility and public services within the City. Similarly, all private utilities maintain and upgrade their systems as necessary for public convenience and necessity, and as technology changes.

## Evaluation of Public Services

### a) Fire protection?

**Less than significant impact.** On-site water for fire services would be privately owned and managed but would connect to the City of Folsom's water supply in Zone 3 Cimmaron Pressure Zone. The project would include fire hydrants, exterior Fire Department Connection assemblies, and fire riser rooms. Emergency vehicle access would be maintained on the site to meet the Fire Department standards for fire truck maneuvering, location of fire truck to *fight a fire*, rescue access to the units, and fire hose access to all sides of the building. The fire lane would be 27-ft minimum, with an inner turning radius of 25-ft and an outer turning radius of 50-ft. All curbs adjacent to the fire lane would be painted red for emergency fire services. The proposed project would not significantly increase fire service demands or render the current service level to be inadequate, and impacts would be less than significant.

### b) Police Protection?

**Less than significant impact.** The project site is within an urbanized area of Folsom and would increase the residential population requiring police protection services. The project would be required to pay the City's Capital Improvement New Construction Fee (Folsom Municipal Code Chapter 3, Title 3.80) to fund police services and facilities. The project includes features that reduce opportunities for crime such as adequate lighting on East Natoma Street, the proposed building, and parking areas (refer to 8.0 I. Aesthetics for more detail on lighting). Additionally, there would be on-site management services, visibility of common areas from adjacent units, and no dead-end low-visibility areas. Potential impacts from implementation of the proposed project would therefore be less than significant.

### c) Schools?

**Less than significant impact.** The proposed project is age-restricted to residents aged 60 years and older and would not generate students in grades K-12 or create demand for school facilities. Pursuant to Government Section 65995.1, the project would be required to pay development impact fees to the Folsom Cordova Unified School District. No new school facilities would be necessary to serve the proposed project. Potential impacts from implementation of the proposed project would be less than significant.

### d) Parks?

**Less than significant impact.** The 136-unit project would accommodate residents who would create additional demand for park and recreation facilities. The nearest park is Folsom City Lions Park, 403 Stafford Street, approximately 0.5-miles from the project site. Since the park is not adjacent to the *proposed apartment community*, a substantial increase in usage of the park is not anticipated. The proposed project would include on-site indoor and outdoor recreational amenities to serve residents that would *reduce the need for park demand*. The project would be required to pay park fees to mitigate the project's impact on existing park facilities and fund new park and recreation facilities. The potential impacts from the *proposed project* would be less than significant.

### e) Other Facilities?

**Less than significant impact.** The project site is within the urban area of Folsom served by adequate police, fire, and emergency services. The senior housing apartment complex would include on-site

recreational amenities to serve residents. Construction and operation of the proposed project would not require the construction or expansion of parks and other public facilities or result in the degradation of those facilities. Potential impacts would be less than significant, and mitigation would not be necessary.

**XVI. RECREATION**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

The Folsom Parks and Recreation Department provides and maintains a full range of recreational activities and park facilities for the community. There are several recreational amenities and parks near the project site, including the Johnny Cash Recreational Trail and Oak Parkway Trail, Folsom City Lion’s Park, Granite Mini Park, Castle Park, Elvie Perazzo Briggs Park, and Econome Family Park.

**Evaluation of Recreation**

- a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**Less than significant impact.** Some additional use of community parks and trails is anticipated, however, on-site recreational facilities at the apartment complex would reduce park and trail demand. Implementation of the proposed project would enhance existing and planned recreation facilities in the project area. The project would be required to pay park fees to mitigate the project’s impact on existing park facilities and fund new park and recreation facilities. Potential impacts to existing parks would be less than significant.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**Less than significant impact.** The proposed project would result in a 2,500-sf community center on the ground floor of the proposed building. Additional amenities on the project site would include outdoor seating and dining areas, perimeter walkways, a bocce ball court, bike racks, picnic tables with umbrellas, outdoor barbeques/ kitchens, and 6-ft benches. On-site facilities and existing neighborhood parks are anticipated to adequately serve the recreation demands of project residents. The amenities associated with the proposed project are analyzed in this IS/MND. Potential impacts on recreational facilities would be less than significant.

**XVII. TRANSPORTATION**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion below is based on a Transportation Impact Study (TIS) prepared by T. Kear Transportation Planning & Management, Inc. (T. Kear 2022). The report is included in **Appendix I**.

**Environmental Setting**

**Study Scenarios**

Four scenarios were identified for inclusion in this TIS through consultation with City staff. These study scenarios were used to evaluate Project impacts relevant to General Plan Policy M4.1.3 relative to level of service. This study determines the weekday AM peak-hour, PM peak-hour, and Sunday peak-hour level-of-service at study intersections under the following scenarios:

- Existing 2022 without Project condition
- Existing 2022 with Project condition

Analysis of the existing condition reflects the traffic volumes and roadway geometry at the time the study began. This scenario quantifies performance measures for the existing condition and serves as a known reference point for those familiar with the study area. These scenarios, with and without the Project, identify Project related impacts anticipated to occur if the Project opened in 2020.

**Roadway System**

Brief descriptions of the key roadways serving the project site are provided below:

- **Natoma St/East Natoma St** is a two-lane minor arterial connecting from Folsom Blvd, past Folsom City Hall, and connecting through Green Valley Rd and onto Empire Ranch Rd. From Folsom Blvd to Fargo Way, just east of City Hall, there are sidewalks, curb, and gutter with striped class 2 bike lanes. From Fargo Way to the east, fronting the Project site and Folsom State Prison, there are dirt shoulders without sidewalks until Folsom Crossing Rd, where East Natoma

Street becomes a four-lane arterial with sidewalk, curb, gutter, and striped class 2 bike lanes to Empire Ranch Rd. At Coloma Street, near City Hall, Natoma St carries about 11,000 vehicles per day. A volume which drops to about 10,000 vehicles per day near the Project Site.

- **Prison Rd** is a two-lane north-south access road from East Natoma St to Folsom State Prison. It has unpaved shoulders without bike lanes or sidewalks. Prison Road is signed to prohibit stopping or turning within the prison's property.

### Study Intersections

The traffic impact study analyzed the following three study intersections:

- 1) East Natoma St/ Prison Road: Signal
- 2) East Natoma Street/ Eastern Project Driveway: Side-Street-Stop-Control (SSSC)

### Level of Service Methodology

Level of service (LOS) is a qualitative indication of the level of delay and congestion experienced by motorists using an intersection. LOS are designated by the letters A through F, with A being the best conditions and F being the worst (high delay and congestion). Calculation methodologies, measures of performance, and thresholds for each letter grade differ for road segments, signalized intersections, and unsignalized intersections.

Based on guidance from City staff, the following procedures described below for intersection traffic operations analysis were utilized for this TIS.

#### *Intersection Traffic Operations Analysis*

##### Signalized Intersections

The methodology from the Highway Capacity Manual (HCM) 6<sup>th</sup> Edition<sup>2</sup>, are used to analyze signalized intersections. LOS can be characterized for the entire intersection, each approach, or by lane group. Control delay alone (the weighted average delay for all vehicles entering the intersection) is used to characterize LOS for the entire intersection or an approach. Control delay and volume to capacity ratio are used to characterize level-of-service for lane groups. The average delay criteria used to determine the LOS at signalized intersections is presented in **Table 24**. The HCM 2010 methodology is used as the primary method. HCM 2000 methods are only utilized where the signal phasing is incompatible with HCM 2010 methods.

**Table 24. Level-of-Service Criteria for Signalized Intersections**

Level -of- Service	Description	Average Delay <sup>1</sup> (Sec. /Vehicle.)
A	Very Low Delay: This level-of-service occurs when progression is extremely favorable, and most vehicles arrive during a green phase. Most vehicles do not stop at all.	≤ 10.0

<sup>2</sup> Transportation Research Board (2016) Highway Capacity Manual, Washington, D.C.



B	Minimal Delays: This level-of-service generally occurs with good progression, short cycle lengths, or both. More vehicles stop than at LOS A, causing higher levels of average delay.	10.1-20.0
C	Acceptable Delay: Delay increases due to only fair progression, longer cycle lengths, or both. Individual cycle failures ( <i>to service all waiting vehicles</i> ) may begin to appear at this level of service. The number of vehicles stopping is significant, though many still pass through the intersection without stopping.	20.1-35.0
D	Approaching Unstable/Tolerable Delays: The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high v/c ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.	35.1-55.0
E	Unstable Operation/Significant Delays: This is considered by many agencies the upper limit of acceptable delays. These high delay values generally indicate poor progression, long cycle lengths, and high v/c ratios. Individual cycle failures are frequent occurrences.	55.1-80.0
F	Excessive Delays: This level, considered to be unacceptable to most drivers, often occurs with oversaturation (i.e., when arrival flow rates exceed the capacity of the intersection). It may also occur at high v/c ratios below 1.00 with many individual cycle failures. Poor progression and long cycle lengths may also contribute to such delay levels.	> 80.0 or v/c >1.0

**Note 1:** Weighted average of delay on all approaches. This is the measure used by the Highway Capacity Manual to determine level-of-service. Any movement with a volume-to-capacity ratio (v/c) greater than 1.0 is considered to be level-of-service F.

**Source:** Transportation Research Board (2016) Highway Capacity Manual 6<sup>th</sup> Edition, Washington D.C.

### Unsignalized Intersections

The methodology from HCM 6<sup>th</sup> Edition is used for the analysis of unsignalized intersections. At an unsignalized intersection, most of the main street traffic is un-delayed and, by definition, have acceptable conditions. The main street left-turn movements and the minor street movements are all susceptible to delay of varying degrees. Generally, the higher the main street traffic volumes, the higher the delay for the minor movements. Separate methods are utilized for Two-Way Stop-Controlled (TWSC) intersections and All-Way Stop-Controlled (AWSC) intersections.

- **TWSC:** The methodology for analysis of two-way stop-controlled intersections calculates an average total delay per vehicle for each minor street movement and for the major street left-turn movements, based on the availability of adequate gaps in the main street through traffic. A LOS designation is assigned to individual movements or combinations of movements (in the case of shared lanes) based upon delay, it is not defined for the intersection as a whole. Unsignalized intersection LOS is for each movement (or group of movements) based upon the respective average delay per vehicle presents the average delay criteria used to determine the LOS at TWSC and AWSC intersections.
- **AWSC:** At all-way stop-controlled intersections, the LOS is determined by the weighted average delay for all vehicles entering the intersection. The methodologies for these types of intersections calculate a single weighted average delay and LOS for the intersection as a whole. The average delay criteria used to determine the LOS at all-way stop intersections is the same as

that presented in **Table 25**. LOS for specific movements can also be determined based on the TWSC methodology.

It is not unusual for some of the minor street movements at unsignalized intersections to have LOS D, E, or F conditions while the major street movements have LOS A, B, or C conditions. In such a case, the minor street traffic experiences delays that can be substantial for individual minor street vehicles, but the majority of vehicles using the intersection have very little delay. Usually in such cases, the minor street traffic volumes are relatively low. If the minor street volume is large enough, improvements to reduce the minor street delay may be justified, such as channelization, widening, or signalization.

**Table 25. Level-of-Service Criteria for Unsignalized Intersections**

Level of Service (LOS)	Description	TWSC <sup>1</sup>	AWSC <sup>2</sup>
		Average Delay by Movement (seconds / vehicle)	Intersection Wide Average Delay (seconds / vehicle)
A	Little or no delay	< 10	< 10
B	Short traffic delay	> 10 and < 15	> 10 and < 15
C	Average traffic delays	> 15 and < 25	> 15 and < 25
D	Long traffic delays	> 25 and < 35	> 25 and < 35
E	Very long traffic delays	> 35 and < 50	> 35 and < 50
F	Extreme delays potentially affecting other traffic movements in the intersection	> 50 (or, v/c >1.0)	> 50

**Note 1:** Two-Way Stop-Control (TWSC) level-of-service is calculated separately for each minor street movement (or shared movement) as well as major street left turns using these criteria. Any movement with a volume to capacity ratio (v/c) greater than 1.0 is considered to be level-of-service F.

**Note 2:** All-Way Stop-Control (AWSC) assessment of level-of-service at the approach and intersection levels is based solely on control delay.

**Source:** Transportation Research Board (2016) Highway Capacity Manual 6<sup>th</sup> Edition, Washington D.C.

## General Plan Thresholds

### Level of Service

Consistency with General Plan LOS policies for the proposed project were determined based on the methods described above and identified as either "conforming" or "non-conforming". General Plan Policy M 4.1.3 addresses LOS:

*Strive to achieve at least traffic Level of Service "D" (or better) for local streets and roadways throughout the city. In designing transportation improvements, the City will prioritize use of smart technologies and innovative solutions that maximize efficiencies and safety while minimizing the physical footprint. During the course of Plan buildout, it may occur that temporally higher LOS result where roadway improvements have not been adequately phased as development proceeds. However, this situation will be minimized based on annual traffic studies and monitoring programs. City Staff will report to the City Council at regular intervals via the Capital Improvement Program process for the Council to prioritize projects integral to achieving LOS D or better.*

The General Plan EIR includes a criterion addressing potential impacts at locations that operate at LOS E or F under no-project conditions. Under this standard, a non-conforming situation would occur if the proposed project would:

*Increase the average delay by five seconds or more at an intersection that currently operates (or is projected to operate) at an unacceptable LOS under “no-project” conditions.*

For the purposes of this analysis, LOS is considered potentially non-conforming if implementation of the project would result in any of the following:

- Cause an intersection in Folsom that currently operates (or is projected to operate) at LOS D or better to degrade to LOS E or worse.
- Increase the average delay by five seconds or more at an intersection in Folsom that currently operates (or is projected to operate) at an unacceptable LOS E or F.

#### *Bicycle/Pedestrian/Transit Facilities*

An impact is considered significant if implementation of the project would:

- Inhibit the use of bicycle, pedestrian, or transit facilities.
- Eliminate existing bicycle, pedestrian, or transit facilities.
- Prevent the implementation of planned bicycle, pedestrian, or transit facilities.

#### **Vehicle Miles Traveled Standards of Significance**

Under State Law (SB 743), on July 1, 2020, vehicle miles traveled (VMT) will become the only metric for evaluating significant transportation impacts in environmental impact analyses required under the California Environmental Quality Act (CEQA). Without specific General Plan guidance for VMT thresholds, this analysis uses a qualitative screening against The Governors’ Office of Planning and Research (OPR) guidance of a 15 percent per capita VMT reduction and utilizes OPR’s suggested exemption for affordable housing projects.

Folsom General Plan policy NCR 3.1.3 addresses VMT, as stated below:

Policy NCR 3.1.3 “Encourage efforts to reduce the amount of VMT. These efforts could include encouraging mixed-use development promoting a jobs/housing balance, and encouraging alternative transportation such as walking, cycling, and public transit.”

OPR has published guidance recommending a CEQA threshold for transportation impacts of land use projects of a 15 percent VMT reduction per capita, relative to either city or regional averages based on

the California's Climate Scoping Plan<sup>3</sup>. Qualitative assessment of VMT reduction is acceptable to screen projects<sup>4</sup>. Based on these criteria, a project will be considered to have a potentially significant impact if:

- Per capita VMT from residential projects is anticipated to be greater than 85 percent of the regional average per capita VMT.
- The project is anticipated to inhibit implementation of planned pedestrian, bicycle, or transit improvements.

### Analysis Tools

#### LOS

Control delays and level-of-service for study intersections were calculated using the Synchro 11<sup>5</sup> analysis software (Version 11.1, build 1, revision 6). Synchro implements the methodologies of the 6<sup>th</sup> Edition of the Highway Capacity Manual to model traffic controls and vehicle delay.

The software requires data on road characteristics (geometric), traffic counts, and the signal timing data for each analysis intersection. In general, default parameters were used, except in locations where specific field data are available. Heavy vehicle percentages of 2 percent were assumed during the peak hour.

#### VMT

To support jurisdictions' SB743 implementation, The Sacramento Area Council of Governments (SACOG) staff developed thresholds and screening maps for residential and office projects, using outputs from the 2016 base year travel demand model run for the 2020 Metropolitan Transportation Plan/Sustainable Communities Strategies (MTP/SCS). SACOG travel demand model is activity/tour based and is designed to estimate an individual's daily travel, accounting for land use, transportation and demographics that influence peoples' travel behaviors.

For residential projects, the threshold is defined as total household VMT per capita achieving 15 percent of reduction comparing to regional (or any appropriate sub-area) average. The SACOG screening map uses "hex" geography, with each hex being about 1,000-ft on edge. Residential VMT per capita per hex is calculated by tallying all household VMTs, including VMT traveling outside the region, generated by the residents living at the hex and divided by the total population in the hex. Hexes are then color coded with green and blue hexes depicting neighborhoods with at least a 15 percent reduction in residential VMT relative to the SACOG region. Yellow, orange, pink and red hexes have less than a 15 percent VMT reduction.

### Existing 2022 Condition

**Table 26** presents a summary of level-of-service results for the study intersections under Existing Conditions, along with 95 percent queue lengths for left turns. All study intersections operate at LOS A

<sup>3</sup> OPR (2018) Technical Advisory on Evaluating Transportation Impacts in CEQA, [http://www.opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](http://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf).

<sup>4</sup> OPR's webinar on SB 743 implementation, 4/16/2020.

<sup>5</sup> <https://www.trafficware.com/synchro-studio.html>

or better during the AM, PM, and Sunday peak hours. Left turn queues are adequately accommodated by the existing left turn storage pockets.

**Table 26. Existing 2022 Intersection Delay and Level-of-Service**

Intersection	Control	No Project (Delay and Level-of-Service)	
		AM	PM
E Natoma St/Prison Rd	Signal	9.3 A	9.1 A
Eastern Project Driveway	SSSC *	n/a	n/a
Intersection	Approach	No Project 95% Queues (Feet)	
		AM	PM
E Natoma St/Prison Rd	EB Left	173'	30'
	WB Left	n/a	n/a
	SB Left	22'	49'
	NB Left	n/a	n/a
Eastern Project Driveway	NB	n/a	n/a

\* SSSC = Side Street Stop Control

**Projected Trip Generation**

Projected traffic generated by the proposed Project was calculated using trip generation factors from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11<sup>th</sup> Edition (2021), and is provided in Table 27.

**Table 27. Project Trip Generation**

Land Use	ITE Category	Quantity	Data	Daily	AM Peak hour			PM Peak hour		
					Total	Inbound	Outbound	Total	Inbound	Outbound
Senior Adult Housing (Multifamily)	252	136 dwelling units	Rate	3.24	0.29	45%	55%	0.3	54%	46%
			Trips	441	39	17	22	41	22	19

Source: ITE (2021) Trip Generation Manual, Institute of Transportation Engineers, Washington DC. (Higher value of either the average rate or the fitted equation-based rate for peak hour of generator).

**Trip Distribution**

Trip distribution was based on observed traffic counts and select zone analysis within the travel demand model. New Project trips were distributed as follows:

- 48 percent to/from the west on East Natoma Street
- 48 percent to/from the east on East Natoma Street
- 4 percent to/from the north via Prison Road

### Signal Timing Geometry

With the addition of a fourth leg to the East Natoma St/Prison Rd intersection, the signal timing and lane geometry was assumed to be configured as follows:

- Eastbound: An eastbound right turn pocket was assumed with 150-ft of storage and a 60-foot taper; for a total of one left, one through, and one right turn lane.
- Westbound: A westbound left turn lane with 100-foot pocket plus 60-foot taper for a total of one left and one shared through-right lane.
- Southbound: The existing exclusive right-turn lane is assumed to be restriped as a through-right turn lane (for a total of one left and one shared through-right).
- Northbound: The northbound approach is assumed to provide one left and one shared through-right lane. The northbound through-right lane is assumed to be in a 70-foot turn pocket plus 60-foot taper.
- Timing: Eastbound and westbound protected left turn phasing, northbound and southbound split phasing. 150 second cycle length, with 34 second northbound southbound split phases and 20 second eastbound and westbound protected phases, and 62 second eastbound and westbound through phases. Crosswalks are assumed across all legs of the intersection with flashing don't walk phases set to 22 seconds to accommodate a 3-feet per second walking speed.

### Existing 2022 with Project Conditions

Project peak-hour traffic was added to the Existing 2022 turning volumes at each intersection. Delay and LOS were determined at the study intersections. **Table 28** presents a summary of LOS results for the study intersections under Existing Conditions. All study intersections operate at LOS B or better during the AM, PM, and Sunday peak hours. Left turn queues are adequately accommodated by the existing left turn storage pockets.

**Table 28. Baseline 2022 Intersection Delay and Level-of-Service, with and without Project**

Intersection	Control	No Project (Delay and Level-of-Service)		With Project (Delay and Level-of-Service)	
		AM	PM	AM	PM
E Natoma St/Prison Rd	Signal	9.3 A	9.1 A	15.9 B	16.7 B
Eastern Project Driveway	SSSC *	n/a	n/a	10.6 B (NB)	12.3 B (NB)
Intersection	Approach	No Project 95% Queues (Feet)		With Project 95% Queues (Feet)	
		AM	PM	AM	PM
E Natoma St/Prison Rd	EB Left	173'	30'	166'	37'
	WB Left	n/a	n/a	22'	23'
	SB Left	22'	49'	23'	73'
	NB Left	n/a	n/a	27'	21'
Eastern Project Driveway	NB	n/a	n/a	0	0



\* SSSC = Side Street Stop Control

## Project VMT Impacts and General Plan LOS Conformity

### Conformance with General Plan LOS Policy

All study intersections are anticipated to operate at LOS B or better under all study scenarios, both with and without the addition of project traffic. The project is not anticipated to create new LOS deficiencies, or to or worsen any existing deficiencies, based on General Plan Policy M4.1.3.

## Evaluation of Transportation

- a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

**Less than significant impact.** The project is anticipated to generate 441 daily vehicle trips including 39 AM peak-hour vehicle trips, and 41 PM peak-hour vehicle trips. Fewer than 50 peak-hour project trips are projected to pass through any intersection. All study intersections are anticipated to operate at LOS B or better under all study scenarios, both with and without the addition of project traffic. The project is not anticipated to create new LOS deficiencies, or to or worsen any existing deficiencies, based on General Plan Policy M4.1.3. All intersection LOS impacts are considered less than significant.

The project does not inhibit the use of bicycle or pedestrian facilities; eliminate existing bicycle, or pedestrian facilities; or prevent the implementation of planned bicycle, or pedestrian facilities. The project includes accessible pathways around the building to provide a walking path for residents. Path connections are planned to paths internal to the project site, south to the Oak Parkway Trail, and west to the East Natoma St underpass to the Johnny Cash Trail. The project has a less than significant impact on pedestrians and bicycles. With relocation of the effected bus stop, transit impacts will be less than significant.

The City does not have an adopted parking standard for age-restricted (senior) multi-family housing. With a Planned Development Permit (PD), parking supply is established through the PD permit process. The project is proposing 136 spaces (1.00 parking spaces per unit). This exceeds that of many other recently approved age restricted multi-family projects in and around Folsom. The 136 spaces include eight accessible spaces (i.e., with the adjacent space striped out to provide vehicle access for wheelchairs and/or mobility scooters) and 14 spaces with electric vehicle charging.

The ITE Parking Generation Manual<sup>6</sup> lists an average peak parking demand of 0.59 vehicles per dwelling unit for Land Use 252 (Senior Adult Housing-Attached), with a standard deviation of 0.12. The ITE sample size is small (three observations), yet the proposed parking ratio of 1.05 is greater than 3.5 standard deviations greater than the mean parking demand. Consequently, the proposed parking for the Project is sufficient to meet the anticipated parking demand with a parking ratio of 1.00.

For comparison, Revel Senior Living, a similar project approved by Folsom in 2018 had a parking ratio of 0.81 spaces per dwelling unit. The Revel project conducted a parking survey of six similar Sacramento

<sup>6</sup> ITE (2010) Parking Generation 4<sup>th</sup> Edition, Institute of Transportation Engineers, Washington DC.

area facilities. All six facilities were found to use less than 0.60 spaces per dwelling unit during peak parking demand hours (consistent with the ITE parking demand data referenced above.) A second parking review for the Revel Senior Living project surveyed local jurisdictions parking requirements for senior housing. Only two jurisdictions in the vicinity of Folsom were found to directly address the issue of the parking needs of senior independent living facilities. Both of those zoning code requirements from other jurisdictions are lower than the proposed parking supply for the Vintage at Folsom Senior Apartments Project. Therefore, the proposed parking supply of 136 parking spaces is adequate for the 136 multi-family units proposed in the project.

The project would have a less than significant impact on program plans, ordinances, or policies addressing the circulation system.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

**Less than significant impact.** SB 743, passed in 2013, required OPR to develop new CEQA Guidelines that address traffic metrics under CEQA. As stated in the legislation (and Section 21099[b][2] of CEQA), upon adoption of the new CEQA guidelines, “automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to this division, except in locations specifically identified in the CEQA guidelines, if any.” The Office of Administrative Law approved the updated CEQA Guidelines on December 28, 2018, and the changes are reflected in new CEQA Guidelines (Section 15064.3). State CEQA Guidelines Section 15064.3 was added December 28, 2018, to address the determination of significance for transportation impacts. Pursuant to the new CEQA Guidelines VMT replaced congestion as the metric for determining transportation impacts.

The Governors’ Office of Planning and Research (OPR) has published guidance recommending a CEQA threshold for transportation impacts of land use projects of a 15 percent VMT reduction per capita, relative to either city or regional averages, based on the California’s Climate Scoping Plan<sup>7</sup>. Qualitative assessment of VMT reduction is acceptable to screen projects<sup>8</sup>.

Under State Law (SB 743), VMT became the only CEQA threshold of significance for transportation impacts on July 1, 2020. Without specific General Plan guidance for VMT thresholds, this analysis uses qualitative screening against OPR’s guidance of a 15 percent per capita VMT reduction.

To support jurisdictions’ SB743 implementation, SACOG developed thresholds and screening maps for residential projects<sup>9</sup>, using outputs from the 2016 base year travel demand model run for the 2020 MTP/SCS. SACOG’s travel demand model is activity/tour based and is designed to estimate an individual’s daily travel, accounting for land use, transportation and demographics that influence peoples’ travel behaviors. For residential projects, the threshold is defined as total household VMT per capita achieving 15 percent of reduction compared to regional (or any appropriate sub-area) average VMT. The map uses HEX geography. Residential VMT per capita per HEX is calculated by tallying all household VMTs, including VMT traveling outside the region, generated by the residents living at the HEX and divided by the total population in the HEX. Green hexagons denote areas where residential

<sup>7</sup> OPR (2018) Technical Advisory on Evaluating Transportation Impacts In CEQA, [http://www.opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](http://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf).

<sup>8</sup> OPR’s webinar on SB 743 implementation, 4/16/2020.

<sup>9</sup> SACOG (2021) <https://sb743-sacog.opendata.arcgis.com/>

VMT is 50 to 85 percent of the regional average and yellow hexagons denote areas where residential VMT is 85 to 100 percent of the regional average.

The project is located within one of the green hexagons with average residential VMT of 17 miles per capita (per day). The Project is anticipated to generate less than 82 percent of the regional per capita residential daily VMT of 20.82 miles. The project is therefore anticipated to have a less than significant impact on VMT.

- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**Less than significant impact with mitigation.** Access to the project site would be provided by two driveways on East Natoma Street. City standards requires a 60-ft right turn taper in conditions with ten or more peak-hour right turns into a driveway, and a 150-ft pocket plus 60-ft taper, with 50 or more peak-hour right turns. Neither project driveway is anticipated to have ten or more right turning vehicles into the project during the AM or PM peak-hours. The main driveway at the signalized East Natoma Street/Prison Rd intersection includes an eastbound right turn pocket and a westbound left turn pocket accessing the project, these are adequate to safely accommodate project traffic without hindering existing traffic.

The secondary (eastern) driveway is restricted to right-in-right-out movements and is anticipated to only have fewer than ten eastbound right-turns into the project during either the AM or PM peak hours. No turn pockets are necessary. In order to limit the secondary (eastern) driveway to right-in-right-out access, the applicant would implement Mitigation Measure TRA-01. With Mitigation Measure TRA-01 implemented, impacts relating to process access design would be less than significant.

For an 81–160-unit apartment complex, the standard for the Minimum Required Throat Depth (MRTD) is 50 feet<sup>10</sup>. This 50-ft length represents vehicle storage equivalents, which means the total required length may be achieved by summing the throat depths for several access points if more than one access point is to serve the site. The throat depths for the primary and second driveways exceed 50-ft and 25-ft, respectively. Therefore, MRTD of the project driveways meet the standard because the primary driveway throat depth meets the minimum standard of 50-ft.

Potential geometric constraints and safety issues were evaluated, including driveway spacing, sight triangles, and Statewide Integrated Traffic Records System (SWITRS) collision data. Driveway spacing, throat depth, and corner sight distance are all adequate. In the last five years, there have been three accidents proximate to the project site including:

- One eastbound rear-end collection at the existing traffic light,
- Two driving under the influence (DUI) accidents (one a sideswipe, and the other a single vehicle overturn.)

These are not accident varieties that would be anticipated to be worsened by the project, and the project does not require any project specific traffic safety treatments.

<sup>10</sup> Folsom (2020) Design and Procedures Manual and Improvement Standards, site access Table 12-1, <https://www.folsom.ca.us/civicax/filebank/blobdload.aspx?t=66183.89&BlobID=38340>.

Implementation of Mitigation Measures TRA-01 would reduce all potential impacts regarding hazards due to geometric design to a less than significant level.

**Mitigation Measure TRA-01: Limit Access to the Secondary (Eastern) Driveway**

- During construction of the project, the applicant shall ensure the eastern driveway is channelized to restrict left turns from entering or exiting the project via the eastern driveway. Such channelization shall be accomplished during construction by either a triangular island located within the driveway, or by extending the raised median at the East Natoma St/Cimmaron Cir intersection west-ward across the eastern project driveway.

d) Result in inadequate emergency access?

**No impact.** The project proposes two access points connected by a fire lane which circles the back of the Proposed apartments. All internal radii have at least a 25-foot inner radius and 50-foot outer radius per City requirements. Emergency vehicle access is available to the site from East Natoma Street. Emergency vehicle access is designed consistent with standards and is adequate. There would be no impact.

**XVIII. TRIBAL CULTURAL RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The discussion below is based on a tribal cultural resources memorandum prepared by ECORP Consulting, Inc. (ECORP 2022), attached to this Initial Study as **Appendix J**.

**Environmental Setting**

CEQA, as amended in 2014 by Assembly Bill 52 (AB 52), requires that the City of Folsom (City) provide notice to any California Native American tribes that have requested notice of projects subject to CEQA review, and consult with tribes that responded to the notice within 30 days of receipt with a request for consultation. Section 21073 of the Public Resources Code (PRC) defines California Native American tribes as “a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of the Statutes of 2004.” This includes both federally and non-federally recognized tribes. For the City, these include the following tribes that previously submitted general request letters, requesting such noticing:

- Wilton Rancheria (letter dated January 13, 2020);
- Lone Band of Miwok Indians (letter dated March 2, 2016); and,
- United Auburn Indian Community (UAIC) of the Auburn Rancheria (letter dated November 23, 2015 and updated per UAIC via email on September 29, 2021).

The purpose of consultation is to identify Tribal Cultural Resources (TCR) that may be significantly impacted by the proposed project, and to allow the City to avoid or mitigate significant impacts prior to project approval and implementation. Section 21074(a) of the PRC defines TCRs for the purpose of CEQA as:

*Sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either of the following:*

- a) included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or,*
- b) included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or,*
- c) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.*

Because the first two criteria also meet the definition of a Historical Resource under CEQA, a TCR may also require additional consideration as an Historical Resource. TCRs may or may not exhibit archaeological, cultural, or physical indicators and can only be identified by a culturally affiliated tribe, which has been determined under State law to be the subject matter expert for TCRs.

CEQA requires that the City initiate consultation with tribes at the commencement of the CEQA process to identify TCRs. Furthermore, because a significant effect on a TCR is considered a significant impact on the environment under CEQA, consultation is required to develop appropriate avoidance, impact minimization, and mitigation measures. Therefore, in accordance with the requirements summarized above, the City carried out, or attempted to carry out, tribal consultation for the project.

Within 14 days of initiating CEQA review for the project, on November 19, 2021, the City sent project notification letters to the three California Native American tribes named above, which had previously submitted general consultation request letters pursuant to 21080.3.1(d) of the Public Resources Code (PRC). Each tribe was provided a brief description of the project and its location, the contact information for the City's authorized representative, and a notification that the tribe has 30 days to request consultation.

The Lone Band of Miwok Indians did not respond to the City's notification letter, and therefore, the threshold for carrying out tribal consultation with that tribe under PRC 21080.3.1(e) was not met, and no further consultation is warranted.

On December 10, 2021, and within the 30-day response timeframe, the City received an email from Anna Starkey that acknowledged receipt of the City's notification letter and accepted consultation under AB 52 for the project. She indicated that the project area is potentially sensitive for unrecorded cultural and tribal cultural resources based on the presence of a known and recorded resource in the vicinity. She inquired whether a cultural resources survey has been conducted and if so, requested a copy.

On December 13, 2021, the City formally initiated consultation with United Auburn Indian Community



and acknowledged Ms. Starkey's inquiry of a cultural report. The City confirmed that a survey had been conducted and that preparation of a cultural resources report was underway and welcomed the opportunity to further discuss the project. Accordingly, the City provided a copy of the report to Ms. Starkey for her review on March 8, 2022. Ms. Starkey responded the same day indicating that the report aligns with their findings and inquired whether an arborist report had been prepared and if so, requested to review it. Additionally, Ms. Starkey questioned if any heritage trees had been identified. On March 23, 2022, the city transmitted the arborist report to Ms. Starkey. As of the date of this memorandum, there has been no further correspondence received from Ms. Starkey or any other representative from UAIC. The City did not receive any specific information about TCRs that meet the definitions in PRC Section 21074 within the project area. Therefore, on June 3, 2022, the City formally concluded consultation with UAIC pursuant to PRC Sections 21080.3.2(b)(1) and 21082.3(d)(1).

Wilton Rancheria did not respond to the City's notification letter, and therefore, the threshold for carrying out tribal consultation with that tribe under PRC 21080.3.1(e) was not met. However, separately, as part of the cultural resources inventory, HELIX contacted the Native American Heritage Commission (NAHC) on January 21, 2022 to request a search of the Sacred Lands File. On February 9, 2022, the NAHC contacted HELIX to report that no sacred lands are recorded inside the project area and provided a list of culturally affiliated tribes and their contact information. On February 10, 2022, HELIX contacted all of the named tribes, which included Wilton Rancheria, UAIC, Tsi Akim Maidu, the Colfax-Todds Valley Consolidated Tribe, the Lone Band of Miwok Indians, and the Buena Vista Rancheria of Me-Wuk Indians. While none of the other tribes responded, on March 31, 2022, an unnamed representative of the Cultural Preservation Department from Wilton Rancheria replied by email and stated that the tribe had requested consultation on December 2 for this project, and that the tribe was requesting monitoring because of three sensitive sites in the vicinity. No specific information about TCRs was provided in the March 31 email.

After an exhaustive search of the consultation record, City staff emails, and physical mail, none of the City staff or its consultants could locate any correspondence from Wilton on this project. Suspecting that the tribal representative might have been mistaking this as a different project, on April 8, 2022, HELIX replied to the tribe to report that the City is not in possession of any correspondence regarding this project and requested a copy of the December 2 correspondence. Wilton Rancheria did not respond to the request for information, and as of the date of this memorandum, there has been no further communication received from the tribe. Therefore, because the City: 1) is not in possession of a written request for consultation on this project; and 2) did not receive any specific information about TCRs that meet the definitions in PRC Section 21074 within the project area; and, further, because Wilton Rancheria failed to engage in consultation pursuant to PRC 21802.3(d)(2), the City closed the matter and drew from other lines of evidence to make a determination of impacts to TCRs.

### Evaluation of Tribal Cultural Resources

- a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

**Less than significant impact with mitigation.** As discussed in Section V., Cultural Resources, the results of this Cultural Resources Assessment indicate that there are no known or newly discovered cultural resources within the APE, prompting HELIX to recommend that the area is not likely to contain surface based archaeological deposits. Although the NCIC records search indicated that elements of district P-34-000335 (the Folsom Mining District) may potentially be located within the current APE, no traces of the district were found during HELIX's pedestrian survey of the project area. As a result, the current project is anticipated to have no impacts on district P-34-000335.

Based on the results of HELIX's cultural resource assessment the APE can be assumed to have a low sensitivity for surficial cultural resources and this project is anticipated to have no impacts to historical resources for the purposes of compliance with both Section 106 of the NHPA and CEQA. Consequently, HELIX recommends that there would be no effect on historic properties or historical resources, including archaeological and built-environment resources as a result of project implementation. No additional studies, archaeological work, or construction monitoring are recommended. However, in light of the presence of prehistoric resources within the study area (P-34-0000016 and P-34-000017) and the potential presence of elements of district P-34-000335 to lie within the study area, HELIX recommends that the Mitigation Measure CUL-01 and CUL-02 outlined below be implemented in the unlikely event that cultural resources are encountered during construction

If historical or archaeological resources are discovered, implementation of Mitigation Measure CUL-01 and Mitigation Measure CUL-02 (Section V) would reduce any potential impact to a less than significant level.

- ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

**Less than significant impact with mitigation.** Information about potential impacts to TCRs was drawn from information provided by consulting and culturally affiliated tribes, the ethnographic context, the results of a search of the Sacred Lands File by the NAHC, and the results of a cultural resources inventory prepared by HELIX (**Appendix E**). Based on the information provided, the project would not have any impact on known TCRs. Impacts to unanticipated tribal cultural resources, if encountered during construction, would be potentially significant. Based on the consultation record summarized above and included in Appendix J, the City concludes that there would be a less than significant impact on TCR's with the incorporation of Mitigation Measure TCR-01 regarding unanticipated discoveries.

**Mitigation Measure TCR-01: Unanticipated Discovery of Tribal Cultural Resources.**

- If potentially significant Tribal Cultural Resources (TCR) are discovered during ground disturbing construction activities, all work shall cease within 50-ft of the find, or an agreed upon distance based on the nature of the find. A Native American Representative from traditionally and culturally affiliated Native American Tribes that requested consultation on the project shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified cultural resources specialist meeting the Secretary of Interior's Standards and Qualifications for Archaeology, may also assess the significance of the find in joint

**consultation with Native American Representatives to ensure that Tribal values are considered. Work at the discovery location cannot resume until the City, in consultation as appropriate and in good faith, determines that the discovery is either not a TCR, or has been subjected to culturally appropriate treatment, if avoidance and preservation cannot be accommodated.**

**XIX. UTILITIES AND SERVICE SYSTEMS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

The project site is currently vacant and does not contain any existing utilities. Existing powerlines are located on East Natoma Street and south of the project boundary. The City of Folsom employs a design process that includes coordination with potentially affected utilities as part of project development. Identifying and accommodating existing utilities is part of the design process, and utilities are considered when finalizing public project plans. The City of Folsom coordinates with the appropriate utility companies to plan and implement any needed accommodation of existing utilities, including water and sewer utility lines. Based on the results of an initial request for comments from the utility providers, all utility services are able to accommodate the proposed project.

**Evaluation of Utilities and Service Systems**

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years
- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

**Less than significant impact.** Discussion of the project's impact on water, wastewater treatment or storm water drainage, electric power, natural gas, and telecommunications facilities follows:

#### Water Supply

The City's public water supply is from the Folsom Reservoir and Folsom South Canal. The City's Urban Water Management Plan calculated supply and demand at buildout of the 2035 General Plan and determined that there was sufficient supply available for normal, single dry, and multi-dry years scenarios (City of Folsom 2018a). Folsom's Water Treatment Plant has a capacity of 50 million gallons per day. According to the Urban Water Management Plan and General Plan EIR, water demand is not anticipated to exceed the City's current water rights to 38,970 acre-feet annually (City of Folsom 2018a). All on site water (fire, domestic, and irrigation) are to be privately owned, operated, maintained as a condition of approval. All public water within the site boundary shall be constructed in accordance with the City of Folsom water design standards and water construction details as a condition of approval. The on-site water supply would be connected to the Zone 3 Cimmaron pressure Zone located off-site. The proposed project would provide housing for less than 400 residents and would not result in a substantial increase in water demand. Because sufficient supplies are available for build out of land uses in the General Plan (including development at the proposed project site) no additional facilities would need to be constructed or expanded and impacts would be less than significant.

#### Water Conservation Efforts

The City actively implements water conservation actions in response to the drought. Standards and regulations issued by the State Water Resources Control Board that came into effect June 1, 2015, require the City to reduce water consumption by 32 percent. In response, the City developed a water reduction plan to reduce water consumption, and conserve water in the City.

City actions include reducing watering in parks by one third, removing turf and retrofitting irrigation in more than 30 medians citywide, turn off irrigation in ornamental streetscapes that do not have trees, prohibiting new homes and buildings from irrigating with potable water unless water-efficient drip systems are used, replacing and upgrading sprinklers and irrigation systems with water-efficient systems, suspending operation of water features throughout the City. The City also implemented water restrictions and rebate programs for residents of the City. Folsom residents successfully reduced water consumption by 21 percent in 2014. The City reduced water consumption in parks by 27 percent, and 31 percent in Landscape and Lighting Districts. This was among the highest conservation rates statewide (Brainerd 2015).

#### Wastewater (Sanitary Sewer)

The City of Folsom is responsible for managing and maintaining its wastewater collection system, including 275-miles of pipeline and nine pump stations. This system ultimately discharges into the Sacramento Regional County Sanitation District interceptor sewer system. Wastewater is treated at the Sacramento Regional Wastewater Treatment Plant, located in Elk Grove.

In compliance with the 2006 State Water Resources Control Board (SWRCB) General Waste Discharge Requirements for Sanitary Sewer Systems, the City of Folsom adopted a Sewer System Management Plan on July 28, 2009 which was updated and adopted on August 26, 2014. The plan outlines how the municipality operates and maintains the collection system, and the reporting of all Sanitary Sewer Overflows (SSO) to the SWRCB's online SSO database. All on site sewer utilities are to be privately owned, operated, maintained as a condition of approval, and would connect with an existing public sewer collection system off-site. Because the City has sufficient capacity to accommodate any additional demand that could result from implementation of the proposed project, and because the City is in compliance with statutes and regulations related to wastewater collection and treatment, there would be no impact and mitigation would not be necessary.

#### Stormwater

Folsom's Public Works Department handles stormwater management for the City, from design and construction of the storm drain system to operation and maintenance, and urban runoff pollution prevention.

Under existing conditions, runoff from residential properties located east of the property flows onto the property site. This offsite runoff would be intercepted by proposed landscaped swales within the 15-foot landscape planters along the eastern boundary of the property. This runoff would then redirect the flow towards East Natoma Street and enter the public storm drain system. Additionally, eight (8) bio-retention planters are proposed throughout the project site to manage stormwater runoff. The curb, gutter, and sidewalk are proposed to be extended to Cimmaron Circle, which requires storm drain improvements at the frontage of the project site. Stormwater drains would be installed throughout the concrete parking lot areas and would be designed to prevent flooding or ponding. The on-site storm drain would conform to City of Folsom standards. Environmental impacts from these stormwater features would be less than significant and no mitigation would be necessary.

#### Electricity, Gas, and Telephone

Primary and secondary electric lines, gas lines, and telephone/cable lines are proposed within the project. These proposed utility lines would connect with existing utilities in the same vicinity of the project site, on East Natoma Street. Through the City's coordination with utility providers including SMUD for electricity, PG&E for underground gas lines, AT&T for underground telephone lines, utility providers are able to accommodate the proposed project.

Based on the details above, the project would have less than significant impact on water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. No mitigation is needed for questions a), b), and c).

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

**Less than significant impact.** The City of Folsom provides solid waste, recycling, and hazardous materials collection services to its residential and business communities. In order to meet the State mandated 50 percent landfill diversion requirements stipulated under AB 939, the City has instituted several



community-based programs. The City offers a door-to-door collection program for household hazardous and electronic waste, in addition to six "drop off" recycling locations within the City.

After processing, solid waste is taken to the Kiefer Landfill, the primary municipal solid waste disposal facility in Sacramento County. The landfill facility sits on a site of 1,084-acres in the community of Sloughhouse. Currently 250-acres, the State permitted landfill is 660-acres in size, and is of sufficient capacity to accommodate the solid waste disposal needs of the City of Folsom. Because the landfill serving the project area is of sufficient capacity to accommodate solid waste needs, there is less than significant impact and no mitigation would be necessary for questions d) and e).

**XX. WILDFIRE**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The project site is located in a Local Responsibility Area and it is not in a Very High Fire Hazard Severity Zone (California Department of Forestry and Fire Protection 2007).

**Evaluation of Wildfire**

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

**No impact.** Questions "a" through "d" are not applicable because the project site is in a Local Responsibility Area and the site is not in a Very High Fire Hazard Severity Zone (California Department of Forestry and Fire Protection 2007).

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Evaluation of Mandatory Findings of Significance**

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

**Less than significant impact.** The preceding analysis indicates that the proposed project has the potential to adversely affect biological resources, cultural resources, geology and soils, greenhouse gas emissions, noise, transportation, and tribal cultural resources. See Sections 8.IV, 8.V, 8.VII, 8.VIII, 8.XIII, 8.XVII, and 8.XVIII of this Initial Study for discussion of the proposed project's potential impacts on these environmental issue areas. With implementation of the mitigation measures identified in those Sections, and compliance with City programs and requirements identified in this report, impacts would be reduced to a less than significant level. No significant or potentially significant impacts would remain.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when

viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?

**Less Than Significant Impact.** While the project would indirectly contribute to cumulative impacts associated with increased urban development in the City and region, these impacts have previously been evaluated by the City and considered in development of the City's General Plan as set forth in this Initial Study. Key areas of concern are discussed in detail below.

*Evaluation of cumulative biological resources impacts:* The trees and understory grassland areas within the project site provide suitable nesting habitat for white-tailed kite and other raptors as well as other native birds and large trees adjacent to the site provide nesting habitat for raptors. Pre-construction surveys should be conducted prior to project implementation to determine if nesting birds are present on or adjacent to the site, so that measures could be implemented if needed to avoid harming nesting birds. Implementation of Mitigation Measure BIO-01 would reduce impacts to white-tailed kite and other nesting birds to a less than significant level.

The 0.04-acre of aquatic features located on the project site are potentially regulated by the USACE, CVRWQCB, and CDFW under the Clean Water Act, Porter-Cologne Act, and Section 1600 of the Fish and Game Code. Therefore, removal or fill of the aquatic features would likely require a permit from these agencies. In order to avoid impacts to jurisdictional wetland and waters, Mitigation Measure BIO-02 would be implemented, mitigating impacts to a less than significant level.

Of the 111 trees on the project site, 77 trees are considered protected by Folsom City Code. If protected trees will be removed by the proposed project mitigation will be required per Section 12.16.150. Of the 77 trees protected by Folsom City Code, only 65 trees require mitigation based on having a health rating of 5, 4, 3, or 2. Based on the DSH equivalency ratio, mitigation for a total of 935.6-inches is required if all protected trees subject to mitigation requirements are impacted. With implementation of Mitigation Measure BIO-03, impacts to protected trees would be less than significant.

With implementation of Mitigation Measures BIO-01, BIO-02, and BIO-03 the impacts would be reduced to a less than significant level and the project would not result in a cumulatively considerable contribution to any significant cumulative impacts.

*Evaluation of cumulative cultural resources impacts:* The results of the Cultural Resources Assessment indicate that there are no known or newly discovered cultural resources within the APE, prompting HELIX to recommend that the area is not likely to contain surface based archaeological deposits. Although the NCIC records search indicated that elements of district P-34-000335 (the Folsom Mining District) may potentially be located within the current APE, no traces of the district were found during HELIX's pedestrian survey of the project area. As a result, the current project is anticipated to have no impacts on district P-34-000335. No additional studies, archaeological work, or construction monitoring are recommended. However, in light of the presence of prehistoric resources within the study area (P-34-0000016 and P-34-000017) and the potential presence of elements of district P-34-000335 to lie within the study area, HELIX recommends that the Mitigation Measure CUL-01 and CUL-02 outlined below be implemented in the unlikely event that cultural resources are encountered during construction. If historical or archaeological resources are discovered, implementation of Mitigation Measure CUL-01 and Mitigation Measure CUL-02 would reduce any potential impact to a less than significant level.

No human remains are known to exist within the project area nor were there any indications of human remains found during the field survey. However, there is always the possibility that subsurface construction activities associated with the proposed project. However, if human remains are discovered, implementation of Mitigation Measure CUL-02 and Mitigation Measure CUL-03 would reduce impacts to a less than significant level.

With implementation of Mitigation Measures CUL-01 and CUL-02, and CUL-03, the impacts would be reduced to a less than significant level and the project would not result in a cumulatively considerable contribution to any significant cumulative impacts.

Evaluation of cumulative geology and soils impacts: A Geotechnical Engineering Survey was written by Youngdahl Consulting Group, Inc. on December 3<sup>rd</sup>, 2021. In the survey, Youngdahl prepared recommendations for the foundation, construction, and design of the proposed building in the project site (See Appendix F for more detail on site recommendations). With the implementation of Mitigation Measure GEO-01, outlined below, the impacts relating to unstable soils in the project area would be less than significant.

No previous surveys conducted in the project area have identified the project site as sensitive for paleontological resources or other geologically sensitive resources, nor have testing or ground disturbing activities performed to date uncovered any paleontological resources or geologically sensitive resources. While the likelihood encountering paleontological resources and other geologically sensitive resources is considered low, project-related ground disturbing activities could affect the integrity of a previously unknown paleontological or other geologically sensitive resource, resulting in a substantial change in the significance of the resource. Therefore, the proposed project could result in potentially significant impacts to paleontological resources. Implementation of Mitigation Measure GEO-02 would reduce potentially significant impacts to a less than significant level.

With implementation of Mitigation Measure GEO-01 and GEO-02, the impacts would be reduced to a less than significant level and the project would not result in a cumulatively considerable contribution to any significant cumulative impacts.

Evaluation of cumulative greenhouse gas emissions impacts: The project must comply with the City's Greenhouse Gas Reduction Strategy Consistency Checklist. The Checklist is part of the City's 2035 General Plan GHG Reduction Strategy which outlines the policies and programs that the City will undertake to achieve its proportional share of State GHG emissions reductions. Per the Checklist, the GHG reduction measures included in the Checklist that are applicable to a project are to be incorporated into the project's CEQA documents as mitigation measures. The GHG reduction measures applicable to the proposed project are therefore included as Mitigation Measure GHG-01 through GHG-05. With implementation of this mitigation measure and compliance with SMAQMD's recommendations, the 2017 Scoping Plan, and the MTP/SCS, the project's impacts would be reduced to a less than significant level and the project would not result in a cumulatively considerable contribution to any significant cumulative impacts.

Evaluation of cumulative noise impacts: The project would be subject to noise from construction and operation conditions. If project construction activities were to occur outside the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday, construction noise generated by the project would not be exempt for the City's noise ordinance nighttime exterior standard of 45



dba, and the impact would be potentially significant. Implementation of Mitigation Measure NOI-01 would restrict construction hours and reduce impacts to a less than significant level.

An on-site source of vibration during project construction would be a vibratory roller. A vibratory roller would primarily be used to achieve soil compaction as part of the foundation and paving construction, and for aggregate and asphalt compaction as part of project driveway and parking lot construction). Vibratory rollers could be used within approximately 65-ft of the single-family residences to the northwest. A large vibratory roller creates approximately 0.21 in/sec PPV at a distance of 25-ft, or 94 VdB (Caltrans 2020). At a distance of 65-ft, a vibratory roller would create a PPV of 0.073 in/sec, or 85 VdB.<sup>11</sup> This would exceed the City General Plan residential standard of 80 VdB, and the impact would be potentially significant. Once operational, the project would not be a source of groundborne vibrations. A large vibratory roller would result in approximately 80 VdB or greater at distances less than 120-ft. Mitigation measure NOI-02 would require the contractor demonstrate that the rollers to be used on the project site would produce less than 80 VdB at nearby occupied residences, or use vibratory rollers in static mode only (no vibrations) when operated within 120-ft of occupied residences.

With the implementation of Mitigation Measure NOI-01 and NOI-02, the project would not result in a cumulatively considerable contribution to any significant cumulative impacts related to noise.

Evaluation of cumulative transportation impacts: Access to the project site would be provided by two driveways on East Natoma Street. City standards requires a 60-ft right turn taper in conditions with ten or more peak-hour right turns into a driveway, and a 150-ft pocket plus 60-ft taper, with 50 or more peak-hour right turns. Neither project driveway is anticipated to have ten or more right turning vehicles into the project during the AM or PM peak-hours. The main driveway at the signalized East Natoma Street/Prison Rd intersection includes an eastbound right turn pocket and a westbound left turn pocket accessing the project, these are adequate to safely accommodate project traffic without hindering existing traffic. The secondary (eastern) driveway is restricted to right-in-right-out movements and is anticipated to only have fewer than ten eastbound right-turns into the Project during either the AM or PM peak hours. No turn pockets are necessary. In order to limit the secondary (eastern) driveway to right-in-right-out access, the applicant would implement Mitigation Measure TRA-01. Thus, the project would not result in a cumulatively considerable contribution to any significant cumulative impacts related to transportation.

Evaluation of cumulative tribal cultural resources impacts: The City of Folsom sent project notification letters to three California Native American tribes. Although there is no evidence of TCRs occurring or having the potential to occur on the project site, the City recognizes that sensitive and/or protected resources could be unintentionally discovered during project demolition and construction. With implementation of Mitigation Measures TCR-01, the impacts would be reduced to a less than significant level and potentially significant cumulative impacts would be avoided. Thus, the project would not result in a cumulatively considerable contribution to any significant cumulative impacts related to tribal cultural resources.

<sup>11</sup> Equipment PPV = Reference PPV \* (25/D)<sup>n</sup>(in/sec), where Reference PPV is PPV at 25 feet, D is distance from equipment to the receptor in feet, and n= 1.1 (the value related to the attenuation rate through the ground); formula from Caltrans 2020. VdB = 20 \* Log(PPV/4/10<sup>-6</sup>).

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**Less than significant impact.** Because of site conditions, existing City regulations, and regulation of potential environmental impacts by other agencies, the proposed project would not have the potential to cause substantial adverse effects on human beings as demonstrated in the detailed evaluation contained in this Initial Study.

## 9.0 MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared by the City per Section 15097 of the CEQA Guidelines and is presented in **Appendix K**.

## 10.0 INITIAL STUDY PREPARERS

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Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 26**

### **Comment Letters from Public Agencies**

SACRAMENTO METROPOLITAN



November 30, 2022

Steven Banks  
 City of Folsom Planning Department  
 50 Natoma Street  
 Folsom Cordova, CA 95630

**Subject: Vintage at Folsom Senior Apartments Mitigated Negative Declaration (SAC202102633)**

Dear Steven Banks:

Thank you for the opportunity to review the Mitigated Negative Declaration (MND) for the Vintage at Folsom Senior Apartments project. The project includes the construction of a 136-unit affordable senior rental apartments in a three-story building on 4.86 acres at 103 East Natoma Street. Sac Metro Air District commends the project for providing high density, affordable, senior housing with access to a trail network and within a half mile of a transit stop. We also commend the project for including cool roofing and solar arrays as sustainability features. The following comments are intended to further improve air quality and health and reduce greenhouse gas emissions.

**CEQA comments**

Although the MND determined the project is consistent with the City's Greenhouse Gas Reduction Strategy, and therefore not significant for greenhouse gas emission impacts, Sac Metro Air District recommends the proponent consider building the project without natural gas infrastructure. Not only does removing natural gas reduce the cost of infrastructure, operating buildings without burning natural gas provides substantial public health benefits. Homes in which gas stoves are used have nitrogen dioxide concentrations 50 to 400% higher than homes with electric stoves<sup>1</sup>. Using a gas stove and oven for just an hour often leads to indoor air pollutant levels that exceed California's ambient air quality standards. This exposure to nitrogen dioxide can cause respiratory effects.

If the project is built with natural gas infrastructure, Sac Metro Air District recommends the project be pre-wired to allow for the future conversion to all-electric (space heating, water heating, cooking) to support the State's goal of carbon neutrality by 2045.

Since greenhouse gas emissions from equipment during project construction do not exceed Sac Metro Air District's recommended thresholds of significance, the emissions do not need to be amortized in the analysis.

The CalEEMod report in Appendix A includes PG&E as the utility provider for electricity. The project is in SMUD territory, therefore SMUD electricity intensity factors should be included.

<sup>1</sup> Rocky Mountain Institute, Basalt, CO. *Health Effects from Gas Stove Pollution* (2020) <https://rmi.org/insight/gas-stoves-pollution-health/>



### **Greenhouse Gas Reduction Strategy consistency**

Mitigation Measure GHG-03 requires the project to comply with Greenhouse Gas Reduction Strategy Measure T-8 (page 69). Measure T-8 requires multi-family residential projects with 17 or more units to provide EV charging in 5% of total parking spaces. To comply with GHG Reduction Strategy Measure T-8, the project would need at least 7 EV charging stations (5% of the 136 stalls). Sac Metro Air District recommends installing Level 2 EV charging stations.

Mitigation Measure GHG-03 indicates the project will provide 14 EV charging stations. For clarity and convenience, we recommend updating GHG-03 to specify the actual number of EV charging stations that the project proponent must install to comply with Measure T-8. We recommend that GHG-03 specify that at least 7 EV charging stations are required to comply with Measure T-8.

Finally, please note that the MND appears to reference CalGreen incorrectly. The MND indicates (page 4) the project will provide "12 standard electric vehicle charging station (EVCS) stalls, and two loading EVCS stalls." And further states that "The electric vehicle charging spaces would be approximately 10.3 percent of the total parking spaces, which meets the electric vehicle charging station requirement outlined by CalGreen (Title 24, Part 11)." This text appears to reference the 2019 CalGreen Code, which requires that 10% EV capable spaces be installed, but does not require that actual EV charging stations be installed.

### **Design comments**

To promote the use of bicycles by residents, Sac Metro Air District recommends the proponent cover the bicycle parking areas for weather protection and install outdoor electrical outlets to allow charging of E-bikes, which are becoming more common. Bicycle parking areas should be sized to accommodate larger bicycle types that seniors may use, including tricycles, cargo bikes, and reclined bikes, consistent with the City of Folsom's Active Transportation Plan Design Guide, Chapter VI, and the APBP Bicycle Parking Guide<sup>2</sup>.

There is a statement on page 108 regarding that "relocation of the effected bus stop" would reduce transit impacts to less than significant. No additional details are included in the MND. If a bus stop will be relocated, Sac Metro Air District recommends adding a shelter to provide shade and weather protection to further encourage transit use.

### **Construction**

The MND notes that Folsom's Community Development Department Standard Construction Conditions include air pollution control and naturally occurring asbestos provisions. Sac Metro Air District recommends all projects implement the attached Basic Construction Emission Control Practices<sup>3</sup>. A listing of the most common air district rules that apply during construction<sup>4</sup> is also attached.

<sup>2</sup> Association of Pedestrian and Bicycle Professionals, *Essentials of Bike Parking* (2015)

[https://www.apbp.org/assets/docs/EssentialsofBikeParking\\_FINAL.pdf](https://www.apbp.org/assets/docs/EssentialsofBikeParking_FINAL.pdf)

<sup>3</sup> Sac Metro Air District Basic Construction Emission Control Practices, CEQA Guide Chapter 3 (2019)

<https://www.airquality.org/LandUseTransportation/Documents/Ch3BasicEmissionControlPracticesBMPSFinal7-2019.pdf>

<sup>4</sup> Sac Metro Air District Rules Statement (2020)

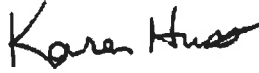
<https://www.airquality.org/LandUseTransportation/Documents/RulesAttachment10-2020Final.pdf>

Vintage at Folsom Senior Apartments Mitigated Negative Declaration

Page 3

Please contact me at 279-207-1131 or [khuss@airquality.org](mailto:khuss@airquality.org) if you have any questions regarding these comments.

Sincerely,



Karen Huss  
Associate Air Quality Planner/Analyst

cc: Paul Philley, AICP, Program Supervisor

Attachments

## Basic Construction Emission Control Practices (Best Management Practices)

### BASIC CONSTRUCTION EMISSION CONTROL PRACTICES (BEST MANAGEMENT PRACTICES)

The following Basic Construction Emissions Control Practices are considered feasible for controlling fugitive dust from a construction site. The practices also serve as best management practices (BMPs), allowing the use of the non-zero particulate matter significance thresholds. Lead agencies should add these emission control practices as Conditions of Approval (COA) or include in a Mitigation Monitoring and Reporting Program (MMRP).

- Control of fugitive dust is required by District Rule 403 and enforced by District staff.
- Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.
- Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.
- Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
- Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).
- All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

The following practices describe exhaust emission control from diesel powered fleets working at a construction site. California regulations limit idling from both on-road and off-road diesel-powered equipment. The California Air Resources Board (CARB) enforces idling limitations and compliance with diesel fleet regulations.

- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
- Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1]. For more information contact CARB at 877-593-6677, [doors@arb.ca.gov](mailto:doors@arb.ca.gov), or [www.arb.ca.gov/doors/compliance\\_cert1.html](http://www.arb.ca.gov/doors/compliance_cert1.html).

Although not required by local or state regulation, many construction companies have equipment inspection and maintenance programs to ensure work and fuel efficiencies.

- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

SACRAMENTO METROPOLITAN



### **Sac Metro Air District Rules & Regulations Statement (revised 10/2020)**

*The following statement is recommended as standard condition of approval or construction document language for all development projects within the Sacramento Metropolitan Air Quality Management District (Sac Metro Air District):*

All projects are subject to Sac Metro Air District rules in effect at the time of construction. A complete listing of current rules is available at [www.airquality.org](http://www.airquality.org) or by calling 916-874-4800. Specific rules that may relate to construction activities or building design may include, but are not limited to:

**Rule 201: General Permit Requirements.** Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from Sac Metro Air District prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the Sac Metro Air District early to determine if a permit is required, and to begin the permit application process. Other general types of uses that require a permit include, but are not limited to, dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc.) with an internal combustion engine over 50 horsepower is required to have a Sac Metro Air District permit or a California Air Resources Board portable equipment registration (PERP) (see Other Regulations below).

**Rule 402: Nuisance.** The developer or contractor is required to prevent dust or any emissions from onsite activities from causing injury, nuisance, or annoyance to the public.

**Rule 403: Fugitive Dust.** The developer or contractor is required to control dust emissions from earth moving activities, storage or any other construction activity to prevent airborne dust from leaving the project site.

**Rule 414: Water Heaters, Boilers and Process Heaters Rated Less Than 1,000,000 BTU PER Hour.** The developer or contractor is required to install water heaters (including residence water heaters), boilers or process heaters that comply with the emission limits specified in the rule.

**Rule 417: Wood Burning Appliances.** This rule prohibits the installation of any new, permanently installed, indoor or outdoor, uncontrolled fireplaces in new or existing developments.

**Rule 442: Architectural Coatings.** The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

**Rule 453: Cutback and Emulsified Asphalt Paving Materials.** This rule prohibits the use of certain types of cut back or emulsified asphalt for paving, road construction or road maintenance activities.

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[AirQuality.org](http://AirQuality.org)



**Rule 460: Adhesives and Sealants.** The developer or contractor is required to use adhesives and sealants that comply with the volatile organic compound content limits specified in the rule.

**Rule 902: Asbestos.** The developer or contractor is required to notify the Sac Metro Air District of any regulated renovation or demolition activity. Rule 902 contains specific requirements for surveying, notification, removal, and disposal of asbestos containing material.

#### **Other Regulations (California Code of Regulations (CCR))**

**17 CCR, Division 3, Chapter 1, Subchapter 7.5, §93105 Naturally Occurring Asbestos:** The developer or contractor is required to notify the Sac Metro Air District of earth moving projects, greater than 1 acre in size in areas "Moderately Likely to Contain Asbestos" within eastern Sacramento County. The developer or contractor is required to comply with specific requirements for surveying, notification, and handling soil that contains naturally occurring asbestos.

**13 CCR, Division 3, Chapter 9, Article 5, Portable Equipment Registration Program:** The developer or contractor is required to comply with all registration and operational requirements of the portable equipment registration program such as recordkeeping and notification.

**13 CCR, Division 3, Chapter 9, Article 4.8, §2449(d)(2) and 13 CCR, Division 3, Chapter 10, Article 1, §2485 regarding Anti-Idling:** Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes. These apply to diesel powered off-road equipment and on-road vehicles, respectively.



## Central Valley Regional Water Quality Control Board

14 December 2022

Steven Banks  
 City of Folsom  
 50 Natoma Street  
 Folsom, CA 95630  
[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)

### **COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, VINTAGE SENIOR APARTMENTS PROJECT, SCH#2022110187, SACRAMENTO COUNTY**

Pursuant to the State Clearinghouse's 10 November 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Vintage Senior Apartments Project, located in Sacramento County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

#### **I. Regulatory Setting**

##### **Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)



Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

#### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

Vintage Senior Apartments Project  
Sacramento County

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14 December 2022

### **Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

### **Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

### **NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

Vintage Senior Apartments Project  
Sacramento County

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14 December 2022

If you have questions regarding these comments, please contact me at (916) 464-4684  
or Peter.Minkel2@waterboards.ca.gov.

*Peter Minkel*

Peter Minkel  
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento



Powering forward. Together.



**Sent Via E-Mail**

December 14, 2022

Steven Banks  
City of Folsom Planning Department  
50 Natoma Street  
Folsom, CA 95630  
[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)

**Subject: Vintage Senior Apartments / MND / 2022110187**

Dear Mr. Banks:

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the Mitigated Negative Declaration (MND) for the Vintage Senior Apartments (Project, SCH 2022110187). SMUD is the primary energy provider for Sacramento County and a portion of the proposed Project area. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce global warming, and lower the cost to serve our region. As a Responsible Agency, SMUD aims to ensure that the proposed Project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

We have no comments to offer at this time but would appreciate if the City of Folsom would continue to keep SMUD facilities in mind as environmental review of the Project moves forward. Please reroute the Project analysis for SMUD's review if there are any changes to the scope of the Project.

If you have any questions regarding this letter, please do not hesitate to contact me at 916.732.7466, or by email at [Ammon.Rice@smud.org](mailto:Ammon.Rice@smud.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Ammon Rice", is positioned above the typed name.

Ammon Rice  
Environmental Services Supervisor  
Sacramento Municipal Utility District  
6201 S Street  
Sacramento, CA 95817

cc: Entitlements

## Steven Banks

---

**From:** Boyd, Alexa <A5G5@pge.com>  
**Sent:** Friday, December 23, 2022 12:15 PM  
**To:** Steven Banks  
**Subject:** Vintage Senior Apartments

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Classification: Public

Hello Steve,

This project is under review by PG&E's transmission engineering group for the associated grading and improvements (retaining wall) before an approval letter can be issued. In the meantime, I wanted to provide the following comments:

- **Retaining Wall:** Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. **No wall, fence or other like structure is to be installed within 10 feet of tower footings.** Please provide distances from proposed retaining wall to tower footings.
- **Landscaping:** On overhead electric transmission easements, trees and shrubs are limited to those varieties that do not exceed 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
- No buildings or other structures are permitted within transmission easement areas; this included signage.

Respectfully,



Alexa Boyd | Land Agent

Pacific Gas and Electric Company  
Land Management, Land Rights Services  
2730 Gateway Oaks Drive, Ste 220 | Sacramento, CA 95833  
Phone: (916) 760-5738  
Email: [alexa.gardea@pge.com](mailto:alexa.gardea@pge.com)



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 27**

### **Comment Letters from Residents**

**Steven Banks**

**From:** dreamasplace@aol.com  
**Sent:** Thursday, June 30, 2022 3:42 PM  
**To:** Steven Banks  
**Subject:** Vintage project at 103 E Natoma St

You don't often get email from dreamasplace@aol.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Steve Banks,

I am a resident of the Cimmaron Hills neighborhood directly next to 103 E Natoma Street. We have attended two meetings with the owner/developer that wants to put a three story 136 unit senior (55 and up) apartment building on that property. This property is zoned BP and while the proposed use is allowed it needs an issuance of a minor conditional permit to have a three story building. I, as well as my neighbors, are requesting that this conditional use permit be denied.

A three story building at this location is unacceptable. There are no three story buildings in this area. This property borders residential neighborhoods that have single or two story homes, and one story office buildings. Changing this small plot of land from R2 to R4 high density is egregious. Not only will it be an eyesore, but it does not fit in with the adjoining neighborhoods. Those neighbors along its border lose the privacy and peaceful enjoyment of their property.. Imagine the occupants of the third story looking directly into your backyard and back windows. This is not one of those neighborhoods that have homes close together and look down into each other's back yards. We have larger lot sizes and the homes are built so that we have that privacy. That is why people have chosen to live here. Please do not allow the third story, a one story would be more appropriate for this space.

Another main concern is parking. The developer has indicated to us that there are not parking spaces for every unit. Yikes!!! Their response is that not every occupant will have a vehicle. Maybe so, but the reality is that most units will have more than one occupant and all occupants in those units will have vehicles. Then if you factor in building staff, caregivers, and visitors there is not ample parking spaces. This means that their cars will be lining the streets of the adjoining neighborhoods, once again unacceptable. Please require that all units have parking spaces as well as additional parking for staff, caregivers, and visitors.

It is also our understanding that there will be two entrance/exits. One is proposed to be a right in, right out passage. I would ask that this be made accessible to service vehicles only. Police, EMT, Fire Dept. The traffic issue is going to be a nightmare. Natoma has become a very busy street. The additional entrance/exits will put three entrance/exits within a very short distance from each other. Once again that is a traffic nightmare. Residents in our neighborhood have a hard enough time getting in and out as it is. There are already visibility problems as well as a pedestrian crosswalk. This will be a very dangerous situation.

What a shame to lose all the beautiful trees and wildlife on this lot, as well as, the minimal undeveloped green space left in Folsom. This project does not align with the Distinctive by Nature image in appearance or location.

Please take these issues into consideration and not issue this conditional permit.

Yours respectfully,  
 Dreama Pacheco  
[dreamasplace@aol.com](mailto:dreamasplace@aol.com)  
 916-496-6536

**Steven Banks**

**From:** Elaine Andersen  
**Sent:** Friday, July 8, 2022 7:14 AM  
**To:** Steven Banks  
**Subject:** FW: Vintage project at 103 E Natoma St

**From:** dreamasplace@aol.com <dreamasplace@aol.com>  
**Sent:** Thursday, June 30, 2022 3:40 PM  
**To:** Elaine Andersen <eandersen@folsom.ca.us>  
**Subject:** Vintage project at 103 E Natoma St

You don't often get email from [dreamasplace@aol.com](mailto:dreamasplace@aol.com). [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Elaine Andersen,

I am a resident of the Cimmaron Hills neighborhood directly next to 103 E Natoma Street. We have attended two meetings with the owner/developer that wants to put a three story 136 unit senior (55 and up) apartment building on that property. This property is zoned BP and while the proposed use is allowed it needs an issuance of a minor conditional permit to have a three story building. I, as well as my neighbors, are requesting that this conditional use permit be denied.

A three story building at this location is unacceptable. There are no three story buildings in this area. This property borders residential neighborhoods that have single or two story homes, and one story office buildings. Changing this small plot of land from R2 to R4 high density is egregious. Not only will it be an eyesore, but it does not fit in with the adjoining neighborhoods. Those neighbors along its border lose the privacy and peaceful enjoyment of their property.. Imagine the occupants of the third story looking directly into your backyard and back windows. This is not one of those neighborhoods that have homes close together and look down into each other's back yards. We have larger lot sizes and the homes are built so that we have that privacy. That is why people have chosen to live here. Please do not allow the third story, a one story would be more appropriate for this space.

Another main concern is parking. The developer has indicated to us that there are not parking spaces for every unit. Yikes!!! Their response is that not every occupant will have a vehicle. Maybe so, but the reality is that most units will have more than one occupant and all occupants in those units will have vehicles. Then if you factor in building staff, caregivers, and visitors there is not ample parking spaces. This means that their cars will be lining the streets of the adjoining neighborhoods, once again unacceptable. Please require that all units have parking spaces as well as additional parking for staff, caregivers, and visitors.

It is also our understanding that there will be two entrance/exits. One is proposed to be a right in, right out passage. I would ask that this be made accessible to service vehicles only. Police, EMT, Fire Dept. The traffic issue is going to be a nightmare. Natoma has become a very busy street. The additional entrance/exits will put three entrance/exits within a very short distance from each other. Once again that is a traffic nightmare. Residents in our neighborhood have a hard enough time getting in and out as it is. There are already visibility problems as well as a pedestrian crosswalk. This will be a very dangerous situation.

What a shame to lose all the beautiful trees and wildlife on this lot, as well as, the minimal undeveloped green space left in Folsom. This project does not align with the Distinctive by Nature image in appearance or location.

Please take these issues into consideration and not issue this conditional permit.

## Steven Banks

---

**From:** Kandi Jones <kandis57@yahoo.com>  
**Sent:** Thursday, July 7, 2022 7:43 PM  
**To:** Steven Banks  
**Subject:** 103 E. Natoma Street

You don't often get email from kandis57@yahoo.com. [Learn why this is important](#)

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I reside on Cimmaron Circle. I am vehemently opposed to the proposed project at the above referenced address for reasons too many to list here, but are well known to the builder/developers.

## Steven Banks

---

**From:** eprkeeper5 <eprkeeper5@gmail.com>  
**Sent:** Thursday, July 7, 2022 8:00 PM  
**To:** Steven Banks  
**Subject:** 103 E. Natoma Street

You don't often get email from eprkeeper5@gmail.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I reside on Cimmaron Circle and I am vehemently opposed to the proposed project at the above referenced address for too many reasons to list here. but which are well known to the owner/developers.

Sent via the Samsung Galaxy S22+ 5G, an AT&T 5G smartphone

**Steven Banks**

**From:** erin@sargentfam.net  
**Sent:** Thursday, July 14, 2022 2:11 PM  
**To:** Steven Banks  
**Subject:** Vintage Housing proposal question

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

My name is Erin Sargent. We met at the first neighborhood meeting regarding the Vintage Housing senior living proposal. I was also in attendance for the second meeting, but did not see you there. I have also tried reaching out to you earlier, but we were not able to connect.

I, along with my neighbors on Cimmaron Circle, have some valid concerns with this development. Obviously, anytime there is a new development, the loss of beautiful open space is mourned, and concerns about noise, traffic, & parking are all negatives compared to the open space that currently exists. And neighbors who have lived with that open space behind them for over 30 years are rightfully dismayed. One of the very reasons we purchased our home here six months ago was because of the amazing trail access and quiet, open feel. Our home abuts the trail access from Cimmaron Circle and therefore, overflow parking for those seeking access to the apartment complex from the Oak Parkway trail is of considerable concern to me.

However, I understand that this is developable land per the zoning map, and that all the studies that need to be done regarding noise, traffic, tree removal, etc. have all been done or are in process.

I have read the zoning code and also understand that there are significant developer incentives or bonuses involved when considering low income and senior living facilities.

My question is regarding a specific part of the code, namely section 17.102.030 where density bonuses are concerned, as pasted below:

A. Density Bonus.

1. The city shall grant a density bonus to an applicant or developer of a housing development, consisting of five or more dwelling units, who agrees to provide the following:
  - a. At least ten percent of the total units of a housing development for low income households; or
  - b. At least five percent of the total units of a housing development for very low income households; or
  - c. A senior citizen housing development.

All density calculations resulting in fractional units shall be rounded up to the next whole number.

2. In determining the number of target units to be provided pursuant to this section, the maximum residential density shall be multiplied by 0.05 where very low income households are targeted, or by 0.10 where low income households are targeted. The density bonus units shall not be included when determining the total number of target units in the housing development. When calculating the required number of target units, any fractions of units shall be rounded to the next larger number.

3. Amount of Density Bonus.



a. General Density Bonus. The density bonus shall be a density increase of at least twenty percent, unless a lesser percentage is elected by the applicant/developer over the otherwise maximum allowable residential density. The amount of density bonus to which the applicant/developer is entitled shall vary according to the amount by which the percentage of affordable units exceeds the percentage set forth in subsection (A)(1) of this section. For each percent increase above ten percent in the percentage of units affordable to low income households, the density bonus shall be increased by one and one-half percent up to a maximum of thirty-five percent. For each one percent increase above five percent in the percentage of units affordable to very low income households, the density bonus shall be increased by two and one-half percent up to a maximum of thirty-five percent. For senior citizen housing developments, the density bonus shall be a flat twenty percent.

I am curious as to how these density bonuses are calculated, and if Vintage housing is seeking a larger bonus due to the low income nature of their units? Which is the overriding percentage? Can Vintage claim larger density bonus based on the low income household status or is the flat 20 percent for senior citizen housing applicable?

Exactly what numbers are the starting point here? On an intuitive level, it seems like a jump from our neighborhood with R1-ML zone to an R4 high density zone would be more than 20%. This is why I am seeking clarification on the matter.

I would be happy to discuss the matter over the phone or in person if that is easier for you. I can be reached at 916-849-2134 at your convenience, and am available to meet in person any time next week.

Thank you so much,  
Erin Sargent

## Steven Banks

---

**From:** Randy Bundock <randybundock@yahoo.com>  
**Sent:** Monday, November 14, 2022 10:08 AM  
**To:** Steven Banks  
**Subject:** Vintage Senior Apartments

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Dear Steve,

It was inevitable someone would want to develop the land across from the prison entrance. My wife and I always joked if we won the lottery we would buy it and build another bike and dog park, but that hasn't happened yet. It seems that there would be a lot of challenges with extra traffic at a 4 way stop since the shift changes at the prison already make that intersection busy enough. Also how to preserve all the nice oak trees, the small creek that forms when it rains, and how close the power lines are. A three story building seems like it would be too tall for that area. The city has invested so much in the JC Trail with bridges and tunnels it would be a shame to clog up the trail access with more cross traffic.

Thank you for your time,  
Randy Bundock  
218 Spencer Street

Sent from my iPhone

## Steven Banks

---

**From:** Kandi Jones <kandis57@yahoo.com>  
**Sent:** Monday, November 14, 2022 1:27 PM  
**To:** Steven Banks  
**Subject:** 103 E Natoma

You don't often get email from kandis57@yahoo.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am contacting you to express my opposition to the proposed project by Vintage Properties at 103 E Natoma. I have several issues, however, my concern at this time is the 3 story proposal and overall design of the building which does not blend in with the existing neighboring structures, which includes single family homes, businesses, medical facilities, and other multi family apartments. Thank you . Kandi Jones

## Steven Banks

---

**From:** Dreama Pacheco <dreamasplace@aol.com>  
**Sent:** Wednesday, November 16, 2022 12:53 PM  
**To:** Steven Banks  
**Subject:** Vintage Properties 103 Natoma

[You don't often get email from dreamasplace@aol.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Steve Banks,

I am writing in regards to the Vintage Properties proposed for 103 Natoma St. Although I have many concerns what I would like to address here is the parking situation for this project.

This 136 unit apartment building does not have plans for enough parking spaces. There is not a parking space for each unit nor parking designated for staff and visitors. The developers answer to this was that not every one living in the building will drive. That is a nonsense answer, as many of those units will have more than one driver.

In my research I found eight other properties owned by this company and of the many complaints the one common thread for all eight properties is those living there cannot find parking. Some complaining that they have to park in the supermarket parking lot down the road, and one resident complaining she has to park down the road and walk to the building in the dark. These are seniors, this is not acceptable.

Also having cars scattered all over the neighborhood from lack of parking is unacceptable.

Please require this project to have parking spaces for all units as well as additional parking for staff and visitors.

Thank you,  
Dreama Pacheco

Sent from my iPhone

## Steven Banks

---

**From:** Farrah Wood <farrahwood@gmail.com>  
**Sent:** Monday, November 28, 2022 2:26 PM  
**To:** Steven Banks  
**Subject:** Vintage Properties at 103 E Natoma Folsom, CA

[You don't often get email from farrahwood@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr Banks-

I am contacting you to express my opposition to the proposed project by Vintage Properties at 103 E. Natoma. I have several issues, however, my concern at this time is the 3 story proposal and overall design of the building which does not blend in with the existing structures which includes single family homes, businesses, medical facilities, and other multi family apartments. Also the protected oak trees. Thank you.

Farrah Wood  
Sent from iPhone

**Steven Banks**

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**From:** Bill Pacheco <billjpacheco@aol.com>  
**Sent:** Tuesday, November 29, 2022 5:21 PM  
**To:** Steven Banks  
**Subject:** Vintage Senior Apartments

[You don't often get email from billjpacheco@aol.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Steve,

Our neighborhood has many concerns about the senior apartments planned to be built next to the homes on Cimmaron Circle.

Natomas is already extremely impacted by the current traffic conditions from all of the building over the past 15 years. It's very dangerous as it is and with adding a three story building will increase the traffic and make more unsafe. There is a crosswalk for the bike/walking trails that has had the signs hit by oncoming vehicles several times. The most recent time one of the signs has been hit , the driver through the sign over my fence into my backyard. Most people driving on that road speed and eventually one of the walking path users are going to get hurt. This is already a major safety problem.

It's also frustrating when you can't leave your neighborhood in a reasonable amount of time.

The road noise/pollution is very loud only going to get louder with more traffic.

There are few services near this location for seniors. This project would make more sense near shopping and grocery stores.

What is the City of Folsom planning to do about the safety issues, the road noise issues, timely accessibility and the lack of services for the seniors?

Please excuse any typos this message was sent from my iPhone

Thanks,

Bill Pacheco



**Steven Banks**

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**From:** Josh Guthrie <joshguthrie@hotmail.com>  
**Sent:** Thursday, December 15, 2022 8:42 AM  
**To:** Steven Banks  
**Cc:** Rosario Rodriguez; Mike Kozlowski; YK Chalamcherla; Sarah Aquino; Anna Rohrbough  
**Subject:** Opposition to Vintage Senior Apartments across from Folsom Prison Entrance

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Steve,

I couldn't attend last night's City Council Meeting, so I wanted to write this email.

I'm adamantly opposed to putting a three story senior living center on APN:071-0320-042, as it will adversely affect my quality of life, along with hundreds of other residents.

- 1) The Traffic is already an issue for the residents of Cimmaron Hills entering Natomas street. This will only add to it.
- 2) A three story complex doesn't conform to the 'feel' of the area.
- 3) This project will erode the property values of the adjacent homes by creating direct viewable access to residents living rooms. Unacceptable design.
- 4) I'm very concerned about the density and classification of these residences
  - a. They can be too easily converted to 'Low-income' genialized dwellings in the future, and our area already carries its societal burden with the medium density dwellings of Montrose and Talisman, and the areas behind Circle K. The city will be effectively creating a 'ghetto' in the future and this is simply irresponsible planning.
- 5) I'm not allowed to build a stair case within 10 feet of my oak tree, but we're comfortable wiping out an entire oak grove, all at the justification of high density tax revenues. Ridiculous hypocrisy being exhibited here. Again, unacceptable design.

I seriously hope this isn't approved.

Best regards,  
Josh Guthrie  
242 Spencer St.

## Steven Banks

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**From:** Kat Gray <k.blackman.gray@gmail.com>  
**Sent:** Wednesday, December 21, 2022 9:33 AM  
**To:** Steven Banks  
**Subject:** Mitigation Measures for Vintage Homes Apartments

You don't often get email from k.blackman.gray@gmail.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Steve,

I am inquiring about the Vintage Homes apartment project at Natoma. I'm a concerned resident and homeowner living near the proposed Vintage Homes site. I know you are probably really busy but I am wondering if you can tell me where to find information for all the Mitigation Measures listed in the summary. I counted 15 different mitigation measures for the many impacts this project will have. Where can I find out more? Hoping you can point me in the right direction.

Kat Gray

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 28**

**CEQA Response Memorandum**  
**Dated January 4, 2023**

# Memorandum

HELIX Environmental Planning, Inc.  
1180 Iron Point Road, Suite 130  
Folsom, CA 95630  
916.435.1205 tel  
[www.helixepi.com](http://www.helixepi.com)



**Date:** January 3, 2023

**To:** Steve Banks, Principal Planner, City of Folsom

**From:** Robert Edgerton, AICP CEP

**Message: Vintage at Folsom Senior Apartments Comment Letters Memorandum**

Below is a summary of public agency letters and local resident comments received regarding the Vintage at Folsom Senior Apartments Initial Study Mitigated Negative Declaration (ISMND) prepared by HELIX Environmental Planning, Inc. (HELIX). The 30-day public review period for the ISMND began on November 14, 2022 and ended on December 14, 2022.

Public Agency Letters

- Central Valley Regional Water Quality Control Board (CVRWQCB) (December 14, 2022)
- Sacramento Municipal Utility District (SMUD) (December 14, 2022)
- Sacramento Metropolitan Air Quality Management District (SMAQMD) (November 30, 2022)
- Pacific Gas and Electric Company (PG&E) (November 17, 2022)

All four letters received from the CVRWQCB, SMUD, SMAQMD, and PG&E were standardized template letters. No response is required for the public agency letters received to date as no comments relevant to compliance with the California Environmental Quality Act (CEQA) were noted. The public agency letters may contain relevant information for the City to consider (primarily for conditions of approval purposes).

Local Resident Comments

Several comment letters were received from local residents expressing concern with project impacts related to aesthetics, biological resources, transportation and parking, safety, and noise. No letter received from a public agency, or a local resident triggers additional action required of the City per CEQA Guidelines. All of the issues raised in the comment letters, regarding CEQA compliance, have been previously addressed in the ISMND. No formal written response from the City is required.

- 103 E Natoma Letter (November 14, 2022)
- 103 E. Natoma Street Letter (July 7, 2022)
- 103 E. Natoma Street Letter (July 7, 2022)
- FW Vintage project at 103 E Natoma Street Letter (July 8, 2022)
- Opposition to Vintage Senior Apartments across from Folsom Prison Entrance (December 15, 2022)
- Vintage Housing proposal question Letter (July 14, 2022)

**Memorandum to Mr. Steve Banks**  
**January 3, 2023**

**Page 2 of 2**

- **Vintage project at 103 E Natoma Street Letter (July 30, 2022)**
- **Vintage Properties 103 Natoma Letter (November 16, 2022)**
- **Vintage Properties at 103 E Natoma Folsom, CA (November 28, 2022)**
- **Vintage Senior Apartments Letter (November 29, 2022)**
- **Vintage Senior Apartments Letter (November 14, 2022)**

## Attachment 3

# Planning Commission Staff Report Dated February 15, 2023





CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**AGENDA ITEM NO. 1**  
**Type: Public Hearing**  
**Date: February 15, 2023**

**Planning Commission Staff Report**

50 Natoma Street, Council Chambers  
Folsom, CA 95630

**Project:** Vintage Senior Apartments  
**File #:** PN 21-159  
**Requests:** Conditional Use Permit  
Planned Development Permit  
Density Bonus  
**Location/APN:** The proposed Vintage Senior Apartments project is located on a 4.86-acre parcel situated on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road (103 East Natoma Street)/APN No. 071-0320-042  
**Staff Contact:** Steve Banks, Principal Planner, 916-461-6207  
sbanks@folsom.ca.us

**Property Owner/Applicant**

Name: Vintage at Folsom, LP  
Address: 369 San Miguel Drive, Suite 135  
Newport Beach, CA 92660

**Recommendation:** Resume the continued agenda item and upon conclusion recommend approval of a Conditional Use Permit, Planned Development Permit, and Density Bonus for the Vintage Senior Apartments project, based on the findings (Findings A-U) and subject to the conditions of approval (Conditions 1-76) attached to this report.

**Project Summary:** The proposed project includes development of a 136-unit senior affordable apartment community on a 4.86-acre site located on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road (103 East Natoma Street). The following are the specific entitlements requested with the proposed project.

- A **Conditional Use Permit** for development and operation of a senior apartment community on the subject 4.86-acre property.



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**AGENDA ITEM NO. 1**  
**Type: Public Hearing**  
Date: February 15, 2023

- A **Planned Development Permit** which contains detailed development and architectural standards for the proposed 136-unit senior affordable apartment community.
- A **Density Bonus** for development of a senior, one hundred percent affordable apartment community at a residential density of 28 units per acre and a request for three incentives/concessions including establishing a parking ratio of one parking space per apartment unit, increasing the maximum building height from 35 feet to 42-feet 6-inches (proposed apartment building is 34 feet in height with architectural features extending to 42-feet 6-inches), and increasing the maximum number of building stories from 2-stories to 3-stories.

These proposed actions are described in detail and analyzed in Attachment 2, the staff report from the January 18, 2023 Planning Commission meeting.

**Table of Contents:**

Attachment 1 - Modified Conditions of Approval, dated February 15, 2023

Attachment 2 - Planning Commission Staff Report and Attachments from the January 18, 2023 Planning Commission meeting

Submitted,

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PAM JOHNS  
Community Development Director

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
February 15, 2023

## **BACKGROUND/ISSUE**

On January 18, 2023, the Planning Commission considered a request for approval of a Conditional Use Permit, Planned Development Permit, and Density Bonus for the development of a 136-unit senior (55+) affordable apartment community (Vintage Senior Apartments) on a 4.86-acre site located at 103 East Natoma Street. During the public hearing, 13 residents addressed the Commission and expressed a variety of concerns regarding the proposed project. A representative sample of these comments is as follows:

- Concern regarding the high density of the project
- Concern regarding the design and architecture of the apartment building
- Concern regarding the size, scale, and visual compatibility of the project
- Concern regarding lighting and noise impacts
- Concern regarding pedestrian, bicycle, and traffic safety
- Concern regarding lack of parking being provided
- Concern regarding emergency service response time and access
- Concern regarding impacts to biological resources and natural habitat
- Concern regarding Oak tree impacts

Following public comment and testimony, the public hearing was closed and the Commission engaged in a lengthy discussion regarding the proposed project. In general, the Commission commented that the project site at 103 Natoma Street was not an appropriate location for development of a senior affordable apartment community. Additional comments and concerns raised by the Commission included:

- Concern regarding design and architecture of the apartment building
- Concern regarding the overall site design of the project
- Concern regarding emergency service response times and fire access
- Concern regarding pedestrian and traffic safety in the project area
- Concern regarding the walkability of the project
- Concern regarding insufficient parking on the site
- Concern regarding distance to services and amenities for residents
- Concern regarding drainage and wetland impacts

At the conclusion of their deliberation, the Commission was unanimous that it was their desire to recommend denial of the proposed project. However, the Commission had difficulty in identifying the appropriate basis to deny the proposed project, given the legal findings required by the HAA.

Planning Commission  
 Vintage Senior Apartments (PN 21-159)  
 February 15, 2023

City staff indicated to the Commission that in order to deny the proposed project they would need to make two specific Conditional Use Permit Findings to the effect that the proposed project would have a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete by the City and that the impacts could not be mitigated without rendering the project unaffordable to low income households.

After further discussion, the Commission voted to continue the proposed project to the February 15, 2023 Planning Commission meeting in order for City staff to further evaluate potential areas where the project might not be consistent with any established written objective standards.

## **POLICY / RULE**

### **Folsom Municipal Code**

As set forth in Section 17.60.010 of the Folsom Municipal Code, the Planning Commission is the decision-making body responsible for taking action on a Conditional Use Permit. As set forth in Section 17.38.050 of the Folsom Municipal Code, the Planning Commission is also the decision making body responsible for taking action on a Planned Development Permit. Lastly, as set forth in Section 17.102.050 of the Folsom Municipal Code, the Planning Commission is the decision-making body responsible for taking action on a Density Bonus Request if no concurrent application requires City Council approval.

The project site is zoned BP (Business Professional), which allows development of a senior citizens residential complex upon the issuance of a conditional use permit by the Planning Commission. (FMC § 17.22.030 (E)(214); FMC 17.22.040(1).) The Folsom Municipal Code regulates Conditional Use Permits and states that the findings of the Planning Commission shall be that the establishment, maintenance, or operation of the use or building applied for will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the City. (FMC § 17.60.040.)

While the Folsom Municipal Code continues to govern the findings required to grant a conditional use permit, state law has severely limited the City's ability to deny a conditional use permit (and other discretionary approvals) in the context of housing development projects.

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### State Housing Accountability Act

Senator Nancy Skinner authored Senate Bill 330 ("SB 330"), the "Housing Crisis Act of 2019," to "suspend certain restrictions on the development of new housing during the period of the statewide emergency" through January 1, 2025 stemming from the lack of housing supply throughout the state. On October 9, 2019, Governor Newsom signed SB 330 into law effective as of January 1, 2020. Subsequently, the Legislature enacted and the Governor signed Senate Bill 8, which extends SB 330 through January 1, 2030.

### Objective Standards

In general, the Housing Accountability Act (HAA) restricts the City's ability to deny or reduce the density of all housing development projects, whether they are affordable or market rate. (Government Code § 65589.5.) A housing development project can still be denied, or the density can be reduced, if the project fails to comply with applicable objective standards. (Government Code § 65589.5(f)(1).) However, the receipt of a density bonus, incentive, concession, etc. cannot constitute a valid basis on which to find that a proposed housing development project fails to comply with applicable objective standards. (Government Code § 65589.5(j)(3).)

Under the HAA, "objective" means "involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official". (Government Code § 65589.5(h)(8).) For a standard to be objective, it must be "*uniformly verifiable*," which means that there is little to no room for reasonable persons to differ on whether a project complies with an external and uniform benchmark. Examples of objective standards include height limits, setbacks, building coverage, lot area, and similar requirements when they are suitably specific. For example, requirements that building height not exceed 35 feet, that buildings shall be set back a minimum of 20 feet from the property line, and that building lot coverage is no more than 60% of lot, are all objective, because it is possible for an applicant, the public, City staff, and City officials to know whether an application complies by reference to measurable benchmarks. Likewise, design review criteria can be objective by making reference to specific features, such as a roof pitch with a slope of 1:5. References to design styles may be objective so long as the elements are clearly defined and include illustrations.

By contrast, standards that are "so malleable that reasonable minds could differ on whether they are met" are not objective, and may not be used to deny or reduce the density of housing development projects unless specific findings are made. If a standard requires any level of "after-the-fact interpretive gloss," it is not objective for purposes of the HAA. For example, the City of San Mateo established guidelines that advised an applicant to avoid changes in building height greater than one story from adjacent structures. The guidelines further provided that if height varied by more than one story between buildings, a transition or step in height would be necessary. Such standards are not objective, because it is not knowable in advance when changes greater than one story



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in height would be allowable or how much “transition or step in height” would be sufficient to bring a project into conformity with the guideline.

Standards that require a project to obtain entitlements that involve subjective decision-making are likewise not objective, and therefore the HAA no longer allows the Commission the discretion it previously enjoyed with respect to housing development projects. For example, the State Department of Housing and Community Development advises that, “a standard that requires a general plan amendment, the adoption of a specific plan, planned development permit, conditional use permit or another discretionary permit or approval does not constitute an objective standard.” Under HCD’s guidance, the City “shall not require a development proponent to meet any standard for which the locality typically exercises subjective discretion, on a case-by-case basis,” because such a requirement would expose housing development projects to non-objective standards, upending the HAA’s protections.

With respect to the City of Folsom, our typical use permit findings and design review findings are not objective because they involve personal judgment and are not verifiable by reference to an external benchmark. Therefore, the Commission cannot deny those entitlements for a housing development project unless it can make the statutorily required findings discussed below.

On the other hand, subjective standards or guidelines can be used as the basis for conditions of approval on a housing development project, as long as they do not result in denial of the project, a reduction in the project’s density, or, for an affordable project, increased costs that render the project infeasible.

#### Denial of a Housing Development Project

As noted above, the HAA’s key function is to limit the City’s discretion to deny or reduce the density of housing development projects. As such, when a housing development project complies with applicable objective development standards, the City may not deny the project or impose a condition that it be developed at a lower density without making statutorily required findings that the project would otherwise have a specific, adverse impact on public health and safety that cannot be mitigated. (Government Code § 65589.5(j).) The law defines a “specific adverse impact” as a “significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards”. (Government Code § 65589.5(j)(1)(A).) The law also requires the City to find that there is no way to mitigate the impact without denying the project or reducing the density. (Government Code § 65589.8(j)(1)(B).) The receipt of a density bonus or any associated incentive or concession is not a valid basis for making those findings. (Government Code § 65589.5(j)(3).)

#### Denial of an Affordable Housing Development Project

The Legislature made it even more difficult to deny an affordable housing development project, or to impose any condition of approval that renders the project infeasible for the development of affordable housing. Under the HAA, the City shall not disapprove an affordable project, or condition approval in a manner that renders the project infeasible

City of Folsom



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 Vintage Senior Apartments (PN 21-159)  
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for the development of affordable housing, including through the use of design review standards, unless it makes one of five written findings based on a preponderance of the evidence in the record:

1. The City has “met or exceeded” its share of the regional housing needs allocation (RHNA) for the types of housing that the project would provide. (Government Code § 65589.5(d)(1).)
2. The project would have a “specific, adverse impact upon the public health and safety and there is no feasible method to satisfactorily mitigate or avoid” said impact without making the project unaffordable. (Government Code § 65589.5(d)(2).)
3. The denial is required to meet state or federal law, and there is “no feasible method” to comply without rendering the project unaffordable. (Government Code § 65589.5(d)(3).)
4. The project site is zoned for agricultural or resource preservation and is surrounded on at least two sides by land used for agriculture or resource preservation or lacks adequate water or wastewater facilities to serve the project. (Government Code § 65589.5(d)(4).)
5. The project is “inconsistent with both the jurisdiction’s zoning ordinance and general plan land use designation as specified in any element of the general plan.” (Government Code § 65589.5(d)(5).

#### Penalties for Failure to Comply with the HAA

If the City denies a housing development project, reduces the density of the project, or imposes condition(s) of approval that render an affordable project unaffordable, the project applicant, a person who would be eligible to apply to live in the proposed project, or a “housing organization” may file suit to enforce the HAA. (Government Code § 65589.5(k)(1)(A)(i).) In addition, the Department of Housing and Community Development (HCD) has authority to enforce the HAA and refer violators to the Attorney General. (Government Code § 65585(j), (k).) The City could find itself facing multiple plaintiffs: the applicant, a “housing organization” such as YIMBY, and the Attorney General.

The City must then prove that its decision was based on one of the statutorily required findings, and that those findings are supported by substantial evidence in the record. (Government Code § 65589.5(i); Government Code § 65589.5(k)(1)(A).) In this context, the City has the burden of proof even though it is the one being sued. (Government Code § 65589.6.)

If the court determines that the City’s decision to deny the project, reduce the density of the project, or impose condition(s) of approval that render an affordable project unaffordable violated the HAA, it will order the City to comply with the HAA within 60 days.

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If the court finds that the City acted in bad faith (by, for example, denying the project without merit), it can simply order the City to approve the project. Either way, if the City does not comply within 60 days, the court "shall" impose a minimum fine of \$10,000 per housing unit in the project at issue. (Government Code § 65589.5(k).) If the court finds that the City acted in bad faith *and* the City failed to comply with the HAA within 60 days, the fine "shall" increase to a minimum of \$50,000 per unit. (Government Code § 65589.5(l).)

Any successful plaintiff is entitled to recover attorney's fees, which typically range from \$100,000 to \$500,000 in these kinds of cases. In a situation involving multiple plaintiffs (the applicant, a housing organization, etc.), each plaintiff is entitled to recover its own attorney's fees, so the City would be faced with multiple fee demands in the range stated above. In addition, the City would have to pay for its own attorneys to defend the case, which would carry a similar cost.

Finally, if the court rules against the City, it may be impractical to appeal, because doing so would require the City to post a bond, in an amount determined by the trial court. (Government Code § 65589.5(m).) The City of Los Angeles decided not to appeal an unfavorable judgment in an HAA case after the trial court required it to post a bond exceeding \$10 million.

### **DISCUSSION/ ANALYSIS**

As it relates to the State Housing Accountability Act, the proposed Vintage Senior Apartments project meets the definition of a "housing development project." (Government Code § 65589.5(h)(2).) It also meets the definition of an affordable project, since one hundred percent of the units will be affordable to seniors. (Government Code § 65589.5(h)(3).) Therefore, if the Commission were to consider denying the Conditional Use Permit for the proposed project, the Commission would need to make one of the five specific findings noted above.

Under the circumstances, the only potentially applicable finding is number 2, based on Government Code section 65589.5(d)(2), under which the Commission would have to find, based on a preponderance of the evidence in the record:

- a. The proposed project would have a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete by the City; and
- b. There is no feasible method to satisfactorily mitigate or avoid" said impact without making the project unaffordable.

In its original review of the proposed project, the City did not identify any specific adverse impacts (as defined in the HAA) associated with development of the apartment community (see Conditional Use Permit Section of Attachment 2).

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City of Folsom

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Vintage Senior Apartments (PN 21-159)  
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With respect to requested Planned Development Permit, the Folsom Municipal Code (FMC, Section 17.22.050) includes objective standards with respect to development within the BP zoning district. The objective standards include minimum lot area, minimum lot width, maximum building coverage, minimum front yard setback, minimum side yard setbacks, minimum rear yard setback, and maximum building height. As discussed within the previous Planning Commission Staff Report (Development Standards Section of Attachment 2), the proposed project complies with all of the established objective development standards. The R4 (General Apartment) District also contains objective development standards in the same categories just mentioned. (Folsom Municipal Code Chapter 17.18.) The proposed project also complies with the objective development standards applicable to the R4 zone, with the exception of parking. Even so, based on the density bonus law's applicability to parking, the proposed project's parking ratio of 1:1 must be considered consistent with the applicable parking standard. (Government Code § 65589.5(f)(4).)

A review of the architecture and design of the proposed apartment building was included as part of the Planned Development Permit (Building Architecture and Design Section of Attachment 2). As discussed within the Building Architecture and Design Section of the previous Planning Commission Staff Report, the proposed project is subject to the City's Design Guidelines for Multi-Family Development (Design Guidelines). While City staff has determined that the architecture and design of the proposed project meets the intent of the Design Guidelines, these guidelines do not provide specific objective standards for the purposes of complying with the Housing Accountability Act. As a result, the Commission would not be able to deny the Planned Development Permit on the basis of the project's architecture and design. However, the Planning Commission is able to recommend modifications to the design, color, and materials of the building so long as these changes do not reduce the overall density of the proposed project or render it infeasible for development of affordable housing.

Following the January 18, 2023 Planning Commission meeting, City staff revisited all of the existing written objective standards (Folsom General Plan 2035, Folsom Municipal Code, Stormwater Quality Program, Design Standards for Improvements and Construction, etc.) that would be potentially applicable to the proposed project and determined that the proposed project is compliance with these written objective standards.

However, subsequent to the January 18, 2023 Planning Commission meeting, City staff met with the project applicant to evaluate whether any modifications could be made to the project to address concerns raised by residents and the Commission. Through these discussions, City staff, with agreement by the applicant, was able to identify four specific areas where modifications to the project could be made relative to traffic safety, pedestrian safety, parking, and landscape screening.

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One of the concerns raised by residents at the Commission meeting was the close proximity of the secondary project driveway on East Natoma Street in relation to an existing pedestrian crosswalk on East Natoma Street and in relation to the existing intersection of East Natoma Street and Cimarron Circle (western driveway). The specific concern was that the addition of a new driveway and associated vehicle trips would create a potential safety issue for pedestrians utilizing the existing crosswalk on East Natoma Street and also create a potential safety issue for vehicles attempting to exit Cimarron Circle (western driveway) onto East Natoma Street, especially those making a left turn. To address these two concerns, the applicant has agreed to restrict the secondary project driveway on East Natoma Street to emergency service and solid waste vehicle access only by installing a sliding electronically activated gate located a minimum of 40 feet back from the entrance to the secondary project driveway.

In addition, the applicant has agreed to install a pedestrian-actuated Rectangular Rapid Flashing Beacon (RFFB) system at the existing uncontrolled pedestrian crosswalk located on East Natoma Street near the intersection of Cimarron Circle. The design of the RFFB will consist of two rectangular-shaped yellow indicators each with a light-emitting diode array-based source that is activated by a pedestrian pressing a button. Condition of Approval No. 53 has been updated to reflect these modifications.

Another concern expressed by residents and the Commission at the Commission meeting in January was the lack of on-site parking being provided for the project and also the lack of parking provided for employees and guests. With respect to increasing the number of total parking spaces, the applicant evaluated this option and determined that it is not feasible due to a number of constraints (Oak trees, site topography, etc.) present on the project site. In addition, the City is not able to impose any further parking restrictions on this project because of the Density Bonus Law. (Government Code § 65915(p)(1) and (p)(6).) However, the applicant has agreed to implement a parking permit program whereby a maximum of 130 resident parking permits are issued and active at any one time, with the other 6 parking spaces designated for exclusive use by employees and guests only. Condition of Approval No. 54 has been updated to reflect these modifications.

Lastly, residents and the Commission expressed concern regarding the visual impact the proposed three-story apartment building would have on adjacent single-family homes directly to the east of the subject property within the Cimarron Hills Subdivision. To address this concern, the applicant has agreed to increase the size of trees planted along the eastern property boundary within a landscape buffer from 24-inch box trees to 36-inch box trees, with the trees being required to be a minimum of 16-feet-tall when they are planted. The applicant has also agreed to implement additional measures (soil analysis, soil amendment, etc.) to ensure the long-term success of the tree planting along the eastern project boundary and throughout the project site. Condition of Approval No.



Planning Commission  
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38 has been updated to reflect these modifications. The applicant will be responsible for maintaining the trees and landscaping throughout the life of the project. Condition of Approval No. 37 was included in the original staff report and is still included to reflect this requirement.

With respect to the other concerns and comments raised by residents and the Commission at its January 18, 2023 meeting, the previous Planning Commission Staff Report and supporting documentation (Attachment 2) addresses most of these comments in detail. However, City staff does have additional information to share with respect to emergency service response times and fire access. The Folsom Fire Department Strategic Plan 2020 sets a goal for the overall time (dispatch, turnout, travel time) required for emergency service responders to reach any location within the City, with the standard for EMS response being 6 minutes or less and the standard for fire response set at 7 minutes or less. The City of Folsom Fire Chief has reviewed the proposed project and determined that the emergency service response time from Fire Station 35 (Glenn Drive) to the project site at 103 Natoma Street is less than 6 minutes, well within the City's targeted response time. In relation to fire access, the project site has been designed to accommodate access for all emergency vehicles with respect to driveway access and turning radius as well as drive aisle width. In relation to fire access to the apartment building, the proposed project includes multiple staircases located on the ends of the building and two elevators centrally located in each wing of the building. In addition, the proposed apartment building is required to be constructed to current Building and Fire Code standards, which include the installation of fire sprinklers and fire alarms.

Residents and the Commission also expressed concern with respect how drainage and stormwater quality would be addressed by the proposed project at the January 18, 2023 Commission meeting. A Preliminary Drainage and Storm Water Quality Report was prepared for the project by TSD Engineering on August 19, 2022. The Report states that the proposed storm drain system has been designed to comply with all applicable standards include the City's Design and Procedures Manual, the Sacramento City/County Drainage Manual, and the Sacramento Region Stormwater Quality Design Manual. The Report also details the specific measures that will be implemented to manage drainage and stormwater including maintaining existing storm drain conveyance, implementing source control measures, implementing low impact development measures, and capturing and treating stormwater. City staff has reviewed the Preliminary Drainage and Storm Water Quality Report and determined that with the proposed project has adequately addressed drainage and stormwater quality for the site. In addition, staff has previously included conditions of approval (Condition Nos. 15, 16, 28, 31, 32, 33, and 34) in the original staff report to ensure that stormwater and drainage will be managed in accordance with all local, state, and federal requirements.

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## **ENVIRONMENTAL REVIEW**

Helix Environmental has prepared an Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program (Attachment 2) for the project in accordance with the California Environmental Quality Act (CEQA) and associated regulations and determined that with the proposed mitigations, the project will not have a significant effect on the environment. The Mitigated Negative Declaration has been prepared and noticed for public comment on the project, and mitigation measures have been included as Conditions of Approval.

## **RECOMMENDED PLANNING COMMISSION ACTION**

Move to:

- Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Vintage Senior Apartments project (PN 21-159) per Attachment 25 of the original staff report in Attachment 2; and
- Approve a Conditional Use Permit for development and operation of a senior affordable apartment community on the subject 4.86-acre property; and
- Approve a Planned Development Permit for development of the 136-unit Vintage Senior Apartments project on a 4.86-acre site located at 103 East Natoma Street; and
- Approve a Density Bonus for development of the Vintage Senior Apartments project at a residential density of 28 units per acre and to allow for three incentives/concessions including establishing a parking ratio of one parking space per unit, increasing the maximum building height from 35 feet to 42-feet 6-inches, and increasing the maximum number of building stories from 2-stories to 3-stories.

These approvals are based on the findings below (Findings A-U) and subject to the conditions of approval (Conditions 1-76) attached to this report.

## **GENERAL FINDINGS**

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE ZONING CODE OF THE CITY.



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### **CEQA FINDINGS**

- C. A MITIGATED NEGATIVE DECLARATION HAS BEEN PREPARED FOR THE PROJECT IN ACCORDANCE WITH CEQA.
- D. THE PLANNING COMMISSION HAS CONSIDERED THE PROPOSED MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM BEFORE MAKING A DECISION REGARDING THE PROJECT.
- E. ON THE BASIS OF THE WHOLE RECORD BEFORE THE PLANNING COMMISSION, THERE IS NO SUBSTANTIAL EVIDENCE THAT THE PROJECT, AS CONDITIONED, WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
- F. THE MITIGATED NEGATIVE DECLARATION REFLECTS THE INDEPENDENT JUDGMENT AND ANALYSIS OF THE CITY OF FOLSOM.
- G. THE MITIGATED NEGATIVE DECLARATION HAS DETERMINED THAT THE PROPOSED PROJECT, AS CONDITIONED AND CONSISTENT WITH THE REQUIRED MITIGATION MONITORING AND REPORTING PROGRAM, WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT WITH THE REQUIRED MITIGATION MEASURES.
- H. THE LOCATION AND CUSTODIAN OF THE DOCUMENTS WHICH CONSTITUTE THE RECORD OF PROCEEDINGS UPON WHICH THE DECISION IS BASED ARE: CITY OF FOLSOM COMMUNITY DEVELOPMENT DEPARTMENT, 50 NATOMA STREET, FOLSOM, CA 95630.

### **CONDITIONAL USE PERMIT FINDING**

- I. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE OR OPERATION OF THE USE APPLIED FOR WILL NOT, UNDER THE CIRCUMSTANCES OF THIS PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, MORALS, COMFORT, AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, OR BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD OR TO THE GENERAL WELFARE OF THE CITY, AS THE PROPOSED USE IS COMPLIMENTARY TO EXISTING USES IN THE PROJECT VICINITY AND, AS CONDITIONED, THE PROPOSED PROJECT WILL NOT HAVE NEGATIVE IMPACTS TO NEARBY USES THAT HAVE NOT BEEN MITIGATED.

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### **PLANNED DEVELOPMENT PERMIT FINDINGS**

- J. THE PROPOSED PROJECT COMPLIES WITH THE INTENT AND PURPOSES OF CHAPTER 17.38 (PLANNED DEVELOPMENT DISTRICT) OF THE FOLSOM MUNICIPAL CODE AND OTHER APPLICABLE ORDINANCES OF THE CITY.
- K. THE PROPOSED PROJECT IS CONSISTENT WITH THE OBJECTIVES, POLICIES AND REQUIREMENTS OF THE DEVELOPMENT STANDARDS OF THE CITY.
- L. THE PHYSICAL, FUNCTIONAL AND VISUAL COMPATIBILITY BETWEEN THE PROPOSED PROJECT AND EXISTING AND FUTURE ADJACENT USES AND AREA CHARACTERISTICS IS ACCEPTABLE.
- M. THERE ARE AVAILABLE PUBLIC FACILITIES, INCLUDING BUT NOT LIMITED TO, WATER, SEWER, AND DRAINAGE TO ALLOW FOR THE DEVELOPMENT OF THE PROJECT SITE IN A MANNER CONSISTENT WITH THIS PROPOSAL.
- N. THE PROPOSED PROJECT WILL NOT CAUSE UNACCEPTABLE VEHICULAR TRAFFIC LEVELS ON SURROUNDING ROADWAYS, AND THE PROPOSED PROJECT WILL PROVIDE ADEQUATE INTERNAL CIRCULATION.
- O. THE PROPOSED PROJECT WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY AND GENERAL WELFARE OF THE PERSONS OR PROPERTY WITHIN THE VICINITY OF THE PROJECT SITE, AND THE CITY AS A WHOLE.
- P. ADEQUATE PROVISION IS MADE FOR THE FURNISHING OF SANITATION SERVICES AND EMERGENCY PUBLIC SAFETY SERVICES TO THE PROJECT.

### **DENSITY BONUS FINDINGS**

- Q. THE PROPOSED PROJECT QUALIFIES FOR A DENSITY BONUS IN THAT THE PROJECT IS PROVIDING ONE HUNDRED PERCENT OF THE TOTAL UNITS FOR LOW-INCOME HOUSEHOLDS OR VERY LOW- INCOME HOUSEHOLDS, AND IS A SENIOR CITIZEN HOUSING DEVELOPMENT.
- R. THE PROPOSED PROJECT QUALIFIES FOR THE REQUESTED PROJECT DENSITY OF 28 DWELLING UNITS PER ACRE.

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- S. THE PROPOSED PROJECT IS ELIGIBLE FOR FOUR DENSITY BONUS INCENTIVES OR CONCESSIONS BASED ON THE FACT THAT THE PROPOSED PROJECT IS DEDICATING ONE HUNDRED PERCENT OF THE TOTAL HOUSING UNITS TO LOW-INCOME HOUSEHOLDS.
- T. THE PROJECT APPLICANT HAS REQUESTED THREE DENSITY BONUS INCENTIVES OR CONCESSIONS, INCLUDING A PARKING RATIO OF ONE PARKING SPACE PER UNIT, AN INCREASE IN THE MAXIMUM BUILDING HEIGHT FROM 35 FEET TO 42 FEET SIX INCHES, AND AN INCREASE IN THE MAXIMUM NUMBER OF BUILDING STORIES FROM TWO TO THREE STORIES.
- U. THE PROPOSED PROJECT QUALIFIES FOR EACH OF THE REQUESTED INCENTIVES OR CONCESSIONS.

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**Attachment 1**

**Modified Conditions of Approval**  
**Dated February 15, 2023**

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## Modified Conditions of Approval (new text shown in bold/underline format)

### Condition No. 3

The project approvals (Planned Development Permit, Conditional Use Permit, and Density Bonus) granted under this staff report shall remain in effect for ~~two~~ **three** years from final date of approval (~~January 18, 2023~~ **February 15, 2026**). Failure to obtain the relevant building (or other) permits within this time period, without the subsequent extension of this approval, shall result in the termination of this approval.

### Condition No. 38

Final landscape plans and specifications shall be prepared by a registered landscape architect and approved by the City prior to the approval of the first building permit. Said plans shall include all on-site landscape specifications and details including a tree planting exhibit demonstrating sufficient diversity and appropriate species selection to the satisfaction of the Community Development Department. The tree exhibit shall include all street trees, accent trees, parking lot shading trees, and mitigation trees proposed within the development. Said plans shall comply with all State and local rules, regulations, Governor's declarations and restrictions pertaining to water conservation and outdoor landscaping.

Landscaping of the parking area shall meet shade requirements as outlined in the Folsom Municipal Code Chapter 17.57. The landscape plans shall comply and implement water efficient requirements as adopted by the State of California (Assembly Bill 1881) (State Model Water Efficient Landscape Ordinance) until such time the City of Folsom adopts its own Water Efficient Landscape Ordinance at which time the owner/applicant shall comply with any new ordinance. Shade and ornamental trees shall be maintained according to the most current American National Standards for Tree Care Operations (ANSI A-300) by qualified tree care professionals. Tree topping for height reduction, view protection, light clearance or any other purpose shall not be allowed. Specialty-style pruning, such as pollarding, shall be specified within the approved landscape plans and shall be implemented during a 5-year establishment and training period. The owner/applicant shall comply with city-wide landscape rules or regulations on water usage. The owner/applicant shall comply with any state or local rules and regulations relating to landscape water usage and landscaping requirements necessitated to mitigate for drought conditions on all landscaping in the Vintage Senior Apartments project.

**All trees installed along the eastern property boundary, directly adjacent to residences on Cimmaron Circle, shall be 36-inch box trees that are a minimum of sixteen (16) feet tall at the time of planting. Tree stock shall comply with the specifications within the ANSI Z60.1 American Standard for Nursery Stock. Final species selection and container sizes shall be included in the final landscape plans, subject to review and approval by the Community Development Department.**



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**The owner/applicant shall retain a consulting project arborist throughout the duration of the final design and construction phases of the project. Prior to applying for any grading, civil, or building permits, the applicant shall submit a scope of services prepared by the project arborist to the City Arborist for review and approval. Said scope shall include the following services:**

- **A statement of qualifications by the project arborist attesting certification by the International Society of Arboriculture (ISA) for a minimum of 5 years and demonstrating multiple years of experience in urban landscape management and land development. The project arborist shall also be familiar with and subscribe to any & all ANSI standards & ISA Best Management Practices (BMPs) relating to arboricultural practices as applicable for the project.**
- **Oversight of soils analyses to ensure optimal plant growth and long-term success within all landscape areas of the project site.**
- **Collaboration in the design, development, and rendering of all landscape and civil construction drawings and details relating and impactful to soil health, drainage, tree planting, irrigation, and related elements with regard to long term success of trees to be planted within the project site.**
- **Implementation of appropriate soil amendments based on soil analyses and project arborist recommendations to promote healthy root growth and long-term success of plant materials.**
- **Facilitation of appropriate measures and means to ensure sufficient soil porosity, percolation and drainage of landscape areas based on soils analyses and project arborist recommendations.**
- **Oversight of tree species selection for climate appropriateness, planter size, ecological benefits, and species diversity in accordance with city standards.**
- **Prescriptions for any alternative innovative civil and landscape construction methodologies to increase the likelihood of long-term success of tree plantings within the project site.**
- **Administer implementation and installation of appropriate root zone aeration systems.**
- **Inspection of tree nursery stock to ensure healthy plant material, thwart root stock issues, and verify compliance with ANSI Z60.1 (American Standard for Nursery Stock).**



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- **Prescribe and implement methodologies for proper root management and treatment methodologies.**
- **Oversight of tree installation throughout the project site, verifying compliance with the ISA Best Management Practices for tree planting.**
- **Preparation of a 5-year tree management plan for all trees planted within the project site. Said management plan shall include an inventory of all trees planted on the project site with an inspection and maintenance schedule for tree health monitoring, structural pruning by an ISA certified arborist, stake removal, mulching, irrigation adjustments, tree replacement and any other management practices deemed relevant by the project arborist. The 5-year management plan shall be supplied to both the property owner and the City Arborist prior to the Certificate of Occupancy.**

**Following City approval of the project arborist's scope of services, the applicant shall provide a copy of the executed contract for such services to the City prior to applying for any grading, civil, or building permits. Upon project completion, a final arborist report by the project arborist attesting compliance with the City-approved arboricultural scope of services and a copy of the 5-year tree management plan shall be supplied to the City Arborist.**

#### Condition No. 53

Based on the recommendations of the Transportation Impact Study dated February 2022 (Attachment 21), and to further ensure further ensure safe travel within the project site, the following measures shall be implemented to the satisfaction of the Community Development Department:

#### East Natoma Street (Eastbound)

- The owner/applicant shall construct a 150-foot right-turn pocket with 60-foot taper on the eastbound approach to Prison Road from East Natoma Street. The existing bike trail shall be relocated to accommodate the right-turn lane. The relocated bike trail shall be placed in a dedicated pedestrian access and trail easement which shall be recorded prior to plan approval. With this proposed modification, the eastbound approach to Prison Road from East Natoma Street shall include one left-turn lane, one thru lane, and one right-turn lane.

#### East Natoma Street (Westbound)

- The owner/applicant shall construct a 100-foot left-turn pocket with a raised median with a 60-foot taper on the westbound approach to Prison Road from East Natoma Street. The median shall allow emergency vehicle access/egress and the modifications required for emergency vehicle access/egress shall be approved by the City of Folsom Fire Department. With these proposed modifications, the westbound approach to Prison Road from East Natoma Street shall include one shared thru/right-turn lane and one left-turn lane.

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#### Prison Road (Southbound)

- Prior to entering State property, the contractor shall execute a right-of-entry agreement with the State of California, Department of Corrections.
- The owner/applicant shall restripe the existing right-turn lane at the southbound approach to East Natoma Street from Prison Road to indicate that this lane is a shared thru and right-turn lane. The existing dedicated left-turn lane shall remain as currently striped.

#### Primary Project Driveway (East Natoma Street)

- The owner/applicant shall construct a shared thru/right-turn lane and a dedicated left-turn lane at the northbound approach to East Natoma Street at the primary project driveway. The shared thru/right-turn lane and dedicated left-turn lane shall include a 70-foot turn pocket and a 60-foot taper.

#### Secondary Project Driveway (East Natoma Street)

- ~~The owner/applicant shall construct a raised median within Natoma Street and a right-turn channelization taper at the secondary project driveway to prevent left turns into the project site from westbound East Natoma Street and left turns out of the project site onto westbound East Natoma Street to the satisfaction of the Community Development Department.~~
- ~~The owner/applicant shall install "Stop" signs, appropriate pavement markings, and signage at the secondary project exit at East Natoma Street.~~
- **The Secondary Project Driveway on East Natoma Street be restricted to Emergency Vehicle Access (EVA) and solid waste vehicle access only. The owner/applicant shall install a sliding electronically activated gate located a minimum of 40 feet back from the entrance to the Secondary Project Driveway. The final design of the EVA shall be subject to review and approval by the Fire Department and the Community Development Department. City staff (Fire Department, Police Department, Solid Waste Division) shall be provided remote transmitters to active the sliding gate.**

#### East Natoma Street/Prison Road Traffic Signal and Signal Timing

- The owner/applicant shall construct a traffic signal at the fourth leg of the intersection of East Natoma Street and Prison Road and modify all existing traffic signal improvements to the satisfaction of the Community Development Department.
- The owner/applicant shall coordinate retiming the traffic signal at the intersection of East Natoma Street and Prison Road as follows:
  - Eastbound and westbound protected left turn phasing, northbound and southbound split phasing. 150 second cycle length, with 34 second northbound southbound split phases and 20 second eastbound and westbound protected phases, and 62 second eastbound and westbound through phases. Crosswalks shall be set to 22 seconds to accommodate a 3 feet per second walking speed.

#### East Natoma Street Frontage Improvements

- The owner/applicant shall install curbs, gutter, a bicycle lane, and sidewalks along the project's frontage with East Natoma Street as shown on the submitted site plan. In addition, the owner/applicant shall construct curbs, gutters, a bicycle lane, and sidewalks

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from the project's eastern boundary approximately 120-feet to the east to connect to the existing off-site sidewalk and associated improvements. The owner/applicant shall enter into a credit reimbursement agreement with the City to cover the costs of these off-site frontage improvements.

**East Natoma Pedestrian Crosswalk**

**The owner/applicant shall install a pedestrian-actuated Rectangular Rapid Flashing Beacon (RFFB) system at the existing uncontrolled marked pedestrian crosswalk located on East Natoma Street approximately 50 feet west of the intersection of East Natoma Street and Cimarron Circle. The design of the RFFB shall consist of two rectangular-shaped yellow indicators each with a light-emitting diode array-based source. The final design of the of the RFFB shall be subject to review and approval by the Community Development and Public Works Departments.**

**Condition No. 54**

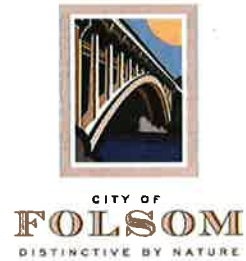
A minimum of 136 on-site parking spaces shall be provided for the project. **The owner/applicant shall implement a resident permit parking program whereby a maximum of 130 resident parking permits are issued and active at any one time. 6 parking spaces shall be designated for exclusive use by employees and guests only. The owner/applicant shall install signage and pavement markings that designate which 6 on-site parking spaces are restricted for use by employees and visitors.**

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## **Attachment 2**

# **Planning Commission Staff Report and Attachments from the January 18, 2023 Planning Commission meeting**





**AGENDA ITEM NO. 2**  
**Type: Public Hearing**  
Date: January 18, 2023

### **Planning Commission Staff Report**

50 Natoma Street, Council Chambers  
Folsom, CA 95630

- Project:** Vintage Senior Apartments
- File #:** PN 21-159
- Requests:** Conditional Use Permit  
Planned Development Permit  
Density Bonus
- Location/APN:** The proposed Vintage Senior Apartments project is located on a 4.86-acre parcel situated on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road (103 East Natoma Street)/APN No. 071-0320-042
- Staff Contact:** Steve Banks, Principal Planner, 916-461-6207  
sbanks@folsom.ca.us

**Property Owner/Applicant**  
 Name: Vintage at Folsom, LP  
 Address: 369 San Miguel Drive, Suite 135  
 Newport Beach, CA 92660

**Recommendation:** Conduct a public hearing and upon conclusion recommend approval of a Conditional Use Permit, Planned Development Permit, and Density Bonus for the Vintage Senior Apartments project, subject to the findings (Findings A-U) and conditions of approval (Conditions 1-76) attached to this report.

**Project Summary:** The proposed project includes development of a 136-unit senior affordable apartment community on a 4.86-acre site located on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road (103 East Natoma Street). The following are the specific entitlements requested with the proposed project.

- **A Conditional Use Permit** for development and operation of a senior apartment community on the subject 4.86-acre property.



**AGENDA ITEM NO. 2**  
**Type: Public Hearing**  
**Date: January 18, 2023**

- A **Planned Development Permit** which contains detailed development and architectural standards for the proposed 136-unit senior affordable apartment community.
- A **Density Bonus** for development of a senior affordable apartment community at a residential density of 28 units per acre and a request for three incentives/concessions including establishing a parking ratio of one parking space per apartment unit, increasing the maximum building height from 35 feet to 42-feet 6-inches (proposed apartment building is 34 feet in height with architectural features extending to 42-feet 6-inches), and increasing the maximum number of building stories from 2-stories to 3-stories.

These proposed actions are described in detail and analyzed later in this report.

**Table of Contents:**

- Attachment 1 - Background and Setting
- Attachment 2 - Project Description
- Attachment 3 - Analysis
- Attachment 4 - Conditions of Approval
- Attachment 5 - Vicinity Map
- Attachment 6 - Site Plan, dated October 17, 2022
- Attachment 7 - Preliminary Utility Plan, dated October 17, 2022
- Attachment 8 - Preliminary Grading and Drainage Plan, dated October 17, 2022
- Attachment 9 - Preliminary Grading Sections, dated October 17, 2022
- Attachment 10 - Preliminary Landscape and Irrigation Plans, dated October 20, 2022
- Attachment 11 - Preliminary Tree Impact Plan, dated October 17, 2022
- Attachment 12 - Preliminary Oak Tree Mitigation Plan, dated October 20, 2022
- Attachment 13 - Preliminary Access and Circulation Plan, dated October 17, 2022
- Attachment 14 - Preliminary Fire Access Plan, dated October 17, 2022
- Attachment 15 - Preliminary Lighting Plan and Details, dated November 3, 2021
- Attachment 16 - Building Elevations and Floor Plans dated June 3, 2022
- Attachment 17 - Color Building Renderings, dated June 3, 2022
- Attachment 18 - Building Site Sections, dated June 3, 2022
- Attachment 19 - Color and Materials Board, dated June 3, 2022
- Attachment 20 - Vintage Senior Apartments Booklet (Separate Bound Document)
- Attachment 21 - Site Photographs
- Attachment 22 - Transportation Impact Study, dated July, 2022
- Attachment 23 - Parking Memorandum, dated October 17, 2022





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**AGENDA ITEM NO. 2**  
**Type: Public Hearing**  
Date: January 18, 2023

03/28/2023 Item No. 13.

- Attachment 24 - Parking Case Study, dated January 3, 2023
- Attachment 25 - Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program, dated November, 2022 (electronic version available for viewing at [www.folsom.ca.us/government/community-development/planning-services/current-project-information](http://www.folsom.ca.us/government/community-development/planning-services/current-project-information))
- Attachment 26 - Comment Letters from Public Agencies
- Attachment 27 - Comment Letters from Residents
- Attachment 28 - CEQA Response Memorandum, dated January 3, 2023

Submitted,

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PAM JOHNS  
Community Development Director

## **ATTACHMENT 1 BACKGROUND AND SETTING**

### **Background:**

On April 20, 2005, the Planning Commission considered a request for approval of a General Plan Amendment, Rezone, Vesting Tentative Subdivision Map, and Planned Development Permit for development of a 21-unit single-family residential subdivision on a 4.86-acre site located at 103 East Natoma Street, the same parcel at issue here. The Planning Commission continued the proposed project off-calendar on multiple occasions in order to provide the applicant with additional time to address concerns raised by the Commission and by residents. The applicant ultimately decided not to pursue development of the proposed subdivision and subsequently withdrew their development application.

On January 7, 2009, the Planning Commission approved a Tentative Parcel Map and Planned Development Permit for development of a 32,000-square-foot professional office park on the same 4.86-acre parcel located at 103 East Natoma Street. As was the case with the prior residential development application, the applicant decided not to move forward with development of the professional office park and withdrew their development application.

### **Physical Setting**

The triangular-shaped 4.86-acre project site is located on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road. The project site, which slopes moderately from east to west with an approximate 20-foot elevation change, features a vegetative community that includes blue oak woodland, non-native grasses, and ephemeral and intermittent drainage features. The project site has been disturbed by the recreational use of bicycles and includes several pathways, dirt ramps and jumps. In addition, there is evidence of use of the site by transients as exhibited by several debris piles and associated trash. The project area includes a mixture of land uses including single-family residences, multi-family residences, medical and professional offices, a senior center, a food bank, local government offices, a hospital, a state prison, a church, and an overhead transmission line corridor. An aerial photograph of the project site and surrounding land uses is shown in Figure 1 on the following page.

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FIGURE 1: AERIAL PHOTOGRAPH OF PROJECT SITE



## ATTACHMENT 2 PROJECT DESCRIPTION

### APPLICANT'S PROPOSAL

The applicant, Vintage at Folsom LP, is requesting approval of a Conditional Use Permit, Planned Development Permit, and Density Bonus for the development of a 136-unit senior (55+) affordable apartment community (Vintage Senior Apartments). The project is proposed on a 4.86-acre parcel located on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road.

A Conditional Use Permit is requested to allow for development and operation of the senior affordable apartment project on the subject property, as required by the Folsom Municipal Code in this location.

A Planned Development Permit is requested to allow for review of project-specific development standards, project site design, and the architectural design of the multi-family residential building.

Lastly, a Density Bonus is requested to allow development of the apartment project at a residential density of 28 units per acre and to provide for three incentives/concessions, including establishing a parking ratio of one parking space per apartment unit, increasing the maximum building height from 35 feet to 42-feet 6-inches, and increasing the maximum allowed number of building stories from 2 stories to 3 stories (proposed apartment building is three-stories tall and 34 feet in height with architectural features extending to 42-feet 6-inches).

The proposed Vintage Senior Apartments project includes development of a three-story, 34-foot-tall apartment building totaling 111,755 square feet. The proposed apartment building features a total of 136 units including 98 one-bedroom units (552-559 square feet) and 38 two-bedroom units (748 square feet). All apartment units are proposed to be accessible from interior hallways and include a full kitchen, living space, a laundry room, storage closets, a bedroom(s), and a bathroom. Proposed indoor and outdoor amenities include a 2,500-square-foot community center (includes community room, craft room, exercise room, game room, and library) on the first floor of the apartment building, an outdoor dining patio, an outdoor barbeque area, a bocce ball court, and a native habitat area.

All of the apartment units will be age-restricted to individuals 60 years and older. In addition, all of the apartment units will be designated as affordable for Low Income (LI) and Very Low Income (VLI) households as defined by State and City requirements, with 122 units being made available to LI individuals with incomes at or below 60% of the Sacramento area median income (AMI) and 14 units made available to VLI individuals with income at or below 50% of the AMI. As an example, a one-person household would



only qualify to live at Vintage Senior Apartments if their income was below \$56,750 (60% AMI/LI) or \$35,500 (50% AMI/VLI), while a two-person household would qualify if their income was below \$64,850 (60% AMI/LI) or \$40,550 (50% AMI/VLI).

Development of the proposed project will require State Funding through affordable housing tax credits, namely, the CTCAC Bond Program, and other state and federal financing resources offering apartment homes to income-qualified active seniors. Unlike other prior Affordable Projects developed within the City of Folsom, the applicant is not requesting financial participation from the City of Folsom.

The proposed project, including placement of the three-story apartment building, has been designed to preserve key open space areas containing numerous oak trees while also recognizing the unique topographical and physical features present on the project site. The proposed three-story apartment building features a contemporary residential design highlighted by simple rectilinear forms and shapes with vertical and horizontal components utilized to create visual interest while also breaking up the massing of the building. Proposed building materials include stucco, vertical board and batten siding, brick veneer, wood shutters, stucco trim, wrought iron railing, vinyl windows, and composition shingle roof tiles. The primary building colors are earth tone and include various shades of brown (Midnight Brown, Wooden Acre, and Wooden Peg) accented with a number of more vibrant white (Light House) and reddish colors (High Desert).

The proposed project includes a number of sustainability features consistent with the California Green Building Standards Code (CALGreen). The project is expected to exceed the 2016 California Building Energy Efficiency Standards (Title 24, Part 6) by 15% or more. The proposed project includes:

- Installation of a rooftop photovoltaic system (approximately 199 kW) that will serve the apartment building.
- Installation of cool paving materials (slag concrete).
- 14 electric vehicle capable parking spaces (spaces wired for future installation of an electric vehicle charging station).

Primary vehicle access to the project site will be provided by a new full-access driveway located on the south side of East Natoma Street at the signalized intersection of East Natoma Street and Prison Road. To accommodate installation of the new primary driveway, the proposed project is required to modify the existing three-way signalized intersection at East Natoma Street and Prison Road and convert it into a four-way signalized intersection. Secondary access to the project site is provided by a new driveway on the south side of East Natoma Street, approximately 250 feet to the east of the proposed primary driveway. The secondary driveway, which will feature Stop-sign control for exiting vehicles, will be limited to right-turns in and right-turns out only.





### ATTACHMENT 3 ANALYSIS

The following sections provide an analysis of the applicant's proposal. Staff's analysis includes:

- A. General Plan and Zoning Consistency
- B. Conditional Use Permit
  - Land Use Compatibility
- C. Planned Development Permit
  - Development Standards
  - Building Architecture and Design
- D. Density Bonus
- E. Traffic/Access/Circulation
- F. Parking
- G. Noise/Vibration Impacts
- H. Walls/Fencing
- I. Site Lighting
- J. Signage
- K. Trash/Recycling
- L. Existing and Proposed Landscaping
- M. Tree Preservation
- N. Conformance with Relevant Folsom General Plan Objectives and Policies
- O. Native American Consultation

#### **A. General Plan and Zoning Consistency**

##### General Plan and Zoning Consistency

The General Plan land use designation for the project site is PO (Professional Office) while the zoning designation is BP PD (Business and Professional, Planned Development District). The proposed project is consistent with both the General Plan land use designation and the zoning designation for the site, as senior citizen residential developments are identified as a permitted land use within the zoning designation for this site with approval of a Conditional Use Permit. In addition, the proposed project meets the development requirements established for the BP zoning district with respect to lot area, lot width, building height, building coverage, and building setbacks. Parking standards for senior residential projects are established through the Planned

Development Permit process and are discussed later within the Parking Section of this report.

## **B. Conditional Use Permit**

### Land Use Compatibility

The proposed project is located on an undeveloped, 4.86-acre commercially zoned property situated on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road. As described and shown in the Background section of this staff report, the project site is bounded by single-family residential development to the east with Cimarron Circle beyond, a PG&E transmission corridor to the west with commercial offices and Fargo Way beyond, East Natoma Street to the north with Folsom State Prison beyond, and a PG&E transmission corridor to the south with single and multi-family residential development beyond.

The applicant is requesting approval of a Conditional Use Permit to develop and operate a 136-unit senior affordable apartment community on the subject 4.86-acre project site located at 103 East Natoma Street. The Conditional Use Permit is required for the proposed use in this location, which is zoned Business Professional. The Folsom Municipal Code describes the BP zone as follows: "The intent of the BP zone is to designate areas suitable for business and professional offices. Uses in the BP zone are intended to be low-intensity commercial uses and compatible with higher-intensity residential uses. Retail commercial activities are discouraged. The BP zone may serve as a buffer between retail commercial and residential areas. The BP zone should be located along major arterials or have direct access to one via a collector street." The FMC states that a "senior citizens residential complex" is permitted in the BP zone upon issuance of a conditional use permit. (FMC § 17.22.030(E)( 214); 17.22.040(1).)

In order to approve this request for a Conditional Use Permit, the Commission must find that the "establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the City." (FMC § 17.60.040.)

In reviewing the request for a Conditional Use Permit, staff took into consideration the compatibility of the proposed land use in relation to the existing land uses in the immediate project vicinity. Potential noise impacts, traffic impacts, parking impacts, oak tree impacts, and aesthetic impacts were also analyzed and are addressed within separate sections of this report.

As mentioned earlier within this report, the project site is located in close proximity to a major arterial roadway (East Natoma Street) and within an area that features a broad mixture of different types of land uses including single-family residences, multi-family residences, medical and professional offices, a senior center, a library, a food bank, local government offices, a hospital, a church, a state prison, and an overhead transmission line corridor.

In the immediate project area, the existing land uses are predominantly residential in nature. The project is bound by single-family residences (Cimarron Hills Subdivision) to the east with Cimarron Circle and additional single-family residences beyond, an overhead transmission line corridor to the west with office development and Fargo Way beyond, an overhead transmission line corridor to the south with single-family and multi-family residences beyond, and East Natoma Street to the east with Folsom State Prison beyond.

The proposed Vintage at Folsom Senior Apartments project is an active-adult (55+) affordable rental community that will provide housing opportunities for approximately 175 residents. Given the residential nature of the proposed use, staff has determined that the proposed project will be complimentary to the existing single-family and multi-family residential land uses located in the immediate project vicinity. In addition, taking into account the unique needs of senior residential communities, staff has determined that the proposed project is also complimentary with surrounding non-residential uses in the vicinity that will provide a variety of daily and weekly services (medical offices, hospital, senior center, library, church, food bank, etc.) to the senior residents.

Consistent with the description of the BP zone in the Zoning Code, the proposed project, if approved, would serve as a buffer between existing professional/commercial development and residential areas. In addition, the proposed project's location along a major arterial street is consistent with the Zoning Code. REFER TO IMPACTS ON VARIOUS ISSUE AREAS DESCRIBED BELOW. Based on all of that, staff supports development of the proposed project at the subject location and, accordingly, staff recommends that the Commission grant the Conditional Use Permit.

### **C. Planned Development Permit**

The purpose of the Planned Development Permit process is to allow greater flexibility in the design of integrated developments than otherwise possible through strict application of land use regulations. The Planned Development Permit process is also designed to encourage creative and efficient uses of land. The following are proposed as part of the applicant's Planned Development Permit:

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- Development Standards
- Building Architecture and Design

#### Development Standards

The applicant's intent with the subject application is to create a set of development standards that will comply with the development standards established for the BP (Business and Professional) zoning district, in which the project site is located, as well as the standards for the R-4 (General Apartment) zoning district, which apply to similar multifamily projects.

The development standards for the R-4 zoning district are included for reference purposes only as the proposed project is a multi-family development, however, the subject property has a BP zoning designation which takes precedence in terms applicable development standards.

The table below outlines the existing development standards for the BP and R-4 zoning districts compared to the proposed development standards for the Vintage Senior Apartments project:

TABLE 1: DEVELOPMENT STANDARDS TABLE

<b>Development Standards Table Vintage Senior Apartments</b>							
	<b>Min. Lot Area</b>	<b>Min. Lot Width</b>	<b>Max. Building Coverage</b>	<b>Front Yard Setback</b>	<b>Rear Yard Setback</b>	<b>Side Yard Setbacks</b>	<b>Building Height limit</b>
<b>BP Zoning District</b>	6,000 s.f.	60	60%	20 feet	20 feet	NA	35 feet (two stories),(4 stories with CUP)
<b>R-4 Zoning District</b>	6,000 s.f.	60 feet	60%	20 feet	20 feet	5 feet and 10 feet	50 feet (four-stories)
<b>Proposed Project</b>	211,701 s.f.	580 feet	18%	20 feet	87 feet	68 feet and 117 feet	34 feet

As shown on the development standards table, the proposed project meets or exceeds all development standards established for the BP (Business and Professional) and R-4 (General Apartment) zoning districts including minimum lot area, minimum lot width, maximum building coverage, front yard setback, rear yard setback, side yard setbacks, and maximum building height. Regarding building height, the proposed apartment building is 34 feet in height with architectural features extending to 42-foot 6-inches. The 34-foot height of the building itself meets standards as shown above. The Zoning Code also allows architectural features to be built to a height up to 25 feet above the height limit established for the district in which they are located, which, in this case, would be 60 feet.

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(FMC § 17.58.080.) As such, the building height, including the taller architectural features, complies with the Zoning Code. However, the proposed building is three stories tall and only two stories are allowed by right. The applicant has requested a concession under the density bonus law to allow the additional story. That request is analyzed in the Density Bonus section of the report. The established of a project-specific parking standard is addressed separately within the Parking Section of this staff report.

Building Architecture and Design

As detailed in the Project Description section of this report, the proposed project includes development of a three-story, 111,755-square-foot apartment building. The design concept for the apartment building features a contemporary residential architectural style accentuated by simple rectilinear forms and shapes, with vertical and horizontal components intended to establish visual interest while also breaking up the massing of the building. Proposed building materials include stucco, vertical board and batten siding, brick veneer, wood shutters, stucco trim, wrought iron railing, vinyl windows, and composition shingle roof tiles. Primary building colors are earth tone and include different shades of brown (Midnight Brown, Wooden Acre, and Wooden Peg) accented with a couple of more vibrant white (Light House) and reddish colors (High Desert). Proposed elevations and renderings of the proposed apartment building are shown below and on the following pages.

FIGURE 3: BUILDING ELEVATIONS





FIGURE 4: BUILDING RENDERING (NORTHEAST)



FIGURE 5: BUILDING RENDERING (SOUTHWEST)





FIGURE 6: BUILDING RENDERING (SOUTHEAST)



The proposed project is not located within a geographic area that has established residential or commercial design guidelines. However, the project is subject to the City's Design Guidelines for Multi-Family Development (Design Guidelines). The overall purpose of the Design Guidelines is to promote and protect public health, safety, and general welfare of the community by:

- Supporting the preservation of existing neighborhood character and community value.
- Promoting the vision of suitable housing types for all residents including new standards for developments with higher densities and usage mix.
- Encouraging the formulation or regulations that reflect the direction of the Folsom General Plan and add a qualitative direction for new developments in support of General Plan Policies.
- Providing guidance for increasing density with greater attention paid to amenities.
- Creation of interconnected and livable communities.
- Minimizing the impact of parking within existing or planned neighborhoods.

In terms of architecture and design, the Design Guidelines for Multi-Family Development recommend that multi-family projects be designed in a manner that compliments the surrounding community. The following are some of the specific design recommendations suggested by the Design Guidelines:

- Variety and distinctness in design are desirable
- Expanses of uninterrupted wall area, unbroken roof forms, and box-like structures shall be prohibited. Balconies, porches, bay windows, chimneys, and other design elements with projections and varied setbacks shall be used to break up the physical characteristics of structures.
- Separations and changes in the height of roof planes shall be used to visually separate the units. Articulation such as roof dormers, hips, gables, balconies, wall projections, and porches shall be used to break up the visual massing of building facades.
- The use of a variety and combination of building materials is encouraged. Building materials selected for multi-family projects shall be very durable and require low maintenance including, but not limited to, stucco, stone, and brick. Building materials shall integrate quality design elements consistent with the design of the development and the surrounding neighborhood.
- Predominant roof materials shall be of high quality, durable material such as, but not limited to, clay or concrete roof tiles and asphalt shingles.
- Exterior building colors shall be compatible with the surrounding neighborhood setting and shall not be out of character or in visual competition with the existing surrounding design elements.
- All accessory structures, including carports, garages, and solid waste enclosures, shall be designed with materials and in a manner consistent with the architectural design characteristics of the development.

As illustrated on the building elevations and color renderings (Attachments 16 and 17), the proposed apartment building incorporates many of the key design features recommended by the Design Guidelines including the use of rectilinear building shapes to create a sense of depth, use of varied forms and projections to create visual relief, use of staggered rooftop elements to break up the mass of the building, and the inclusion of unique design details to reinforce the residential design theme of the building.

As shown on the color and materials board (Attachment 19), the proposed project utilizes a variety of modern residential building materials to enhance the appearance of the building including the use of stucco on the walls, brick veneer wainscoting, board and batten siding, wrought-iron railings, and composition shingle roofing material. As

recommended by the Design Guidelines, the proposed project features a natural color scheme with extensive use of earth tone colors including various shades of brown complimented with more vibrant white and reddish colors.

In evaluating the architecture and design of the proposed project, staff also took into consideration the compatibility of the proposed apartment building relative to existing single-family and multi-family structures in the immediate project area. The individuals potentially most impacted by the design of the proposed apartment building reside in single-family residences located in the Cimarron Hills Subdivision directly adjacent to the project site to the east. The Cimarron Hills Subdivision, which was developed in the early 1980s, features a mixture of 95 one and two-story homes. The single-family residences within the Cimarron Hills Subdivision have a zoning designation of R-1-ML (Single-Family Dwelling, Medium Lot District), which allows for development of a residence that is a maximum of 2.5 stories tall, but not to exceed 35 feet.

The next closest individuals that have the potential to be impacted by the proposed project are a series of multi-family residences (combination of duplex and fourplex units) located on the north side of Montrose Drive, approximately 317 feet to the south of the project site across an overhead transmission line corridor. The multi-family residences located along the north side of Montrose Drive, which were developed in the 1960s and 1970s for the most part, include a mixture of one and two-story structures. These multi-family residences along Montrose Drive have zoning designations of R-2 (Two-Family Residence District) and R-4 (General Apartment District), which allow for development of residential structures that are a maximum of 2.5 stories tall, but not to exceed 35 feet and four-stories, but not to exceed 50 feet in height respectively.

As mentioned in the Project Description section of this staff report, the applicant is requesting approval of a density bonus concession to allow the proposed apartment building to exceed two-stories in height (proposed apartment building is three-stories tall and 34 feet in height with architectural features extending to 42-feet 6-inches). According to the applicant, the architecture and design of the apartment building was crafted purposefully to compliment the design, architecture, building materials, and colors of existing single-family and multi-family residence in the surrounding neighborhoods. In addition, placement and orientation of the three-story apartment building was designed to preserve key open space areas that contain numerous oak trees, while also recognizing the unique topographical and physical features (drainage channel, etc.) present on the project site.

The building site sections on the following page demonstrate the site and building relationship between the proposed apartment building and adjacent single-family residences to the east on Cimarron Drive.

FIGURE 7: BUILDING SITE SECTION (CIMMARRON HILLS-NORTH)

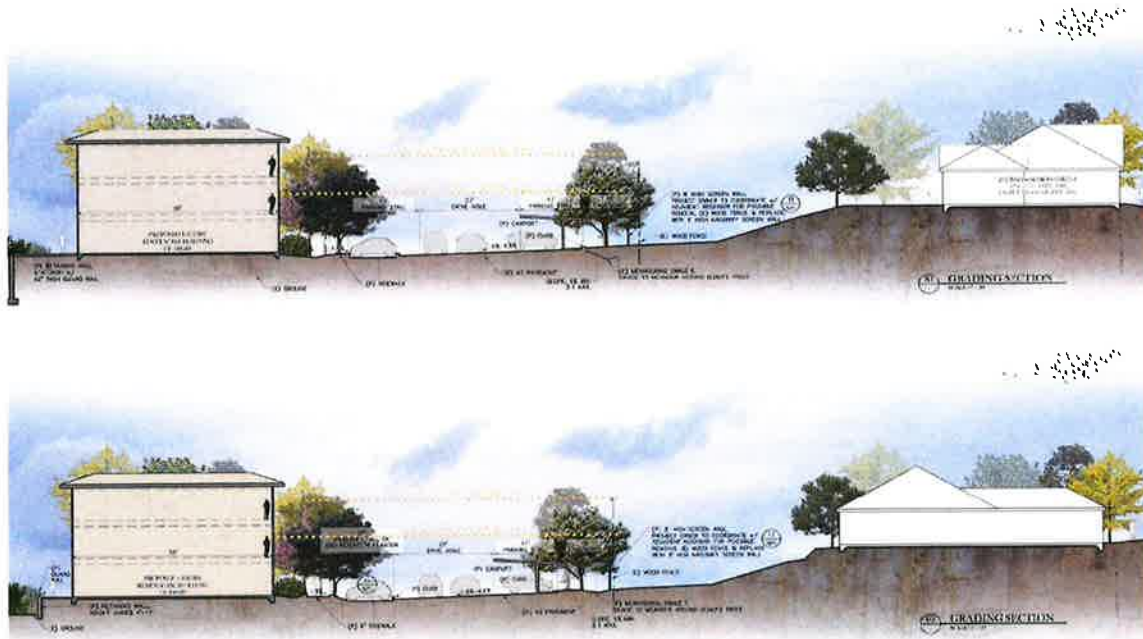
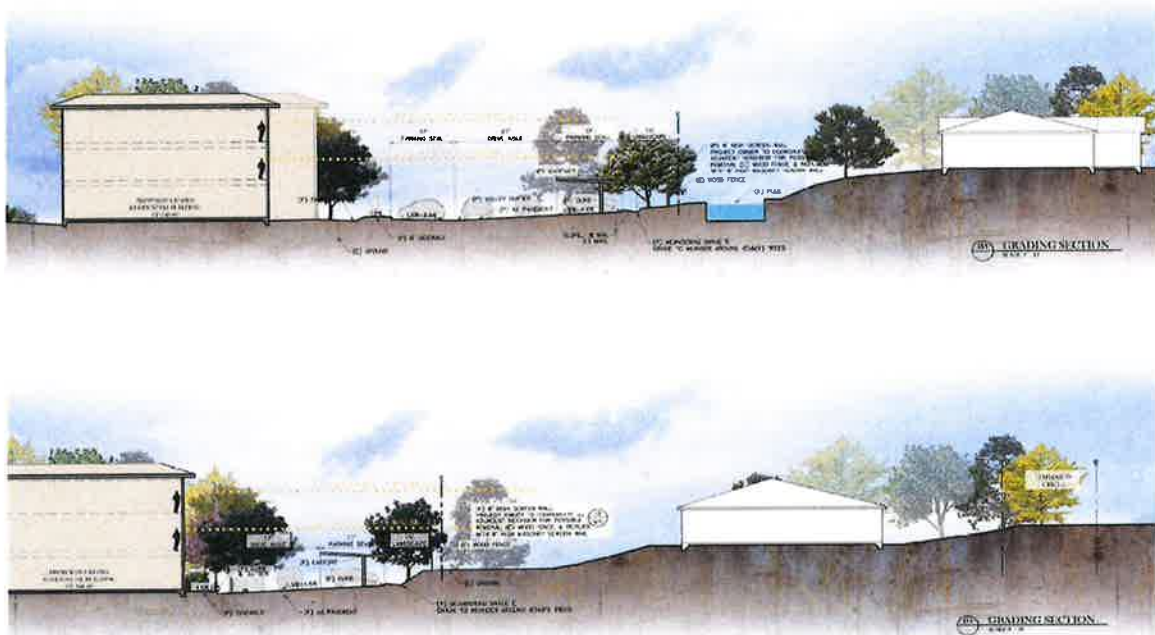


FIGURE 8: BUILDING SITE SECTION (CIMARRON HILLS-SOUTH)





As shown on the site sections and on the submitted development plans, there are a number of factors that will minimize the visual impact of the proposed three-story apartment building relative to the adjacent single-family residences on Cimarron Circle including grade differential, building separation, existing and proposed landscaping, proposed walls, and building orientation. In relation to grade differential, the finished pad elevation of the apartment building is 346 feet msl (above mean sea level) while the pad elevation for adjacent single family residences ranges from 355 to 360 feet msl. The visual impact associated with this grade differential is that the proposed apartment building will appear to be a two-story tall structure as viewed from the first floor of the single-family residences to the east. With regard to building separation, the proposed apartment building has setbacks that range from approximately 68 to 95 feet from the eastern property boundary and setbacks that range from approximately 128 to 165 feet from the single-family residences to the east on Cimarron Circle.

As shown on the building site section and submitted landscape plans (Attachment 10), there are a number of existing trees on the project site along the eastern project boundary that will be preserved. In addition, the proposed project includes the planting of a significant number of trees (24-inch box evergreen trees) within a 15-foot-wide landscape buffer along the eastern project boundary. The combination of existing trees and new tree plantings along the eastern project boundary will create a natural vegetative screen between the project site and the residential properties to the east. With regard to walls, the proposed project includes construction of a decorative 8-foot-tall masonry wall along the entire eastern project boundary which will reduce the visual impact of the three-story apartment building, while also providing for additional privacy for residents of the adjacent single-family residences to the east. Lastly, the proposed apartment building has been designed with two wings oriented at an approximately 45-degree angle, further breaking up the length and massing of the building and minimizing potential visual impacts to adjacent single-family residences.

As mentioned previously, the proposed project is also located in relatively close proximity to a series of multi-family residences situated along the north side of Montrose Drive creating potential visual impacts. The proposed three-story apartment building, which is separated from the multi-family residences by a 190-foot-wide overhead transmission line corridor, is located approximately 317 feet from the nearest multi-family residence along Montrose Drive resulting a substantial physical buffer between the properties. In addition, there is a significant grade differential between the proposed apartment building (346 feet msl) and the multi-family residences (approximately 360 feet msl) to the south, further reducing potential visual impacts associated with the proposed apartment building.

Based on the aforementioned analysis, staff has determined that the proposed project represents a high-quality design that is consistent with the design recommendations of the Design Guidelines for Multi-Family Development. In addition, staff has determined that the project design is complimentary to the design of existing residential buildings in the immediate project area. As a result, staff recommends approval of the applicant's design with the following conditions:

1. This approval is for a three-story apartment building totaling 111,755 square feet associated with the Vintage Apartments project. The applicant shall submit building plans that comply with this approval and the attached building elevations and color renderings dated June 3, 2022.
2. The design, materials, and colors of the proposed Vintage Senior Apartments building shall be consistent with the submitted building elevations, color renderings, materials samples, and color scheme to the satisfaction of the Community Development Department.
3. Brick pavers or another type of colored masonry material (ADA compliant) shall be used to designate pedestrian crosswalks on the project site, in addition to where pedestrian paths cross drive aisles, and shall be incorporated as a design feature at the driveway entrances at East Natoma Street to the satisfaction of the Community Development Department.
4. Roof-mounted mechanical equipment, including satellite dish antennas, shall not extend above the height of the parapet walls. Ground-mounted mechanical equipment shall be shielded by landscaping or trellis type features.
5. Utility equipment such as transformers, electric and gas meters, electrical panels, and junction boxes shall be screened by walls and or landscaping.

These recommendations are included in the conditions of approval (Condition No. 60) presented for consideration by the Planning Commission.

#### **D. Density Bonus**

As mentioned in the Project Description section of this staff report, the applicant is requesting approval of a Density Bonus to allow development of the senior affordable apartment project at a residential density of 28 units per acre. In addition, the applicant is seeking to be granted three incentives/concessions including establishing a parking ratio of one parking space per apartment unit, increasing the maximum building height from 35 feet to 42-feet 6-inches, and increasing the maximum number of building stories from 2 stories to 3 stories.

The State Density Bonus Law (Government Code section 65915) requires the City to grant one density bonus and, if requested by the applicant and consistent with applicable requirements, specified numbers of incentives or concessions, waivers or reductions of development standards, and reduced parking ratios, all based on the percentage of affordable units in the housing development.

Similarly, the Density Bonus chapter of the Folsom Municipal Code (FMC, Chapter 17.102 Density Bonus and Other Developer Incentives) is intended to provide incentives for the production of affordable housing opportunities within the City for very low-income, low-



income, and moderate-income households and seniors. Section 17.102.030 (Implementation) of the Folsom Municipal Code states that the City shall grant a density bonus to an applicant of a housing development consisting of five or more units who agrees to provide the following:

- a) At least ten percent of the total units of a housing development for low-income households; or
- b) At least five percent of the total units of a housing development for very low-income households; or
- c) A senior citizen housing development.

The proposed project includes development a 136-unit senior affordable apartment community which includes 122 units (90%) being made available to Low Income individuals (incomes at or below 60% of the Sacramento area median income (AMI)) and 14 units (10%) made available to Very Low Income individuals (income at or below 50% of AMI). Based on this information, staff has determined that the proposed project meets all three of the criteria listed above and qualifies for granting of a Density Bonus by the City. The State Density Bonus Law also requires that the rental units must remain affordable for 55 years or longer. Condition No. 4 is included to reflect this requirement.

State law defines "density bonus" as "a density increase over the otherwise maximum allowable gross residential density as of the date of application by the applicant to the city." (Government Code § 65915(f).) However, a housing development project can qualify for a density bonus, and all associated incentives, concessions, etc. even if it includes "no increase in density". ((Government Code § 65915(f).) The amount of density increase to which an applicant is entitled varies depending on the percentage of affordable housing units in the development.

In this case, the subject property does not have an assigned density, per se, because it is zoned BP. The maximum allowable density under the General Plan is 30 dwelling units per acre, and this project is below that, at 28 dwelling units per acre. Accordingly, no density increase is requested as a part of this project. As mentioned above, however, the applicant is still eligible for incentives/concessions under the density bonus law. (Government Code § 65915(f).)

In addition to the available density increase, State Density Bonus Law (Government Code section 65915) and the Density Bonus chapter of the Folsom Municipal Code (FMC, Section 17.102.030) provide an applicant with incentives/concessions, waivers or reductions of development standards, and reduced parking ratios in return for the development of senior or affordable housing units. The State Density Bonus Law states that an applicant shall receive four incentives/concessions if 100% of all units in the development, including total units and density bonus units, but excluding a manager's unit, are for lower income households. (Government Code § 65919(d)(2)(D),

65915(b)(1)(G).) In this particular case, all of the 136 apartment units are considered affordable with 90% of the units being restricted to Low-Income households and 10% of the units being restricted to Very Low-Income households. As a result, staff has determined that the applicant is eligible for four incentives/concessions, but the applicant has only requested three.

The first incentive/concession that the applicant is requesting is the establishment of a parking ratio of one parking space per each apartment unit for the Vintage Senior Apartment Community. As discussed later within the Parking section of this staff report, there is no established parking standard in the Folsom Municipal Code for senior affordable apartment community projects. As a result, the parking standard for senior affordable apartment projects is established through the Planning Development Permit process. The applicant has provided documentation (Parking Study-Attachment 23 and Parking Memorandum-Attachment 24) that makes a justification for the requested 1:1 parking ratio for the proposed project. Staff has evaluated the aforementioned supplemental parking information and conducted its own parking analysis (Parking section of staff report) and determined that a 1:1 parking ratio is adequate to serve the proposed project. The requested 1:1 parking ratio also complies with the limits placed on the City's ability to require specific parking ratios for affordable housing projects by the State Density Bonus Law. (Government Code § 65915(p).) As a result, staff is supportive of the proposed incentive/concession to establish a parking ratio of one parking space per each apartment unit for the Vintage Senior Apartments project.

The second incentive/concession being requested is to allow for an increase in the maximum building height of the apartment building from 35 feet to 42-feet 6-inches. As discussed previously within the Planned Development Permit section of this staff report, the proposed three-story apartment building is 34 feet in height (primary roof height) with architectural features that extend up to 42-feet 6-inches in height. The proposed building height is consistent with the maximum building height standard of 35 feet established for the BP zoning district in which the subject property is located. In addition, the proposed project is consistent with the building height exception established by the Folsom Municipal Code (FMC, Section 17.58.080 Height Exceptions) for architectural features extending above the primary roofline with certain project-related architectural features extending up to 7-feet 6-inches above primary roof line (42-feet 6-inches above grade), whereas architectural features are permitted to extend up to 25 feet above the height limited established for particular zoning district. The applicant may not need an incentive/concession under the Density Bonus Law to obtain approval of the requested building height, given the requirements in the Folsom Municipal Code described above. However, the applicant has requested the incentive/concession and staff has determined that the project is eligible for it under the Density Bonus Law. Based on the fact that the proposed project is consistent with the established standard for maximum building height for the BP zoning district, staff is supportive of the requested incentive/concession for the primary building height to be 34 feet, with architectural features extending up to 42-feet 6-inches.

The third and last incentive/concession requested includes a request to increase the maximum number of building stories from 2 stories to 3 stories. According to the applicant, the increase of the apartment building from 2 to 3-stories is necessitated by the desire to avoid key open space areas on the project site, preserve protected oak trees, and work within the unique topographical and physical features (elevation changes, drainage channel, etc.) present on the project site. As mentioned previously within the Planned Development Permit section of this staff report, the apartment building has a primary roof height of 34 feet which is consistent with the maximum height standard established for the BP zoning district (adjacent Cimarron Hills Subdivision has same maximum height requirement of 35 feet). In addition, the project site is at a substantially lower elevation than the adjacent residential properties, further minimizing the potential visual impacts associated with the proposed three-story apartment. Based on this information, staff is supportive of the third incentive/concession to increase the building height from 2-stories to 3-stories for the proposed Vintage Senior Apartments project.

In summary, staff has determined that the applicant's Density Bonus request to create a residential density on the subject property of 28-units per acre is consistent with the requirements of the State Density Bonus Law and the Folsom Municipal Code. In addition, staff has determined that the applicant is eligible for four incentives/concessions based on the affordable composition (100% affordable to Low and Very Low-Income Households) of proposed apartment project. Staff is also supportive of the three proposed incentives/concessions relative to parking ratios, building height, and building stories. Lastly, it is important to acknowledge that each of the incentives/concessions requested by the applicant are somewhat redundant in that City staff is supportive of the proposed parking ratio, building height, and number of building stories as discussed in the Conditional Use Permit and Planned Development Permit sections of this staff report. However, the applicant felt strongly that the Density Bonus request was integral to their moving forward with the proposed Vintage Senior Apartments project, especially given the challenges facing development of affordable housing in the region and the State.

Under Government Code section 65915(d)(1) of the State Density Bonus Law, the City must grant the requested incentives, concessions, waivers or reductions of development standards, and reduced parking ratio unless, one or more of the following findings are made, based upon substantial evidence:

- The concession or incentive does not result in identifiable and actual cost reductions... to provide for affordable housing costs.
- The concession or incentive would have a specific, adverse impact [defined as a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. The following shall not constitute a specific, adverse impact upon the public health or safety: (A) inconsistency with the zoning ordinance or general plan land use designation; (B) the eligibility to claim a welfare

exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code (Gov. Code § 65589.5(d)(2)] upon public health and safety or on any real property that is listed in the California Register or Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.

- The concession or incentive would be contrary to state or federal law.

The project applicant may initiate judicial proceedings if the City refuses to grant a requested density bonus, incentive, or concession. (Government Code § 65915(d)(3).) In such a proceeding, the City bears the burden of proof for the denial of a requested concession or incentive. (Government Code § 65915(d)(4).)

Staff is not aware of information supporting any of the above-referenced findings in this case.

Staff has determined that the requested density bonus and the requested incentives/concessions should be granted.

## **E. Traffic/Access/Circulation**

### Existing Roadway Network

The project site is located on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road. Significant roadways in the project vicinity include Natoma Street/East Natoma Street and Prison Road. Natoma Street/East Natoma Street provides connectivity between Folsom Boulevard to the west and Empire Ranch Road to the east. In the vicinity of the project, Natoma Street/East Natoma Street is minor two-lane arterial roadway with a posted speed limit of 35-mph. Prison Road is a two-lane north-south roadway that provides access between East Natoma Street and Folsom State Prison.

The traffic, access, and circulation analysis associated with the proposed project is based on the results of a Transportation Impact Study (Attachment 22) that was prepared in July 2022 by T. Kear Transportation Planning and Management, Inc. The Transportation Study analyzed traffic operations at the following two study intersections in the vicinity of the project site:

- East Natoma Street/Prison Road
- East Natoma Street/Eastern Project Driveway

Two different scenarios were evaluated in reviewing traffic operations at the two study intersections including Existing 2022 without Project Condition and Existing 2022 with Project Condition.



The proposed Vintage Senior Apartments project is expected to generate a total of 39 vehicle trips during the weekday AM peak hour (17 inbound and 22 outbound) and 41 vehicle trips during the weekday PM peak hour (22 inbound and 19 outbound). Overall, the proposed project is projected to generate a total of 441 daily vehicle trips. Based on the relatively low volume of project-related vehicle trips, the Transportation Study concluded that the proposed project would not have a significant impact on vehicle level of service (LOS) at either of the two study intersections. In addition, the Transportation Study determined that the proposed project would not have a significant impact relative to Vehicle Miles Traveled (VMT) as the project is projected to be at least 15% less than the regional per capita VMT. It is interesting to note that the proposed project is expected to generate less AM peak hour and PM peak hour vehicle trips than the previously approved office project (Montara Grove Office Park) on the subject site.

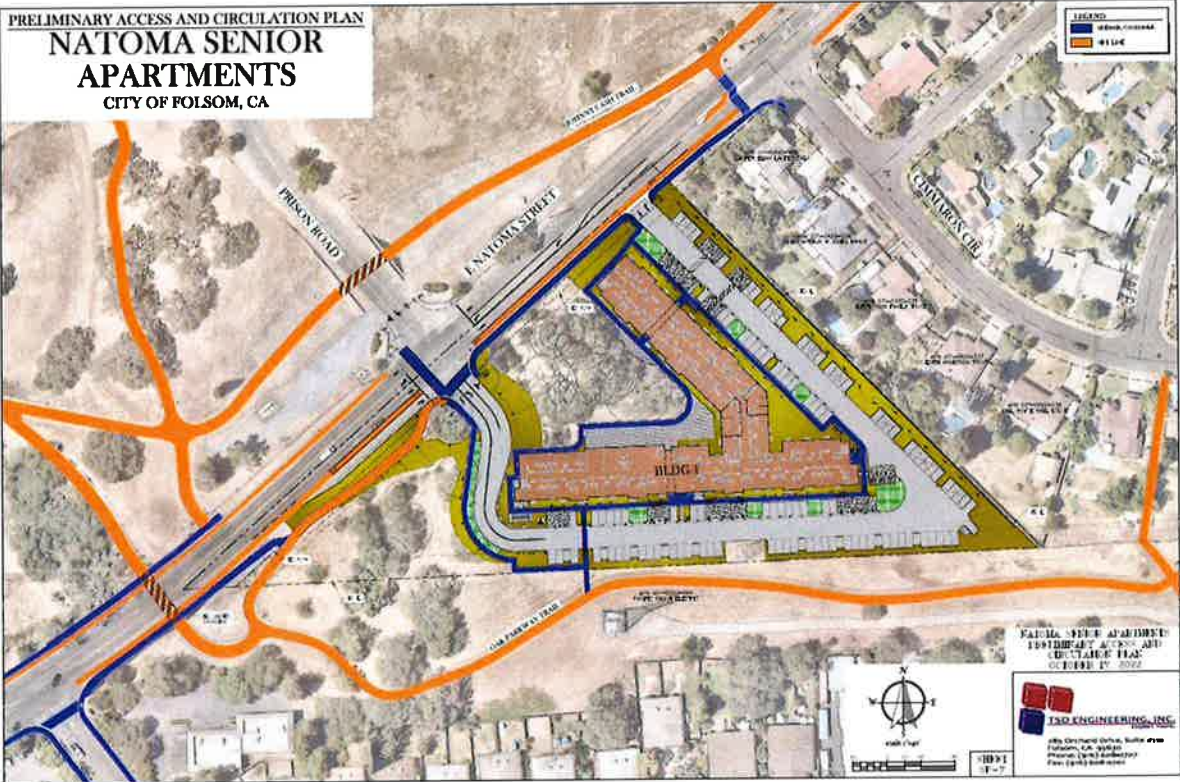
#### Project Access and On-Site Circulation

As shown on the submitted site plan (Attachment 6), primary vehicle access to the project site is provided by a new full-access driveway located on the south side of East Natoma Street at the signalized intersection of East Natoma Street and Prison Road. Installation of the primary driveway will require modification of the existing three-way signalized intersection at East Natoma Street and Prison Road to convert it into a four-way signalized intersection. Secondary access to the project site is provided by a new driveway on the south side of East Natoma Street, approximately 250 feet to the east of the proposed primary driveway. The secondary driveway, which will feature Stop-sign control for exiting vehicles, will be limited to right-turns in and right-turn out only.

Proposed internal vehicle circulation consists of a single 27-foot-wide drive aisle that loops around the project site and connects the two project driveways. Pedestrian and bicycle access and circulation is provided by realignment of an existing Class I bicycle trail, existing Class III bicycle lanes on East Natoma Street, construction of a new sidewalk along the south side of East Natoma Street, installation of new internal sidewalks and walkways throughout the project site, and construction of a pedestrian/bicycle connection from the project site to an existing Class I bicycle trail located south of the project site. The preliminary access and circulation plan is shown in Figure 9 on the following page.

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

FIGURE 9: PRELIMINARY ACCESS AND CIRCULATION PLAN

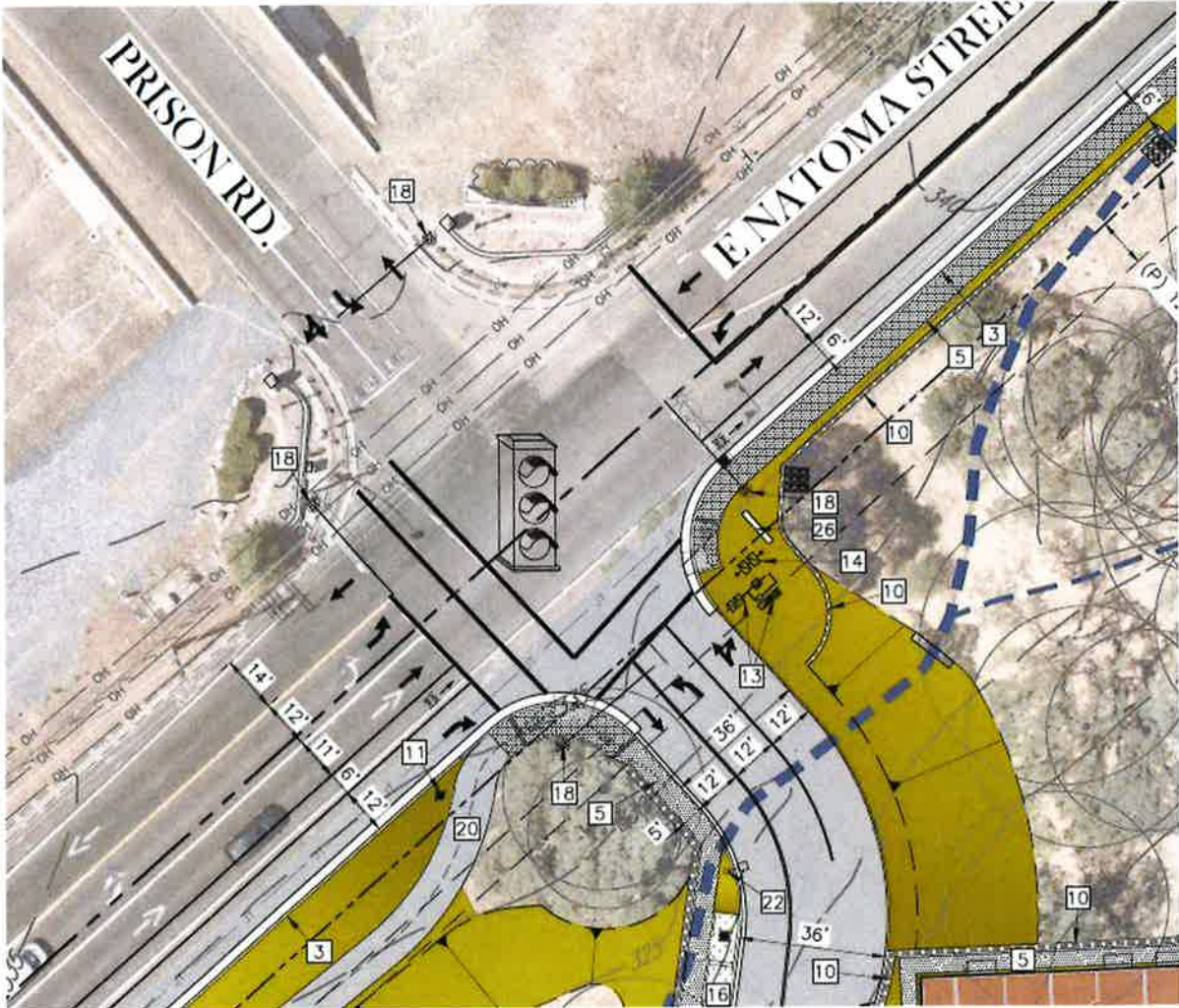


The Transportation Study prepared for the proposed project also evaluated the operation and configuration of the project access system in terms of driveway geometry, driveway access, driveway throat depth, vehicle queuing, vehicle accident history, and bicycle and pedestrian safety. Shown in the figures on the following pages are the proposed access driveways and their configuration.



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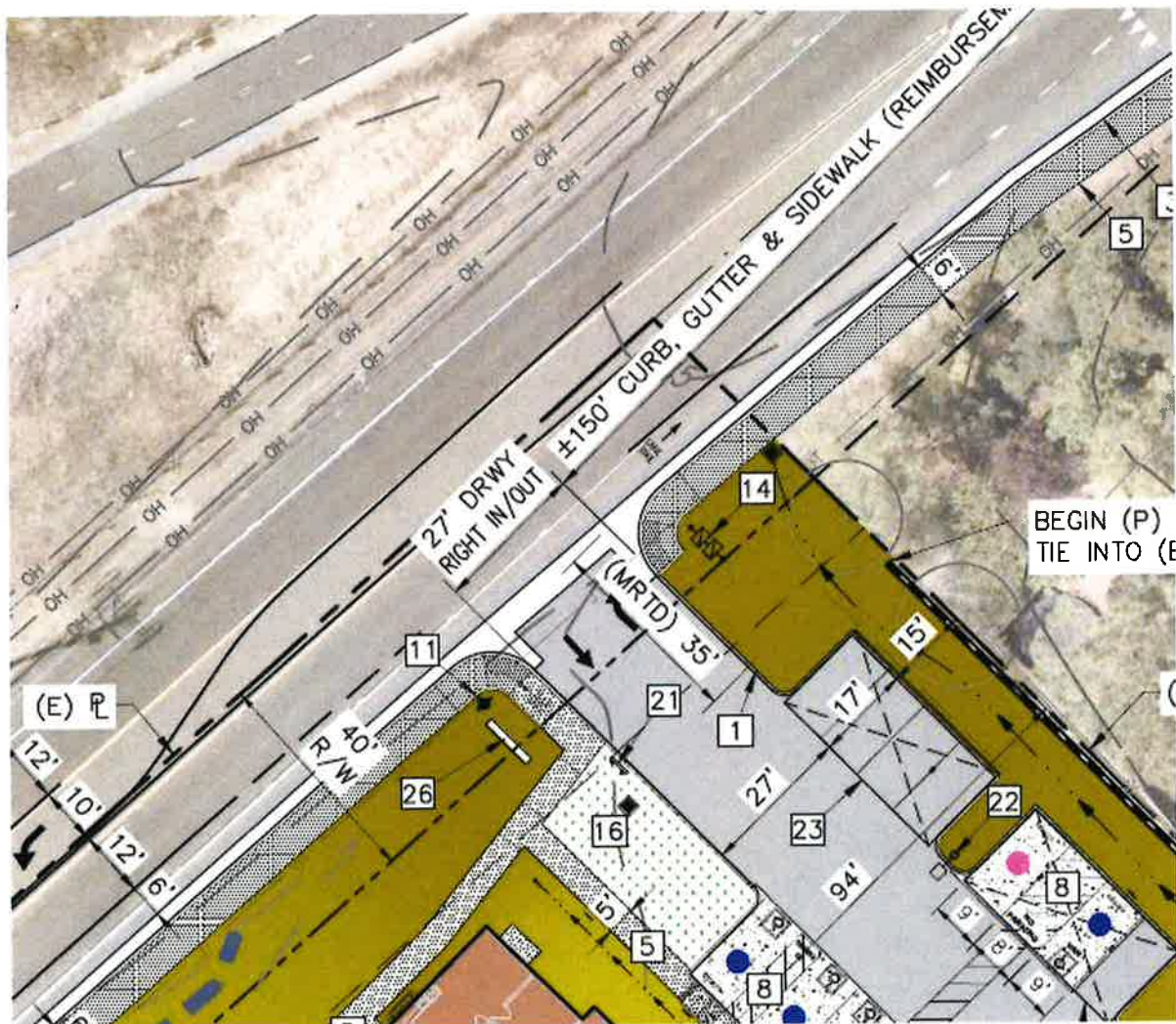
FIGURE 10: PRIMARY PROJECT ACCESS DRIVEWAY





Planning Commission  
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FIGURE 11: SECONDARY PROJECT ACCESS DRIVEWAY



In relation to driveway geometry, City standards require that a 60-foot right-turn taper be provided when there are 10 or more vehicles making a right-turn movements into a driveway during the AM (7:00 a.m. to 9:00 a.m.) or PM (4:00 p.m. to 6:00 p.m.) peak hours, with a 150-foot right-turn pocket plus 60-foot taper being required when there are 50 or more right-turn movements into a driveway. The Transportation Study determined that neither of the project driveways will have more than 10 right-turn vehicle movements, thus neither of the turn-pocket improvements reference above are required. With that said, the proposed project does include construction of a 150-foot right-turn pocket with 60-foot taper on the eastbound approach to Prison Road from East Natoma Street. The proposed project also includes construction of a 100-foot left-turn pocket with 60-foot taper on the westbound approach to Prison Road from East Natoma Street. The secondary project driveway, which is located approximately 250 feet east of the primary

project driveway, is proposed to be limited to right-turn in and right-turn out movements only. To ensure that vehicle movements at the secondary project driveway are limited to right-turn in and right-turn out movements, the Transportation Study recommends that a raised median be constructed within Natoma Street and a right-turn channelization taper be constructed at the secondary project driveway to prevent left-turns into the project site from westbound East Natoma Street and left-turns out of the project site onto westbound East Natoma Street. Otherwise, the Transportation Study determined that the proposed geometry and access for the two project driveways was adequate.

The Folsom Design and Procedures Manual indicates that the required minimum driveway throat depth for an 81-161-unit multi-family residential apartment development is 50 feet for a single project driveway or the sum of 50 feet when there are multiple project driveways. As shown on the submitted site plan (Attachment 6), the primary project driveway has a throat depth of 50 feet, while the secondary project driveway has a throat depth of 25 feet (sum of 75 feet). Based on this information, the Transportation Study concluded that the driveway throat depth for the two project driveways was adequate to serve the apartment project. The Transportation Study also determined that there was sufficient vehicle storage available in the proposed left-turn pocket into the project site from westbound East Natoma Street and out of the project site from the primary project driveway onto westbound East Natoma Street.

The Transportation Study evaluated potential geometric constraints and safety issues associated with development of the proposed apartment project including driveway spacing, sight vision triangles, and Statewide Integrated Traffic Records System (SWITRS) collision data. The Study determined that the project-related driveway spacing, throat depth, and corner sight-distance are all adequate. In terms of reported vehicle accidents in close proximity to the project site, the Study found that there have been three vehicle accidents within the past five years including a rear-end collision on eastbound East Natoma Street at Prison Road and two driving under the influence (DUI) incidents (vehicle sideswiped/vehicle overturned). Based on this data, the Study concluded that these types of vehicle accident varieties would not be exacerbated with development of the proposed project and that no traffic safety treatments are warranted.

The Transportation Study evaluated bicycle and pedestrian safety relative to existing and proposed improvements to bicycle and pedestrian circulation associated with the proposed project. Pedestrian and bicycle access and circulation improvements tied to the proposed project include realignment of an existing Class I bicycle trail located in the northwest portion of the project site, restriping of existing Class III bicycle lanes on East Natoma Street, construction of a new sidewalk along the south side of East Natoma Street, installation of new internal sidewalks and walkways throughout the project site, and construction of a pedestrian/bicycle connection from the project site to an existing Class I bicycle trail (Oak Avenue Parkway Trail) located south of the project site. The Study determined that the proposed project would not result in any bicycle or pedestrian safety-related impacts.

To ensure implementation of the traffic control measures identified on the submitted site plan and recommended by the Transportation Impact Study, staff recommends the following recommendations be included as conditions of approval for the project (Condition No. 53)

East Natoma Street (Eastbound)

- The owner/applicant shall construct a 150-foot right-turn pocket with 60-foot taper on the eastbound approach to Prison Road from East Natoma Street. The existing bike trail shall be relocated to accommodate the right-turn lane. The relocated bike trail shall be placed in a dedicated pedestrian access and trail easement which shall be recorded prior to plan approval. With this proposed modification, the eastbound approach to Prison Road from East Natoma Street shall include one left-turn lane, one thru lane, and one right-turn lane.

East Natoma Street (Westbound)

- The owner/applicant shall construct a 100-foot left-turn pocket with a raised median with a 60-foot taper on the westbound approach to Prison Road from East Natoma Street. The median shall allow emergency vehicle access/egress and the modifications required for emergency vehicle access/egress shall be approved by the City of Folsom Fire Department. With these proposed modifications, the westbound approach to Prison Road from East Natoma Street shall include one shared thru/right-turn lane and one left-turn lane.

Prison Road (Southbound)

- Prior to entering State property, the contractor shall execute a right-of-entry agreement with the State of California, Department of Corrections.
- The owner/applicant shall restripe the existing right-turn lane at the southbound approach to East Natoma Street from Prison Road to indicate that this lane is a shared thru and right-turn lane. The existing dedicated left-turn lane shall remain as currently striped.

Primary Project Driveway (East Natoma Street)

- The owner/applicant shall construct a shared thru/right-turn lane and a dedicated left-turn lane at the northbound approach to East Natoma Street at the primary project driveway. The shared thru/right-turn lane and dedicated left-turn lane shall include a 70-foot turn pocket and a 60-foot taper.

Secondary Project Driveway (East Natoma Street)

- The owner/applicant shall construct a raised median within Natoma Street and a right-turn channelization taper at the secondary project driveway to prevent left-turns into the project site from westbound East Natoma Street and left-turns out of the project site onto westbound East Natoma Street to the satisfaction of the Community Development Department.



- The owner/applicant shall install "Stop" signs, appropriate pavement markings, and signage at the secondary project exit at East Natoma Street.

#### East Natoma Street/Prison Road Traffic Signal and Signal Timing

- The owner/applicant shall construct a traffic signal at the fourth leg of the intersection of East Natoma Street and Prison Road and modify all existing traffic signal improvements to the satisfaction of the Community Development Department.
- The owner/applicant shall coordinate retiming the traffic signal at the intersection of East Natoma Street and Prison Road as follows:
  - Eastbound and westbound protected left turn phasing, northbound and southbound split phasing. 150 second cycle length, with 34 second northbound southbound split phases and 20 second eastbound and westbound protected phases, and 62 second eastbound and westbound through phases. Crosswalks shall be set to 22 seconds to accommodate a 3 feet per second walking speed.

#### East Natoma Street Frontage Improvements

- The owner/applicant shall install curbs, gutter, a bicycle lane, and sidewalks along the project's frontage with East Natoma Street as shown on the submitted site plan. In addition, the owner/applicant shall construct curbs, gutters, a bicycle lane, and sidewalks from the project's eastern boundary approximately 120-feet to the east to connect to the existing off-site sidewalk and associated improvements. The owner/applicant shall enter into a credit reimbursement agreement with the City to cover the costs of these off-site frontage improvements.

The previous City of Folsom General Plan (1988) contemplated the extension of Oak Avenue Parkway from Willow Creek Drive to Natoma Street, with a further extension of Oak Avenue Parkway from East Natoma Street across the American River via bridge to Grant Lane. To facilitate the potential extension of Oak Avenue Parkway, the City obtained access easements from a number of properties located along the Oak Avenue Parkway Trail between Willow Creek Drive and East Natoma Street. The current City of Folsom General Plan (2035) did not envision the extension of Oak Avenue Parkway from Willow Creek Drive to East Natoma Street as evidenced by the General Plan Circulation Exhibit. In addition, the Circulation Exhibit does not include a new bridge crossing in the vicinity of East Natoma Street and Prison Road. With the fairly recent construction of the Folsom Lake Crossing Bridge over the American River just below Folsom Dam, it is also highly unlikely that the City would entertain the idea of constructing another bridge crossing in this area. As a result, the City is not requiring the Vintage Senior Apartments project to provide a Intend of Dedication (IOD) along the southern portion of their property to accommodate future extension of Oak Avenue Parkway,

## F. Parking

As noted earlier within this report, the Vintage Senior Apartments project includes development of a three-story apartment building that feature 98 one-bedroom units and 38 two-bedroom units. Parking will be provided for 136 cars in off-street parking spaces located adjacent to the apartment building. The parking supply, which consists of 99 uncovered parking spaces and 37 covered carport parking spaces, features 20 accessible parking spaces and 14 electric vehicle capable parking spaces.

The Folsom Municipal Code (FMC, Chapter 17.58) does not include specific parking standards for senior (60+) residential apartment uses. Standard apartment parking requirements are not appropriate because a variety of factors cause age-restricted affordable senior complexes to vary in demand and to require less parking than standard apartment complexes, including: smaller household size, fewer residents own vehicles, and average age of residents. In addition, vehicle use is also expected to be reduced based on the close proximity of the project site to restaurants, retail shops, and public transportation.

To assist staff with the analysis of the project's parking needs, the applicant was required to provide a parking analysis/justification. A Parking Memorandum (Attachment 23) and Parking Case Study (Attachment 24) for the Vintage Senior Apartments project were prepared by the Transpogroup and FPI Management respectively on October 17, 2022 and January 3, 2023. The purpose of the Parking Memorandum was to determine an appropriate parking supply for the proposed project based on data from previously approved senior apartment projects in the City, data from similar senior apartment projects in the Sacramento region, and data from parking demand rates established by the ITE Parking Generation Manual.

The Parking Memorandum compared the parking proposed for the Vintage Senior Apartments with the parking ratios approved for other previously approved senior apartment projects within the City including the Scholar Way Senior Apartments, Avenida Senior Apartments, and Revel Senior Apartments. The approved parking ratios for the three aforementioned projects ranged from 0.81 to 1.09 parking spaces per apartment unit, with the proposed project falling within that range at 1.00 parking space per unit. It is important to acknowledge that the Scholar Way and Avenida senior projects are currently under construction so no real time parking data is available. The Revel Senior Apartments project, which is currently constructed and approximately 25% occupied, is currently parking at a ratio of approximately 0.60 parking spaces per unit based on recent information provided by the property manager.

The Parking Memorandum also evaluated parking data from six other similar senior apartment projects in the Sacramento region. The approved parking ratios for the six aforementioned apartment projects ranged from 0.50 to 0.92 parking spaces per apartment unit. An observed parked car to apartment unit ratio was also conducted for these apartment projects, which entailed counting and actual number of cars parked



within an apartment project as compared to the total number of available parking spaces. The observed parked car to apartment unit ratio ranged from 0.32 to 0.55.

The Parking Memorandum considered recommended parking ratios provided by the ITE Parking Generation Rate Manual (5<sup>th</sup> edition, 2019), which provides the average and the 85th percentile weekday parking generation rates for "Senior Adult Attached Housing." Specifically, the ITE Parking Generation publication documents an average peak parking demand ratio of 0.61 parking spaces per unit and an 85th-percentile value of 0.68 parking spaces per unit. Using these parking generation rates with the 136 proposed apartment units, the total parking stalls required for the project would range between 83 and 92 spaces, with a peak parking demand of 83 parking spaces.

In addition, in the Parking Memorandum, the applicant provided a Parking Case Study which provided a real-time evaluation at seven existing Vintage Housing senior apartment communities located in suburban locations in California and Nevada. Listed in the table on the following page are the four apartment communities and their parking characteristics.

TABLE 2: VINTAGE HOUSING PARKING STANDARDS TABLE

<b>Parking Standards Table</b>			
<b>Approved Vintage Senior Apartment Communities</b>			
<b>Project Name</b>	<b>Apartment Units</b>	<b>Parking Provided</b>	<b>Parking Ratio</b>
<b>Proposed Project</b>	136 Units	136 Spaces	1.00 Spaces Per Unit
<b>Vintage at Bouquet Canyon (CA)</b>	264 Units	181 Spaces	0.69 Spaces Per Unit
<b>Vintage at the Crossings (NV)</b>	230 Units	175 Spaces	0.76 Spaces Per Unit
<b>Vintage at Sanctuary (NV)</b>	208 Units	100 Spaces	0.48 Spaces Per Unit
<b>Vintage at Seven Hills (NV)</b>	244 Units	244 Spaces	1.00 Spaces Per Unit
<b>Vintage at Bennett Valley (CA)</b>	189 Units	210 Spaces	1.11 Spaces Per Unit
<b>Vintage at Napa (CA)</b>	115 Units	62 Spaces	0.54 Spaces Per Unit
<b>Season at Laguna (CA)</b>	222 Units	158 Spaces	0.71 Spaces Per Unit

As shown in the table above, the proposed project is parked at the high end of the parking ratio established for other senior apartments communities owned by Vintage Housing. That being said, the Parking Case Study also included a discussion regarding parking supply adequacy at each of these apartment communities. The Case Study notes that the apartment communities (Vintage at Bouquet Canyon and Vintage at Sanctuary) with the lowest parking ratios are experiencing some challenges with available parking supply. However, the apartments communities with the higher parking ratios (Vintage at the Crossings and Vintage Hills) are not experiencing any issues with parking supply.

In addition to the Parking Analysis provided by the project applicant, City staff considered parking information provided by the National Parking Association (NPA) Shared Parking Model (2019) to calculate the recommended number of parking spaces for the proposed project. The NPA model projects parking between approximately the 85<sup>th</sup> and 95<sup>th</sup> percentile and parses out the recommended number of parking spaces for a project. The NPA model determined that the appropriate parking ratio for the proposed project is 0.85 parking spaces per unit during the weekday and 0.72 parking spaces per unit on weekends. Applying these parking ratios, the proposed project would be required to provide between 97 and 116 on-site parking spaces.

In reviewing the parking provided for the proposed project, City staff also took into consideration the availability of public transportation for use by residents of the Vintage Senior Apartments project. Sacramento Regional Transit (SACRT) provides bus service within the City of Folsom, including service to the immediate project area. Specifically, SACRT Bus Route 30, which has a bus stop located approximately 0.25 miles to the west of the project site on the north side of East Natoma Street (in front of Senior Center), features bus service that operates 10 times per day Monday through Friday. In addition to traditional bus service, SACRT offers SmART Ride on-demand microtransit service and GO Paratransit Service to residents of the City for local and regional trips.

Based on the above-referenced information and analyses, staff has determined that the 136 parking spaces (1.00 parking spaces per unit) proposed for the project will be sufficient to serve the needs of residents, employees, and visitors of the Vintage Senior Apartments project. It is important to note that there will be an on-site property manager residing in one of the apartment units.

The Folsom General Plan (2035) encourages the installation of electric vehicle charging stations in parking spaces throughout the City, prioritizing installations at multi-family residential developments. In addition, the City's Greenhouse Gas Reduction Strategy associated with the General Plan states that multi-family residential projects with 17 or more units are required to providing electric vehicle charging stations in at least 5% percent of the total number of parking spaces. As noted in the project description, the applicant is proposing to provide 14 electric vehicle capable parking spaces within the development, but no electric vehicle charging stations initially. To ensure consistency with the General Plan, staff recommends that a minimum of 7 (5% of 136 total parking spaces = 7 electric vehicle charging stations) of the 14 proposed electric vehicle charging spaces be equipped with electric vehicle charging stations with initial development of the proposed project. Condition No. 50 is included to reflect this requirement.

As shown on the submitted site plan (Attachment 6), the applicant is proposing to provide 28 bicycle parking spaces evenly distributed among bicycle racks located near the building's primary entrances on the north, south, and east elevations. Staff has determined that the proposed project meets the bicycle parking requirements established by the Folsom Municipal Code (FMC, Section 17.57.090) by providing 28 bicycle parking spaces whereas 27 bicycle parking spaces are required.

## **G. Noise/Vibration Impacts**

Based on the proximity of the project site to East Natoma Street as well as existing commercial, residential, and state land uses within the immediate project vicinity, acoustical measurements and modeling were prepared by Helix Environmental Planning on March 29, 2022 to analyze potential noise impacts at the proposed Vintage Senior Apartments project site. The purpose of the noise analysis was to quantify existing noise levels associated with traffic on East Natoma Street, and to compare those noise levels against the applicable City of Folsom noise standards for acceptable noise exposure at the project site. In addition, noise generated by the proposed project including construction activities, on-site parking/circulation, and mechanical equipment noise, were also evaluated in the noise analysis.

Two aspects of noise impacts were evaluated relative to the proposed apartment project, noise directed at the proposed project, and noise caused by the proposed project. As noted previously, the predominant existing noise sources in the project vicinity that may cause an impact to the project site are associated with vehicles traveling on East Natoma Street, as well as background noises from nearby commercial, residential, and state land uses. Potential noise impacts that might result from development of the Vintage Senior Apartments project community are construction-related activities and operational activities. Construction-related noise would have a short-term effect, while operational noise would continue throughout the lifetime of the project.

The Noise Element of the City of Folsom General Plan regulates noise emissions from public roadway traffic on new residential development or other noise sensitive land uses. The Noise Element states that noise from traffic on public roadways shall not exceed 65 CNEL for outdoor use areas and 45 CNEL for interior use areas. To evaluate such potential noise impacts to the proposed project, Helix Environmental conducted ambient noise measurements to calibrate the predictive noise modeling program that estimates noise levels based on estimated future traffic noise affecting the project site. The noise modeling program determined that the outdoor noise levels at the outdoor use areas on the project site would be less than 65 CNEL, thus no significant impact was identified. In addition, the noise modeling program determined that noise levels in the interior use areas of the apartment building would be less than 45 CNEL with implementation of standard building design and required construction techniques.

Construction of the Vintage Senior Apartments project would temporarily increase noise levels in the project vicinity during the construction period, which would take approximately 16 months. Construction activities, including site clearing, excavation, grading, building construction, and paving, would be considered an intermittent noise impact throughout the construction period of the project. The City's Noise Ordinance excludes construction activities from meeting the General Plan Noise Element standards, provided that all phases of construction are limited to the hours between 7:00 a.m. and 6:00 p.m. on weekdays, and between 8:00 a.m. and 5:00 p.m. on Saturdays. To ensure compliance with the City's Noise Control Ordinance and General Plan Noise Element,

staff recommends that hours of construction operation be limited from 7:00 a.m. to 6:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays with no construction permitted on Sundays or holidays. In addition, staff recommends that construction equipment be muffled and shrouded to minimize noise levels. Condition No. 56 is included to reflect these requirements.

Operational noises generated by the proposed project include sounds associated with new vehicle trips, vehicle parking, and mechanical equipment associated with the senior apartment community. Persons and activities potentially sensitive to noise in the project vicinity include residents within the Cimarron Hills Subdivision to the east and residents off of Montrose Drive to the south. Due to the limited volume of project-generated vehicle trips (441 daily vehicle trips), vehicle noise exposure would increase only slightly as compared to existing conditions in the project vicinity. Based on the residential nature of the proposed project and the limited number of project vehicle trips, staff has determined that potential noise impacts relative to these operational noise sources will not be significant.

A possible on-site source of vibration during project construction activities is a vibratory roller. A vibratory roller would primarily be used to achieve soil compaction as part of the foundation and paving construction, and for aggregate and asphalt compaction as part of project driveway and parking lot construction. To minimize potential impacts associated with ground vibrations caused by a vibratory roller, staff recommends, that the owner/applicant provide evidence to the City (via testing data or calculations from a qualified expert), demonstrating that vibratory rollers used on the project site will produce less than 80 VdB at nearby residences, or that all vibratory rollers shall be used in static mode only (no vibrations) when operating within 120 feet of a residence. Condition No. 57 is included to reflect this requirement.

## **H. Walls/Fencing**

As shown on the preliminary site plan (Attachment 6), preliminary grading and drainage plan (Attachment 8), and preliminary grading sections (Attachment 9), the proposed project includes construction of retaining walls, tubular metal fencing, and masonry screen walls on the project site. Retaining walls, which will feature decorative masonry construction and range from 1 to 14 feet in height, are proposed along portions of East Natoma Street, portions of the southern property boundary, and interior sections of the project site. Decorate metal guardrails (42-inch-tall) are proposed on top of the retaining walls for safety and aesthetic purposes. Lastly, an eight-foot-tall decorative, masonry screen wall is proposed along the eastern project boundary to provide a buffer between the proposed project and the single-family residences directly to the east. Staff recommends that decorative stone pilasters be integrated into the screen wall design at strategically placed locations to break up the long expanse of the wall and that a decorative trim cap be placed on top of the screen wall for its entire length. In addition, staff recommends that final location, design, height, materials, and colors of the retaining walls, metal fencing, and masonry screen walls be subject to review and approval by the



Community Development Department. Condition No. 59 is included to reflect these requirements.

### **I. Site Lighting**

As shown on the Preliminary Lighting Plan (Attachment 15), the applicant is proposing to use a combination of pole-mounted parking lot lighting, carport lighting, building-attached lighting, and bollard lights along the walkways on the project site. All lighting would be designed to minimize light/glare impacts to the adjacent properties by ensuring that all exterior lighting is shielded and directed downward. Staff recommends that the final exterior building and site lighting plans be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass prior to the issuance of any building permits. In addition, staff recommends all lighting is designed to be shielded and directed downward onto the project site and away from adjacent properties and public rights-of-way. Lastly, staff recommends that all pole-mounted parking lot lights be limited to a maximum of 12 feet in height. Condition No. 27 is included to reflect these requirements.

### **J. Signage**

The proposed project includes a six-foot-tall, 32-square-foot monument sign (double-sided) that will be located in a landscaped area at the southeast corner of East Natoma Street and the primary project driveway. The design of the monument sign includes individual black and green letters inset into a beige-colored aluminum panel with steel support posts. Staff has determined that the proposed monument sign is consistent with the requirements of the Folsom Municipal Code (FMC, Section 17.59.040 D) with respect to maximum sign height (6 feet) and maximum sign area (32 square feet). Staff has also determined that the design and colors of the monument sign are complementary to the design of the proposed senior apartment building. However, staff has concluded that the proposed sign materials (aluminum cabinet with steel support posts) are not consistent with the proposed apartment design/building materials. Staff recommends that the proposed monument sign be constructed of masonry, stone, or wood materials to be more consistent with the design/materials of the apartment building. In addition, staff recommends that the final location, design, materials, and color of the monument sign be subject to review and approval by the Community Development Department. Lastly, staff recommends that the owner/applicant obtain a sign permit prior to installation of the monument sign. Condition No. 62 is included to reflect these requirements.

### **K. Trash/Recycling**

The proposed project includes construction of a single trash, recycling, and organic waste enclosure in the southeast corner of the project site. The proposed trash enclosure, which is 6 feet tall and measures 30 feet in width by 10 feet in depth, is designed with stucco walls, a decorative trim cap, and steel doors. The City's Solid Waste Division has

reviewed the proposed trash enclosure and determined that it meets the City standard (Design and Procedures Manual) with respect to location and design. Staff recommends that the final location, design, color, and materials of the trash/recycling/organic-waste be subject to review and approval by the Community Development Department. Condition No. 58 is included to reflect this requirement.

#### **L. Existing and Proposed Landscaping**

The triangular-shaped 4.86-acre project site, which slopes moderately from east to west with an approximate 20-foot grade change, features a vegetative community that includes blue oak woodland, non-native grasses, and ephemeral and intermittent drainage features. Vegetation in the blue oak woodland habitat consists primarily of blue oak and interior live oak trees, with some non-native species including mulberry, Chinese tallow, Chinese hackberry, and ornamental cherry. The understory of the blue oak woodland is dominated by non-native grasses and forbs, including cultivated oats, Italian rye grass, and yellow star-thistle. Disturbed areas, such as bike trails and jumps occur beneath the canopy of the oak woodland, and there is a significant amount of trash and debris present in these areas. A small segment of an existing Class I bicycle trail occurs in this habitat close to East Natoma Street.

As shown on the Preliminary Landscape Plans (Attachment 10), the applicant is proposing to install landscaping that features California-native and low water-use trees, shrubs, and groundcover selections intended to comply with the requirements of the Model Water Efficiency Landscape Ordinance (MWELo). Proposed landscape improvements include a variety of drought-tolerant trees, shrubs, and groundcover. Among the proposed trees are; Bay Laurel, Blue Oak, California Buckeye, Chinese Pistache, Desert Palo Verde, Dwarf Magnolia, Ghost Pine, Elm, Western Redbud, and Wilson Olive. Proposed shrubs and groundcover include; Breeze Mat Rush, Cleveland Sage, California Buckthorn, Deer Grass, Dwarf Strawberry, Fortnight Lily, Italian Cypress, Purple Hopseed Bush, Red Yucca, Russian Sage, and San Miguel Island Buckwheat. The preliminary landscape plan meets the City shade requirement by providing 51 percent shade in the parking lot area within fifteen years. Staff recommends that the final landscape plans be reviewed and approved by the Community Development Department. Condition No. 38 is included to reflect this requirement.

#### **M. Tree Preservation**

##### Oak Tree Preservation and Removal

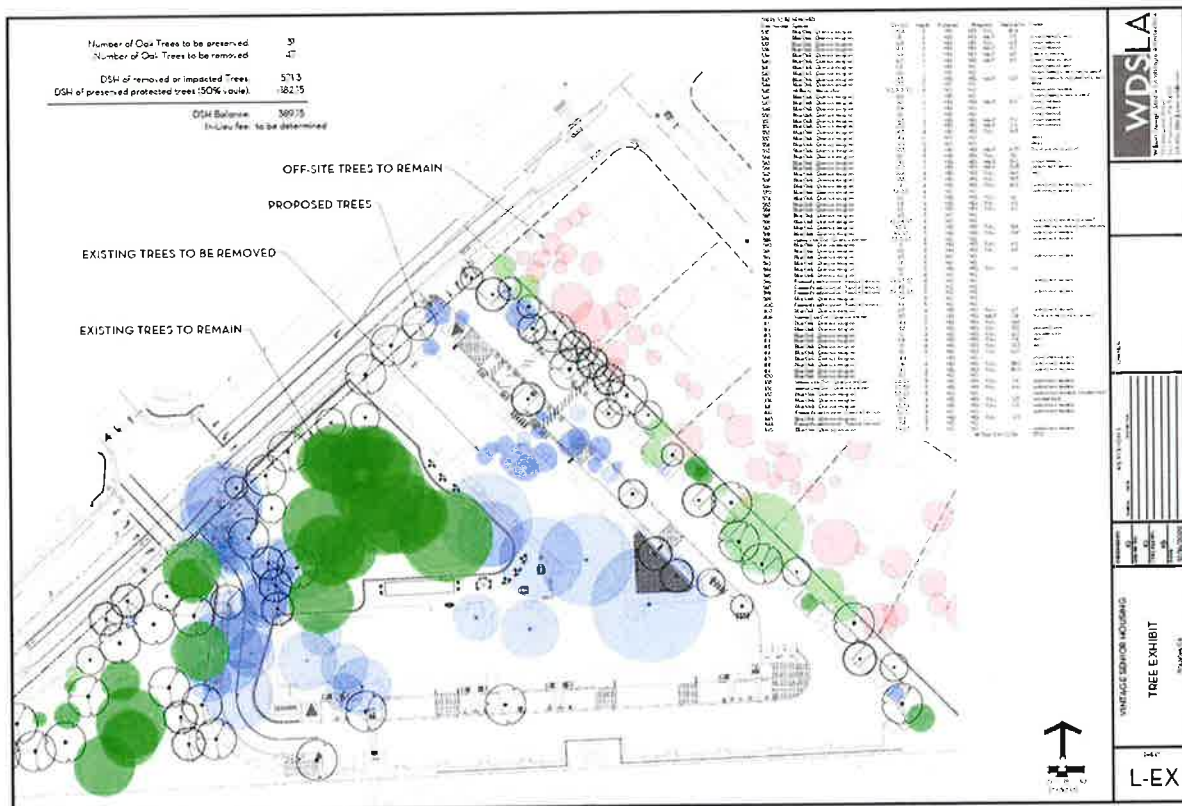
Chapter 12.16 of the Folsom Municipal Code, the Tree Preservation Ordinance, regulates the cutting or modification of trees, including oaks and specified other trees; requires a Tree Permit prior to cutting or modification; and establishes mitigation requirements for cut or damaged trees. The Tree Preservation Ordinance establishes policies, regulations,



and standards necessary to ensure that the City will continue to preserve and maintain its "urban forests".

An Arborist Report and Arborist Inventory prepared for the proposed project by Helix Environmental (Attachment 25) identified a total of 111 trees are on the site including 94 blue oaks, 7 Fremont's cottonwoods, 4 interior live oaks, 2 Gooding's black willow, 1 mulberry, 1 Chinese hackberry, 1 Chinese tallow, and 1 ornamental cherry. Of the 111 trees on the project site, 78 are considered protected oak trees (oak trees measuring 6-inches diameter at standard height). Of the 78 protected Oak trees, 9 Oak trees are in poor health (tree rating of 1) or are dead. As shown on the submitted Oak Tree Mitigation Plan (Attachment 12), the applicant is proposing to preserve 31 of the protected oak trees, while removing 47 of the protected oak trees for development of the proposed project. To mitigate for the loss of the 47 protected oak trees, the applicant is proposing to pay an in-lieu in the City's Tree Mitigation Bank as provided for by the Tree Preservation Ordinance. While not considered eligible for receiving mitigation credit, the applicant is proposing to plant 30 additional oak trees on the project site as part of their proposed landscape plan. The preliminary oak tree preservation plan is shown in Figure 12 on the following page.

FIGURE 12: PRELIMINARY OAK TREE PRESERVATION PLAN



To mitigate the impact to the protected native Oak trees, staff recommends that the following measures be implemented (Condition No. 40) in accordance with requirements of the Tree Preservation Ordinance:

- The owner/applicant shall provide mitigation for directly or indirectly impacted oak trees based on having a health rating of 5,4,3, or 2. Based on the DSH equivalency ratio, the project applicant shall mitigate for the removal of approximately 47 oak trees (571.3 inches at DSH) that will be removed with development of the project. Final mitigation requirements shall be determined by the City Arborist upon receipt of final design plans prior to the issuance of a grading permit. Mitigation for trees shall be done through planting of on-site replacement trees or payment of in-lieu fees as determined by the City, or a combination thereof. The owner/applicant may be eligible to receive credit for preservation of on-site Oak trees as determined by the City Arborist.
- A Tree Permit Application containing an Application Form, Tree Protection and Mitigation Plan, and Arborist Report shall be submitted to the City of Folsom by the owner/applicant for issuance of a Tree Work Permit and Tree Removal Permit prior to commencement of any grading or site improvement activities. The tree protection and mitigation plan shall be prepared in collaboration with a qualified arborist and shall be subject to review and approval by the City. The tree protection and mitigation plan shall contain the contact information of the project arborist and shall be included in all associated plan sets for the project.
- Removal of any protected tree shall be mitigated by planting replacement trees and/or payment of "In-Lieu" fees on a diameter inch basis in accordance with FMC, Section 12.16.150. The proposed method of mitigation shall be subject to review and approval by the City.
- Prior to starting construction, oak trees to be preserved shall be fenced with high visibility fencing consistent with the city-approved tree protection and mitigation plan. Parking of vehicles, equipment, or storage of materials is prohibited within the Tree Protection Zone of Protected Trees at all times. Signs shall be posted on exclusion fencing stating that the enclosed trees are to be preserved. Signs shall state the penalty for damage to, or removal of, the protected tree.
- The owner/applicant shall retain the services of a project arborist for the duration of the development project to monitor the health of oak trees to be preserved and carry out the City-approved tree protection plan. All regulated activity conducted within the Critical Root Zone of protected trees, as that term is defined in Folsom Municipal Code (FMC) 12.16.020, shall be performed under the direct supervision of the project arborist. A copy of the executed contract for these arboricultural services shall be submitted to the City prior to the issuance of any tree or grading permits.

- Certification letters by the project arborist attesting to compliance with the tree protection and mitigation plan and tree permit conditions shall be submitted to the City.

## **N. Conformance with Relevant General Plan Goals and Policies**

The City of Folsom General Plan (2035) outlines a number of goals, policies, and implementation programs designed to guide the physical, economic, and environmental growth of the City. Staff has determined that the proposed project is consistent with the General Plan goals and policies as outlined and discussed below:

### **APPLICABLE GENERAL PLAN GOALS AND POLICIES**

#### **GP GOAL LU 1.1 (Land Use/Growth and Change)**

Retain and enhance Folsom's quality of life, unique identity, and sense of community while continuing to grow and change.

#### **GP POLICY LU 1.1.12-1 (Infill Development)**

Respect the local context: New development should improve the character and connectivity of the neighborhood in which it occurs. Physical design should respond to the scale and features of the surrounding community, while improving critical elements such as transparency and permeability.

The proposed project is consistent with this policy in that the project features significant site improvements which will enhance the overall character of the area including construction of the signalized fourth leg of the intersection of East Natoma Street and Prison Road. The proposed project will also improve bicycle and pedestrian circulation by adding sidewalks, pedestrian pathways, bicycle/pedestrian connections, and realigning a Class 1 bicycle trail. In addition, the proposed project is consistent with this policy in that it will introduce new senior affordable apartment units with a residential design intended to complement the architecture and design of existing residential buildings in the project vicinity.

#### **GP POLICY LU 1.1.12-2 (Infill Development)**

Work with neighbors: Infill development requires neighborhood consultation to understand the concerns, goals, and needs of existing neighborhoods. Ensure the planning and design process provides proper avenues for neighborhood input while fulfilling the community's larger goals for walkability and compact development.

The proposed project is consistent with this policy in that the project applicant conducted public outreach to all property owners located within 500 feet of the subject property. The public outreach included two information meetings (March 22, 2022 and June 29, 2022) which were held at the Folsom Community Center where the project applicant and their team provided residents with detailed information (project description, site plan, architectural details) regarding the proposed project and responded to questions and comments. The two informational meetings were well attended with approximately 12



residents attending the first event and approximately 23 residents attending the second event.

GP POLICY LU 1.1.15 (SACOG Blueprint Principles)

Strive to adhere to the Sacramento Regional Blueprint Growth Principles.

The proposed project is consistent with this policy in that the project has been designed to adhere to the primary SACOG Blueprint Principles including Compact Development, Housing Choice and Diversity, Use of Existing Assets, and Quality Design. Compact Development involves creating environments that are more compactly built and use space in an efficient but attractive manner to encourage more walking, biking, and transit use and shorter auto trips. Housing Choice and Diversity includes providing a variety of places where people can live (apartments, townhomes, condominiums, and single-family detached homes) and also creating opportunities for the variety of people who need them such as families, singles, seniors, and people with special needs. Use of Existing Assets entails intensification of the existing use or redevelopment in order to make better use of existing public infrastructure, including roads. Quality Design focuses on the design details of any land development (such as relationship to the street, placement of buildings, sidewalks, street widths, landscaping, etc.), which are all factors that influence the attractiveness of living in a compact development and facilitate the ease of walking within and in and out of a community.

**APPLICABLE GENERAL PLAN GOALS AND POLICIES**

**GP GOAL LU 6.1 (Residential Neighborhoods)**

Allow for a variety of housing types and mix of uses that provide choices for Folsom residents, create complete and livable neighborhoods, and encourage walking and biking.

GP POLICY LU 6.1.3 (Efficiency through Density)

Support an overall increase in average residential densities in identified urban centers and mixed-use districts. Encourage new housing types to shift from lower-density, large-lot developments to higher-density, small-lot and multifamily developments, as a means to increase energy efficiency, conserve water, reduce waste, as well as increase access to services and amenities (e.g., open space) through an emphasis on mixed uses in these higher-density developments.

The proposed project is consistent with this policy in that the project includes development of a senior affordable multi-family rental community developed at a residential density of 28 units per acre. In addition, the proposed project design incorporates sustainable features (mechanical, electrical, plumbing, HVAC, rooftop solar array system, and cool paving material) that are consistent with California Green Building Standards Code (CALGreen). In addition, the proposed project includes 14 electric vehicle capable parking spaces and will be required to provide 7 electric vehicle charging stations consistent with CALGreen.

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**GP GOAL M 4.1 (Vehicle Traffic and Parking)**

Ensure a safe and efficient network of streets for cars and trucks, as well as provide an adequate supply of vehicle parking.

**GP POLICY M 4.1.3 (Level of Service)**

Strive to achieve a least traffic Level of Service "D" (or better) for local streets and roadways throughout the City. In designing transportation improvements, the City will prioritize use of smart technologies and innovative solutions that maximize efficiencies and safety while minimizing the physical footprint. During the course of Plan buildout, it may occur that temporarily higher Levels of Service result where roadway improvements have not been adequately phased as development proceeds. However, this situation will be minimized based on annual traffic studies and monitoring programs. Staff will report to the City Council at regular intervals via the Capital improvement Program process for the Council to prioritize projects integral to achieving Level of Service D or better.

The proposed project is consistent with this policy in that the project will not result in a change in the level of service (LOS) at either of the two study intersections. In addition, the proposed project will result in a greater than 15% reduction in Vehicle Miles Traveled (VMT), consistent with new State Law that took effect July 1, 2020 (SB 743).

**GP GOAL M 4.2 (Vehicle Traffic and Parking)**

Provide and manage a balanced approach to parking that meets economic development and sustainability goals.

**GP POLICY M 4.2.4 (Electric Vehicle Charging Stations)**

Encourage the installation of electric vehicle charging stations in parking spaces throughout the city, prioritizing installations at multi-family residential units.

The proposed project is consistent with this policy in that the project includes 14 electric vehicles capable parking spaces. In addition, the project will be required to provide 7 electric vehicle charging stations for exclusive use by residents of the senior apartment community. The number of proposed electric vehicle capable parking spaces and required electric vehicle charging stations is consistent with the California Green Buildings Standards Code's provisions for multi-family residential development.

**GP GOAL H-1 (Adequate Land Supply for Housing)**

To provide an adequate supply of suitable sites for the development of a range of housing types to meet the housing needs of all segments of the population.

**GP POLICY H 1.3**

The City shall encourage home builders to develop their projects on multi-family-designated land at the high end of the applicable density range.

The proposed project is consistent with this policy in that the project is providing a senior affordable multi-family residential project developed at a residential density of 28 units

per acre. The proposed project would be considered a high-density multi-family residential development given that it falls within the density range (20-30 dwelling units per acre) established for the City's MHD (Multi-family High Density) General Plan land use designation.

**GP GOAL H-2 (Removing Barriers to the Production of Housing)**

To minimize governmental constraints on the development of housing for households of all income levels.

**GP POLICY H 2.7**

The City shall educate the community on the needs, the realities and the benefits of affordable and high-density housing.

The proposed project is consistent with this policy in that the project will result in development of a high-density senior affordable apartment community on property zoned for business and professional office uses.

**GP GOAL H-3 (Facilitating Affordable Housing)**

To facilitate affordable housing opportunities to serve the needs of people who live and work in the community.

**GP POLICY H 3.1**

The City shall encourage residential projects affordable to a mix of household incomes and disperse affordable housing projects throughout the City to achieve a balance of housing in all neighborhoods and communities.

The proposed project is consistent with this policy in that the project includes development of 136 units that will be designated as affordable for Low Income (LI) and Very Low Income (VLI) households as defined by State and City requirements, with 122 units being made available to individuals with incomes at or below 60% (LI) of the Sacramento area median income (AMI) and 14 units made available to individuals with income at or below 50% (VLI) of AMI.

**O. Native American Consultation (SB 18/AB52)**

Assembly Bill (AB 52), which was signed into law in July 2015, requires City or County Governments to consult with California Native American Tribes in order to identify Tribal Cultural Resources that may be significantly impacted by development projects and to avoid or mitigate those impacts. On November 19, 2021, the City sent project notification letters to the three California Native American tribes named on the City's AB 52 contact list, with the United Auburn Indian Community (UAIC) being the only tribe to respond in a timely manner. The City subsequently initiated consultation with UAIC and provided a copy of the cultural resources and arborist reports prepared for the proposed project. The City did not receive any further communication from UAIC with respect to potential tribal cultural resources on the project site of within the project area. On June 3, 2022, the City



formally concluded consultation with UAIC with the acknowledgement that a standard mitigation measure (Condition No. 43) would be included with the project to ensure protection of any tribal cultural resources that are discovered during ground disturbing construction activities.

### **PUBLIC OUTREACH AND PUBLIC NOTICING**

The project applicant sponsored two public outreach events to provide residents and the community with an opportunity to learn more about the proposed senior affordable apartment project. The two outreach events, which were held in the Folsom Community Center on March 22, 2022 and June 29, 2022 respectively, were well attended with approximately 12 residents present at the first event and 23 residents present at the second event. Residents who attended the outreach events expressed concerns and made comments regarding a number of topics associated with development of the proposed project including but not limited to:

- Negative visual impact to nearby homes.
  - Design compatibility of the three-story apartment building.
  - Excessive size and scale of the three-story apartment building.
  - Negative impact to views and viewsheds in the project area.
  - Privacy impacts to adjacent homes.
- Density of the proposed project.
- Increased traffic and traffic-safety related impacts.
- Adequacy of parking being provided.
- Noise impacts associated with emergency service vehicles responding to calls.
- Noise concerns associated with construction of project.
- Trash/recycling collection and potential noise and odor impacts.
- Lighting and glare impacts.
- Low-income nature of project and potential impact to home values.
- Oak tree impacts.

Each of the aforementioned areas of concern referenced above are discussed within separate sections (architecture/design, traffic, parking, noise, etc.) of this staff report.

On July 1, 2022, the project applicant posted a large project identification sign (4-feet by 6-feet) along the frontage of the project site facing East Natoma Street. The project identification sign includes basic information regarding the proposed Vintage Senior Apartments development and also includes contact information for the project applicant and City staff.

On November 1, 2022, City staff mailed notices of a public hearing to all property owners located within 500 feet (300 feet required) of the subject property informing them that the Planning Commission would be reviewing the Vintage Senior Apartments project at their December 14, 2022 meeting. The aforementioned public notice was also published in

the Folsom Telegraph and on the City's website on November 10, 2022. Subsequently, it was determined that there would not be a quorum available for the December 14<sup>th</sup> Planning Commission meeting and the meeting was cancelled accordingly. On November 18, 2022, City staff mailed new notice of a public hearing to all property owners within 500 feet (300 feet required) of the subject property informing them that the December 14, 2022 Planning Commission had been cancelled and that the Planning Commission would be reviewing the Vintage Senior Apartments project at their January 18, 2023 meeting instead. The aforementioned public notice was also published in the Folsom Telegraph and on the City's website on December 1, 2022.

In response to the public notices for the proposed Vintage Senior Apartments project that were mailed to all property owners located within 500 feet of the subject property, the City received six emails from residents expressing their concerns and opposition to the proposed project. City staff also previously received five emails from residents expressing their concerns regarding the proposed project following the public outreach meetings. These emails are included with this staff report (Attachment 27) for consideration by the Planning Commission.

## **ENVIRONMENTAL REVIEW**

Helix Environmental has prepared an Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program (Attachment 25) for the project in accordance with the California Environmental Quality Act (CEQA) and associated regulations and determined that with the proposed mitigations, the project will not have a significant effect on the environment.

The Mitigated Negative Declaration has been prepared and noticed for public comment on the project, and mitigation measures have been included as Conditions of Approval.

To date, nine written comments have been received during the Mitigated Negative Declaration public review period (November 14, 2022 to December 14, 2022) including six comments from residents (Attachment 27) and three comments from public agencies (Attachment 26). The six comments letters received from residents express their general opposition to the proposed project and also identify some specific areas of concern including but not limited to, project density, increased traffic, traffic safety, road noise, lack of sufficient parking, building design, oak tree impacts, and negative impact to property values. City staff has addressed these comments and concerns within the various sections of this staff report. In addition, the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program (Attachment 25) addressed the environmental concerns raised including traffic-related impacts, noise-related impacts, and Oak tree impacts and concluded that, with the mitigation measures the project will not have a significant effect on the environment.

The City received four letters from public agencies (Attachment 26) in response to the publication of the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program for the proposed project. The Sacramento Metropolitan Utility Agency (SMUD) provided a response indicating that they had no comments regarding the proposed project. The Central Valley Regional Water Quality Control Board (CVRWQCB) provided a response highlighting the regulatory setting for project-related water impacts and also providing guidance to the project applicant with respect to the permitting process the project will be required to go through due to its impacts to a local drainage feature. The Sacramento Metropolitan Air Quality Management District (SMAQMD) provided a response recommending that the project applicant consider developing the project without natural gas infrastructure due to greenhouse gas emission impacts. SMAQMD also asked for clarification regarding the number of electric vehicle charging spaces that will be provided by the proposed project. Lastly, the Pacific Gas and Electric Company (PG&E) provided a response regarding specific requirements about the types of development that is allowed to occur within the PG&E overhead easement area. None of the aforementioned comments are relevant to the project's compliance with the California Environmental Quality Act. A formal response to all of these comments is included with this staff report (Attachment 28).

### **RECOMMENDED PLANNING COMMISSION ACTION**

Move to recommend that the Planning Commission:

- Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Vintage Senior Apartments project (PN 21-159) per Attachment 25; and
- Approve a Conditional Use Permit for development and operation of a senior apartment community on the subject 4.86-acre property; and
- Approve a Planned Development Permit for development of the 136-unit Vintage Senior Apartments project on a 4.86-acre site located at 103 East Natoma Street; and
- Approve a Density Bonus for development of the Vintage Senior Apartments project at a residential density of 28 units per acre and to allow for three incentives/concessions including establishing a parking ratio of one parking space per unit, increasing the maximum building height from 35 feet to 42-feet 6-inches, and increasing the maximum number of building stories from 2-stories to 3-stories.

These approvals are based on the findings below (Findings A-U) and subject to the conditions of approval (Conditions 1-76) attached to this report.

### **GENERAL FINDINGS**

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE ZONING CODE OF THE CITY.

### **CEQA FINDINGS**

- C. A MITIGATED NEGATIVE DECLARATION HAS BEEN PREPARED FOR THE PROJECT IN ACCORDANCE WITH CEQA.
- D. THE PLANNING COMMISSION HAS CONSIDERED THE PROPOSED MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM BEFORE MAKING A DECISION REGARDING THE PROJECT.
- E. ON THE BASIS OF THE WHOLE RECORD BEFORE THE PLANNING COMMISSION, THERE IS NO SUBSTANTIAL EVIDENCE THAT THE PROJECT, AS CONDITIONED, WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
- F. THE MITIGATED NEGATIVE DECLARATION REFLECTS THE INDEPENDENT JUDGMENT AND ANALYSIS OF THE CITY OF FOLSOM.
- G. THE MITIGATED NEGATIVE DECLARATION HAS DETERMINED THAT THE PROPOSED PROJECT, AS CONDITIONED AND CONSISTENT WITH THE REQUIRED MITIGATION MONITORING AND REPORTING PROGRAM, WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT WITH THE REQUIRED MITIGATION MEASURES.
- H. THE LOCATION AND CUSTODIAN OF THE DOCUMENTS WHICH CONSTITUTE THE RECORD OF PROCEEDINGS UPON WHICH THE DECISION IS BASED ARE: CITY OF FOLSOM COMMUNITY DEVELOPMENT DEPARTMENT, 50 NATOMA STREET, FOLSOM, CA 95630.

### **CONDITIONAL USE PERMIT FINDING**

- I. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE OR OPERATION OF THE USE APPLIED FOR WILL NOT, UNDER THE CIRCUMSTANCES OF THIS PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, MORALS, COMFORT, AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, OR BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE

NEIGHBORHOOD OR TO THE GENERAL WELFARE OF THE CITY, AS THE PROPOSED USE IS COMPLIMENTARY TO EXISTING USES IN THE PROJECT VICINITY AND, AS CONDITIONED, THE PROPOSED PROJECT WILL NOT HAVE NEGATIVE IMPACTS TO NEARBY USES THAT HAVE NOT BEEN MITIGATED.

### **PLANNED DEVELOPMENT PERMIT FINDINGS**

- J. THE PROPOSED PROJECT COMPLIES WITH THE INTENT AND PURPOSES OF CHAPTER 17.38 (PLANNED DEVELOPMENT DISTRICT) OF THE FOLSOM MUNICIPAL CODE AND OTHER APPLICABLE ORDINANCES OF THE CITY.
- K. THE PROPOSED PROJECT IS CONSISTENT WITH THE OBJECTIVES, POLICIES AND REQUIREMENTS OF THE DEVELOPMENT STANDARDS OF THE CITY.
- L. THE PHYSICAL, FUNCTIONAL AND VISUAL COMPATIBILITY BETWEEN THE PROPOSED PROJECT AND EXISTING AND FUTURE ADJACENT USES AND AREA CHARACTERISTICS IS ACCEPTABLE.
- M. THERE ARE AVAILABLE PUBLIC FACILITIES, INCLUDING BUT NOT LIMITED TO, WATER, SEWER AND DRAINAGE TO ALLOW FOR THE DEVELOPMENT OF THE PROJECT SITE IN A MANNER CONSISTENT WITH THIS PROPOSAL.
- N. THE PROPOSED PROJECT WILL NOT CAUSE UNACCEPTABLE VEHICULAR TRAFFIC LEVELS ON SURROUNDING ROADWAYS, AND THE PROPOSED PROJECT WILL PROVIDE ADEQUATE INTERNAL CIRCULATION.
- O. THE PROPOSED PROJECT WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY AND GENERAL WELFARE OF THE PERSONS OR PROPERTY WITHIN THE VICINITY OF THE PROJECT SITE, AND THE CITY AS A WHOLE.
- P. ADEQUATE PROVISION IS MADE FOR THE FURNISHING OF SANITATION SERVICES AND EMERGENCY PUBLIC SAFETY SERVICES TO THE PROJECT.

### **DENSITY BONUS FINDINGS**

- Q. THE PROPOSED PROJECT QUALIFIES FOR A DENSITY BONUS IN THAT THE PROJECT IS PROVIDING ONE HUNDRED PERCENT OF THE TOTAL UNITS FOR LOW-INCOME HOUSEHOLDS OR VERY LOW- INCOME HOUSEHOLDS, AND IS A SENIOR CITIZEN HOUSING DEVELOPMENT.



- R. THE PROPOSED PROJECT QUALIFIES FOR THE REQUESTED PROJECT DENSITY OF 28 DWELLING UNITS PER ACRE.
- S. THE PROPOSED PROJECT IS ELIGIBLE FOR FOUR DENSITY BONUS INCENTIVES OR CONCESSIONS BASED ON THE FACT THAT THE PROPOSED PROJECT IS DEDICATING ONE HUNDRED PERCENT OF THE TOTAL HOUSING UNITS TO LOW-INCOME HOUSEHOLDS.
- T. THE PROJECT APPLICANT HAS REQUESTED THREE DENSITY BONUS INCENTIVES OR CONCESSIONS, INCLUDING A PARKING RATIO OF ONE PARKING SPACE PER UNIT, AN INCREASE IN THE MAXIMUM BUILDING HEIGHT FROM 35 FEET TO 42 FEET SIX INCHES, AND AN INCREASE IN THE MAXIMUM NUMBER OF BUILDING STORIES FROM TWO TO THREE STORIES.
- U. THE PROPOSED PROJECT QUALIFIES FOR EACH OF THE REQUESTED INCENTIVES OR CONCESSIONS.

# **Attachment 4**

## **Conditions of Approval**

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159)                      CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS                      103 EAST NATOMA STREET</b>				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
1.		<p>The applicant shall submit final site development plans to the Community Development Department that shall substantially conform to the exhibits referenced below:</p> <ol style="list-style-type: none"> <li>1. Site Plan, dated October 17, 2022</li> <li>2. Preliminary Utility Plan, dated October 17, 2022</li> <li>3. Preliminary Grading and Drainage Plan, dated October 17, 2022</li> <li>4. Preliminary Grading Sections, dated October 17, 2022</li> <li>5. Preliminary Landscape and Irrigation Plans, dated October 20, 2022</li> <li>6. Preliminary Tree Preservation Plan, dated October 17, 2022</li> <li>7. Preliminary Oak Tree Mitigation Plan, dated October 20, 2022</li> <li>8. Preliminary Access and Circulation Plan, dated October 17, 2022</li> <li>9. Preliminary Fire Access Plan, dated October 17, 2022</li> <li>10. Preliminary Lighting Plan and Details, dated November 3, 2021</li> <li>11. Building Elevations and Floor Plans dated June 3, 2022</li> <li>12. Color Building Renderings, dated June 3, 2022</li> <li>13. Building Site Sections, dated June 3, 2022</li> <li>14. Color and Materials Board, dated June 3, 2022</li> <li>15. Transportation Impact Study, dated July, 2022</li> <li>16. Parking Memorandum, dated October 17, 2022</li> <li>17. Parking Case Study, dated October 17, 2022</li> <li>18. Vintage Senior Apartments Booklet (Separate Bound Document)</li> </ol> <p>The project is approved for development of the 136-unit Vintage Senior Apartments project, which includes a three-story, 111,755-square-foot apartment building and associated site improvements. Implementation of the project shall be consistent with the above-referenced items as modified by these conditions of approval.</p>	B	CD (P)(E)

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS 103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
2.		Building plans, and all civil engineering and landscape plans, shall be submitted to the Community Development Department for review and approval to ensure conformance with this approval and with relevant codes, policies, standards and other requirements of the City of Folsom.	I, B	CD (P)(E)(B)
3.		The project approvals (Planned Development Permit, Conditional Use Permit, and Density Bonus) granted under this staff report shall remain in effect for two years from final date of approval (January 18, 2025). Failure to obtain the relevant building (or other) permits within this time period, without the subsequent extension of this approval, shall result in the termination of this approval.	B	CD (P)
4.		Consistent with the State Density Bonus Law, all rental units within the Vintage Senior Apartments project shall remain affordable for a period of 55 years or longer.	OG	CD (P)
5.		<p>The owner/applicant shall defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> <li>• The City bears its own attorney's fees and costs; and</li> <li>• The City defends the claim, action or proceeding in good faith</li> </ul> <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159)            CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS            103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
6.	✓	The owner/applicant shall be required to participate in a mitigation monitoring and reporting program pursuant to City Council Resolution No. 2634 and Public Resources Code 21081.6. The mitigation monitoring and reporting measures identified in the Mitigated Negative Declaration prepared for this project have been incorporated into these conditions of approval in order to mitigate or avoid significant effects on the environment. These mitigation monitoring and reporting measures are identified with a check mark (✓) in the mitigation measure column.	G, I	CD (P)(E)
<b>DEVELOPMENT COSTS AND FEE REQUIREMENTS</b>				
7.		The owner/applicant shall pay all applicable taxes, fees and charges at the rate and amount in effect at the time such taxes, fees and charges become due and payable.	I, B	CD (P)(E)
8.		If applicable, the owner/applicant shall pay off any existing assessments against the property, or file necessary segregation request and pay applicable fees.	B	CD (E)
9.		The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the applicant shall reimburse the City for all outside legal fees and costs incurred by the City for such services. The applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.	I	CD (P)(E)
10.		If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the applicant shall reimburse the City for actual costs it incurs in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the improvement plans or beginning inspection, whichever is applicable.	I, B	CD (P)(E)



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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS 103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
11.		This project shall be subject to all City-wide development impact fees, unless exempt by previous agreement. This project shall be subject to all City-wide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, fees for fire protection, park facilities, park equipment, Humbug-Willow Creek Parkway, Light Rail, TSM, capital facilities and traffic impacts. The 90-day protest period for all fees, dedications, reservations or other exactions imposed on this project has begun. The fees shall be calculated at the fee rate in effect at the time of building permit issuance.	B	CD (P)(E), PW, PK
12.		The owner/applicant agrees to pay to the Folsom-Cordova Unified School District the maximum fee authorized by law for the construction and/or reconstruction of school facilities. The applicable fee shall be the fee established by the School District that is in effect at the time of the issuance of a building permit. Specifically, the owner/applicant agrees to pay any and all fees and charges and comply with any and all dedications or other requirements authorized under Section 17620 of the Education Code; Chapter 4.7 (commencing with Section 65970) of the Government Code; and Sections 65995, 65995.5 and 65995.7 of the Government Code.	B	CD (P)
<b>SITE DEVELOPMENT REQUIREMENTS</b>				
13.	✓	<p>Prior to the issuance of any grading and/or building permit, the owner/applicant shall have a geotechnical report prepared by an appropriately licensed engineer that includes an analysis of site suitability, proposed foundation design for all proposed structures, and roadway and pavement design.</p> <p>A Geotechnical Engineering Survey was prepared by Youngdahl Consulting Group, Inc. in December 2021. The proposed projects' design plans and specifications outlined in the report shall be reviewed and approved by a California-licensed geotechnical engineer or engineering geologist. The project applicant shall implement all applicable recommendations approved by a California-licensed geotechnical engineer or engineering geologist into the grading of the project site.</p>	G, B	CD (E)

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CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS 103 EAST NATOMA STREET				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
14.	✓	In the event a paleontological or other geologically sensitive resources (such as fossils or fossil formations) are identified during any phase of project construction, all excavations within 100-ft of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at the City of Folsom who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the City shall implement those measures which may include avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code Section 21083.2.	I, G	CD (E)
15.		Public and private improvements, including roadways, curbs, gutters, sidewalks, bicycle lanes and trails, streetlights, underground infrastructure and all other improvements shall be provided in accordance with the current edition of the City of Folsom <i>Standard Construction Specifications</i> and the <i>Design and Procedures Manual and Improvement Standards</i> . All necessary rights-of-way and/or easements shall be dedicated to the City of Folsom for these improvements.	I, B	CD (P)(E)
16.		The applicant/owner shall submit water, sewer and drainage studies to the satisfaction of the Community Development Department and provide sanitary sewer, water and storm drainage improvements with corresponding easements, as necessary, in accordance with these studies and the current edition of the City of Folsom <i>Standard Construction Specifications</i> and the <i>Design and Procedures Manual and Improvement Standards</i> .	I	CD (E)
17.		The improvement plans for the required public and private improvements shall be reviewed and approved by the Community Development Department prior to issuance of a building permit for the project.	B	CD (E)
18.		Required public and private improvements, including but not limited to street signal and frontage improvements on East Natoma Street, shall be completed to the satisfaction of the Community Development Department prior to the issuance of the first Certificate of Occupancy.	O	CD (E)

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	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
19.		Final lot and building configurations may be modified to allow for overland release of storm events greater than the capacity of the underground system.	B	CD (E)
20.		The owner/applicant shall coordinate the planning, development, and completion of this project with the various utility agencies (i.e., SMUD, PG&E, etc.).	I	CD (P)(E)
21.		The owner/applicant shall be responsible for replacing any and all damaged or hazardous public sidewalk, curb and gutter along the site frontage and/or boundaries, including pre-existing conditions and construction damage, to the satisfaction of the Community Development Department.	O	CD (E)
22.		For any improvements constructed on private property that are not under ownership or control of the owner/applicant, a right-of-entry, and if necessary, a permanent easement shall be obtained and provided to the City prior to issuance of a grading permit and/or approval of improvement plans.	G, I	CD (E)
23.		The on-site water and sewer systems shall be privately owned and maintained. The fire protection system shall be separate from the domestic water system. The fire system shall be constructed to meet the National Fire Protection Association Standard 24. The domestic water and irrigation system shall be metered per City of Folsom <u>Standard Construction Specifications</u> .	I	CD (E)
24.		Any reimbursement for public improvements constructed by the applicant shall be in accordance with a formal reimbursement agreement entered into between the City and the owner/applicant prior to approval of the improvement plans.	I	CD (E)
25.		The owner/applicant shall dedicate a 12.5-foot-wide public utility easement for underground facilities and appurtenances adjacent to all public rights-of-way. The owner/applicant shall also dedicate any private drive, ingress, and egress easement as a public utility easement for underground facilities and appurtenances. An easement shall also be dedicated to SMUD based on the location of as constructed facilities placed beyond the limits of the private drives.	I	CD (E)

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	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
26.		Existing overhead utility lines lower than 69KV located on the south side of East Natoma Street adjacent to the project site shall be placed underground to the satisfaction of the Community Development Department.	I	CD (E)
27.		Final exterior building and site lighting plans shall be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass prior to the issuance of any building permits. All lighting, including but not limited to free-standing parking lot lights, building-attached lights, and landscape lights shall be designed to be screened, shielded, and directed downward onto the project site and away from adjacent properties and public rights-of-way. The final design of the building-attached lights shall be subject to review and approval by the Community Development Department. Lighting shall be equipped with a timer or photo condenser. In addition, pole-mounted parking lot lights shall utilize a low-intensity, energy efficient lighting method and be limited to a maximum of 12 feet in height.	I, B	CD (P)
<b>STORM WATER POLLUTION/CLEAN WATER ACT REQUIREMENTS</b>				
28.		The owner/applicant shall be responsible for litter control and sweeping of all paved surfaces in accordance with City standards. All on-site storm drains shall be cleaned immediately before the commencement of the rainy season (October 15).	G, I, B	CD (E)
29.		The storm drain swale or onsite improvement plans shall provide for "Best Management Practices" that meet the requirements of the water quality standards of the City's National Pollutant Discharge Elimination System Permit issued by the State Regional Water Quality Control Board.	G, I, B, O	CD (E)
30.		Erosion and sedimentation control measures shall be incorporated into construction plans. These measures shall conform to the City of Folsom requirements and the County of Sacramento <i>Erosion and Sedimentation Control Standards and Specifications</i> -current edition and as directed by the Community Development Department.	G, I	CD (E)

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	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
31.		The proposed development will add new impervious area to the site; therefore, stormwater quality treatment shall be provided. The City requires developers to utilize the <i>Guidance Manual for On-Site Stormwater Quality Treatment Control Measures</i> (January 2000) ("On-Site Manual") in selecting and designing source control and post-construction facilities to treat runoff from the project.	G, I	CD (E)
32.		Prior to issuance of grading permits, the owner/applicant shall submit detailed drainage plans for evaluation by the City. Approved plans shall be implemented prior to project occupancy. The drainage plans shall include measures to minimize the total amount of additional surface runoff and to limit the flows released to off-site receiving waters to existing pre-development levels in accordance with the requirements of the City of Folsom Public Works Department.	G, I	CD (E), PW
33.		Prior to issuance of grading permits, the owner/applicant shall submit erosion control plans and other monitoring programs for the construction and operational phases of the proposed project for review by the City. The plan shall include Best Management Practices (BMP) to minimize and control the level of pollutants in stormwater runoff, and in runoff released to off-site receiving waters. Specific techniques may be based on geotechnical reports or the Erosion and Sediment Control Handbook of the California Department of Conservation, and shall comply with current City standards.	G, I	CD (E), PW
34.		Prior to issuance of grading permits, the owner/applicant shall obtain coverage under the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity (Order 2009-0009-DWQ), including preparation and submittal of a project-specific Storm Water Pollution Prevention Plan (SWPPP) at the time the Notice of Intent (NOI) is filed. The project applicant shall also prepare and submit any other necessary erosion and sediment control and engineering plans and specifications for pollution prevention and control to the City of Folsom.	G, I	CD (E), PW



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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
<b>ENVIRONMENTAL AND WATER RESOURCE REQUIREMENTS</b>				
35.		The sanitary sewer system shall be designed for the project shall incorporate the following elements and features to the satisfaction of the Environmental and Water Resources Department: <ul style="list-style-type: none"> <li>• Prior to the issuance of a grading permit, the owner/applicant shall record a 15-foot private sewer easement within PG&amp;E property.</li> <li>• All on-site sanitary sewer shall be privately owned, operated and maintained.</li> <li>• The Sanitary Sewer Lift station shall be privately owned, operated and maintained.</li> <li>• A maintenance agreement for the sewer lift station operation, maintenance and emergency repairs to the satisfaction of the Community Development Department and executed prior to the issuance of a building permit.</li> <li>• The offsite sewer force main shall be located within in a 15-foot private sewer easement located within PG&amp;E property. The City will not own, operate, or maintain this sewer force main.</li> <li>• Install one new sanitary sewer manhole where the force main will terminate at the 8-inch gravity line. The City's responsibility of the sanitary sewer shall begin when the 8-inch gravity line enters the public sewer easement within PG&amp;E property.</li> <li>• The grease interceptor shall be privately owned, operated and maintained.</li> </ul>	G, I, B	EWR
36.		The domestic water and sanitary sewer systems designed for the project shall incorporate the following elements and features to the satisfaction of the Environmental and Water Resources Department: <ul style="list-style-type: none"> <li>• The water connection for domestic, irrigation and fire shall be a manifold as shown in City Water Detail WR-23.</li> <li>• The 6-inch domestic water supply shall include a meter bypass in accordance with City Water Detail WR-21.</li> <li>• All on-site water systems shall be privately owned, operated, and maintained.</li> </ul>	I	EWR



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	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
<b>LANDSCAPE/TREE PRESERVATION REQUIREMENTS</b>				
37.		The owner/applicant shall be responsible for on-site landscape maintenance throughout the life of the project to the satisfaction of the Community Development Department. Vegetation or planting shall not be less than that depicted on the final landscape plan, unless tree removal is approved by the Community Development Department because the spacing between trees will be too close on center as they mature.	B, OG	CD (P)(E)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
38.		<p>Final landscape plans and specifications shall be prepared by a registered landscape architect and approved by the City prior to the approval of the first building permit. Said plans shall include all on-site landscape specifications and details including a tree planting exhibit demonstrating sufficient diversity and appropriate species selection to the satisfaction of the Community Development Department. The tree exhibit shall include all street trees, accent trees, parking lot shading trees, and mitigation trees proposed within the development. Said plans shall comply with all State and local rules, regulations, Governor's declarations and restrictions pertaining to water conservation and outdoor landscaping.</p> <p>Landscaping of the parking area shall meet shade requirements as outlined in the Folsom Municipal Code Chapter 17.57. The landscape plans shall comply and implement water efficient requirements as adopted by the State of California (Assembly Bill 1881) (State Model Water Efficient Landscape Ordinance) until such time the City of Folsom adopts its own Water Efficient Landscape Ordinance at which time the owner/applicant shall comply with any new ordinance. Shade and ornamental trees shall be maintained according to the most current American National Standards for Tree Care Operations (ANSI A-300) by qualified tree care professionals. Tree topping for height reduction, view protection, light clearance or any other purpose shall not be allowed. Specialty-style pruning, such as pollarding, shall be specified within the approved landscape plans and shall be implemented during a 5-year establishment and training period. The owner/applicant shall comply with city-wide landscape rules or regulations on water usage. The owner/applicant shall comply with any state or local rules and regulations relating to landscape water usage and landscaping requirements necessitated to mitigate for drought conditions on all landscaping in the Vintage Senior Apartments project.</p>	I	CD(P)(E)

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39.	✓	<p>To mitigate the impact to the protected native Oak trees, the following measures shall be implemented in accordance with requirements of the <u>Tree Preservation Ordinance</u>:</p> <ul style="list-style-type: none"> <li>• The owner/applicant shall provide mitigation for directly or indirectly impacted oak trees based on having a health rating of 5,4,3, or 2. Based on the DSH equivalency ratio, the project applicant shall mitigate for the removal of approximately 47 oak trees (571.3 inches at DSH) that will be removed with development of the project. Final mitigation requirements shall be determined by the City Arborist upon receipt of final design plans prior to the issuance of a grading permit. Mitigation for trees shall be done through planting of on-site replacement trees or payment of in-lieu fees as determined by the City, or a combination thereof. The owner/applicant may be eligible to receive credit for preservation of on-site Oak trees as determined by the City Arborist.</li> <li>• A Tree Permit Application containing an Application Form, Tree Protection and Mitigation Plan, and Arborist Report shall be submitted to the City of Folsom by the owner/applicant for issuance of a Tree Work Permit and Tree Removal Permit prior to commencement of any grading or site improvement activities. The tree protection and mitigation plan shall be prepared in collaboration with a qualified arborist and shall be subject to review and approval by the City. The tree protection and mitigation plan shall contain the contact information of the project arborist and shall be included in all associated plan sets for the project.</li> <li>• Removal of any protected tree shall be mitigated by planting replacement trees and/or payment of "In-Lieu" fees on a diameter inch basis in accordance with <u>FMC, Section 12.16.150</u>. The proposed method of mitigation shall be subject to review and approval by the City.</li> <li>• Prior to starting construction, oak trees to be preserved shall be fenced with high visibility fencing consistent with the city-approved tree protection and mitigation plan. Parking of vehicles, equipment, or storage of materials is prohibited within the Tree Protection Zone of Protected Trees at all times. Signs shall be posted on exclusion fencing stating that the enclosed trees are to be preserved. Signs shall state the penalty for damage to, or removal of, the protected tree.</li> </ul>	I, G, B, O	CD(P)(E)
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
39. Cont.	✓	<ul style="list-style-type: none"> <li>The owner/applicant shall retain the services of a project arborist proficient in tree protection for construction projects for the duration of the development project to monitor the health of oak trees to be preserved and carry out the City-approved tree protection plan. All regulated activity conducted within the Critical Root Zone of protected trees, as that term is defined in <u>Folsom Municipal Code (FMC) 12.16.020</u>, shall be performed under the direct supervision of the project arborist. A copy of the executed contract for these arboricultural services shall be submitted to the City prior to the issuance of any tree or grading permits.</li> </ul> <p>Certification letters by the project arborist attesting compliance with the tree protection and mitigation plan and tree permit conditions shall be submitted to the City following completion of grading and again at project completion, prior to the certificate of occupancy.</p>	I, G, B, O	CD(P)(E)
<b>CULTURAL RESOURCE/TRIBAL CULTURAL RESOURCE REQUIREMENTS</b>				
40.	✓	<p>It is always possible that ground-disturbing activities during project development may uncover previously unknown archaeological resources. In the event that archaeological resources are discovered during construction, construction operations shall stop within a 100-foot radius of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resources, including but not limited to, excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Archaeological resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and evaluated for significance in terms of CEQA criteria.</p>	G, I, B	CD (P)(E)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
41.	✓	<p>In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code § 5097.94 and § 5097.98 must be followed. If during the course of project development there is accidental discovery or recognition of any human remains, the following steps shall be taken:</p> <p>There shall be no further excavation or disturbance within a 100-foot radius of the potentially human remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.</p> <p>Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:</p> <ul style="list-style-type: none"> <li>o The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.</li> <li>o The descendant identified fails to make a recommendation.</li> <li>o The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.</li> </ul>	G, I, B	CD (P)(E)

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	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
42.	✓	All construction personnel involved in ground disturbing activities shall be trained in the recognition of possible cultural resources and protection of such resources. The training will inform all construction personnel of the procedures to be followed upon the discovery of archaeological materials, including Native American burials. Construction personnel will be instructed that cultural resources must be avoided and that all travel and construction activity must be confined to designated roads and areas. The training will include a review of the local, state, and federal laws and regulations related to cultural resources, as well as instructions on the procedures to be implemented should unanticipated resources be encountered during construction, including stopping work in the vicinity of the find and contacting the appropriate environmental compliance specialist.	G, I, B	CD (P)(E)
43.	✓	If potentially significant Tribal Cultural Resources (TCR) are discovered during ground disturbing construction activities, all work shall cease within 50-ft of the find, or an agreed upon distance based on the nature of the find. A Native American Representative from traditionally and culturally affiliated Native American Tribes that requested consultation on the project shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified cultural resources specialist meeting the Secretary of Interior's Standards and Qualifications for Archaeology, may also assess the significance of the find in joint consultation with Native American Representatives to ensure that Tribal values are considered. Work at the discovery location cannot resume until the City, in consultation as appropriate and in good faith, determines that the discovery is either not a TCR, or has been subjected to culturally appropriate treatment, if avoidance and preservation cannot be accommodated.	G, I, B	CD (P)(E)



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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
<b>BIOLOGICAL RESOURCE REQUIREMENTS</b>				
44.	✓	<p><u>White-Tailed Kite and Other Nesting Birds:</u>                      If project (construction) ground-disturbing or vegetation clearing and grubbing activities commence during the avian breeding season (February 1 – August 31), a qualified biologist shall conduct a pre-construction nesting bird survey no more than 14 days prior to initiation of project activities and again immediately prior to construction. The survey area shall include suitable raptor nesting habitat within 500-ft of the project boundary (inaccessible areas outside of the project site can be surveyed from the site or from public roads using binoculars or spotting scopes). Preconstruction surveys are not required in areas where project activities have been continuous since prior to February 1, as determined by a qualified biologist. Areas that have been inactive for more than 14 days during the avian breeding season must be resurveyed prior to resumption of project activities. If no active nests are identified, no further mitigation is required. If active nests are identified, the following measure is required:</p> <ul style="list-style-type: none"> <li>A suitable buffer (e.g., 500-ft for raptors; 100-ft for passerines) shall be established by a qualified biologist around active nests and no construction activities within the buffer shall be allowed until a qualified biologist has determined that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest, or the nest has failed). Encroachment into the buffer may occur at the discretion of a qualified biologist. Any encroachment into the buffer shall be monitored by a qualified biologist to determine whether nesting birds are being impacted.</li> </ul>	G, I	CD (E)(P)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
45.	✓	<u>Jurisdictional Wetlands and Waters</u> Prior to start of construction, the project proponent shall either prepare a formal delineation and submit it to the USACE for verification or obtain verification based on the mapping of aquatic resources in this report as well as contact the USACE, CVRWQCB, and CDFW to determine the need for permits and secure any required aquatic resources permits for impacts to waters of the U.S./State from the USACE, CVRWQCB, and CDFW, pursuant to Sections 404 and 401 of the Clean Water Act, the California Water Code, Section 1600 of the Fish and Game Code, and the State Water Resource Control Board Dredge and Fill Policy. The project proponent shall comply with all conditions of such permits including providing compensatory mitigation at a minimum 1:1 ratio as required to achieve no net loss of wetlands or other waters.	G, I	CD (E)(P)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
<b>AIR QUALITY REQUIREMENTS</b>				
46.		Control of fugitive dust is required by District Rule 403 and enforced by SMAQMD staff. The owner/applicant shall implement the following measures as identified by the SMAQMD: <ul style="list-style-type: none"> <li>• Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.</li> <li>• Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.</li> <li>• Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.</li> <li>• Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).</li> <li>• All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>• Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485. Provide clear signage that posts this requirement for workers at the entrances to the site.</li> <li>• Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.</li> </ul>	G, I, B	CD (P)(E)(B)

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	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
47.		<p>To mitigate the project's contribution to the urban heat island effect, the Sacramento Air Quality Management District (SMAQMD) recommends the following measures be implemented to the satisfaction of the Community Development Department:</p> <ul style="list-style-type: none"> <li>• The owner/applicant shall incorporate new shade trees to provide additional shade coverage for pavements and structures to the extent feasible. A directory of air-quality supportive trees is available in the Sacramento Tree Foundation's Shady Eighty guide and a more extensive tree list is available on page 153 of the UHI Technical Analysis Report.</li> <li>• All new pavements, including sidewalks, interior roads, bike lanes, pedestrian paths, parking lots, and plazas shall strive to achieve an albedo of at least 0.25-0.5.</li> <li>• For the parking lot areas, if cool pavement or additional tree shading is not feasible, the owner/applicant shall consider installing solar photovoltaic shade structures to reduce urban heat islands, generate renewable energy, and provide shading to parked vehicles, further reducing emissions.</li> </ul> <p>All new structures shall utilize certified cool roofs. The California Energy Commission's Title 24, Part 67, recommends an aged solar reflectance of at least 0.63 for low-sloped roofs and at least 0.20 for steep-sloped roofs, and minimum thermal emittance of 0.75.</p>	B	CD (P)(B)
<b>GREENHOUSE GAS REQUIREMENTS</b>				
48.	✓	In accordance with the City General Plan GHG Reduction Measure T-3, the project shall provide a minimum of five percent more bicycle parking than required in the City's Municipal Code Section 17.57.090 (for a total of 28 bicycle parking spaces).	B	CD (P)(B)
49.	✓	In accordance with the City General Plan GHG Reduction Measure T-6, the project shall use high-performance diesel (also known as Diesel-HPR or Reg-9000/RHD) for all diesel-powered equipment utilized in construction of the project.	B	CD (P)(B)

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	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
50.	✓	In accordance with the City General Plan GHG Reduction Measure T-8, the project shall provide 14 electric vehicle capable parking spaces based on the 136 total parking spaces proposed for the project. Of the 14 electric vehicle capable parking spaces, 7 parking spaces shall be equipped with electric vehicle charging equipment with initial development of the proposed project.	B	CD (P)(B)
51.	✓	In accordance with the City General Plan GHG Reduction Measure SW-1, the project shall divert to recycle or salvage a minimum 65 percent of nonhazardous construction and demolition waste generated at the project site in accordance with Appendix A4 (Residential) of the as outlined in the California Green Building Standards Code (2019 CALGreen).	B	CD (P)(B)
52.	✓	In accordance with the City General Plan GHG Reduction Measure W-1, the project shall comply with all applicable indoor and outdoor water efficiency and conservation measures required under 2019 CALGreen Tier 1, as outlined in the California Green Building Standards Code.	B	CD (P)(B)
<b>TRAFFIC, ACCESS, CIRCULATION, AND PARKING</b>				

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53.	✓	<p>Based on the recommendations of the Transportation Impact Study dated February 2022 (Attachment 21), and to further ensure further ensure safe travel within the project site, the following measures shall be implemented to the satisfaction of the Community Development Department:</p> <p><u>East Natoma Street (Eastbound)</u></p> <ul style="list-style-type: none"> <li>○ The owner/applicant shall construct a 150-foot right-turn pocket with 60-foot taper on the eastbound approach to Prison Road from East Natoma Street. The existing bike trail shall be relocated to accommodate the right-turn lane. The relocated bike trail shall be placed in a dedicated pedestrian access and trail easement which shall be recorded prior to plan approval. With this proposed modification, the eastbound approach to Prison Road from East Natoma Street shall include one left-turn lane, one thru lane, and one right-turn lane.</li> </ul> <p><u>East Natoma Street (Westbound)</u></p> <ul style="list-style-type: none"> <li>○ The owner/applicant shall construct a 100-foot left-turn pocket with a raised median with a 60-foot taper on the westbound approach to Prison Road from East Natoma Street. The median shall allow emergency vehicle access/egress and the modifications required for emergency vehicle access/egress shall be approved by the City of Folsom Fire Department. With these proposed modifications, the westbound approach to Prison Road from East Natoma Street shall include one shared thru/right-turn lane and one left-turn lane.</li> </ul> <p><u>Prison Road (Southbound)</u></p> <ul style="list-style-type: none"> <li>○ Prior to entering State property, the contractor shall execute a right-of-entry agreement with the State of California, Department of Corrections.</li> <li>○ The owner/applicant shall restripe the existing right-turn lane at the southbound approach to East Natoma Street from Prison Road to indicate that this lane is a shared thru and right-turn lane. The existing dedicated left-turn lane shall remain as currently striped.</li> </ul> <p><u>Primary Project Driveway (East Natoma Street)</u></p> <ul style="list-style-type: none"> <li>○ The owner/applicant shall construct a shared thru/right-turn lane and a dedicated left-turn lane at the northbound approach to East Natoma Street at the primary project driveway. The shared thru/right-turn lane and dedicated left-turn lane shall include a 70-foot turn pocket and a 60-foot taper.</li> </ul>	I	CD (P)(E), PW
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<p>53. Cont.</p>	<p>✓</p>	<p><u>Secondary Project Driveway (East Natoma Street)</u></p> <ul style="list-style-type: none"> <li>○ The owner/applicant shall construct a raised median within Natoma Street and a right-turn channelization taper at the secondary project driveway to prevent left-turns into the project site from westbound East Natoma Street and left-turns out of the project site onto westbound East Natoma Street to the satisfaction of the Community Development Department.</li> <li>○ The owner/applicant shall install “Stop” signs, appropriate pavement markings, and signage at the secondary project exit at East Natoma Street.</li> </ul> <p><u>East Natoma Street/Prison Road Traffic Signal and Signal Timing</u></p> <ul style="list-style-type: none"> <li>○ The owner/applicant shall construct a traffic signal at the fourth leg of the intersection of East Natoma Street and Prison Road and modify all existing traffic signal improvements to the satisfaction of the Community Development Department.</li> <li>○ The owner/applicant shall coordinate retiming the traffic signal at the intersection of East Natoma Street and Prison Road as follows:                         <ul style="list-style-type: none"> <li>● Eastbound and westbound protected left turn phasing, northbound and southbound split phasing. 150 second cycle length, with 34 second northbound southbound split phases and 20 second eastbound and westbound protected phases, and 62 second eastbound and westbound through phases. Crosswalks shall be set to 22 seconds to accommodate a 3 feet per second walking speed.</li> </ul> </li> </ul> <p><u>East Natoma Street Frontage Improvements</u></p> <ul style="list-style-type: none"> <li>○ The owner/applicant shall install curbs, gutter, a bicycle lane, and sidewalks along the project’s frontage with East Natoma Street as shown on the submitted site plan. In addition, the owner/applicant shall construct curbs, gutters, a bicycle lane, and sidewalks from the project’s eastern boundary approximately 120-feet to the east to connect to the existing off-site sidewalk and associated improvements. The owner/applicant shall enter into a credit reimbursement agreement with the City to cover the costs of these off-site frontage improvements.</li> </ul>	<p>I</p>	<p>CD (P)(E), PW</p>
<p>54.</p>		<p>A minimum of 136 on-site parking spaces shall be provided for the project.</p>	<p>I, O</p>	<p>CD (P)(E)</p>
<p>55.</p>		<p>A minimum of 28 on-site bicycle parking spaces shall be provided for the project at locations that are close proximity to the primary building entrances.</p>	<p>I, O</p>	<p>CD (P)(E)</p>

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159)                      CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS                      103 EAST NATOMA STREET</b>				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
<b>NOISE/VIBRATION REQUIREMENTS</b>				
56.	✓	Construction activities shall be required to comply with the following and be noted accordingly on the improvement plans:  1. Construction hours/Scheduling: The following are required to limit construction activities to the portion of the day when occupancy of the adjacent sensitive receptors are at the lowest: a. Construction activities for all phases of construction, including servicing of construction equipment shall only be permitted during the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between 8:00 a.m. to 5:00 p.m. on Saturdays. Construction is prohibited on Sundays and on all holidays. b. Delivery of materials or equipment to the site and truck traffic coming to and from the site is restricted to the same construction hours specified above. 2. Construction Equipment Mufflers and Maintenance: All construction equipment powered by internal combustion engines shall be properly muffled and maintained. 3. Idling Prohibitions: All equipment and vehicles shall be turned off when not in use. Unnecessary idling of internal combustion engines is prohibited. 4. Equipment Location and Shielding: All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from the adjacent homes. Acoustically shield such equipment when it must be located near adjacent residences. 5. Quiet Equipment Selection: Select quiet equipment, particularly air compressors, whenever possible. Motorized equipment shall be outfitted with proper mufflers in good working order. 6. Staging and Equipment Storage: The equipment storage location shall be sited as far as possible from nearby sensitive receptors.	G, I, B	CD (P)(E)

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159)            CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS            103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
57.	✓	The owner/applicant or designated contractor shall provide evidence to the City (via testing data or calculations from a qualified expert), demonstrating that vibratory rollers to be used on the project site would produce less than 80 VdB at nearby occupied residences, or all vibratory rollers shall be used in static mode only (no vibrations) when operating within 120-ft of an occupied residence.	G, I, B	CD (P)(E)
<b>ARCHITECTURE/SITE DESIGN REQUIREMENTS</b>				
58.		The final location, design, materials, and colors of the trash/recycling enclosures be subject to review and approval by the Community Development Department.	I, B	CD (P)(E)
59.		Decorative stone pilasters shall be integrated into the screen wall design at strategically placed locations to break up the long expanse of the wall and a decorative trim cap shall be placed on top of the screen wall for its entire length to the satisfaction of the Community Development Department. In addition, the final location, height, design, materials, and colors for the proposed retaining walls, screen walls, and fencing shall be subject to review and approval by the Community Development Department.	I, B	CD (P)(E)

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS 103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
60.		<p>The project shall comply with the following architecture and design requirements:</p> <ol style="list-style-type: none"> <li>1. This approval is for a three-story apartment building totaling 111,755 square feet associated with the Vintage Apartments project. The applicant shall submit building plans that comply with this approval and the attached building elevations and color renderings dated June 3, 2022.</li> <li>2. The design, materials, and colors of the proposed Vintage Senior Apartments building shall be consistent with the submitted building elevations, color renderings, materials samples, and color scheme to the satisfaction of the Community Development Department.</li> <li>3. Brick pavers or another type of colored masonry material (ADA compliant) shall be used to designate pedestrian crosswalks on the project site, in addition to where pedestrian paths cross drive aisles, and shall be incorporated as a design feature at the driveway entrances at East Natoma Street to the satisfaction of the Community Development Department.</li> <li>4. Roof-mounted mechanical equipment, including satellite dish antennas, shall not extend above the height of the parapet walls. Ground-mounted mechanical equipment shall be shielded by landscaping or trellis type features.</li> </ol> <p>Utility equipment such as transformers, electric and gas meters, electrical panels, and junction boxes shall be screened by walls and or landscaping.</p>	I, B	CD (P)
<b>GRADING REQUIREMENT</b>				
61.		<p>Prior to the approval of the final facilities design and the initiation of construction activities, the applicant shall submit an erosion control plan to the City for review and approval. The plan shall identify protective measures to be taken during excavation, temporary stockpiling, any reuse or disposal, and revegetation. Specific techniques may be based upon geotechnical reports, the <u>Erosion and Sediment Control Handbook</u> of the State of California Department of Conservation, and shall comply with all updated City standards.</p>	G, I	CD (E)

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159)                  CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS                  103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
<b>SIGN REQUIREMENTS</b>				
62.		The proposed monument sign shall be constructed of masonry, stone, or wood materials to be more consistent with the design/materials of the apartment building. In addition, the final location, design, materials, and color of the monument sign be subject to review and approval by the Community Development Department. Lastly, the owner/applicant shall obtain a sign permit prior to installation of the monument sign.	B	CD (P)
<b>OTHER AGENCY REQUIREMENTS</b>				
63.		The owner/applicant shall obtain all required State and Federal permits and provide evidence that said permits have been obtained, or that the permit is not required, subject to staff review and approval of any grading or improvement plan.	G, I	CD (P)(E)
<b>CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW) REQUIREMENTS</b>				
64.		The owner/applicant shall submit a Notification of Lake or Streambed Alteration to the California Department of Fish and Wildlife (CDFW) prior to commencement of any clearing, grubbing, grading, or site work.	G, I	CD (P)(E)
65.		The owner/applicant shall incorporate bird and wildlife friendly strategies including: <ul style="list-style-type: none"> <li>• Implementing an education program for residents to keep domestic cats indoors.</li> <li>• Installing screens, window patterns, or new types of glass such as acid-etched, fritted, frosted, ultraviolet patterned, or channel.</li> </ul>	G, I, B	CD (P)

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159)                  CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS                  103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
<b>PACIFIC GAS &amp; ELECTRIC (PG&amp;E) REQUIREMENTS</b>				
66.		The owner/applicant shall implement the following measures as recommended by the Pacific Gas & Electric Company (PG&E): <ul style="list-style-type: none"> <li>• Additional bollards shall be placed within the parking lot to protect an existing PG&amp;E transmission tower located along the southern property boundary.</li> <li>• Cuts, trenches, or excavations shall not be made within 25 feet of any PG&amp;E transmission tower.</li> <li>• 25-foot clearance shall be maintained from any PG&amp;E transmission tower during grading activities.</li> <li>• On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs shall be limited to those varieties that do not exceed 15 feet in height at maturity.</li> <li>• PG&amp;E shall have access to its facilities at all times, including access by heavy equipment.</li> <li>• No planting is to occur within the footprint of the tower legs.</li> </ul>	G, I, OG	CD (P)(E)
<b>SACRAMENTO METROPOLITAN UTILITY DISTRICT (SMUD) REQUIREMENTS</b>				



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67.		<p>The owner/applicant shall implement the following measures as recommended by the Sacramento Metropolitan Utility District (SMUD):</p> <ul style="list-style-type: none"> <li>• Structural setbacks less than 14-feet shall require the owner/applicant to conduct a pre-engineering meeting with all utilities to ensure property clearances are maintained.</li> <li>• Any necessary future SMUD facilities located on the owner/applicant's property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the owner/applicant's property.</li> <li>• In the event the owner/applicant requires the relocation or removal of existing SMUD facilities on or adjacent to the subject property, the owner/applicant shall coordinate with SMUD. The owner/applicant shall be responsible for the cost of relocation or removal.</li> <li>• SMUD reserves the right to use any portion of its easements on or adjacent to the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.</li> <li>• The owner/applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The owner/applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, etc.).</li> <li>• In the event the City requires an Irrevocable Offer of Dedication (IOD) for future roadway improvements, the owner/applicant shall dedicate a 12.5-foot public utility easement (PUE) for overhead and/or underground facilities and appurtenances adjacent to the City's IOD.</li> <li>• The owner/applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: <a href="https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services">https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services</a>.</li> <li>• The owner/applicant shall dedicate a 12.5-foot public utility easement for overhead and/or underground facilities and appurtenances adjacent to all public street rights-of-ways.</li> <li>• The owner/applicant shall dedicate any private drive, ingress and egress easement, (and 10-feet adjacent thereto) as a public utility easement for</li> </ul>	G, I, OG	CD (P)(E)
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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS 103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
67. Cont.		(overhead and) underground facilities and appurtenances. All access roads shall meet minimum SMUD requirements for access roads. <ul style="list-style-type: none"> <li>The owner/applicant shall dedicate and provide all-weather vehicular access for service vehicles that are up to 26,000 pounds. At a minimum: (a) the drivable surface shall be 20-feet wide; and (b) all SMUD underground equipment and appurtenances shall be within 15-feet from the drivable surface.</li> </ul>		
<b>FIRE DEPARTMENT REQUIREMENTS</b>				
68.		The building shall have illuminated addresses visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and approved by the Fire Marshal.	I	FD
69.		Prior to the issuance of any improvement plans or building permits, the Community Development and Fire Departments shall review and approve all detailed design plans for accessibility of emergency fire equipment, fire hydrant flow location, and other construction features.	I, B	FD
70.		All fire protection devices shall be designed to be located on site: fire hydrants, fire department connections, post indicator valves, etc. off-site devices cannot be used to serve the building. A water model analysis that proves the minimum fire flow will be required before any permits are issued. The fire sprinkler riser location shall be inside a Fire Control Room (5' X 7' minimum) with a full-sized 3'-0" door. This room can be a shared with other building utilities. The room shall only be accessible from the exterior.	I, B	FD
71.		All-weather emergency access roads and fire hydrants (tested and flushed) shall be provided before combustible material or vertical construction is allowed on site. All-weather access is defined as 6" of compacted AB from May 1 to September 30 and 2"AC over 6" AB from October 1 to April 30.	I, B	FD
72.		All on-site curbing shall be painted as a fire zone (red-color) to the satisfaction of the Fire Department.	I, B	FD

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<b>CONDITIONS OF APPROVAL FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) CONDITIONAL USE PERMIT, PLANNED DEVELOPMENT PERMIT, AND DENSITY BONUS 103 EAST NATOMA STREET</b>				
	<b>Mitigation Measure</b>	<b>Condition/Mitigation Measure</b>	<b>When Required</b>	<b>Responsible Department</b>
<b>PARKS AND RECREATION REQUIREMENTS</b>				
73.		The owner/applicant shall provide and record a dedicate pedestrian access and bike trail easement for the realigned and existing bicycle/pedestrian trail located within the project site. Upon recordation of the bicycle/pedestrian trail easement, the City shall assume ownership of the bicycle/pedestrian trail and all associated maintenance responsibilities.	I, B	P, CD (E)
74.		The on-site pedestrian trail which connects to the Class 1 bike trail (within the dedicated pedestrian access and bike trail easement) shall be maintained by the owner/applicant. In addition, the owner/applicant shall install signage at the south end of the new trail connection that reads "Yield to Cross Traffic".	OG	P, CD (E)
<b>POLICE/SECURITY REQUIREMENT</b>				
75.		The owner/applicant shall consult with the Police Department in order to incorporate all reasonable crime prevention measures. The following security/safety measures shall be required: <ul style="list-style-type: none"> <li>• A security guard shall be on-duty at all times at the site or a six-foot security fence shall be constructed around the perimeter of construction areas. (This requirement shall be included on the approved construction drawings).</li> <li>• Security measures for the safety of all construction equipment and unit appliances shall be employed.</li> </ul> Landscaping shall not cover exterior doors or windows, block line-of-sight at intersections or screen overhead lighting.	G, I, B	PD
<b>MISCELLANEOUS REQUIREMENTS</b>				
76.		The proposed project shall comply with all State and local rules, regulations, Governor's Declarations, and restrictions including but not limited to: Proclamation of a State of Emergency due to drought conditions issued by the Governor of California on October 19, 2021 relative to water usage and conservation, requirements relative to water usage and conservation established by the State Water Resources Control Board, and water usage and conservation requirements established within the <u>Folsom Municipal Code</u> , (Section 13.26 Water Conservation), or amended from time to time.	I, B, OG	CD (P)(E)

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**CONDITIONS**

See attached tables of conditions for which the following legend applies.

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD (P) (E) (B) (F)	Community Development Department Planning Division Engineering Division Building Division Fire Division	I	Prior to approval of Improvement Plans
		M	Prior to approval of Final Map
		B	Prior to issuance of first Building Permit
		O	Prior to approval of Occupancy Permit
		G	Prior to issuance of Grading Permit
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

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Vintage Senior Apartments (PN 21-159)  
January 18, 2023

# **Attachment 5**

## **Vicinity Map**



# Vicinity Map



CITY OF FOLSOM

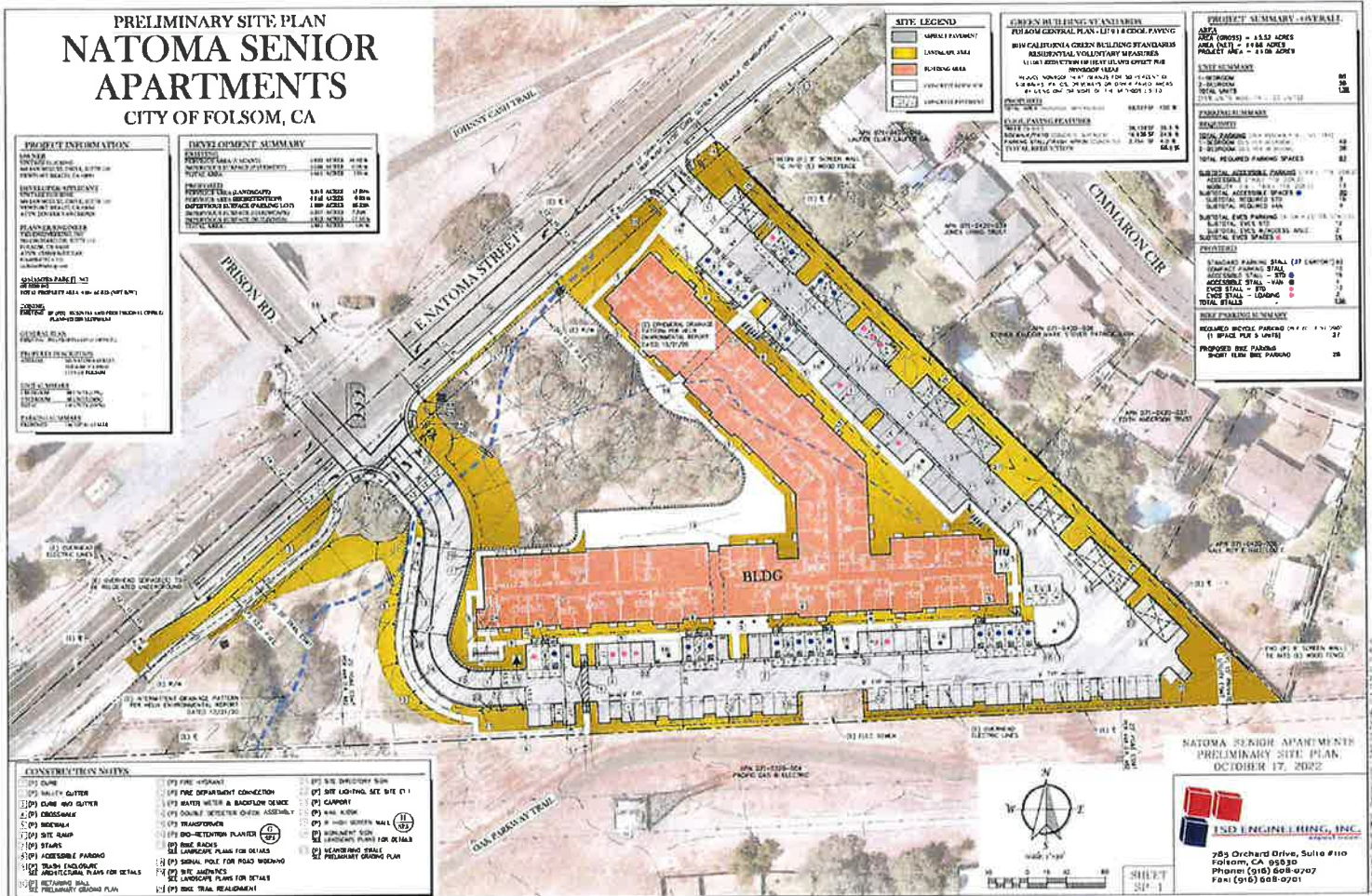




Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 6**

**Site Plan, dated October 17, 2022**



# PRELIMINARY SITE PLAN NATOMA SENIOR APARTMENTS CITY OF FOLSOM, CA

**PROJECT INFORMATION**

OWNER: [REDACTED]  
 ARCHITECT: [REDACTED]  
 ENGINEER: [REDACTED]  
 DATE: [REDACTED]

**GENERAL NOTES**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF FOLSOM ORDINANCES AND SPECIFICATIONS.
2. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF FOLSOM.
3. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE DEVELOPER SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
5. THE DEVELOPER SHALL MAINTAIN ALL EXISTING TREES AND LANDSCAPE.
6. THE DEVELOPER SHALL PROVIDE ALL NECESSARY UTILITY CONNECTIONS.
7. THE DEVELOPER SHALL PROVIDE ALL NECESSARY EROSION CONTROL MEASURES.
8. THE DEVELOPER SHALL PROVIDE ALL NECESSARY SIGNAGE.
9. THE DEVELOPER SHALL PROVIDE ALL NECESSARY LIGHTING.
10. THE DEVELOPER SHALL PROVIDE ALL NECESSARY FENCE AND SECURITY.

**DEVELOPMENT SUMMARY**

APARTMENT UNITS	100
COMMERCIAL SPACE	10,000
TOTAL GROSS AREA	10,100
TOTAL NET AREA	8,000
TOTAL PAVEMENT	15,000
TOTAL LANDSCAPED	10,000
TOTAL SITE AREA	25,000

**SITE LEGEND**

- APARTMENT UNITS
- LANDSCAPED AREA
- PARKING AREA
- COMMERCIAL SPACE
- CONCRETE PAVEMENT

**GREEN BUILDING ANALYSIS**

LEED CERTIFICATION: LEED GOLD

GREEN BUILDING FEATURES:

- 1. ENERGY EFFICIENT LIGHTING
- 2. ENERGY EFFICIENT APPLIANCES
- 3. ENERGY EFFICIENT WATER FIXTURES
- 4. ENERGY EFFICIENT HEATING AND COOLING SYSTEMS
- 5. ENERGY EFFICIENT ROOFING
- 6. ENERGY EFFICIENT WINDOWS
- 7. ENERGY EFFICIENT FLOORING
- 8. ENERGY EFFICIENT PAINTS AND COATINGS
- 9. ENERGY EFFICIENT INTERIORS
- 10. ENERGY EFFICIENT EXTERIORS

**PROJECT SUMMARY - OVERALL**

AREA: [REDACTED]  
 GROSS AREA: [REDACTED]  
 NET AREA: [REDACTED]  
 PROJECT AREA: [REDACTED]

**PERMITS SUMMARY**

PERMIT TYPE: [REDACTED]  
 PERMIT NUMBER: [REDACTED]  
 PERMIT DATE: [REDACTED]

**CONSTRUCTION SUMMARY**

CONSTRUCTION START: [REDACTED]  
 CONSTRUCTION END: [REDACTED]  
 TOTAL CONSTRUCTION COST: [REDACTED]

**CONSTRUCTION NOTES**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF FOLSOM ORDINANCES AND SPECIFICATIONS.
2. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF FOLSOM.
3. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE DEVELOPER SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
5. THE DEVELOPER SHALL MAINTAIN ALL EXISTING TREES AND LANDSCAPE.
6. THE DEVELOPER SHALL PROVIDE ALL NECESSARY UTILITY CONNECTIONS.
7. THE DEVELOPER SHALL PROVIDE ALL NECESSARY EROSION CONTROL MEASURES.
8. THE DEVELOPER SHALL PROVIDE ALL NECESSARY SIGNAGE.
9. THE DEVELOPER SHALL PROVIDE ALL NECESSARY LIGHTING.
10. THE DEVELOPER SHALL PROVIDE ALL NECESSARY FENCE AND SECURITY.



NATOMA SENIOR APARTMENTS  
 PRELIMINARY SITE PLAN  
 OCTOBER 17, 2022

**END ENGINEERING, INC.**  
 285 Orchard Drive, Suite #110  
 Folsom, CA 95630  
 Phone: (916) 608-0707  
 Fax: (916) 608-0701

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

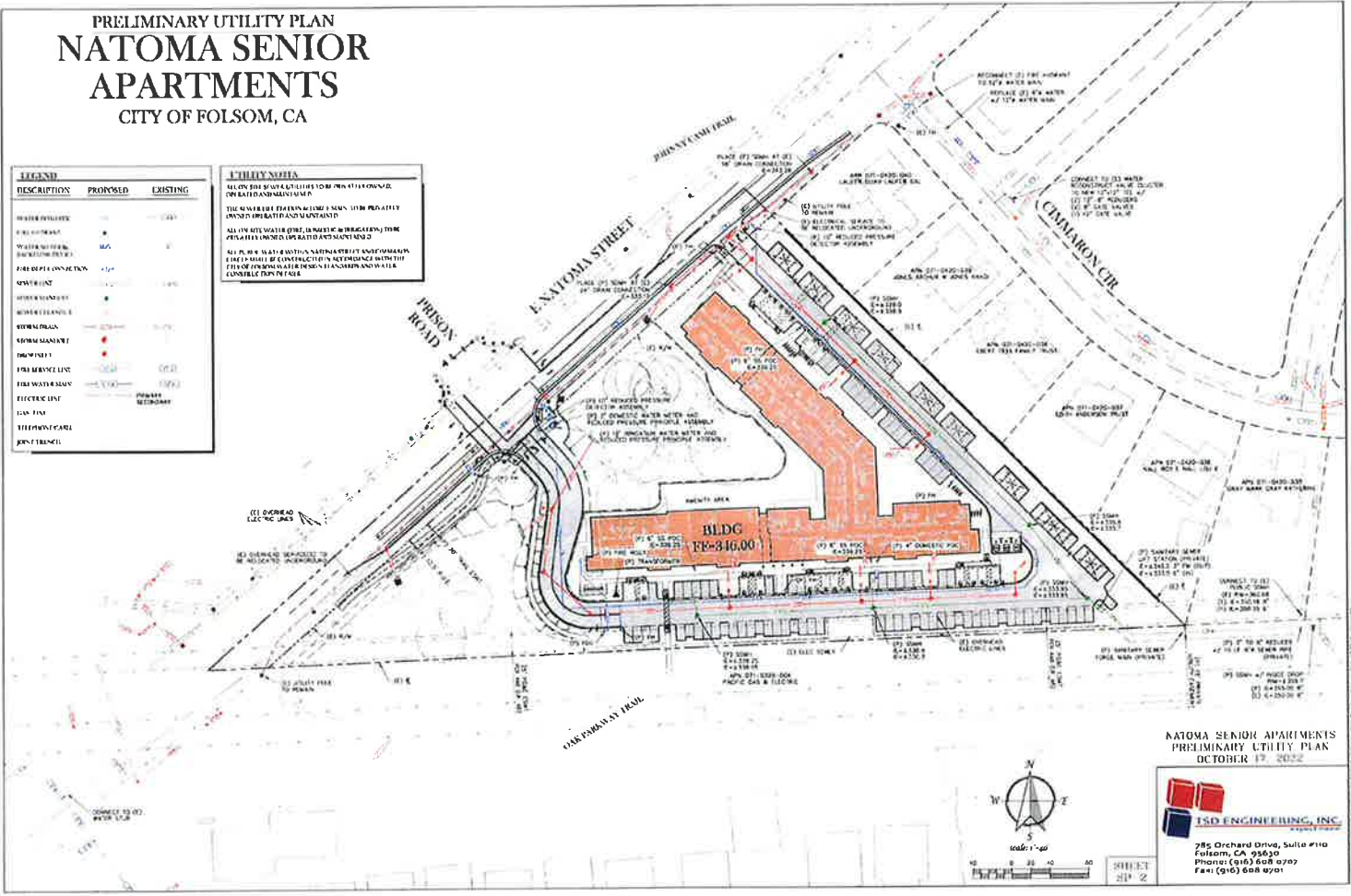
**Attachment 7**

**Preliminary Utility Plan**  
**Dated November 16, 2021**

# PRELIMINARY UTILITY PLAN NATOMA SENIOR APARTMENTS CITY OF FOLSOM, CA

DESCRIPTION	PROPOSED	EXISTING
SEWER MAINLINE	---	---
SEWER BRANCH	---	---
SEWER SERVICE LINE	---	---
SEWER CONNECTION	---	---
WATER MAIN	---	---
WATER BRANCH	---	---
WATER SERVICE LINE	---	---
WATER CONNECTION	---	---
STORM MAINLINE	---	---
STORM BRANCH	---	---
STORM SERVICE LINE	---	---
STORM CONNECTION	---	---
ELECTRIC MAIN	---	---
ELECTRIC BRANCH	---	---
ELECTRIC SERVICE LINE	---	---
ELECTRIC CONNECTION	---	---
TELEPHONE CABLE	---	---
POSSIBLE TRENCH	---	---

**UTILITY NOTES**  
 ALL UTILITIES SHALL BE TO BE MAINTAINED, OPERATED AND MANAGED BY THE UTILITY OWNERS.  
 THE UTILITY OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES UNDER THE PROJECT.  
 ALL UTILITIES SHALL BE MAINTAINED AT ALL TIMES.  
 ALL UTILITIES SHALL BE MAINTAINED AT ALL TIMES.  
 ALL UTILITIES SHALL BE MAINTAINED AT ALL TIMES.



NATOMA SENIOR APARTMENTS  
 PRELIMINARY UTILITY PLAN  
 OCTOBER 17, 2022

285 Orchard Drive, Suite #110  
 Folsom, CA 95620  
 Phone: (916) 608 0707  
 Fax: (916) 608 0701

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 8**

# **Preliminary Grading and Drainage Plan Dated October 17, 2022**





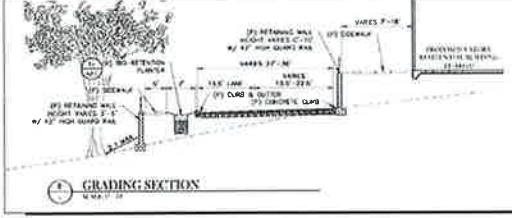
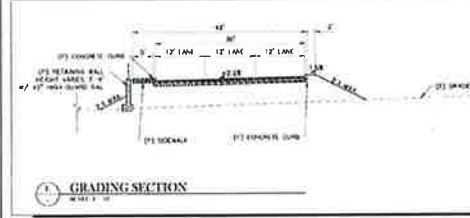
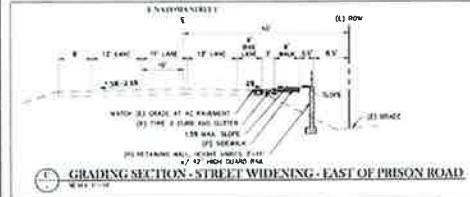
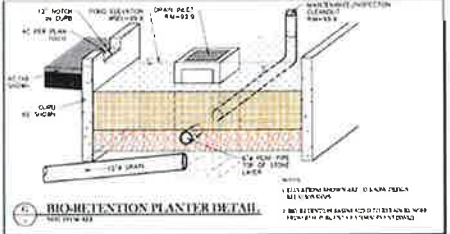
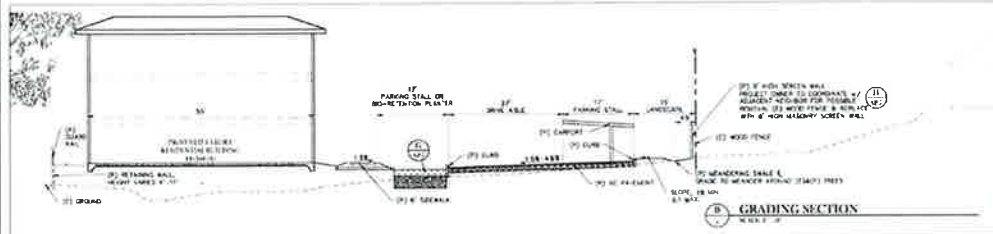
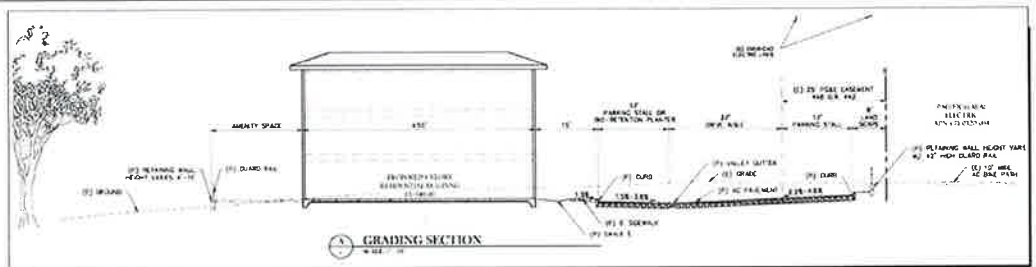


Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 9**

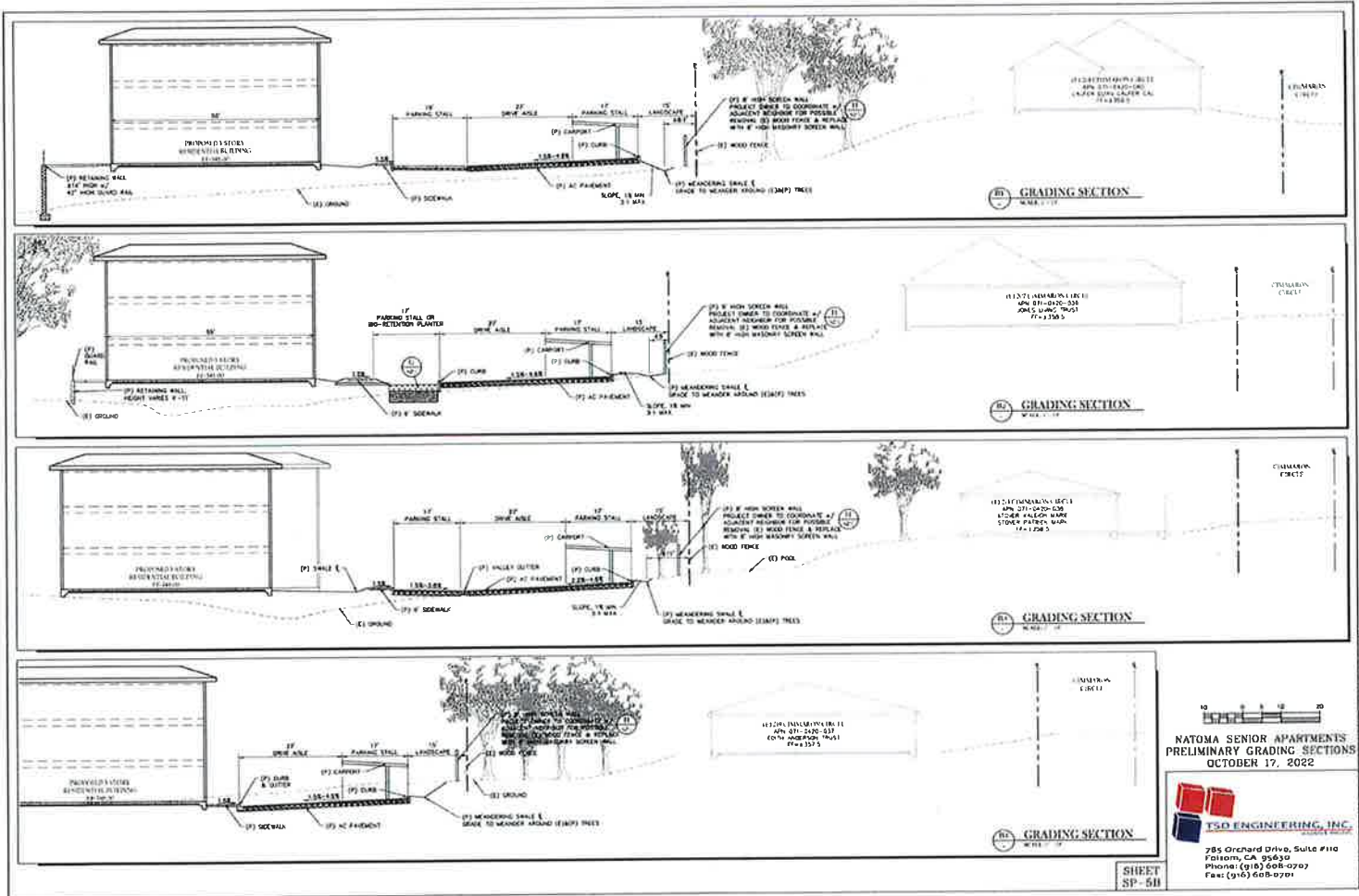
**Preliminary Grading Sections**  
**Dated October 17, 2022**

**PRELIMINARY GRADING SECTIONS**  
**NATOMA SENIOR**  
**APARTMENTS**  
 CITY OF FOLSOM, CA



NATOMA SENIOR APARTMENTS  
 PRELIMINARY GRADING SECTIONS  
 JUNE 9, 2022





Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 10**

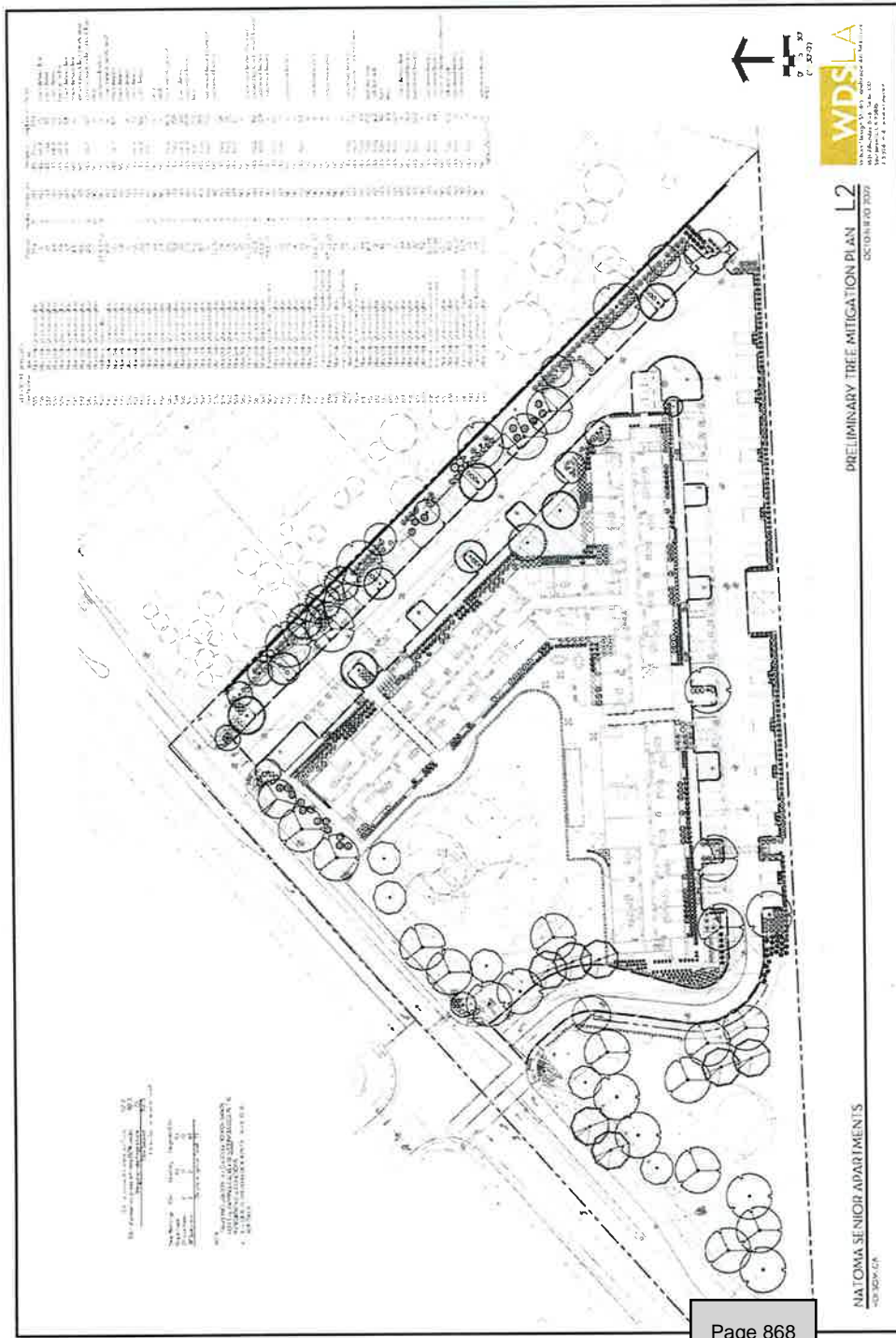
### **Preliminary Landscape and Irrigation Plans Dated October 20, 2022**









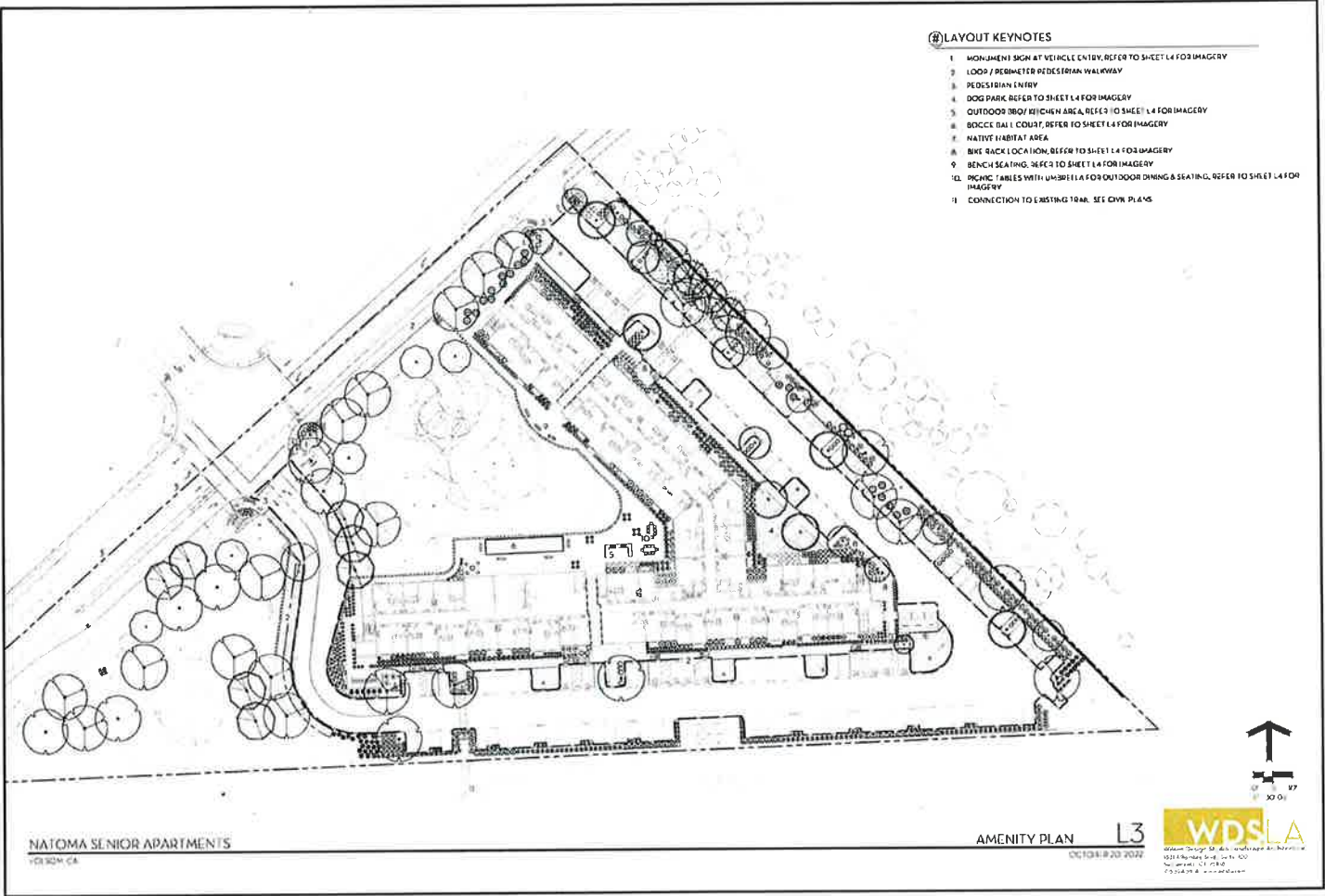


NO.	DESCRIPTION	DATE	BY	CHECKED
1	PRELIMINARY TREE MITIGATION PLAN	03/28/2023	[Signature]	[Signature]
2	REVISIONS			
3	REVISIONS			
4	REVISIONS			
5	REVISIONS			
6	REVISIONS			
7	REVISIONS			
8	REVISIONS			
9	REVISIONS			
10	REVISIONS			
11	REVISIONS			
12	REVISIONS			
13	REVISIONS			
14	REVISIONS			
15	REVISIONS			
16	REVISIONS			
17	REVISIONS			
18	REVISIONS			
19	REVISIONS			
20	REVISIONS			
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22	REVISIONS			
23	REVISIONS			
24	REVISIONS			
25	REVISIONS			
26	REVISIONS			
27	REVISIONS			
28	REVISIONS			
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30	REVISIONS			
31	REVISIONS			
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33	REVISIONS			
34	REVISIONS			
35	REVISIONS			
36	REVISIONS			
37	REVISIONS			
38	REVISIONS			
39	REVISIONS			
40	REVISIONS			
41	REVISIONS			
42	REVISIONS			
43	REVISIONS			
44	REVISIONS			
45	REVISIONS			
46	REVISIONS			
47	REVISIONS			
48	REVISIONS			
49	REVISIONS			
50	REVISIONS			

**WDSL**  
 WASHINGTON DESIGN SERVICES, L.P.  
 1100 17th Street, Suite 1000  
 Denver, CO 80202  
 Phone: 303.733.1100  
 Fax: 303.733.1101  
 www.wdsl.com

PRELIMINARY TREE MITIGATION PLAN L2  
 03/28/2023

NATOMA SENIOR APARTMENTS  
 400 25th St





MONUMENT SIGN



OUTDOOR SEATING & DINING AREA



DOG PARK



BOCCE BALL COURT



BIKE RACK



PICNIC TABLE WITH UMBRELLA



OUTDOOR BBQ/ KITCHEN



6 FT BENCH



NOTE: IMAGES SHOWN ON THIS BOARD ARE MEANT TO BE GUIDELINES FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE FINAL DESIGN AND CONSTRUCTION SHALL BE DETERMINED BY THE ARCHITECT AND THE CLIENT.

NATOMA SENIOR APARTMENTS  
10 30th, CA

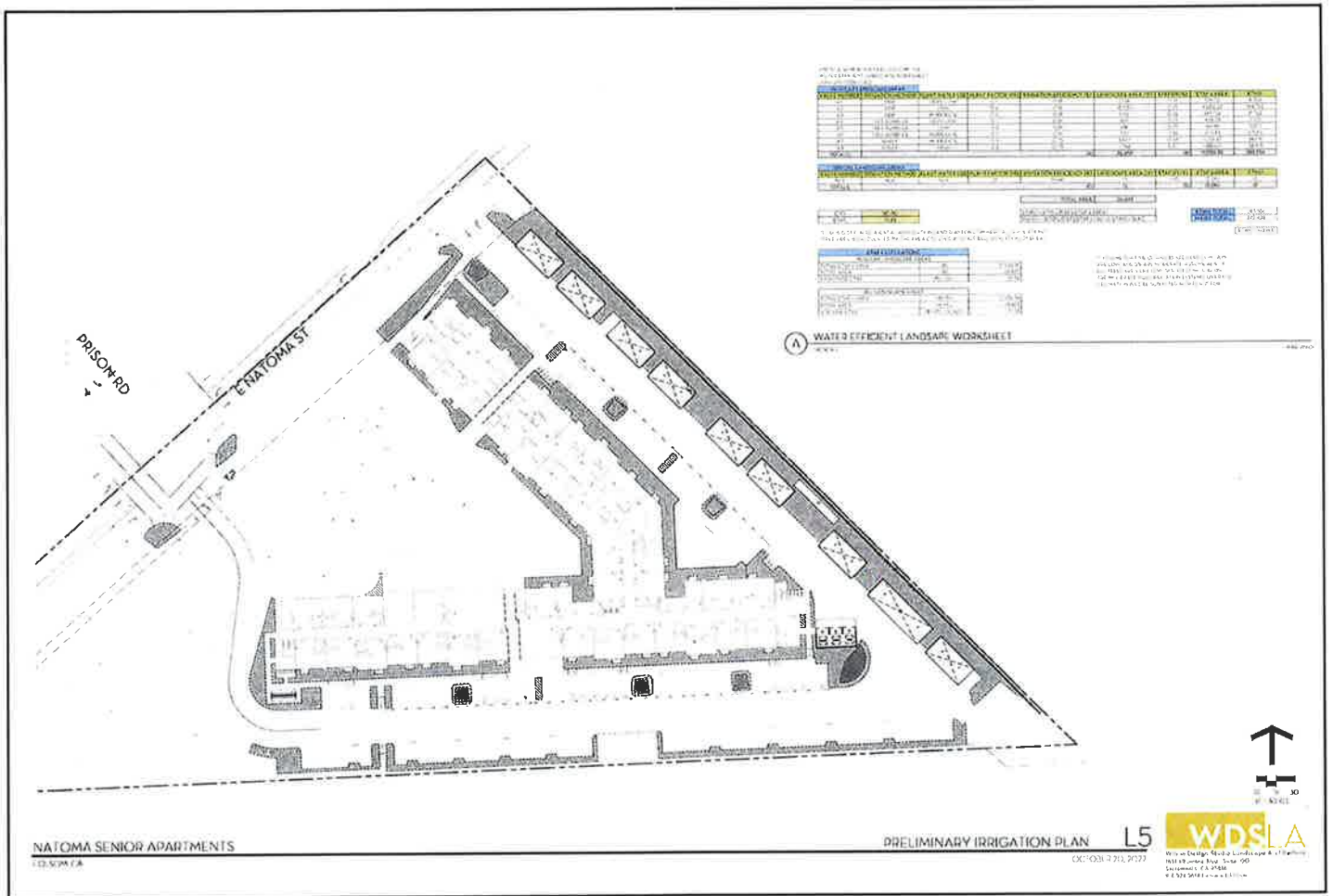
PRELIMINARY LANDSCAPE IMAGE BOARD

L4

OCTOBER 2023, 2023







**PLANT SCHEDULE**

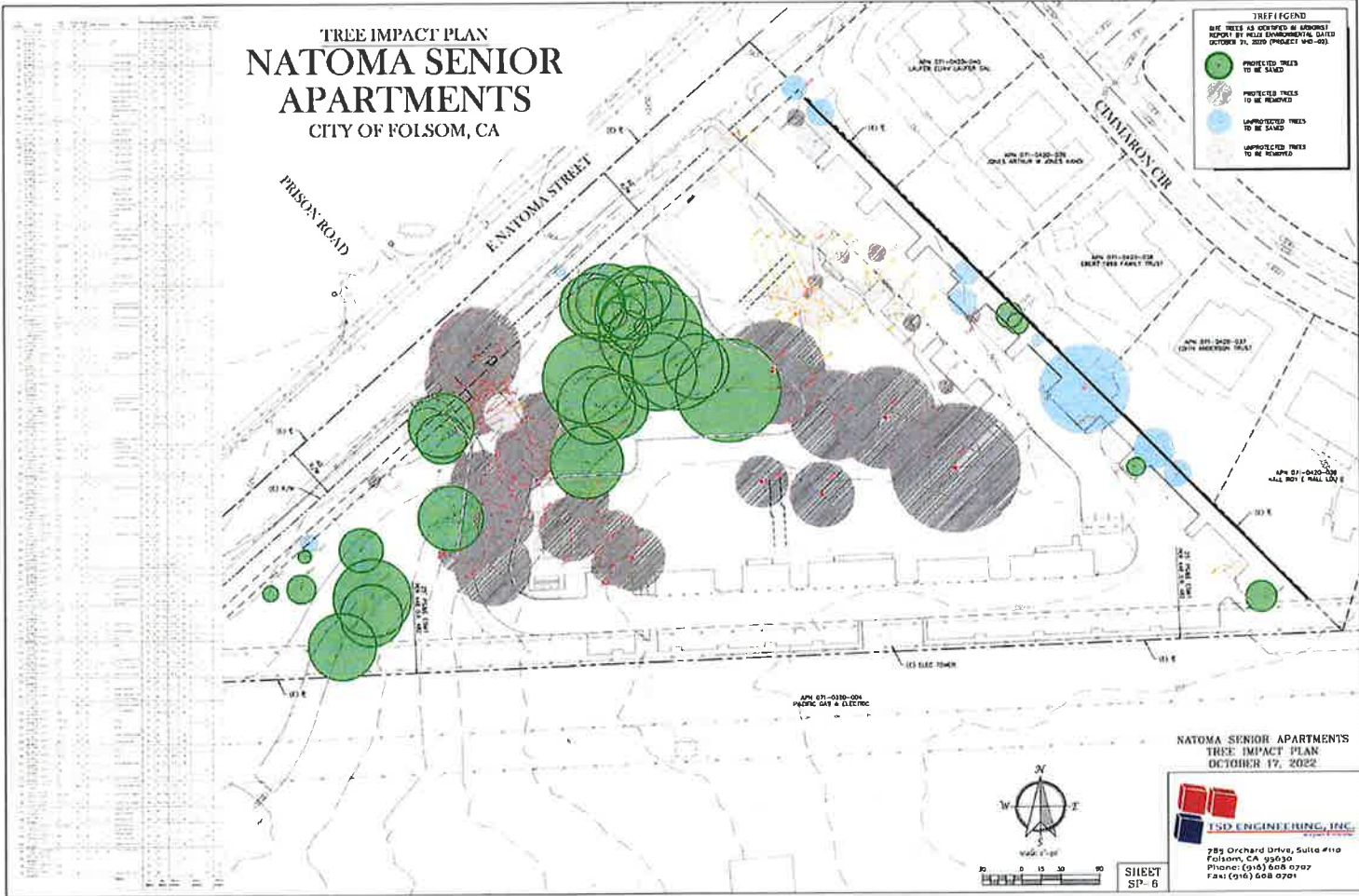
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6. 12" DBL. SP. PINE	10	7. 12" DBL. SP. PINE	10	8. 12" DBL. SP. PINE	10	9. 12" DBL. SP. PINE	10	10. 12" DBL. SP. PINE	10
11. 12" DBL. SP. PINE	10	12. 12" DBL. SP. PINE	10	13. 12" DBL. SP. PINE	10	14. 12" DBL. SP. PINE	10	15. 12" DBL. SP. PINE	10
16. 12" DBL. SP. PINE	10	17. 12" DBL. SP. PINE	10	18. 12" DBL. SP. PINE	10	19. 12" DBL. SP. PINE	10	20. 12" DBL. SP. PINE	10
21. 12" DBL. SP. PINE	10	22. 12" DBL. SP. PINE	10	23. 12" DBL. SP. PINE	10	24. 12" DBL. SP. PINE	10	25. 12" DBL. SP. PINE	10
26. 12" DBL. SP. PINE	10	27. 12" DBL. SP. PINE	10	28. 12" DBL. SP. PINE	10	29. 12" DBL. SP. PINE	10	30. 12" DBL. SP. PINE	10
31. 12" DBL. SP. PINE	10	32. 12" DBL. SP. PINE	10	33. 12" DBL. SP. PINE	10	34. 12" DBL. SP. PINE	10	35. 12" DBL. SP. PINE	10
36. 12" DBL. SP. PINE	10	37. 12" DBL. SP. PINE	10	38. 12" DBL. SP. PINE	10	39. 12" DBL. SP. PINE	10	40. 12" DBL. SP. PINE	10
41. 12" DBL. SP. PINE	10	42. 12" DBL. SP. PINE	10	43. 12" DBL. SP. PINE	10	44. 12" DBL. SP. PINE	10	45. 12" DBL. SP. PINE	10
46. 12" DBL. SP. PINE	10	47. 12" DBL. SP. PINE	10	48. 12" DBL. SP. PINE	10	49. 12" DBL. SP. PINE	10	50. 12" DBL. SP. PINE	10
51. 12" DBL. SP. PINE	10	52. 12" DBL. SP. PINE	10	53. 12" DBL. SP. PINE	10	54. 12" DBL. SP. PINE	10	55. 12" DBL. SP. PINE	10
56. 12" DBL. SP. PINE	10	57. 12" DBL. SP. PINE	10	58. 12" DBL. SP. PINE	10	59. 12" DBL. SP. PINE	10	60. 12" DBL. SP. PINE	10
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76. 12" DBL. SP. PINE	10	77. 12" DBL. SP. PINE	10	78. 12" DBL. SP. PINE	10	79. 12" DBL. SP. PINE	10	80. 12" DBL. SP. PINE	10
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86. 12" DBL. SP. PINE	10	87. 12" DBL. SP. PINE	10	88. 12" DBL. SP. PINE	10	89. 12" DBL. SP. PINE	10	90. 12" DBL. SP. PINE	10
91. 12" DBL. SP. PINE	10	92. 12" DBL. SP. PINE	10	93. 12" DBL. SP. PINE	10	94. 12" DBL. SP. PINE	10	95. 12" DBL. SP. PINE	10
96. 12" DBL. SP. PINE	10	97. 12" DBL. SP. PINE	10	98. 12" DBL. SP. PINE	10	99. 12" DBL. SP. PINE	10	100. 12" DBL. SP. PINE	10

(A) WATER EFFICIENT LANDSCAPE WORKSHEET

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 11**

**Preliminary Tree Impact Plan**  
**Dated October 17, 2022**

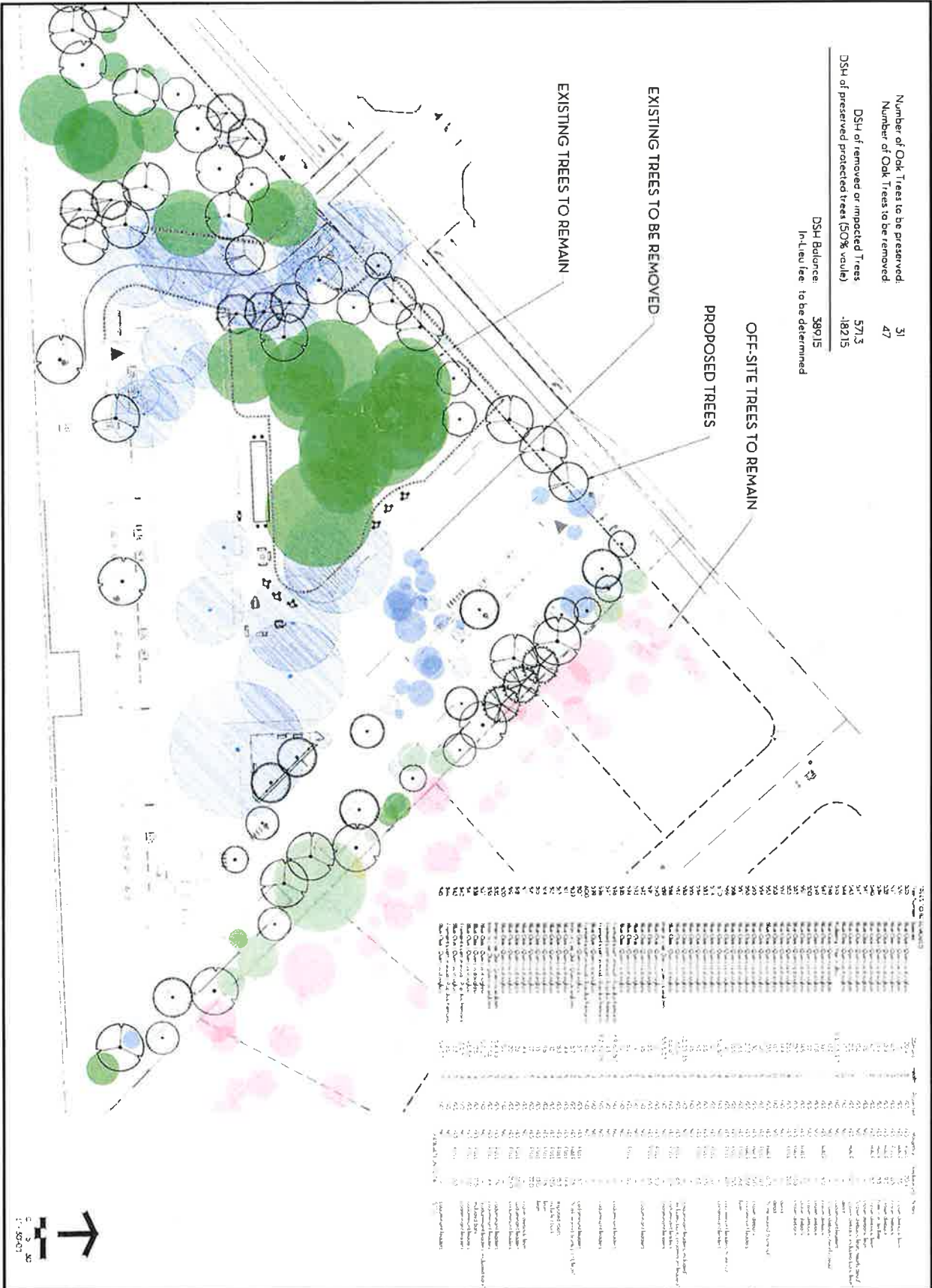




Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 12**

### **Preliminary Oak Tree Mitigation Plan Dated October 20, 2022**



Number of Oak Trees to be preserved	31
Number of Oak Trees to be removed	47
DSH of removed or impacted Trees	571.3
DSH of preserved protected trees (50% value)	-182.15
<b>DSH Balance:</b>	<b>389.15</b>
In-Lieu fee:	to be determined

	VINTAGE SENIOR HOUSING TREE EXHIBIT FOLSOM, CA	DESIGNED BY JG CHECKED BY JG DATE 12/16/2022	REVISIONS NO. DATE BY	OWNER	
	WDSL A WALTERS DESIGN SERVICES, LLC 10000 Folsom Blvd., Suite 100 Folsom, CA 95630 Phone: (916) 439-1100 Fax: (916) 439-1101 Email: info@wds-la.com				

**Tree Impact Summary - Natoma Senior Apartments**

DSH of removed or impacted trees	571.3	(68 total trees = 47 protected + 21 unprotected)
DSH of preserved protected trees (50% vaule)	-182.2	(55 total trees = 31 protected + 24 unprotected)
Mitigation plantings on-site	0.0	
<hr/>		
DSH Balance	389.2	
In-Lieu fee	to be determined	

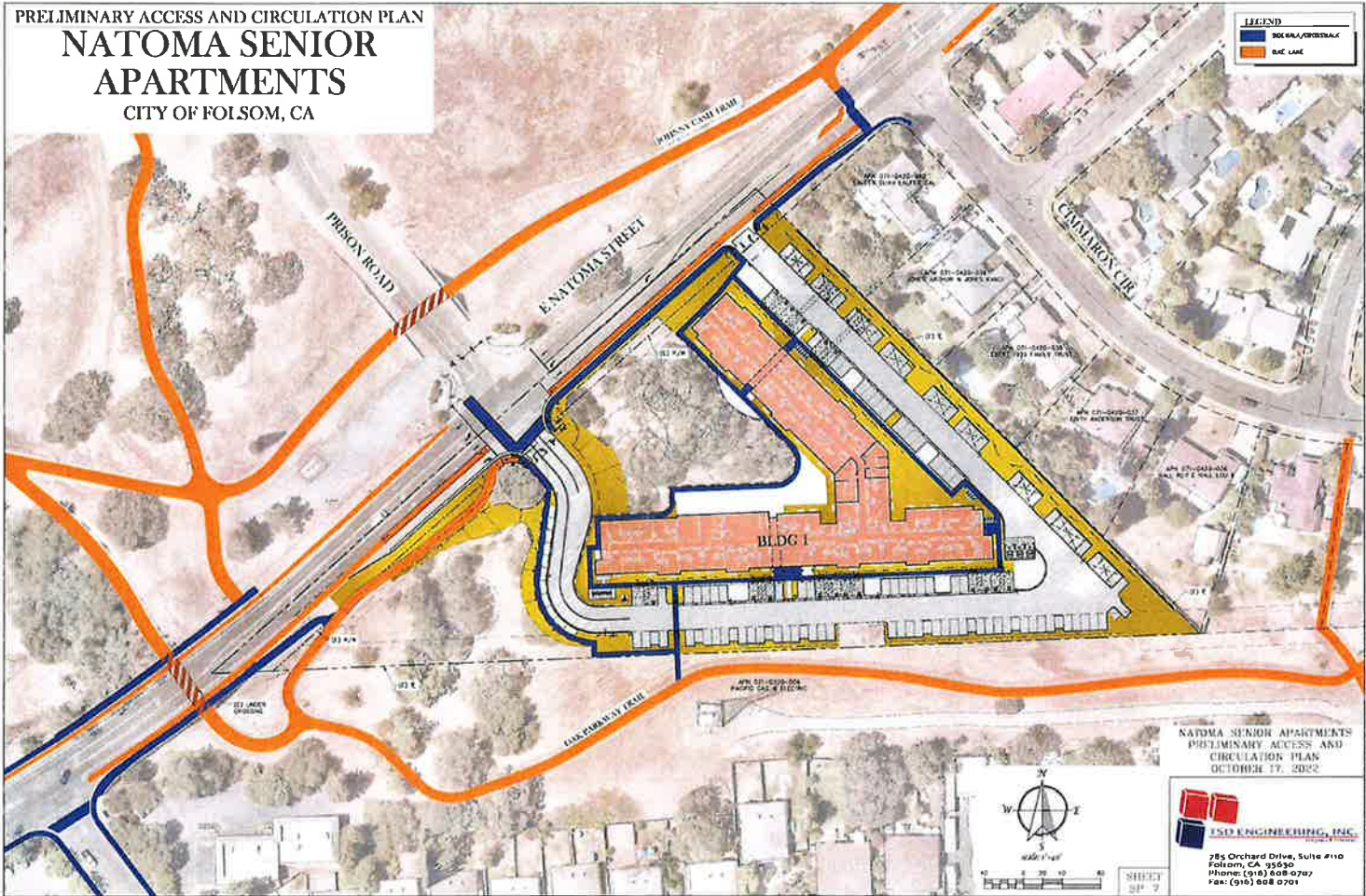
Site Tree Plantings	DSH	quantity	Mitigated DSH
15 gal trees	1	9	0
24" box trees	2		0
36" box trees	3	20	0
<hr/>			
No mitigation is proposed through proposed plantings			0

Tuesday, December 20, 2022

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 13**

### **Preliminary Access and Circulation Plan Dated October 17, 2022**





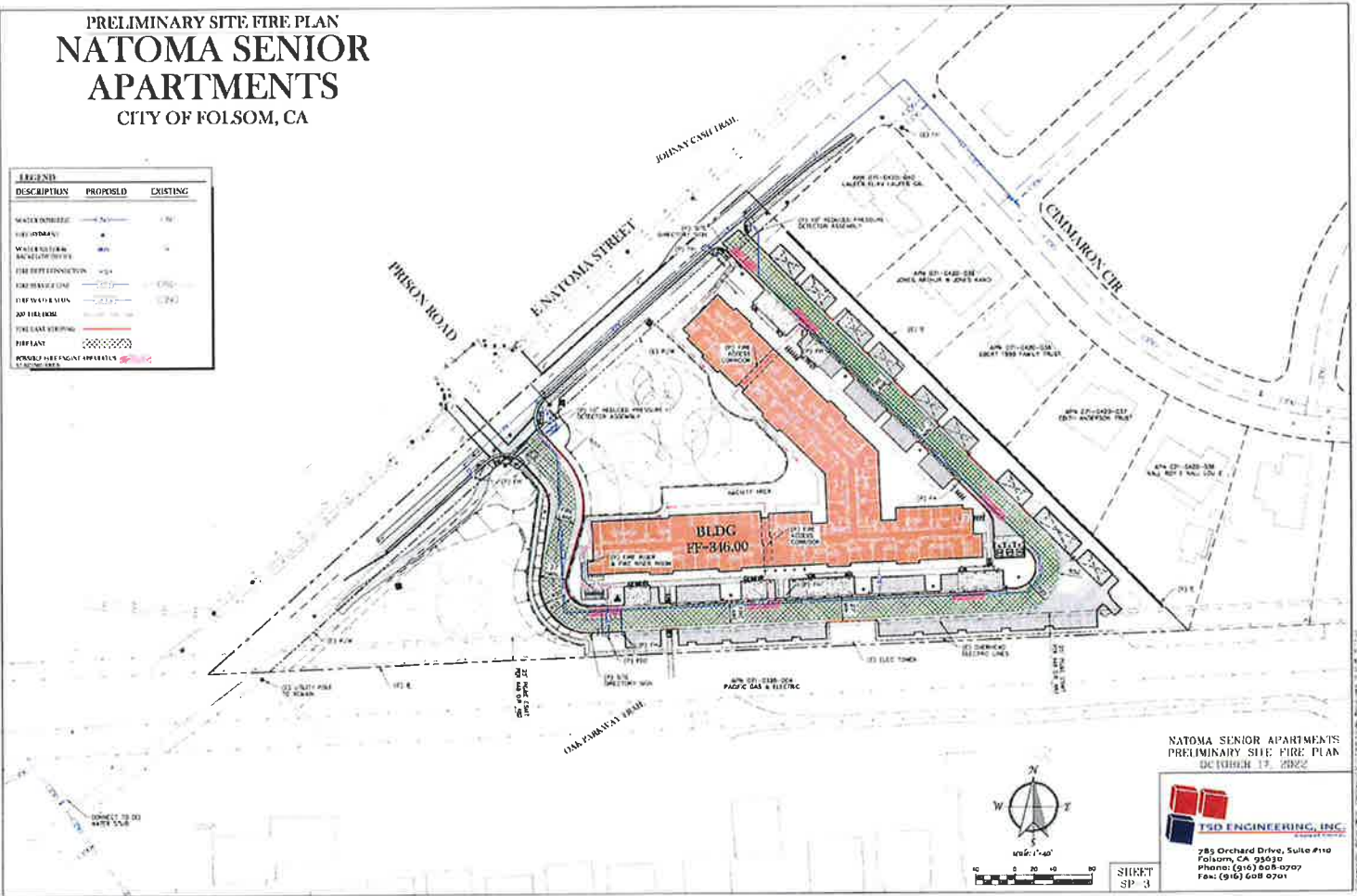
Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 14**

**Preliminary Fire Access Plan**  
**Dated October 17, 2022**

**PRELIMINARY SITE FIRE PLAN**  
**NATOMA SENIOR**  
**APARTMENTS**  
 CITY OF FOLSOM, CA

LEGEND	PROPOSED	EXISTING
WATER MAINLINE		
SEWER MAIN		
WATER TOWER		
WATER TOWER		
FIRE DEFEATITION		
WATER MAINLINE		
SEWER MAIN		
AP FIRE LINE		
EXISTING FIRE LINE		
FIRE PLAN		
APPROXIMATE FIRE PLAN		

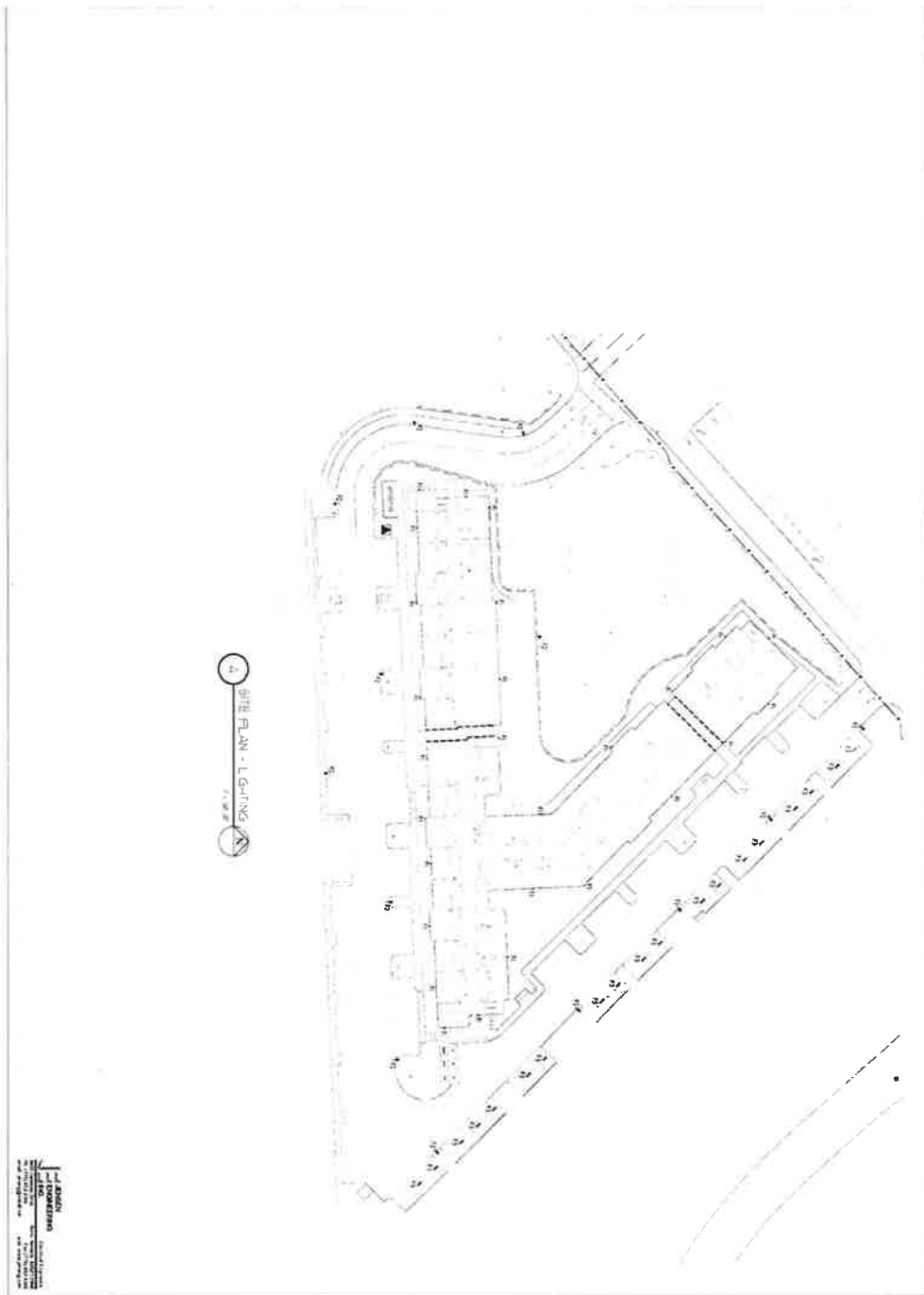


Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 15**

### **Preliminary Lighting Plan and Details Dated November 3, 2021**





J. JOHNSON  
 ARCHITECTS  
 1000 N. 10TH ST.  
 SUITE 100  
 FOLSOM, CA 95630  
 TEL: 916.451.1000  
 FAX: 916.451.1001  
 WWW.JJOHNSONARCHITECTS.COM

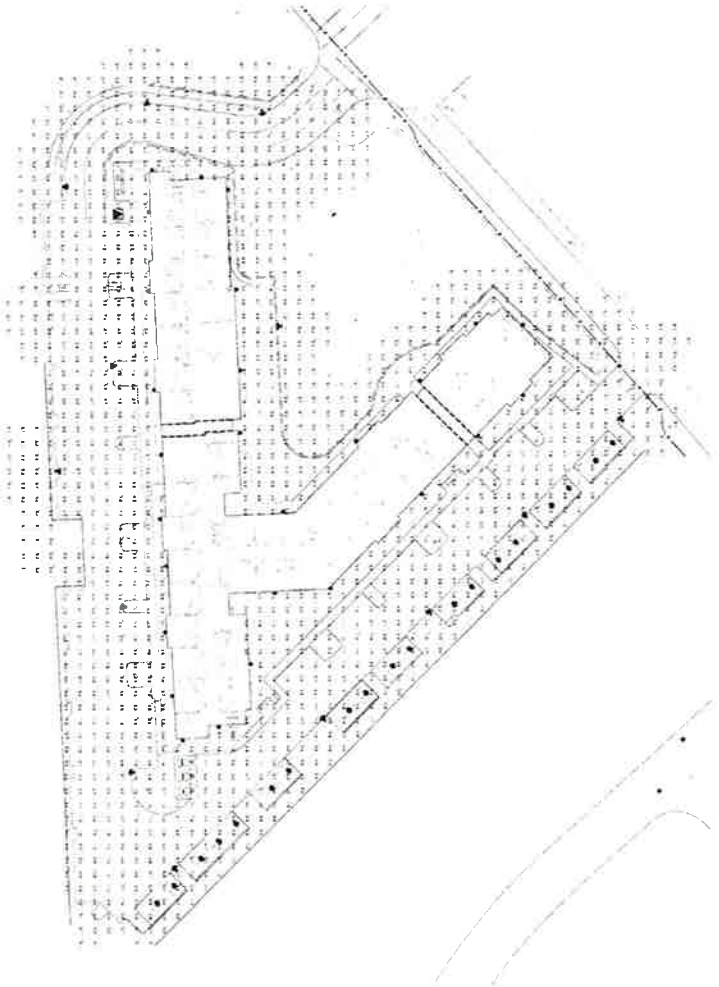
NATOMAS SENIOR  
 APARTMENTS  
 20211  
 03/28/2023  
 E1.1



20211  
 03/28/2023  
 E1.1

**NATOMAS SENIOR  
 APARTMENTS**  
 CITY OF FOLSOM, CA





**SITE PHOTOGRAPHIC CALCULATION**

**SHEET NOTES: (NOT MET ONLY)**  
 1. PHOTOGRAPHIC CALCULATION AND PHOTOGRAPHS SHALL BE TAKEN FROM THE PROPOSED APARTMENT BUILDING AND SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL.

**DATE:** 03/28/2023  
**BY:** [Signature]  
**FOR:** [Signature]

**E1.2**



**2023**  
**DATE:** 03/28/2023  
**BY:** [Signature]  
**FOR:** [Signature]

**NATOMAS SENIOR APARTMENTS**  
 CITY OF FOLSOM, CA



**RSX2 LED**

**Specifications**

**Lighting Information**

Item	Description	Quantity	Unit	Notes
1	RSX2 LED	1	EA	

**Lighting Information**

**Photometric Output**

Item	Description	Quantity	Unit	Notes
1	RSX2 LED	1	EA	

**Notes**

1. See drawing for details.

2. See drawing for details.

3. See drawing for details.

**Dimensions & Weights**

**Lighting Information**

Item	Description	Quantity	Unit	Notes
1	RSX2 LED	1	EA	

**Notes**

1. See drawing for details.

2. See drawing for details.

3. See drawing for details.

**JENSEN ENGINEERING**

10000 Folsom Blvd., Suite 100  
Folsom, CA 95630  
Tel: 916.437.1234  
Fax: 916.437.1235  
www.jensen-engineering.com

**NATOMAS SENIOR APARTMENTS**  
CITY OF FOLSOM, CA

2021-1  
MTE ENTITLEMENT



NOVEMBER 3, 2021  
SPECIFICATION SHEETS

E2.2

E2.3

DEPARTMENT OF COMMUNITY DEVELOPMENT  
HONOLULU, HAWAII



2023-1  
BTT ENVIRONMENT

NATOMAS SENIOR APARTMENTS  
CITY OF HONOLULU, OAHU

The image displays four screenshots from a software application, likely related to production or inventory management. The screenshots are arranged in a 2x2 grid. The top-left and top-right screenshots show 'PRODUCTION REPORT' tables with columns for various metrics. The bottom-left screenshot shows a 'PRODUCTION REPORT' table with a 'LITHONIA LIGHTING' logo. The bottom-right screenshot shows a 'PRODUCTION REPORT' table with a 'LITHONIA LIGHTING' logo and a 'FEM LED' label.

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 16**

### **Building Elevations and Floor Plans Dated June 3, 2022**

# FOLSOM

NATOMA SENIOR APARTMENTS  
VINTAGE HOUSING DEVELOPMENT  
REVISED





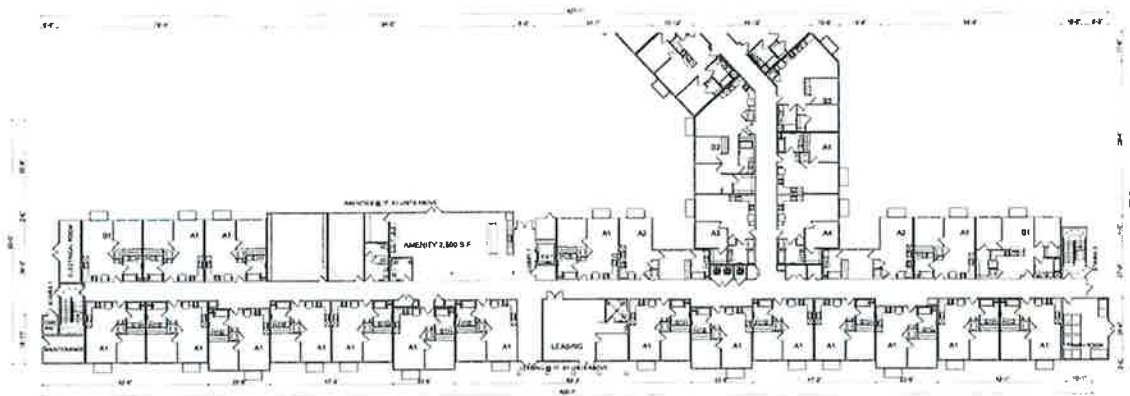


Folsom - Natoma Senior Apartments  
Vintage Housing Development

CHARACTER ELEVATIONS  
scale: 3/32" = 1'-0" on 24x36

June 3, 2022



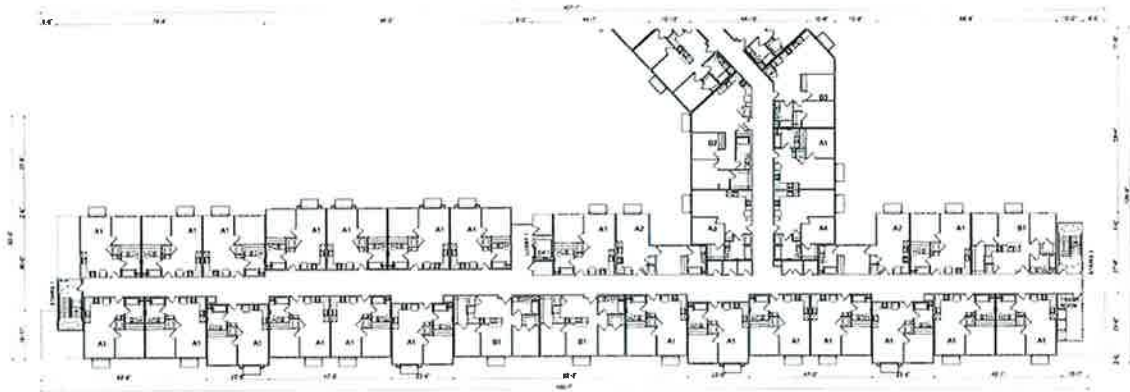


GROUND LEVEL PLAN

Folsom - Natoma Senior Apartments  
Vintage Housing Development

BUILDING PLAN - SOUTHERN HALF  
scale: 1/16" = 1'-0" on 24x36 sheet  
November 2, 2021



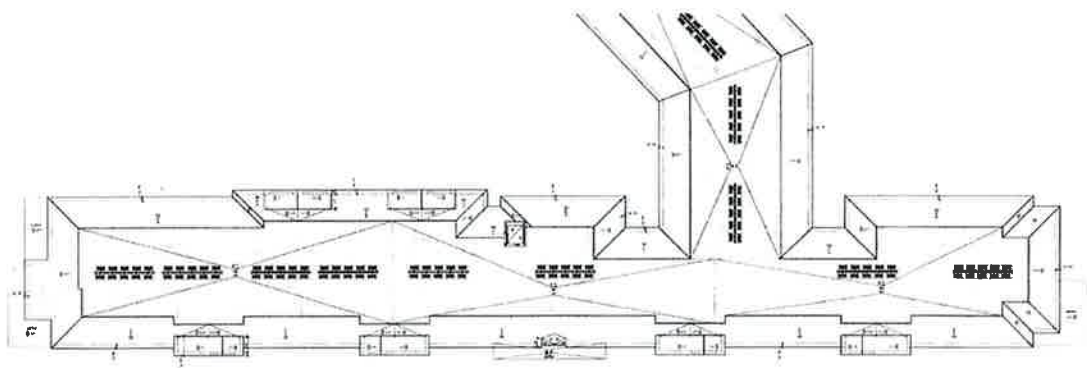


2nd & 3rd LEVEL PLAN

Folsom - Natoma Senior Apartments  
Vintage Housing Development

BUILDING PLAN - SOUTHERN HALF  
scale: 1/8" = 1'-0" on 24x36 sheet  
November 2, 2021



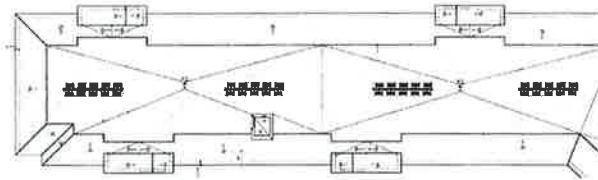


ROOF PLAN

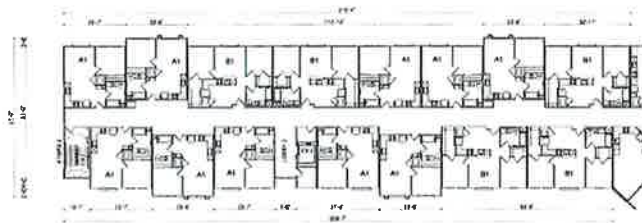
Folsom - Natoma Senior Apartments  
Vintage Housing Development

BUILDING PLAN - SOUTHERN HALF  
scale: 1/8" = 1'-0" on 24x36 sheet  
November 7, 2021

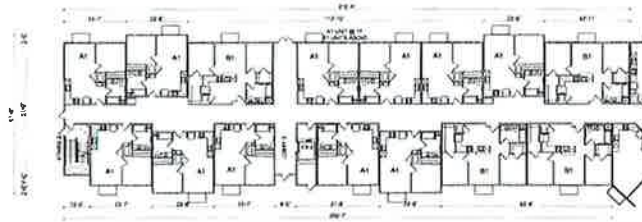




ROOF PLAN



2nd & 3rd LEVEL PLAN

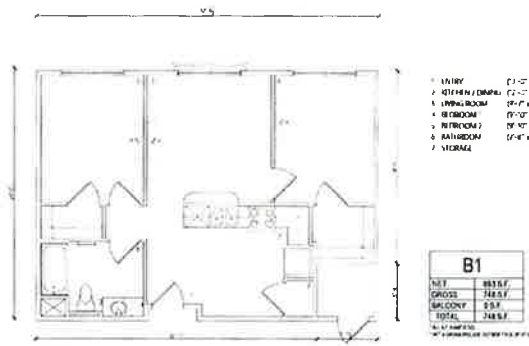
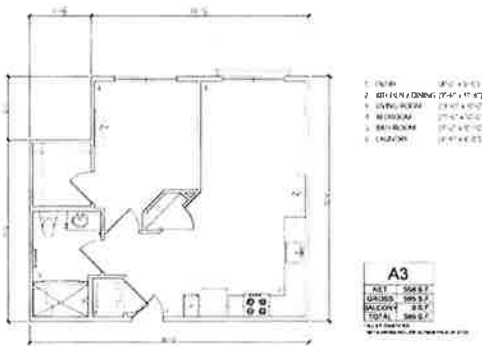
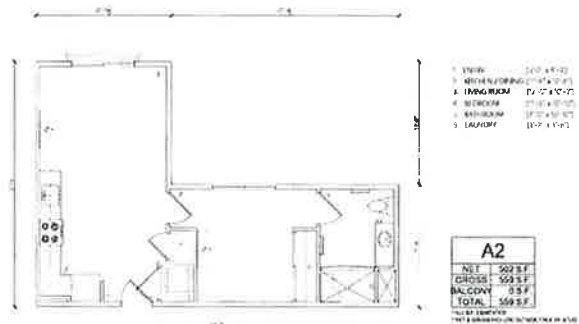
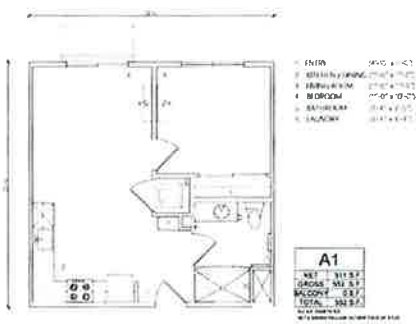


GROUND LEVEL PLAN

Folsom - Natoma Senior Apartments  
Vintage Housing Development

BUILDING PLANS - NORTHERN HALF  
scale: 1/16" = 1'-0" on 24x36 sheet  
November 2, 2021





Folsom - Natoma Senior Apartments  
 Vintage Housing Development

TYPICAL UNIT PLANS  
 scale: 1/4" = 1'-0" on 24x36 sheet  
 November 2, 2021





Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 17**

### **Color Building Renderings Dated June 3, 2022**



Folsom - Natoma Senior Apartments  
Vintage Housing Development

VIEW FROM NATOMA STREET NORTH

June 3, 2022





Folsom - Natoma Senior Apartments  
Vintage Housing Development

VIEW FROM NATOMA STREET AT ENTRY

June 3, 2022





Folsom - Natoma Senior Apartments  
Vintage Housing Development

VIEW FROM BIKE TRAIL WEST

June 3, 2022







Folsom - Natoma Senior Apartments  
Vintage Housing Development

VIEW FROM BIKE TRAIL EAST

June 3, 2022

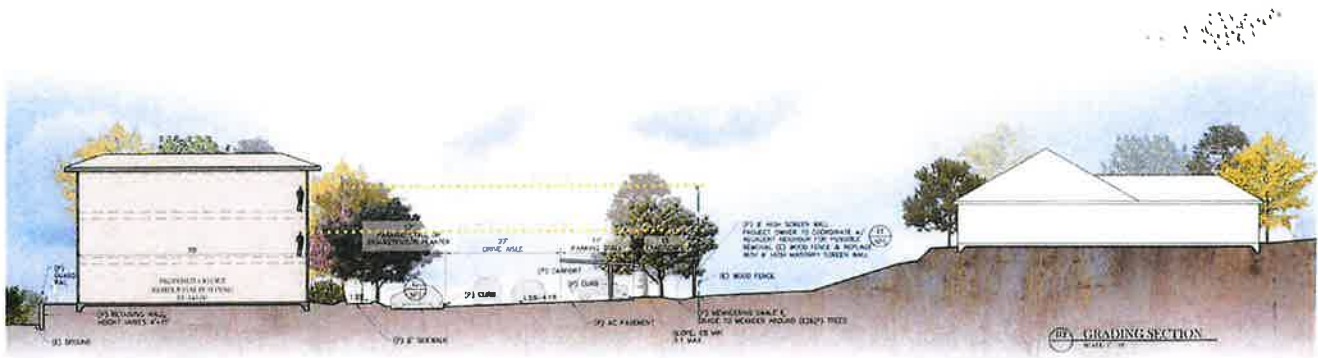
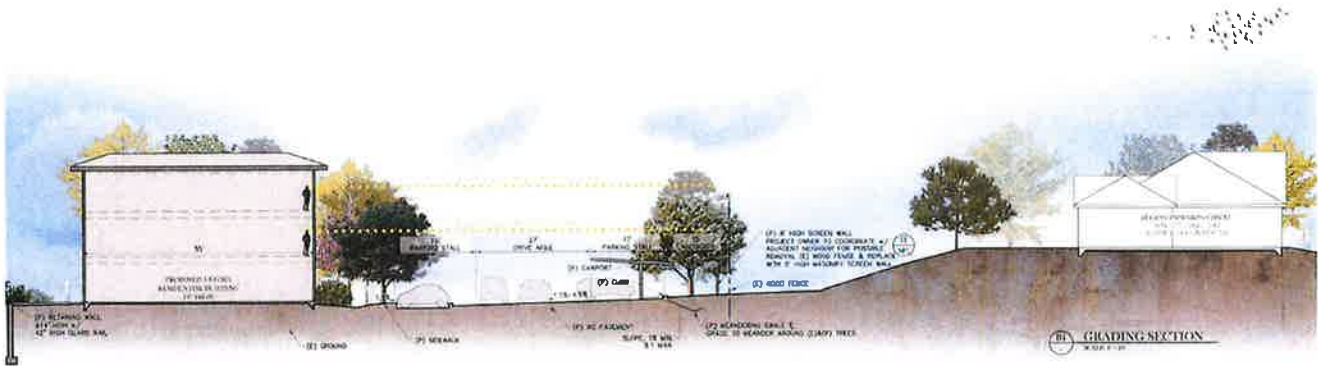


Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 18**

**Building Site Sections**  
**Dated June 3, 2022**

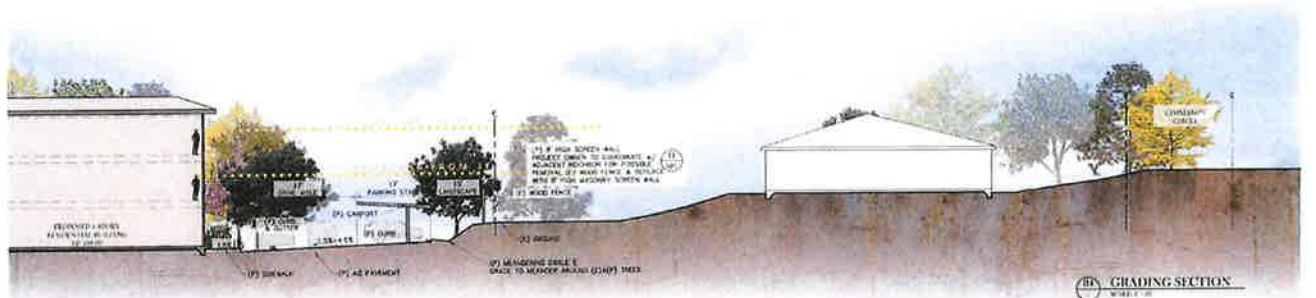
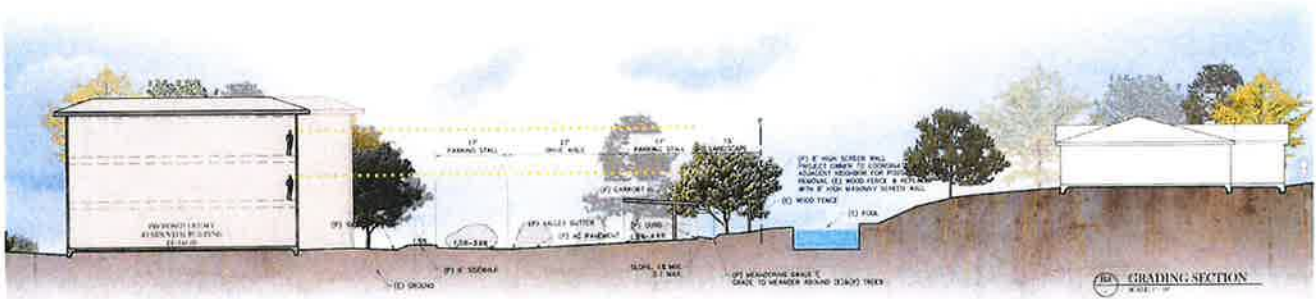




Folsom - Natoma Senior Apartments  
Vintage Housing Development

SITE SECTIONS  
June 3, 2022





Folsom - Natoma Senior Apartments  
Vintage Housing Development

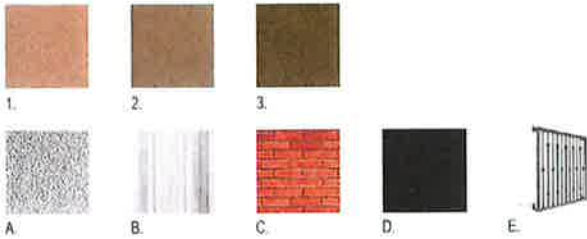
SITE SECTIONS  
June 3, 2022



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

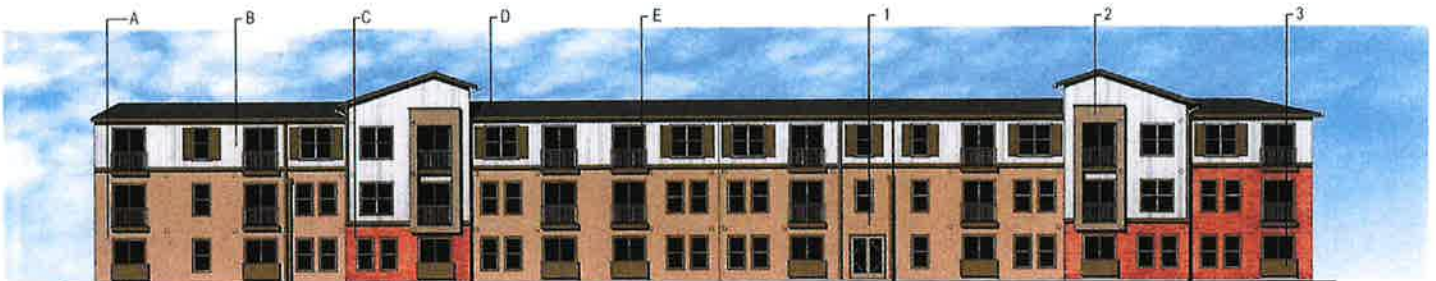
# **Attachment 19**

## **Color and Materials Board**



**LEGEND**

- 1. DUNN EDWARDS WOODED ACRE (DE6130)
- 2. DUNN EDWARDS WOODEN PEG (DE6215)
- 3. DUNN EDWARDS MIDNIGHT BROWN (DE6210)
  
- A. STUCCO
- B. BOARD AND BATTEN
- C. BRICK VENEER
- D. ASPHALT SHINGLE
- E. WROUGHT IRON RAILINGV



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 20**

### **Vintage Senior Apartments Booklet (Separate Bound Document)**

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

# **Attachment 21**

## **Site Photographs**



**PRELIMINARY PHOTO EXHIBIT  
NATOMA SENIOR  
APARTMENTS  
CITY OF FOLSOM, CA**

**SITE PHOTO**  
POINT A (SEE MAP)

**SITE PHOTO**  
POINT B (SEE MAP)

**SITE PHOTO**  
POINT C (SEE MAP)

**SITE PHOTO**  
POINT D (SEE MAP)

**SITE PHOTO**  
POINT E (SEE MAP)

**SITE PHOTO**  
POINT F (SEE MAP)

**SITE PHOTO**  
POINT G (SEE MAP)

**SITE PHOTO**  
POINT H (SEE MAP)

**SITE PHOTO**  
POINT I (SEE MAP)

**SITE PHOTO**  
POINT J (SEE MAP)

**SITE PHOTO**  
POINT K (SEE MAP)

**SITE PHOTO**  
POINT L (SEE MAP)

**SITE PHOTO**  
POINT M (SEE MAP)

**SITE PHOTO**  
POINT N (SEE MAP)

**SITE PHOTO**  
POINT O (SEE MAP)

**SITE PHOTO**  
POINT P (SEE MAP)

**SITE PHOTO**  
POINT Q (SEE MAP)

**SITE PHOTO**  
POINT R (SEE MAP)

**SITE PHOTO**  
POINT S (SEE MAP)

**SITE PHOTO**  
POINT T (SEE MAP)

**SITE PHOTO**  
POINT U (SEE MAP)

**NATOMA SENIOR APARTMENTS  
PRELIMINARY PHOTO EXHIBIT  
OCTOBER 17, 2022**

**USD ENGINEERING, INC.**  
785 Orchard Drive, Suite #110  
Folsom, CA 95630  
Phone: (916) 608 0707  
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Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 22**

**Transportation Impact Study**  
**Dated July, 2022**

P21130

**Natoma Senior Apartments Transportation Impact Study  
Folsom, California**

Prepared for:  
City of Folsom  
Helix Environmental, Inc.  
FCC 50, LLC

Prepared By



TRANSPORTATION PLANNING  
& MANAGEMENT, INC.

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February 2022  
Revised July 2022

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## REVISION HISTORY

Date	Title	Comment
Feb 1, 2022	Draft TIS	
Feb 10, 2022	Final TIs	Clarified geometry for secondary driveway and added review of parking supply at 139 spaces and 144 spaces.
July 5, 2022	Revision	Proposed parking reduced to 136 spaces and revised site plan.

## EXECUTIVE SUMMARY

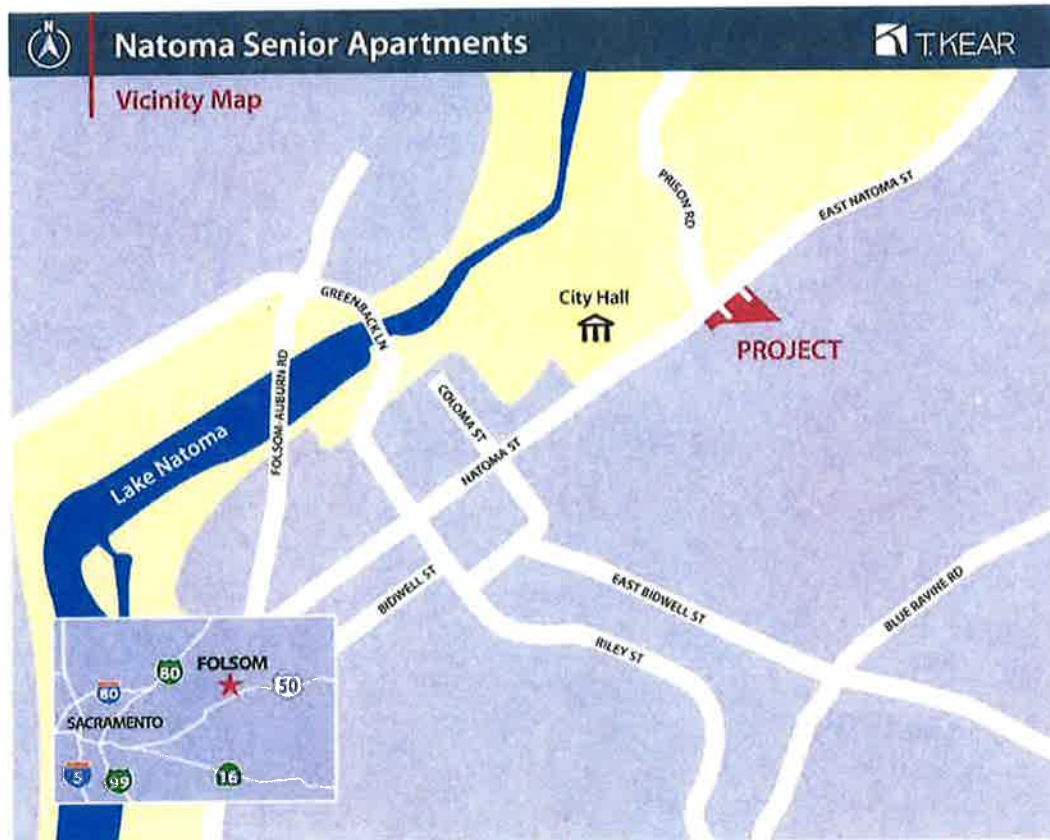
This analysis describes the effect of the Natoma Senior Apartments project (the Project) on the motorized and unmotorized transportation systems in Folsom, California. This study has been prepared for the City of Folsom (City), Helix Environmental Inc., and FCC 50, LLC. A Planned Development Permit and Conditional Use Permit are requested by the applicant for the proposed 136 age-restricted affordable apartments.

### Project Description

**Figure ES-1** provides a Project vicinity map. The Project consists of 136 one- and two-bedroom affordable, age restricted, apartments located across from the main entrance to Folsom State Prison at 102 Natoma St, Folsom, CA 95630 (parcel 071-0320-042). Two access points to East Natoma St are planned: a full access driveway aligned with Prison Rd, and a right-in-right-out driveway near the eastern edge of the Project site. One hundred thirty-six parking stalls are included along the drive isle along the southern and eastern edges of the Project. A preliminary site plan is provided as **Figure ES-2**.

Accessible pathways are planned around the building to provide a walking path for residents. Sidewalks along the Project's East Natoma Street frontage are included from Prison Rd to the edge of the existing sidewalk at Cimmaron Circle. The existing multi-use trail connection from the Oak Parkway trail will be preserved, and a pedestrian connection will be added southerly from the Project to the Oak Parkway Trail.

The site is designated Professional-Office (PO) in the General Plan and zoned as Business Professional – Planned Development District (BP-PD). With the Planned Development Permit and Conditional Use Permit being requested the Project is consistent with the adopted General Plan and zoning.



**Figure ES-1. Scholar Way Senior Housing Vicinity Map**



Natoma Senior Apartments  
Transportation Impact Study

Folsom,  
California

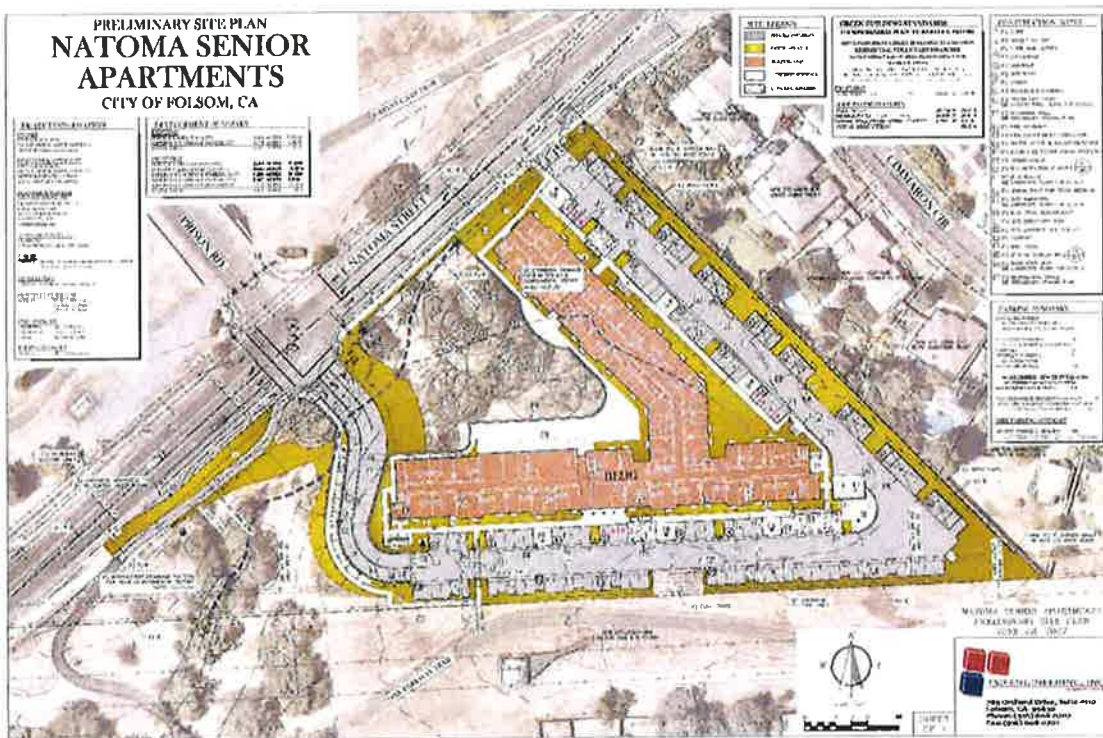


Figure ES-2. Preliminary Site Plan

### Analysis Scope

The analysis considers the traffic operations at intersections in Folsom that could potentially be impacted by project traffic. This TIS considers two study scenarios:

- Existing 2022 without Project condition
- Existing 2022 with Project condition

The two driveway intersections (shown in **Figure ES-2**) were evaluated for conformity to City policies and policies from the adopted Folsom General Plan. Internal circulation and sight lines, parking supply and fire access were all considered.

**Table ES-1. Study Intersections**

<b>Location</b>	<b>Control</b>
1. East Natoma St/Prison Rd	Signal
2. East Natoma St/Eastern Project Driveway	Side-Street-Stop-Control (SSSC)

### Findings

Project impacts are anticipated to be less than significant. Ten project specific findings are made.

**Finding 1 (Trip Generation):** The Project is anticipated to generate 441 daily vehicle trips including 39 AM peak-hour vehicle trips, and 41 PM peak-hour vehicle trips. Fewer than 50 peak-hour project trips are projected to pass through any intersection.

**Finding 2 (Level-of-Service):** All study intersections are anticipated to operate at level-of-service B or better under all study scenarios. The Project is not projected to create new deficiencies or worsen existing traffic level-of-service, pursuant to General Plan Policy M4.1.3. Impacts to level-of-service are considered less than significant.

**Finding 3 (Vehicle Miles Traveled):** Per capita Project VMT is projected to be at least 15% less than regional per capita VMT. Project VMT impacts are considered less than significant.

**Finding 4 (Parking):** The proposed parking supply of 136 spaces (1.00 spaces per unit). The Project was found to be adequately parked.

**Finding 5 (Minimum Required Throat Depth):** The standards for driveway throat depths are met.

**Finding 6 (Emergency Vehicle Access):** Emergency vehicle access is adequate.

**Finding 7 (Pedestrian and Bicycle):** The Project does not result in impacts to pedestrian and bicycle facilities. Impacts to pedestrian and bicycle facilities are considered less than significant.

**Finding 8 (Transit):** The Project does not result in impacts to transit facilities. Impacts to transit facilities are considered less than significant.

**Finding 9 (Driveway Geometry):** Proposed geometry for access to East Natoma St is adequate. Either a raised median or right-turn channelization should be used to limit the secondary (eastern) driveway to right-in-right-out access. Note that the secondary (eastern) driveway was modeled assuming a shared eastbound through-right turn lane, without a right turn taper or deceleration lane. Anticipated eastbound right turning volume is less than 10 vehicles during the AM and PM peak-hours and neither a right taper or deceleration lane is required per City of Folsom policy. However, the City reserves the right to require either a taper or pocket at the discretion of the City Engineer. **Finding 10 (Signal timing):** With the addition of a fourth leg to the East Natoma St/Prison Rd intersection, the signal timing and lane geometry was assumed to be configured as follows, or an equivalent plan to the satisfaction of the City Engineer:

- Eastbound: An eastbound right turn pocket was assumed with 150-feet of storage and a 60-foot taper; for a total of one left, one through, and one right turn lane.
- Westbound: A westbound left turn lane with 100-foot pocket plus 60-foot taper for a total of one left and one shared Through-right lane.
- Southbound: The existing exclusive right-turn lane is assumed to be restriped as a through-right turn lane (for a total of one left and one shared through-right).
- Northbound: The northbound approach is assumed to provide one left and one shared through-right lane. The northbound through-right lane is assumed to be in a 70' turn pocket plus 60' taper.
- Timing: Eastbound and westbound protected left turn phasing, northbound and southbound split phasing. 150 second cycle length, with 34 second northbound southbound split phases and 20 second eastbound and westbound protected phases, and 62 second eastbound and westbound through phases. Crosswalks are assumed across all legs of the intersection with flashing don't walk phases set to 22 seconds to accommodate a 3 foot per second walking speed.

City staff have noted that the East Natoma St/Prison Rd intersection may be an excellent location for protected-permissive left-turn phasing (i.e., "a flashing yellow arrow" to allow left turns during the conflicting through phase). Such phasing would increase the intersection capacity and reduce queuing for the eastbound through movement. It is our professional judgement that novel phasing plans, such as protected-permissive phasing, have the potential to confuse elderly drivers and pedestrians, resulting in increased accident rates. Because protected-permissive phasing is not necessary to maintain the General Plan level-of-service goals we do not recommend it for the entrance to age-restricted housing. The project adds a fourth leg to the existing T-intersection, which requires upgrading the traffic signal hardware. At the discretion of the City Engineer, those upgrades may include video vehicle detection, connecting the signal into the City traffic management center, and traffic signal controller upgrades to the satisfaction of the City Engineer.

Conditions of approval can be limited to the City of Folsom Standard conditions plus a requirement to time the traffic signal at East Natoma St/Prison Rd to be consistent with finding 10 above, or a similar timing plan, to the satisfaction of the City Engineer.

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## 1. INTRODUCTION

This Transportation Impact Study (TIS) identifies impacts of the proposed Natoma Senior Apartments project (the Project) on the motorized and unmotorized transportation systems in Folsom, California. This study has been prepared for the City of Folsom (City), Helix Environmental Inc., and FCC 50, LLC. A Planned Development Permit and Conditional Use Permit are requested by the applicant.

### 1.1 Project Description

**Figure 1** provides a Project vicinity map. The Project consists of 136 one- and two-bedroom affordable, age restricted, apartments located across from the main entrance to Folsom State Prison at 103 E. Natoma St, Folsom, CA 95630 (parcel 071-0320-042). Two access points to East Natoma St are planned: a full access driveway aligned with Prison Rd, and a right-in-right-out driveway near the eastern edge of the Project site. One hundred thirty-six parking stalls are included along the drive isle along the southern and eastern edges of the Project.

Accessible pathways are planned around the building to provide a walking path for residents. Sidewalks along the Project's East Natoma Street frontage are included from Prison Rd to the edge of the existing sidewalk at Cimmaron Circle. The existing multi-use trail connection from the Oak Parkway trail will be preserved, and a pedestrian connection will be added southerly from the Project to the Oak Parkway Trail.

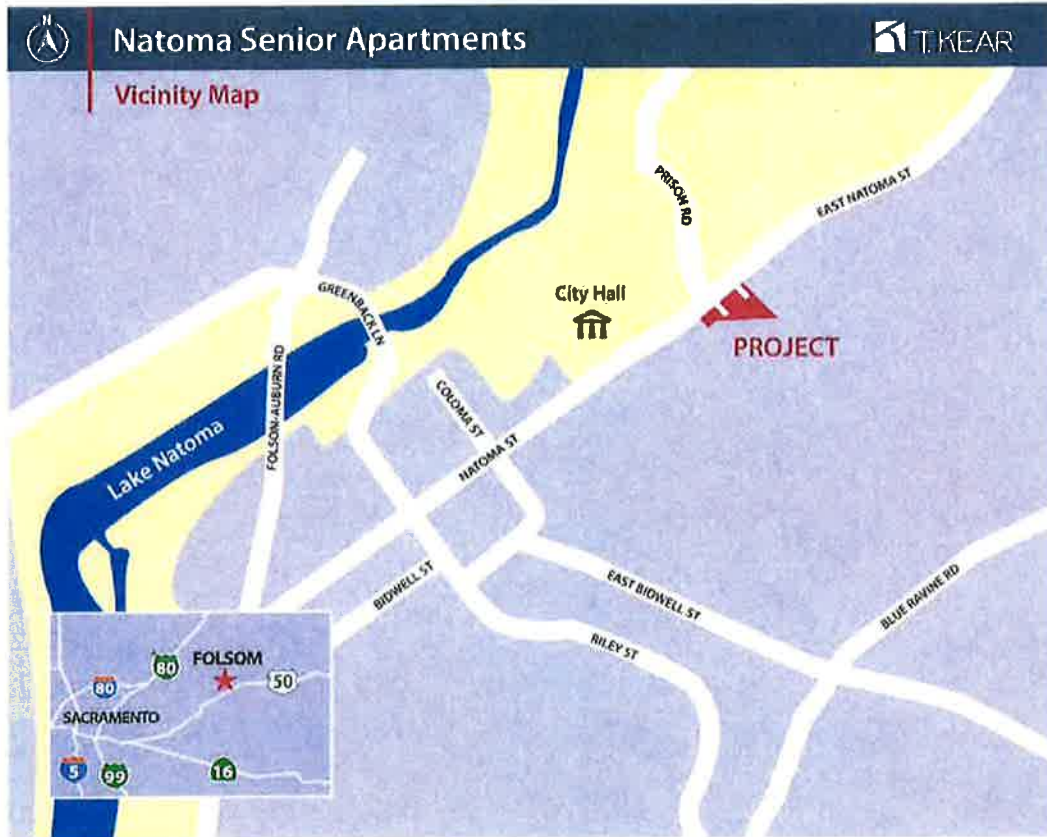
The site is designated Professional-Office (PO) in the General Plan and zoned as Business Professional – Planned Development District (BP-PD). With the Planned Development Permit and Conditional Use Permit being requested the Project is consistent with the adopted General Plan and zoning.

### 1.2 Report Organization

This report includes the following sections: Introduction, Setting and Study Area (key roadways and intersections, regulatory setting, and analysis scenarios); Methodology (detailing the analysis procedures); analysis sections; discussion of other considerations, and findings and recommendations.

**Natoma Senior Apartments  
Transportation Impact Study**

**Folsom,  
California**



**Figure 1. Natoma Senior Apartments Vicinity Map**



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## 2. SCENARIOS, SETTING AND STUDY AREA

The Project generates fewer than 50 peak-hour trips which is the City's threshold for requiring the evaluation of Project traffic on the level-of-service at potential affected intersections. Consequently, this TIS evaluates traffic operations at the two Project driveway intersections.

### 2.1 Study Scenarios

Four scenarios were identified for inclusion in this TIS through consultation with City staff. These study scenarios were used to evaluate Project impacts relevant to General Plan Policy M4.1.3 relative to level of service. This study determines the weekday AM peak-hour, PM peak-hour, and Sunday peak-hour level-of-service at study intersections under the following scenarios:

- Existing 2022 without Project condition
- Existing 2022 with Project condition

Analysis of the existing condition reflects the traffic volumes and roadway geometry at the time the study began. This scenario quantifies performance measures for the existing condition and serves as a known reference point for those familiar with the study area. These scenarios, with and without the Project, identify Project related impacts anticipated to occur if the Project opened in 2020.

### 2.2 Project Area Roadways

Brief descriptions of the key roadways serving the Project site are provided below.

**Natoma St/East Natoma St** is a two-lane minor arterial connecting from Folsom Blvd, past Folsom City Hall, and connecting through Green Valley Rd and onto Empire Ranch Rd. From Folsom Blvd to Fargo Way, just east of City Hall, there are sidewalks, curb, and gutter with striped class 2 bike lanes. From Fargo Way to the east, fronting the Project site and Folsom State Prison, there are dirt shoulders without sidewalks until Folsom Crossing Rd, where East Natoma Street becomes a four-lane arterial with sidewalk, curb, gutter, and striped class 2 bike lanes to Empire Ranch Rd. At Coloma Street, near City Hall, Natoma St carries about 11,000 vehicles per day. A volume which drops to about 10,000 vehicles per day near the Project Site.

**Prison Rd** is a two-lane north-south access road from East Natoma St to Folsom State Prison. It has unpaved shoulders without bike lanes or sidewalks. Prison Road is signed to prohibit stopping or turning within the prison's property.

### 2.3 Study Intersections

There are two study intersections (Table 1), which are the driveway intersections shown in the site plan (Figure 2) shown previously. No segments were selected for analysis.

**Table 1. Study Intersections and Control**

<b>Location</b>	<b>Control</b>
1. East Natoma St/Prison Rd	Signal
2. East Natoma St/Eastern Project Driveway	Side-Street-Stop-Control (SSSC)

### 2.4 Transit

Folsom's public transportation includes bus and dial-a-ride service provided by the City through Folsom Stage Lines and light rail service provided by Sacramento Regional Transit District (SRTD). El Dorado County Transit (EDC Transit) also provides limited bus connections to El Dorado County.

#### Folsom Stage Lines and Dial-A-Ride

The Folsom Stage Line buses, operated by SRTD run Monday through Friday and there is no weekend service available. There are currently ten buses running on three routes. They are routes 10, 20 and 30 (Figure 3). Routes 10 and 20 intersect at Folsom Lake College. There is no charge to transfer from one Folsom Stage Line route to another.

- Route 10 - Serves Historic Folsom, E. Bidwell St., the Broadstone Market Place, Broadstone Plaza, Folsom Aquatics Center, Folsom Lake College, Intel, Kaiser Permanente, Folsom Premium Outlets, Mercy Hospital, Palladio Mall, and Century Theatres. It connects to light rail and with the RT bus service Line 24. Service with a one-hour headway starts at 5:25 AM with the last pickup at 7:25 PM.
- Route 20 - Serves Empire Ranch Road, East Natoma Street, Vista del Lago High School, Folsom Lake College and transfers to Route 10. There are one morning and two afternoon buses on Route 20.
- Route 30 - Serves Folsom State Prison, City Hall, and Woodmere Drive during peak-hours (6 a.m. – 8:10 a.m. and 2:35 p.m. – 4:55 p.m.) with four AM peak-period buses and five PM peak-period buses.

Dial-A-Ride is a curb-to-curb transportation service that operates within the Folsom city limits. It provides transportation to residents who have a physical, developmental, or mental disability. Senior citizens who are 55 years of age or older also qualify for this program.

#### Sacramento Regional Transit

SRTD light rail provides light rail service via the Gold Line connecting the Historic Folsom, Glenn, and Iron Point light rail stations to downtown Sacramento and points in between. Service is

provided from 5 AM to 7 PM with 30-minute headways. There is also a connection to SRTD bus route 24 from Folsom Stage Lines route 10 at the Madison/Main stop. SRTD route 24 provides service to Sunrise Mall on an approximately hourly headway from 6 AM to 7 PM.

El Dorado County Transit

The EDC Transit route 50X (the 50 Express) operates every hour from 6 AM until 7 PM Monday through Friday, with service from the Missouri Flat Transfer Center in El Dorado County to the Folsom Iron Point light rail station, Folsom Lake College, and back.

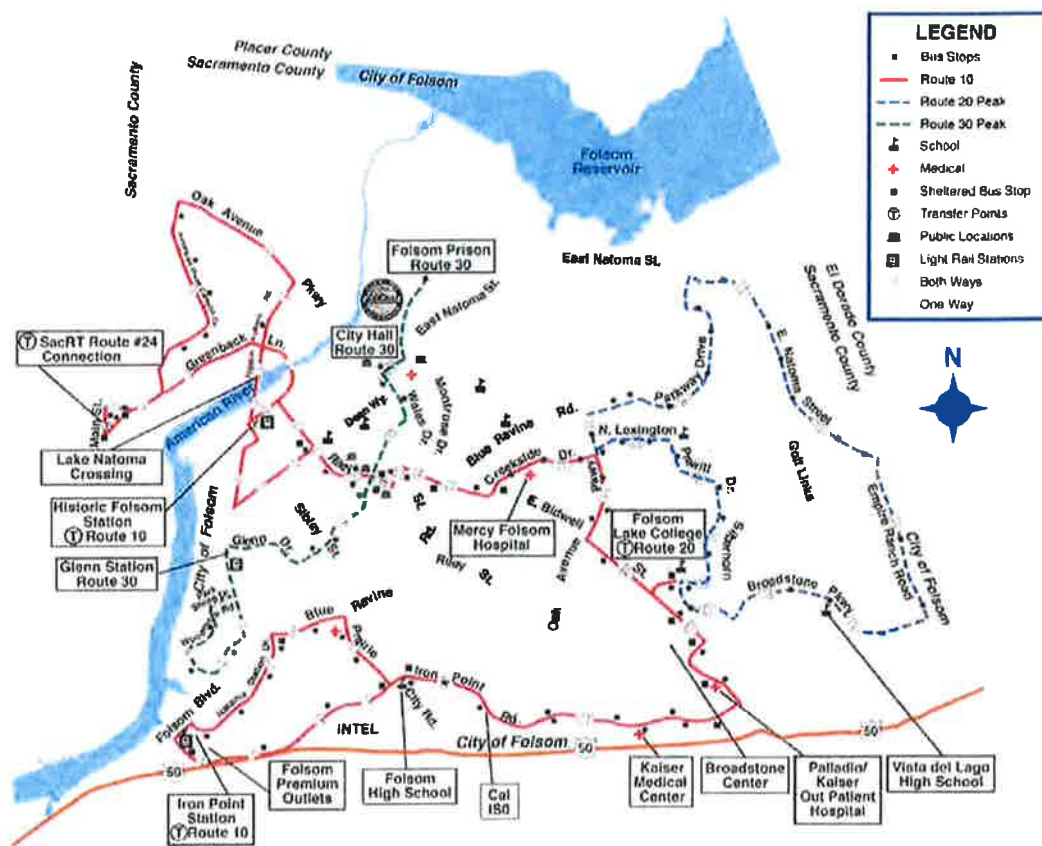


Figure 3. Folsom Stage Lines Routes 10, 20 and 30

2.5 Bicycle Facilities

Folsom is one of the most bike friendly settings in California, with an existing comprehensive bikeway system that is extensive and connects to a vast number of historical and recreational attractions. Existing and planned bicycle facilities within the Project area are described in the 2007

Folsom Bikeway Master Plan<sup>1</sup> which provides a framework for the design of a bikeway system that meets the California Street and Highway Code Section 890-894.2 - Bicycle Transportation Act and improves safety and convenience for all users. An updated bike plan is currently being prepared as part of the Folsom Active Transportation Plan. There are four types of bicycle facilities (Class 1, 2, 3, and 4) in Folsom.

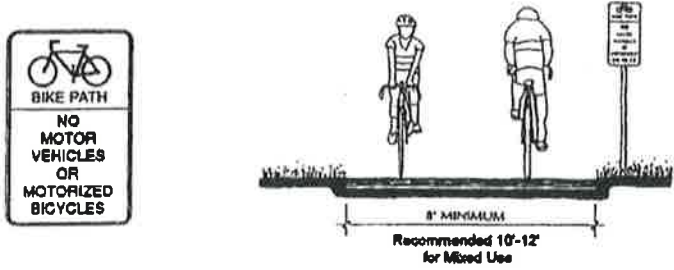
- Class 1 Bike Path:** A bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way (**Figure 4**).
- Class 2 Bike Lane:** Any portion of roadway designated for bicycle use and defined by pavement marking, curbs, signs, or other traffic-control devices (**Figure 4**).
- Class 3 Bike Route:** A designated route through high demand corridors on existing streets and are usually shared with motor vehicles. Are indicated by periodic signs and do not require pavement markings (**Figure 4**). A variant on Class III bikeways, shared lanes, or “sharrow” lanes, are becoming more common. Sharrows are a form of Class III bikeways where the general-purpose lane is too narrow for a bicycle and a vehicle to travel safely side-by-side within the same lane. A sharrow symbol painted (**Figure 5**) on the roadway is used to indicate the likely lateral location of bikes in the lane to inform motor vehicles.
- Class 4 Bikeway** (Separated Bikeway or “Cycle Track”) The Protected Bikeways Act of 2014 (Assembly Bill 1193 - Ting, Chapter 495) established Class IV bikeways for California. Class IV bikeways provide a right-of-way designated exclusively for bicycle travel adjacent to a roadway and which are protected from vehicular traffic. Types of separation include, but are not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking. An example is shown in **Figure 6**.

**Figure 7** provides a Folsom bike map. All road segments in the study area include Class 2 bike lanes. There are existing Class 1 trails paralleling the northern edge of East Natoma St (The Johnny Cash Trail, connecting Historic Folsom, Folsom Prison, and Folsom Lake). An existing Class 1 trail also follows underneath the high voltage line behind the Project site (the Oak Parkway Trail). Grade separated bike/pedestrian tunnels take these trails under Prison Road and East Natoma

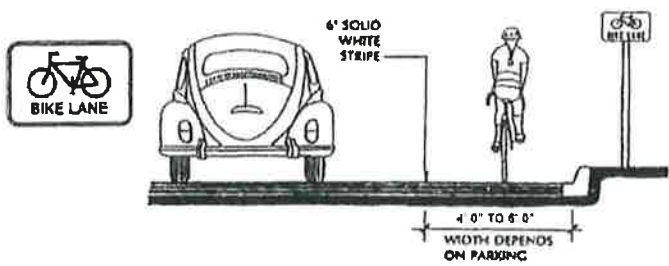
<sup>1</sup> Folsom (2007) Bikeway Master Plan,  
[www.folsom.ca.us/city\\_hall/depts/parks/parks\\_n\\_trails/trails/bikeway\\_master\\_plan.asp](http://www.folsom.ca.us/city_hall/depts/parks/parks_n_trails/trails/bikeway_master_plan.asp).

Street. There is also a bike only left turn from eastbound East Natoma St onto the Johnny Cash Trail at the East Natoma St/Cimmaron Circle intersection.

### BIKE PATH



### BIKE LANE



### BIKE ROUTE

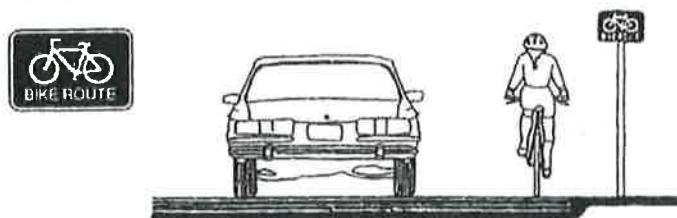


Figure 4. Bike Paths, Lanes, and Routes





**Figure 5. Sharrow**



**Figure 6. Class IV Bikeway**

(source: Gary Kavanagh image 1272: <https://flic.kr/p/hxp5el>)



Natoma Senior Apartments  
Transportation Impact Study

Folsom  
California



Figure 7. Folsom Bike Map

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### 3. METHODOLOGY

This section provides a process overview, describes traffic forecasting, and discusses the methods/criteria used to evaluate level-of-service. Discussion of significance criteria is included.

#### 3.1 Process Overview

The overall analysis process was structured to identify potential adverse transportation effects related to the Project and evaluate consistency with General Plan Policy M4.1.3 relative to traffic level-of-service.

- Traffic volumes and turning movements for the Existing 2022 Condition were determined from observed traffic counts taken Tuesday December 7, 2021.
- Study intersection traffic operations were analyzed both with and without the proposed Project to identify any anticipated inconsistencies with General Plan Policy M4.1.3 relative to traffic level of service.
- California Environmental Quality Act (CEQA) impacts are based on qualitative vehicle miles of travel (VMT) analysis and significance criteria from the General Plan (Policy NCR 3.1.3), and CEQA guidance from the Governor's Office of Planning and Research<sup>2 3</sup>.

#### 3.2 Level-of-Service Methodology

Level-of-service (LOS) is a qualitative indication of the level of delay and congestion experienced by motorists using an intersection. Levels-of-service are designated by the letters A through F, with A being the best conditions and F being the worst (high delay and congestion). Calculation methodologies, measures of performance, and thresholds for each letter grade differ for road segments, signalized intersections, and unsignalized intersections.

Based on guidance from City staff, the following procedures described below for intersection traffic operations analysis were utilized for this TIS.

#### Intersection Traffic Operations Analysis

##### Signalized Intersections

The methodology from the Highway Capacity Manual (HCM) 6<sup>th</sup> Edition<sup>4</sup>, are used to analyze signalized intersections. Level-of-service can be characterized for the entire intersection, each approach, or by lane group. Control delay alone (the weighted average delay for all vehicles entering the intersection) is used to characterize level-of-service for the entire intersection or an approach. Control delay and volume to capacity ratio are used to characterize level-of-service for lane groups. The average delay criteria used to determine the level-of-service at signalized

<sup>2</sup> OPR (2018) Technical Advisory on Evaluating Transportation Impacts In CEQA, [http://www.opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](http://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf).

<sup>3</sup> OPR's webinar on SB 743 Implementation, 4/16/2020.

<sup>4</sup> Transportation Research Board (2016) Highway Capacity Manual, Washington, D.C.

intersections is presented in **Table 2**. The HCM 2010 methodology is used as the primary method. HCM 2000 methods are only utilized where the signal phasing is incompatible with HCM 2010 methods.

**Table 2. Level-of-Service Criteria for Signalized Intersections**

Level-of-Service	Description	Average Delay <sup>1</sup> (Sec. /Vehicle.)
A	Very Low Delay: This level-of-service occurs when progression is extremely favorable, and most vehicles arrive during a green phase. Most vehicles do not stop at all.	≤ 10.0
B	Minimal Delays: This level-of-service generally occurs with good progression, short cycle lengths, or both. More vehicles stop than at LOS A, causing higher levels of average delay.	10.1-20.0
C	Acceptable Delay: Delay increases due to only fair progression, longer cycle lengths, or both. Individual cycle failures ( <i>to service all waiting vehicles</i> ) may begin to appear at this level of service. The number of vehicles stopping is significant, though many still pass through the intersection without stopping.	20.1-35.0
D	Approaching Unstable/Tolerable Delays: The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high v/c ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.	35.1-55.0
E	Unstable Operation/Significant Delays: This is considered by many agencies the upper limit of acceptable delays. These high delay values generally indicate poor progression, long cycle lengths, and high v/c ratios. Individual cycle failures are frequent occurrences.	55.1-80.0
F	Excessive Delays: This level, considered to be unacceptable to most drivers, often occurs with oversaturation (i.e., when arrival flow rates exceed the capacity of the intersection). It may also occur at high v/c ratios below 1.00 with many individual cycle failures. Poor progression and long cycle lengths may also contribute to such delay levels.	> 80.0 or v/c >1.0

**Note 1:** Weighted average of delay on all approaches. This is the measure used by the Highway Capacity Manual to determine level-of-service. Any movement with a volume-to-capacity ratio (v/c) greater than 1.0 is considered to be level-of-service F.

**Source:** Transportation Research Board (2016) Highway Capacity Manual 6<sup>th</sup> Edition, Washington D.C.

### Unsignalized Intersections

The methodology from HCM 6<sup>th</sup> Edition is used for the analysis of unsignalized intersections. At an unsignalized intersection, most of the main street traffic is un-delayed and, by definition, have acceptable conditions. The main street left-turn movements and the minor street movements are all susceptible to delay of varying degrees. Generally, the higher the main street traffic volumes,

the higher the delay for the minor movements. Separate methods are utilized for Two-Way Stop-Controlled (TWSC) intersections and All-Way Stop-Controlled (AWSC) intersections.

- **TWSC:** The methodology for analysis of two-way stop-controlled intersections calculates an average total delay per vehicle for each minor street movement and for the major street left-turn movements, based on the availability of adequate gaps in the main street through traffic. A level-of-service designation is assigned to individual movements or combinations of movements (in the case of shared lanes) based upon delay, it is not defined for the intersection as a whole. Unsignalized intersection level-of-service is for each movement (or group of movements) based upon the respective average delay per vehicle. **Table 3** presents the average delay criteria used to determine the level-of-service at TWSC and AWSC intersections.
- **AWSC:** At all-way stop-controlled intersections, the level-of-service is determined by the weighted average delay for all vehicles entering the intersection. The methodologies for these types of intersections calculate a single weighted average delay and level-of-service for the intersection as a whole. The average delay criteria used to determine the level-of-service at all-way stop intersections is the same as that presented in **Table 3**. Level-of-service for specific movements can also be determined based on the TWSC methodology.

It is not unusual for some of the minor street movements at unsignalized intersections to have level-of-service D, E, or F conditions while the major street movements have level-of-service A, B, or C conditions. In such a case, the minor street traffic experiences delays that can be substantial for individual minor street vehicles, but the majority of vehicles using the intersection have very little delay. Usually in such cases, the minor street traffic volumes are relatively low. If the minor street volume is large enough, improvements to reduce the minor street delay may be justified, such as channelization, widening, or signalization.

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**Table 3. Level-of-Service Criteria for Unsignalized Intersections**

Level of Service (LOS)	Description	TWSC <sup>1</sup>	AWSC <sup>2</sup>
		Average Delay by Movement (seconds / vehicle)	Intersection Wide Average Delay (seconds / vehicle)
A	Little or no delay	< 10	< 10
B	Short traffic delay	> 10 and < 15	> 10 and < 15
C	Average traffic delays	> 15 and < 25	> 15 and < 25
D	Long traffic delays	> 25 and < 35	> 25 and < 35
E	Very long traffic delays	> 35 and < 50	> 35 and < 50
F	Extreme delays potentially affecting other traffic movements in the intersection	> 50 (or, v/c >1.0)	> 50

**Note 1:** Two-Way Stop-Control (TWSC) level-of-service is calculated separately for each minor street movement (or shared movement) as well as major street left turns using these criteria. Any movement with a volume to capacity ratio (v/c) greater than 1.0 is considered to be level-of-service F.

**Note 2:** All-Way Stop-Control (AWSC) assessment of level-of-service at the approach and intersection levels is based solely on control delay.

**Source:** Transportation Research Board (2016) Highway Capacity Manual 6<sup>th</sup> Edition, Washington D.C.

### 3.3 General Plan Thresholds

#### Level of Service

Consistency with General Plan level-of-service policies for the proposed Project were determined based on the methods described above and identified as either "conforming" or "non-conforming". General Plan Policy M4.1.3 addresses level of service:

*Strive to achieve at least traffic Level of Service "D" (or better) for local streets and roadways throughout the city. In designing transportation improvements, the City will prioritize use of smart technologies and innovative solutions that maximize efficiencies and safety while minimizing the physical footprint. During the course of Plan buildout, it may occur that temporally higher levels-of-service result where roadway improvements have not been adequately phased as development proceeds. However, this situation will be minimized based on annual traffic studies and monitoring programs. City Staff will report to the City Council at regular intervals via the Capital Improvement Program process for the Council to prioritize projects integral to achieving level-of-service D or better.*

The General Plan Environmental Impact Report (EIR) includes a criterion addressing potential impacts at locations that operate at level-of-service E or F under no-project conditions. Under this standard, a non-conforming situation would occur if the proposed project would:



*Increase the average delay by five seconds or more at an intersection that currently operates (or is projected to operate) at an unacceptable level-of-service under "no-project" conditions.*

For the purposes of this analysis, level-of-service is considered potentially non-conforming if implementation of the Project would result in any of the following:

- Cause an intersection in Folsom that currently operates (or is projected to operate) at level-of-service D or better to degrade to level-of-service E, or worse;
- Increase the average delay by five seconds or more at an intersection in Folsom that currently operates (or is projected to operate) at an unacceptable level-of-service E or F.

Bicycle/Pedestrian/Transit Facilities

An impact is considered significant if implementation of the Project would:

- Inhibit the use of bicycle, pedestrian, or transit facilities;
- Eliminate existing bicycle, pedestrian, or transit facilities;
- Prevent the implementation of planned bicycle, pedestrian, or transit facilities.

### 3.4 Vehicle Miles Traveled Standards of Significance

Under State Law (SB 743), on July 1, 2020, vehicle miles traveled (VMT) will become the only metric for evaluating significant transportation impacts in environmental impact analyses required under the California Environmental Quality Act (CEQA). Without specific General Plan guidance for VMT thresholds, this analysis uses a qualitative screening against The Governors' Office of Planning and Research (OPR) guidance of a 15% per capita VMT reduction and utilizes OPR's suggested exemption for affordable housing projects.

Folsom General Plan policy NCR 3.1.3 addresses VMT, as stated below:

Policy NCR 3.1.3 "Encourage efforts to reduce the amount of vehicle miles traveled (VMT). These efforts could include encouraging mixed-use development promoting a jobs/housing balance, and encouraging alternative transportation such as walking, cycling, and public transit."

OPR has published guidance recommending a CEQA threshold for transportation impacts of land use projects of a 15% VMT reduction per capita, relative to either city or regional averages

based on the California's Climate Scoping Plan<sup>5</sup>. Qualitative assessment of VMT reduction is acceptable to screen projects<sup>6</sup>.

Based on these criteria, a project will be considered to have a potentially significant impact if:

- Per capita VMT from residential projects is anticipated to be greater than 85% of the regional average per capita VMT.
- The project is anticipated to inhibit implementation of planned pedestrian, bicycle, or transit improvements.

### 3.5 Analysis Tools

#### Level-of-Service

Control delays and level-of-service for study intersections were calculated using the Synchro 11<sup>7</sup> analysis software (Version 11.1, build 1, revision 6). Synchro implements the methodologies of the 6<sup>th</sup> Edition of the Highway Capacity Manual to model traffic controls and vehicle delay.

The software requires data on road characteristics (geometric), traffic counts, and the signal timing data for each analysis intersection. In general, default parameters were used, except in locations where specific field data are available. Heavy vehicle percentages of 2% were assumed during the peak hour.

#### VMT

To support jurisdictions' SB743 implementation, The Sacramento Area Council of Governments (SACOG) staff developed thresholds and screening maps for residential and office projects, using outputs from the 2016 base year travel demand model run for the 2020 Metropolitan Transportation Plan/Sustainable Communities Strategies (MTP/SCS). SACOG travel demand model is activity/tour based and is designed to estimate an individual's daily travel, accounting for land use, transportation and demographics that influence peoples' travel behaviors.

For residential projects, the threshold is defined as total household VMT per capita achieving 15% of reduction comparing to regional (or any appropriate sub-area) average. The SACOG screening map uses "hex" geography, with each hex being about 1000 feet on edge. Residential VMT per capita per hex is calculated by tallying all household VMTs, including VMT traveling outside the region, generated by the residents living at the hex and divided by the total population in the hex. Hexes are then color coded with green and blue hexes depicting neighborhoods with at least a 15% reduction in residential VMT relative to the SACOG region. Yellow, orange, pink and red hexes have less than a 15% VMT reduction.

<sup>5</sup> OPR (2018) Technical Advisory on Evaluating Transportation Impacts In CEQA, [http://www.opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](http://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf).

<sup>6</sup> OPR's webinar on SB 743 implementation, 4/16/2020.

<sup>7</sup> <https://www.trafficware.com/synchro-studio.html>

## 4. EXISTING 2022 CONDITION

This section presents the Existing Condition. For purposes of this TIS, Existing Conditions represent typical midweek, non-holiday, traffic volumes in 2022<sup>8</sup>

### 4.1 Existing Condition

#### Data Sources

The analysis tools require a variety of data to generate the evaluation criteria. The following sections describe data collection procedures for Existing Conditions. There were three primary data elements (roadway characteristics, intersection turning movement counts, and traffic control data); and two supplementary elements (other recent studies, and field data) that comprised the data collection program for this traffic analysis.

#### Roadway Geometry and Usage Characteristics

The geometry and usage data for the analysis were collected through aerial photographs, field visits, and prior studies. Current intersection geometry was field validated. **Table 4** shows the key items included in the geometric data and the source for each item.

**Table 4. Key Items and Sources for Geometry and Usage Data**

Key Item	Source
Lane configurations and width	Aerial photographs and field visits
Lane utilization	Prior studies, aerial photographs, and field visits
Intersection spacing	Aerial photographs and field visits
Length of storage bays	Aerial photographs and field visits
Transit stops and routes	Transit schedules, aerial photographs, and field visits
Turn prohibitions or allowance	Aerial photographs and field visits

**Lane configurations and width** – These data specify the number of lanes and the width of the roadway in each direction, and the directional turns that are allowed from each lane.

**Lane utilization** – These data specify how lanes are used by drivers, such as traffic distribution between lanes on a multi-lane roadway.

**Intersection spacing** – These data refer to the distance (in feet) between intersections.

**Length of storage bays** – These data refer to the length (in feet) of available storage for left-turning or right-turning vehicles where exclusive turn lanes are available. It is collected for right-turn lanes when the parking lane is used as a right-turn lane.

<sup>8</sup> Traffic Counts were collected on Tuesday December 7, 2021

**Transit stops and routes** – A transit stop is an area where passengers await, board, alight, and transfer between transit vehicles. A transit route is the roadway that transit vehicles operate on.

**Turn prohibitions or allowance** – These data specify if right turns on red (RTOR) are allowed on the roadway.

**Intersection Turning Movement Counts**

Existing morning and evening peak-period vehicle and pedestrian turning movement counts were collected at study intersections on Tuesday December 7, 2021. Traffic count data sheets are provided in **Appendix A** of this TIS. Peak-hour traffic counts were used to conduct the intersection level-of-service analysis. Turning movement counts at consecutive intersections were balanced and adjusted where appropriate to conservatively reflect existing traffic flows. Observed intersection peak hour factors (PHF) were applied. **Figure 8** provides a summary of the intersection lane geometry and peak-period turning movements under Existing Conditions As well as Project traffic and Existing Plus Project conditions).

Existing Condition Intersection and Segment Level-of-Service

**Table 5** presents a summary of level-of-service results for the study intersections under Existing Conditions, along with 95% queue lengths for left turns. All study intersections operate at level-of-service A or better during the AM, PM, and Sunday peak hours. Calculation sheets for intersection delay and level-of-service are provided in **Appendix B**. Left turn queues are adequately accommodated by the existing left turn storage pockets.

**Table 5. Existing 2022 Intersection Delay and Level-of-Service**

Intersection	Control	No Project (Delay and Level-of-Service)	
		AM	PM
E Natoma St/Prison Rd	Signal	9.3 A	9.1 A
Eastern Project Driveway	SSSC *	n/a	n/a
Intersection	Approach	No Project 95% Queues (Feet)	
		AM	PM
E Natoma St/Prison Rd	EB Left	173'	30'
	WB Left	n/a	n/a
	SB Left	22'	49'
	NB Left	n/a	n/a
Eastern Project Driveway	NB	n/a	n/a

\* SSSC = Side Street Stop Control

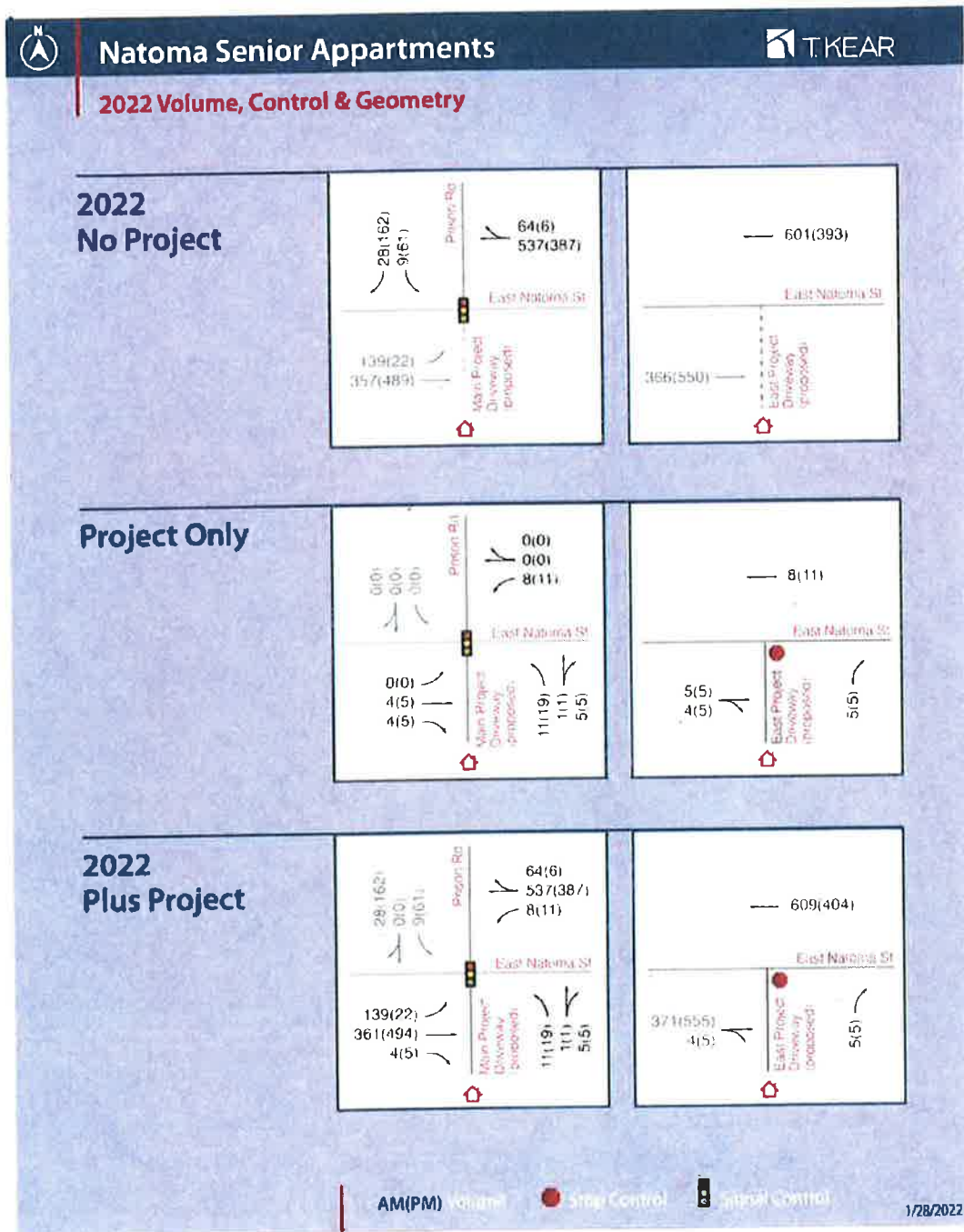


Figure 8. Existing Condition Turn Movements and Geometry

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#### 4.2 Assessment of Proposed Project

##### Trip Generation

Projected traffic generated by the proposed Project was calculated using trip generation factors from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11<sup>th</sup> Edition (2021), and is provided in Table 6 below.

**Table 6. Project Trip Generation**

Land Use	ITE Category	Quantity	Data	Daily	AM Peak hour			PM Peak hour		
					Total	Inbound	Outbound	Total	Inbound	Outbound
Senior Adult Housing (Multifamily)	252	136 dwelling units	Rate	3.24	0.29	45%	55%	0.3	54%	46%
			Trips	441	39	17	22	41	22	19

Source: ITE (2021) Trip Generation Manual, Institute of Transportation Engineers, Washington DC. (Higher value of either the average rate or the fitted equation-based rate for peak hour of generator).

##### Trip Distribution

Trip distribution was based on observed traffic counts and select zone analysis within the travel demand model. New Project trips were distributed as follows:

- 48% to/from the west on East Natoma Street
- 48% to/from the east on East Natoma Street
- 4% to/from the north via Prison Road

Project trip assignment is shown in Figure 9.

##### Signal Timing and Geometry

With the addition of a fourth leg to the East Natoma St/Prison Rd intersection, the signal timing and lane geometry was assumed to be configured as follows:

- Eastbound: An eastbound right turn pocket was assumed with 150-foot of storage and a 60-foot taper; for a total of one left, one through, and one right turn lane.
- Westbound: A westbound left turn lane with 100-foot pocket plus 60-foot taper for a total of one left and one shared through-right lane.
- Southbound: The existing exclusive right-turn lane is assumed to be restriped as a through-right turn lane (for a total of one left and one shared through-right).
- Northbound: The northbound approach is assumed to provide one left and one shared through-right lane. The northbound through-right lane is assumed to be in a 70' turn pocket plus 60' taper.
- Timing: Eastbound and westbound protected left turn phasing, northbound and southbound split phasing. 150 second cycle length, with 34 second northbound southbound split phases and 20 second eastbound and westbound protected phases, and



62 second eastbound and westbound through phases. Crosswalks are assumed across all legs of the intersection with flashing don't walk phases set to 22 seconds to accommodate a 3 feet per second walking speed.

City staff have noted that the East Natoma St/Prison Rd intersection may be an excellent location for protected-permissive left-turn phasing (i.e., "a flashing yellow arrow" to allow left turns during the conflicting through phase). Such phasing would increase the intersection capacity and reduce queuing for the eastbound through movement. It is our professional judgement that novel phasing plans, such as protected-permissive phasing, have the potential to confuse elderly drivers and pedestrians, resulting in increased accident rates. Because protected-permissive phasing is not necessary to maintain the General Plan level-of-service goals we do not recommend it for the entrance to age-restricted housing. The project adds a fourth leg to the existing T-intersection, which requires upgrading the traffic signal hardware. At the discretion of the City Engineer, those upgrades may include video vehicle detection, connecting the signal into the City traffic management center, and traffic signal controller upgrades to the satisfaction of the City Engineer. The eastern Project driveway was assumed to be configured as right-in-right-out. Because there are fewer than ten peak-hour vehicle trips anticipated to enter the Project via the eastern driveway, no deceleration lane or taper is necessary.

#### 4.3 Existing 2022 with Project Conditions

Project peak-hour traffic was added to the Existing 2022 turning volumes at each intersection. Delay and level-of-service were determined at the study intersections. **Figure 8** summarized the turning movements and lane configurations for the Existing with Project Condition. **Table 7** presents a summary of level-of-service results for the study intersections under Existing Conditions. All study intersections operate at level-of-service B or better during the AM, PM, and Sunday peak hours. Calculation sheets for intersection delay and level-of-service are provided in **Appendix B**. Left turn queues are adequately accommodated by the existing left turn storage pockets.



**Figure 9. Project Trip Distribution**

**Table 7. Baseline 2022 Intersection Delay and Level-of-Service, with and without Project**

Intersection	Control	No Project (Delay and Level-of-Service)		With Project (Delay and Level-of-Service)	
		AM	PM	AM	PM
E Natoma St/Prison Rd	Signal	9.3 A	9.1 A	15.9 B	16.7 B
Eastern Project Driveway	SSSC *	n/a	n/a	10.6 B (NB)	12.3 B (NB)
Intersection	Approach	No Project 95% Queues (Feet)		With Project 95% Queues (Feet)	
		AM	PM	AM	PM
E Natoma St/Prison Rd	EB Left	173'	30'	166'	37'
	WB Left	n/a	n/a	22'	23'
	SB Left	22'	49'	23'	73'
	NB Left	n/a	n/a	27'	21'
Eastern Project Driveway	NB	n/a	n/a	0	0

\* SSSC = Side Street Stop Control

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## 5. PROJECT VMT IMPACTS AND GENERAL PLAN LEVEL-OF-SERVICE CONFORMITY

### 5.1 Vehicle Miles Traveled

Folsom General Plan policy NCR 3.1.3 addressed vehicle miles traveled (VMT) as shown below:

Policy NCR 3.1.3 “Encourage efforts to reduce the amount of vehicle miles traveled (VMT). These efforts could include encouraging mixed-use development promoting a jobs/housing balance, and, encouraging alternative transportation such as walking, cycling, and public transit.”

The Governors’ Office of Planning and Research (OPR) has published guidance recommending a CEQA threshold for transportation impacts of land use projects of a 15% VMT reduction per capita, relative to either city or regional averages, based on the California’s Climate Scoping Plan<sup>9</sup>. Qualitative assessment of VMT reduction is acceptable to screen projects<sup>10</sup>.

Under State Law (SB 743), VMT became the only CEQA threshold of significance for transportation impacts on July 1, 2020. Without specific General Plan guidance for VMT thresholds, this analysis uses qualitative screening against OPR’s guidance of a 15% per capita VMT reduction.

To support jurisdictions’ SB743 implementation, SACOG developed thresholds and screening maps (Figure 10) for residential projects<sup>11</sup>, using outputs from the 2016 base year travel demand model run for the 2020 MTP/SCS. SACOG’s travel demand model is activity/tour based and is designed to estimate an individual’s daily travel, accounting for land use, transportation and demographics that influence peoples’ travel behaviors. For residential projects, the threshold is defined as total household VMT per capita achieving 15% of reduction compared to regional (or any appropriate sub-area) average VMT. The map uses HEX geography. Residential VMT per capita per HEX is calculated by tallying all household VMTs, including VMT traveling outside the region, generated by the residents living at the HEX and divided by the total population in the HEX. Green hexagons denote areas where residential VMT is 50% to 85% of the regional average and yellow hexagons denote areas where residential VMT is 85% to 100% of the regional average.

The Project is located within one of the green hexagons with average residential VMT of 17 miles per capita (per day). The Project is anticipated to generate less than 82% of the regional

<sup>9</sup> OPR (2018) Technical Advisory on Evaluating Transportation Impacts In CEQA, [http://www.opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](http://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf).

<sup>10</sup> OPR’s webinar on SB 743 implementation, 4/16/2020.

<sup>11</sup> SACOG (2021) <https://sb743-sacog.opendata.arcgis.com/>

per capita residential daily VMT of 20.82 miles. **The Project is therefore anticipated to have a less-than-significant impact on VMT.**

#### 5.2 Conformance with General Plan Level-of-Service Policy

**All study intersections are anticipated to operate at level-of-service B or better under all study scenarios, both with and without the addition of Project traffic. The Project is not anticipated to create new level-of-service deficiencies, or to or worsen any existing deficiencies, based on General Plan Policy M4.1.3.**



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Figure 10. SACOG SB 743 Regional VMT Screening Map

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## 6. OTHER CONSIDERATIONS

### 6.1 Internal Circulation and Site Plan Review

This section reviews parking, driveway throat-depth, and emergency vehicle access shown on the preliminary site plan shown in **Figure 2** (page 3).

#### Parking Requirements

The City does not have an adopted parking standard for age-restricted (senior) multi-family housing or affordable age-restricted multi-family housing. With a Planned Development (PD), parking supply is established through the PD permit process.

**Proposed Project Parking:** Proposed Parking consists of 136 spaces (1.00 parking spaces per unit). This exceeds that of many other recently approved age restricted multi-family projects in and around Folsom. The 136 spaces include 8 accessible spaces (i.e., with the adjacent space striped out to provide vehicle access for wheelchairs and/or mobility scooters) and 14 spaces with electric vehicle charging.

**Parking Demand:** The ITE Parking Generation Manual<sup>12</sup> lists an average peak parking demand of 0.59 vehicles per dwelling unit for Land Use 252 (Senior Adult Housing-Attached), with a standard deviation of 0.12. The ITE sample size is small (three observations), yet the proposed parking ratio of 1.00 is more than 3.5 standard deviations greater than the mean parking demand. Consequently, the proposed parking for the Project is sufficient to meet the anticipated parking demand with a parking ratio of 1.00.

For comparison, Revel Senior Living, a similar project approved by Folsom in 2018 had a parking ratio of 0.81 spaces per dwelling unit. The Revel project conducted a parking survey of six similar Sacramento area facilities. All six facilities were found to use less than 0.60 spaces per dwelling unit during peak parking demand hours (consistent with the ITE parking demand data referenced above.)

**Finding:** The proposed parking supply of 136 spaces is adequate for the 136 multi-family units proposed in the Project.

#### Minimum Required Throat-Depth

**Minimum Required Throat-Depth (MRTD):** For an 81-160 unit apartment complex, the standard for the MRTD is 50 feet<sup>13</sup>. This 50-foot length represents vehicle storage equivalents, which means the total required length may be achieved by summing the throat depths for several access points if more than one access point is to serve the site.

**Throat-Depth Provided:** As shown on the preliminary site plan in **Figure 2** (page 3), the throat depths for the primary and second driveways exceed 50 feet and 25 feet, respectively.

<sup>12</sup> ITE (2010) Parking Generation 4<sup>th</sup> Edition, Institute of Transportation Engineers, Washington DC.

<sup>13</sup> Folsom (2020) Design and Procedures Manual and Improvement Standards, site access Table 12-1, <https://www.folsom.ca.us/civicax/filebank/blobdload.aspx?t=66183.89&BlobID=38340>.

**Finding:** The MRTD of the Project driveways meet the standard because the primary driveway throat depth meets the minimum standard of 50 feet.

#### Emergency Vehicle Access

The Project's internal drive isles are designed with minimum 25-foot inner and 50-foot turning radii to accommodate fire department access.

**Finding:** Emergency vehicle access is designed consistent with standards and is adequate.

#### 6.2 Bicycle/Pedestrian/Transit Facilities

The Project does not inhibit the use of bicycle or pedestrian facilities; eliminate existing bicycle, or pedestrian facilities; or prevent the implementation of planned bicycle, or pedestrian facilities. The Project includes accessible pathways around the building to provide a walking path for residents. Path connections are planned to paths internal to the Project site, south to the Oak Parkway Trail, and west to the East Natoma St underpass to the Johnny Cash Trail.

**Finding:** The Project has a **less-than-significant** impact on pedestrians and bicycles. With relocation of the effected bus stop, transit impacts will be less-than-significant.

#### 6.3 Queueing

Anticipated 95<sup>th</sup>-percentile left turn queue lengths were reviewed and are anticipated to be less than the supplied storage lengths in the turn bays.

**Finding:** Existing turn pockets are adequate.

#### 6.4 Driveway Geometry

City standards requires a 60-foot right turn taper in conditions with ten or more peak-hour right turns into a driveway, and a 150-foot pocket plus 60-foot taper, with 50 or more peak-hour right turns. Neither project driveway is anticipated to have ten or more right turning vehicles into the Project during the AM or PM peak-hours. The main driveway at the signalized East Natoma Street/Prison Rd intersection includes an eastbound right turn pocket and a westbound left turn pocket accessing the Project, these are adequate to safely accommodate Project traffic without hindering existing traffic.

The secondary (eastern) driveway is restricted to right-in-right-out movements and is anticipated to only have fewer than ten eastbound right-turns into the Project during either the AM or PM peak hours. No turn pockets are necessary. The eastern driveway should be channelized to restrict left turns from entering or existing the Project via the eastern driveway. Such channelization may be accomplished by either a triangular island located within the driveway, or by extending the raised median at the East Natoma St/Cimmaron Cir intersection west-ward across the eastern Project driveway.

**Finding:** Driveway geometry has been determined to be adequate, left turns at the eastern Project driveway should be restricted through the use of channelization.

### 6.5 Fire Lane and Internal Geometry

The Project proposes two access points connected by a fire lane which circles the back of the Proposed apartments. All internal radii have at least a 25' inner radius and 50' outer radius per City requirements.

### 6.6 Accident History

Potential geometric constraints and safety issues were evaluated, including driveway spacing, sight triangles, and Statewide Integrated Traffic Records System (SWITRS) collision data. Driveway spacing, throat depth, and corner sight distance are all adequate. In the last five years, there have been three accidents proximate to the Project site including:

- One eastbound rear-end collision at the existing traffic light,
- Two driving under the influence (DUI) accidents (one a sideswipe, and the other a single vehicle overturn.)

These are not accident varieties that would be anticipated to be worsened by the Project, and the project does not require any project specific traffic safety treatments.

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## 7. FINDINGS, MITIGATION, AND RECOMMENDED CONDITIONS

**Finding 1 (Trip Generation):** The Project is anticipated to generate 441 daily vehicle trips including 39 AM peak-hour vehicle trips, and 41 PM peak-hour vehicle trips. Fewer than 50 peak-hour project trips are projected to pass through any intersection.

**Finding 2 (Level-of-Service):** All study intersections are anticipated to operate at level-of-service B or better under all study scenarios. The Project is not projected to create new deficiencies or worsen existing traffic level-of-service, pursuant to General Plan Policy M4.1.3. Impacts to level-of-service are considered less than significant.

**Finding 3 (Vehicle Miles Traveled):** Per capita Project VMT is projected to be at least 15% less than regional per capita VMT. Project VMT impacts are considered less than significant.

**Finding 4 (Parking):** The proposed parking supply of 136 spaces (1.00 spaces per unit). The Project was found to be adequately parked with either parking ratio.

**Finding 5 (Minimum Required Throat Depth):** The standards for driveway throat depths are met.

**Finding 6 (Emergency Vehicle Access):** Emergency vehicle access is adequate.

**Finding 7 (Pedestrian and Bicycle):** The Project does not result in impacts to pedestrian and bicycle facilities. Impacts to pedestrian and bicycle facilities are considered less than significant.

**Finding 8 (Transit):** The Project does not result in impacts to transit facilities. Impacts to transit facilities are considered less than significant.

**Finding 9 (Driveway Geometry):** Proposed geometry for access to East Natoma St is adequate. Either a raised median or right-turn channelization should be used to limit the secondary (eastern) driveway to right-in-right-out access. Note that the secondary (eastern) driveway was modeled assuming a shared eastbound through-right turn lane, without a right turn taper or deceleration lane. Anticipated eastbound right turning volume is less than 10 vehicles during the AM and PM peak-hours and neither a right taper or deceleration lane is required per City of Folsom policy. However, the City reserves the right to require either a taper or pocket at the discretion of the City Engineer.

**Finding 10 (Signal Timing):** With the addition of a fourth leg to the East Natoma St/Prison Rd intersection, the signal timing and lane geometry was assumed to be configured as follows:

- Eastbound: An eastbound right turn pocket was assumed with 150-feet of storage and a 60-foot taper; for a total of one left, one through, and one right turn lane.
- Westbound: A westbound left turn lane with 100-foot pocket plus 60-foot taper for a total of one left and one shared through-right lane.
- Southbound: The existing exclusive right-turn lane is assumed to be restriped as a through-right turn lane (for a total of one left and one shared through-right).

- Northbound: The northbound approach is assumed to provide one left and one shared through-right lane. The northbound through-right lane is assumed to be in a 70' turn pocket plus 60' taper.
- Timing: Eastbound and westbound protected left turn phasing, northbound and southbound split phasing. 150 second cycle length, with 34 second northbound southbound split phases and 20 second eastbound and westbound protected phases, and 62 second eastbound and westbound through phases. Crosswalks are assumed across all legs of the intersection with flashing don't walk phases set to 22 seconds to accommodate a 3 feet per second walking speed.

City staff have noted that the East Natoma St/Prison Rd intersection may be an excellent location for protected-permissive left-turn phasing (i.e., "a flashing yellow arrow" to allow left turns during the conflicting through phase). Such phasing would increase the intersection capacity and reduce queuing for the eastbound through movement. It is our professional judgement that novel phasing plans, such as protected-permissive phasing, have the potential to confuse elderly drivers and pedestrians, resulting in increased accident rates. Because protected-permissive phasing is not necessary to maintain the General Plan level-of-service goals we do not recommend it for the entrance to age-restricted housing. The project adds a fourth leg to the existing T-intersection, which requires upgrading the traffic signal hardware. At the discretion of the City Engineer, those upgrades may include video vehicle detection, connecting the signal into the City traffic management center, and traffic signal controller upgrades to the satisfaction of the City Engineer.

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 23**

### **Parking Memorandum, dated October 17, 2022**



## MEMORANDUM

<b>Date:</b>	October 17th, 2022	<b>TG:</b>	1.21286.00
<b>To:</b>	Steven Banks, City of Folsom		
<b>From:</b>	Mike Swenson – Transpo Group Jessica Lambert – Transpo Group		
<b>cc:</b>	Jenifer Vangerpen – Vintage housing		
<b>Subject:</b>	Vintage Folsom – Parking Study		

The following memorandum summarizes the parking demand analysis that was conducted for the proposed affordable attached senior housing development in the City of Folsom, CA. City staff provided the following comment in response to the initial site plan application.

- Parking: The submitted site plan indicates that 136 on-site parking spaces are proposed for the 136-unit senior affordable living community (1:1 parking ratio). The Folsom Municipal Code does not include any specific parking requirements with regard to senior affordable apartment communities. As a result, a justification for the proposed parking ratio is requested (similar projects?). As part of the parking analysis, please provide information on the total number of employees on the project site at any one time. Also, will employees have designated parking spaces? Project-specific parking standards for this development can be accommodated through the Planned Development Permit.*

### Project Description

The proposed project is located in Folsom, CA and would include development of up to 136 affordable attached senior housing units with up 136 on-site parking stalls. The project is proposing to provide 98 1-bedroom units and 38 2-bedroom units and would employ 3.5 full time employees.

### Parking Requirements

The Folsom Municipal Code does not include any specific parking requirements with regard to senior affordable apartment communities. As noted in the City comments, parking requirements are established through the Planned Development Permit process. The purpose of the following analysis is to establish a parking supply for the proposed project based on similar projects and demand rates published in the ITE Parking Generation Manual.

Previous proposed senior adult attached housing developments in Folsom have proposed similar parking ratios to the current proposal. Table 1 provides a summary of parking ratios for similar attached senior housing developments in the City.

**Table 1. Historic City of Folsom Senior Attached Housing Parking Ratios**

Project Name	Number of Units	Total Parking Spaces	Parking Ratio Supply (spaces/unit)
Scholar Way Senior Housing	110	115	1.05 spaces/unit
Avenida Folsom Senior Living	154	168	1.09 spaces/unit
Revel Folsom	166	135	0.81 spaces/unit

As shown in Table 1, while not specifically affordable housing units, the parking ratios range between 0.81 and 1.09 spaces per unit. The proposed project is within the range of similar projects in the area.

## Parking Demand Forecasts

Data was collected and submitted as part of previous applications in the City. Figure 1 summarizes the data that was submitted as part of the *Parking Survey Evaluation Revel Folsom Senior Living Community, Ubor Excellence, April 27, 2018*<sup>1</sup>.

**Table 1.1 Parking Summary**

Facility Name	Location	Type*	No. of Units	Total # of Parking Stalls	Parked Cars Observed	Parking Stall to Unit Ratio (Stalls/Unit)	Parked Cars to Units Ratio (Cars/Unit)
Atrium	Carmichael	IL	151	76	49	0.50 : 1	0.32 : 1
Creekside Oaks	Folsom	IL	109	69	48	0.63 : 1	0.44 : 1
Park Folsom	Folsom	IL	90	83	27	0.92 : 1	0.30 : 1
Campus Commons	Sacramento	IL	126	64	49	0.51 : 1	0.39 : 1
Winding Commons	Carmichael	IL	102	78	51	0.76 : 1	0.50 : 1
El Dorado Estates	El Dorado Hills	IL	130	85	71	0.65 : 1	0.55 : 1
<b>Revel Folsom</b>	<b>Folsom</b>	IL	166	135		<b>0.81 : 1</b>	

\* Independent Living (IL)

*Figure 1 On-Site Parking Summary*

As shown in Figure 1, the six observed facilities had parking demand ratios less than 0.60 vehicles per dwelling unit.

Additionally, peak parking demand for the proposed project was evaluated based on parking rates provided in the ITE Parking Generation Manual (5th Edition) for the Senior Adult Housing – Attached use. The results are shown in Table 2.

**Table 2. Parking Demand - ITE**

Element	Residential Units	Peak Parking Demand Rate <sup>1</sup>	Peak Parking Demand	Proposed Parking Supply	Excess Parking Stalls
Vintage Affordable Senior Housing <sup>2</sup>	136	0.61 per dwelling unit	83	136	+53

1. ITE Parking Generation, 5th Edition average rate.

2. ITE LU #252, Senior Adult Housing - Attached

<sup>1</sup> *Parking Survey Evaluation Revel Folsom Senior Living Community, Ubor Excellence, April 27, 2018*



As shown in Table 2, the ITE average parking demand rate of 0.61 stalls per units results in an anticipated peak parking demand of 83 vehicles and could be accommodated in the proposed supply of 136 stalls with a surplus of approximately 53 stalls. The ITE demand rate is also consistent with the rate observed as part of the Revel Folsom Parking Study. Table 2 demonstrates that there is adequate parking for the proposed senior housing project considering ITE parking demand rates. Additionally, affordable housing developments typically result in lower parking demand rates than market rate developments; therefore, the resulting analysis should be considered conservative.

### **Summary/Justification**

The proposed project would develop 136 affordable attached senior housing units with up 136 on-site parking stalls. The resulting parking demand ratio of 1:1 stalls per unit is consistent with previously approved developments in the area. Additionally, as identified in this analysis, the proposed project is projected to have adequate parking supply to accommodate the peak parking demand.



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 24**

### **Parking Case Study, dated January 3, 2023**

**VINTAGE SENIOR APARTMENTS  
PARKING DEMAND CASE STUDY ANALYSIS  
January 3, 2023**

Vintage Housing has requested their property management company, FPI Management, to perform case study of real time review of parking demand at seven existing Vintage owned Senior Apartment Communities that are similarly located in suburban settings. The seven Senior properties/projects are as follows:

1. Vintage at Bouquet Canyon; Santa Clarita, CA  
264 Units & 181 Parking Spaces (0.69 Spaces per Unit)  
1-bedroom = 182 & 2-bedroom = 82; Total Bedroom = 346 (0.52 spaces per Bedroom)
2. Vintage at The Crossings; Reno, NV  
230 Units & 175 Parking Spaces (0.76 Spaces per Unit)  
1-bedroom = 140 & 2-bedroom = 90; Total Bedroom = 320 (0.55 spaces per Bedroom)
3. Vintage at Sanctuary; Reno, NV  
208 Units & 100 Parking Spaces (0.48 Spaces per Unit)  
Studio = 3 & 1-bedroom = 205; Total Bedroom = 208 (0.48 spaces per Bedroom)
4. Vintage at Seven Hills; Reno NV  
244 Units & 244 Parking Spaces (1.0 Spaces per Unit)  
1-bedroom = 70 & 2-bedroom = 174; Total Bedroom = 418 (0.58 spaces per Bedroom)
5. Vintage at Bennett Valley; Santa Rosa CA  
189 Units & 210 Parking Spaces (1.11 Spaces per Unit)  
1-bedroom = 125 & 2-bedroom = 64; Total Bedroom = 253 (0.83 spaces per Bedroom)
6. Vintage at Napa; Napa CA  
115 Units & 62 Parking Spaces (0.54 Spaces per Unit)  
1-bedroom = 109 & 2-bedroom = 6; Total Bedroom = 121 (0.51 spaces per Bedroom)
7. Seasons at Laguna; Elk Grove CA  
222 Units & 158 Parking Spaces (0.71 Spaces per Unit)  
1-bedroom = 150 & 2-bedroom = 72; Total Bedroom = 294 (0.54 spaces per Bedroom)

Property Management (FPI) has been managing all seven properties for many years and is acutely aware of all management items of the seven properties listed above. Based on historical experience the peak demand for parking typically takes place after 8 PM. Property Management (FPI) performed a parking count on the following dates of September 19, 2022, or November 14, 2022, after the 8 PM hour. Property Management (FPI) reviewed parking demand and the projects above and reported back on the following questions:

- Do you have parking problems?
- Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused?
- Are your residents parking off site (on streets).

Attached to this letter is Property Management (FPI) summary findings of Parking Demand at each of the Senior Apartment Projects listed above.

Based on review of the Data for each Senior Apartment project Vintage Housing findings are as follows:

1. Vintage at Bouquet Canyon; Santa Clarita, CA (0.69 stalls per unit//0.52 spaces per Bedroom)  
Project was noted to have an onsite parking supply issue, not based on parking stalls being provided, however City code requires that 33 spaces (18%) be reserved by guests. Guest parking spaces at peak demand were going underutilized. FPI working with the City to allow for the use of the guest parking spaces for overnight parking by residents. FPI ongoing/continual efforts of collaborating with the City and assigning and enforcing parking rules and regulations parking is adequate with no on-street parking.
2. Vintage at The Crossings; Reno, NV (0.76 stalls per unit//0.55 spaces per Bedroom)  
Project was noted to have no onsite parking supply issues. Based on counts 10-12 spaces go unused in the peak hours. However, it was noted on street parking is allowed and up to 4 residents choose to park on the street based on the proximity of the unit to on-street parking. FPI assigns parking and manages accordingly and FPI does not report any parking demand issues.
3. Vintage at Sanctuary; Reno, NV (0.48 stalls per unit//0.48 spaces per Bedroom)  
Project was noted to be experiencing a lack of onsite parking supply resulting in resident parking on the adjacent streets. On-Street parking is encouraged and allowed by the City in the zoning district. FPI does report that onsite parking is assigned, and demand is high for these parking spaces. Through FPI continual ongoing management and enforcement of parking, residents parking both onsite and/or on-street meets the demand of the project. FPI did note that all units in this project are either Studios or 1-Bedroom units.
4. Vintage at Seven Hills; Reno NV (1.0 stalls per unit//0.58 spaces per Bedroom)  
Project was noted to have no onsite parking supply issues. FPI assigns parking and manages accordingly and FPI does report during peak hours most if not all the parking stalls are utilized. FPI did identify this Senior Apartment Community does have a relatively high 2-bedroom unit mix (71%) and based on this FPI experience the 1 to 1 parking to unit ratio works fine based on the high 2-Bedroom count.
5. Vintage at Bennett Valley; Santa Rosa CA (1.11 stalls per unit//0.83 spaces per Bedroom)  
Project was noted to have no resident onsite parking supply issues and during peak demand there are several parking stalls not being utilized. FPI experience is that these routinely unused parking stalls do become a bit of a nuisance as these parking stalls tend to attract non-operable vehicles that are in violation of property management rules and in rare instances require towing. FPI did note at the main entry location periodic loading and unloading is an issue that is continually managed by property management.
6. Vintage at Napa; Napa, CA (0.54 Spaces per Unit //0.51 spaces per Bedroom)  
Project was noted to be experiencing a lack of onsite parking supply. This is resulting in residents/visitors parking on the adjacent local streets. FPI does report that onsite parking is assigned, and demand is extremely high for these parking spaces. Through FPI continual ongoing management and enforcement of onsite parking by residents, FPI is able to manage the parking demand of the project. FPI did note that this project has a relatively high 1-Bedroom count (95% units) and if there were more 2-Bedroom units parking would need to be restricted.
7. Seasons at Laguna; Elk Grove, CA (0.71 Spaces per Unit //0.54 spaces per Bedroom)  
Project was noted to be experiencing a lack of onsite parking supply resulting in resident parking on the adjacent streets. On-Street parking is currently being allowed by the city. FPI does report

that onsite parking is assigned, and demand is high for these parking spaces. Through FPI continual ongoing management and enforcement the parking of residents both onsite and on the street meets the demand of the project. FPI did note that this property has 2 large loading areas on both the west and east side of the and ownership/management discussions have taken place and studies would indicate that an additional 20 onsite parking spaces could be provided.

Vintage Housing review, including assistance from Property Management (FPI), of both historical experience and real time data provided for the seven Case Studies includes a relatively wide range of onsite parking allocation range from the lower end of 0.48 stalls/unit (0.48 stalls/bedroom) to 1.11 stall/unit (0.83 stalls/bedroom). In this review it was noted that any parking analysis should consider both the total number of units and the actual unit mix of 1-Bedroom to 2-Bedrooms. In this review the high percentage of 1-Bedrooms could support a lower demand for parking ratio and a high percentage of 2-Bedrooms yielded a higher demand parking ratio. Furthermore, based on zoning districts the City's desire for allowing on-street parking should be considered.

Based on both experience and data provided to determine adequate onsite parking is provided for residents/guests/employees, doing any analysis of parking based on total number of units could be misleading as parking demand for 1-bedroom and 2-bedroom can vary widely. Instead for the purpose of this analysis we used the number of bedrooms to analyze parking demand. Based on the Data provided the average parking to bedroom ratio was 0.57 parking spaces per unit. Vintage Housing upon review of this data inquired with Property Management (FPI) should a parking ratio of 0.60 spaces per bedroom be provided for each of the six projects listed would this resolve any onsite parking demand issues. Property Management (FPI) after performing an analysis of the potential increase in number of parking spaces for six of the seven properties Property Management (FPI) indicated that the additional parking spaces onsite would meet the demand for residents/guest /employees.

The proposed Natoma Senior Apartments being a 136-unit Senior Residential Apartment (98 1-Bedroom (72%) and 38 2-Bedroom (28%)) and providing 136 parking spaces at ration of 1-space/1-unit or 0.78 space/bedroom provides more than the 0.60 spaces per bedroom as analyzed above. Natoma Senior Apartment parking ratio provided of 0.78 spaces/bedroom will yield an onsite parking facility that should exceed the demand of the proposed Senior Apartment complex to included residents/guests/employees.

**VINTAGE SENIOR APARTMENTS**  
**SUMMARY PARKING DEMAND CASE STUDY ANALYSIS**  
**3-Jan-23**

PROPERTY	LOCATION	TOTAL UNITS	TOTAL PARKING STALLS	PARKING/UNIT RATIO	# 1-BED	% 1-BED	# 2-BED	% 2-BED	TOTAL BEDROOMS	PARKING/BEDROOM RATIO
Vintage at Bouquet Canyon	Santa Clarita, CA	264	181	0.69	182	69%	82	31%	346	0.52
Vintage at The Crossings	Reno, NV	230	175	0.76	140	61%	90	39%	320	0.55
Vintage at Sanctuary	Reno, NV	208	100	0.48	208	100%	0	0%	208	0.48
Vintage at Seven Hills	Reno NV	244	244	1.00	70	29%	174	71%	418	0.58
Vintage at Bennett Valley	Santa Rosa CA	189	210	1.11	125	66%	64	34%	253	0.83
Vintage at Napa	Napa CA	115	62	0.54	109	95%	6	5%	121	0.51
Seasons at Laguna	Elk Grove CA	222	158	0.71	150	68%	72	32%	294	0.54
Natoma Senior Apartments	Folsom CA	136	136	1.00	98	72%	38	28%	174	0.78

# FPI MANAGEMENT

CULTURE GROUNDED IN H.E.A.R.T. 

Parking Study  
Week of: September 19, 2022  
Vintage at Bouquet Canyon  
Santa Clarita, CA

Q: How many apartment homes and parking spaces do you have at your property?

- 264 total apartment homes
- 181 total spaces = 0.69 ratio (stall/unit)
- 1 bedroom = 182
- 2 bedrooms = 82
- 0.52 ratio (stall/bedroom)

Q: Do you have parking problems

- Yes. Mostly due to city requiring 33 spaces for "guest parking".

Q: Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused.

- During a recent study, management counted, most if not all spaces occupied during this time period.

Q: Are your residents parking off site (on streets). For senior projects only.

- It doesn't appear that residents are parking on the city streets



# FPI MANAGEMENT

CULTURE GROUNDED IN H.E.A.R.T. 

**Parking Study**  
**Week of: September 19, 2022**  
**Vintage at The Crossings**  
**Reno, NV**

**Q: How many apartment homes and parking spaces do you have at your property?**

- 230 total apartment homes
- 175 total spaces = 0.76 ratio (stall/unit)
- 1 bedroom = 140
- 2 bedrooms = 90
- 0.55 ratio (stall/bedroom)

**Q: Do you have parking problems**

- No issues with parking. Many of our residents do not own a car. We have many services within walking distance of the property for their convenience.

**Q: Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused.**

- Yes, we have open spaces. It varies at different times. During a recent study, management counted 10-12 available parking spaces.

**Q: Are your residents parking off site (on streets). For senior projects only.**

- Approximately 3-4 residents park on the street by choice. This is not required based on frequent open parking available.

# FPI MANAGEMENT

CULTURE GROUNDED IN H.E.A.R.T. 

**Parking Study**  
**Week of: September 19, 2022**  
**Vintage at Sanctuary**  
**Reno, NV**

**Q: How many apartment homes and parking spaces do you have at your property?**

- 208 total apartment homes
- 100 total spaces = 0.48 ratio (stall/unit)
- Studio = 3
- 1 bedroom = 205
- 0.48 ratio (stall/bedroom)

**Q: Do you have parking problems**

- Yes. We have many seniors with cars.

**Q: Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused.**

- During a recent study, management counted all parking spaces were occupied.

**Q: Are your residents parking off site (on streets). For senior projects only.**

- Yes, residents park on the street.

# FPI MANAGEMENT

CULTURE GROUNDED IN H.E.A.R.T. 

**Parking Study**  
**Week of: September 19, 2022**  
**Vintage at Seven Hills**  
**Reno, NV**

**Q: How many apartment homes and parking spaces do you have at your property?**

- 244 total apartment homes
- 244 total spaces = 1.0 ratio (stall/unit)
- 1 bedroom = 70
- 2 bedroom = 174
- 0.58 ratio (stall/bedroom)

**Q: Do you have parking problems**

- No issues with parking.

**Q: Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused.**

- During a recent study, management counted most if not all parking spaces were occupied.

**Q: Are your residents parking off site (on streets). For senior projects only.**

- No, residents do not park on the street.

# FPI MANAGEMENT

CULTURE GROUNDED IN H.E.A.R.T. 

Parking Study  
Week of: November 14, 2022  
Vintage at Bennett Valley  
Santa Rosa, CA

Q: How many apartment homes and parking spaces do you have at your property?

- 189 total apartment homes
- 210 total spaces = 1.11 ratio (stall/unit)
- 1 bedroom = 125
- 2 bedroom = 64
- 0.83 ratio (stall/bedroom)

Q: Do you have parking problems

- Periodic loading and unloading parking violations by the Leasing office.

Q: Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused.

- During a recent study, there are a lot of open spaces near the north side of the property.

Q: Are your residents parking off site (on streets). For senior projects only.

- No, residents do not park on the street.

# FPI MANAGEMENT

CULTURE GROUNDED IN H.E.A.R.T. 

Parking Study  
Week of: November 14, 2022  
Vintage at Napa  
Napa, CA

Q: How many apartment homes and parking spaces do you have at your property?

- 115 total apartment homes
- 62 total spaces = 0.54 ratio (stall/unit)
- 1 bedroom = 109
- 2 bedrooms = 6
- 0.51 ratio (stall/bedroom)

Q: Do you have parking problems

- Yes, not enough parking for the number of resident cars and caregivers.

Q: Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused.

- No, parking is always full.

Q: Are your residents parking off site (on streets). For senior projects only.

- Yes. Parking along side street

# FPI MANAGEMENT

CULTURE GROUNDED IN H.E.A.R.T. 

Parking Study  
Week of: November 14, 2022  
Seasons at Laguna  
Elk Grove, CA

Q: How many apartment homes and parking spaces do you have at your property?

- 222 total apartment homes
- 158 total spaces = 0.71 ratio (stall/unit)
- 1 Bedroom = 150
- 2 Bedroom = 72
- 0.54 ratio (stall/bedroom)

Q: Do you have parking problems

- Yes, not enough parking for the number of resident cars and caregivers.

Q: Is your parking lot underutilized? Meaning do you have extra spots in the evening after 8 PM that go unused.

- No, parking is always full.

Q: Are your residents parking off site (on streets). For senior projects only.

- Yes. Parking along side street



Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 25**

**Initial Study, Mitigated Negative Declaration, and  
Mitigation Monitoring and Reporting Program,  
dated November, 2022 (electronic version  
available for viewing at  
[www.folsom.ca.us/government/community-  
development/planning-services/current-project-  
information](http://www.folsom.ca.us/government/community-development/planning-services/current-project-information)**

# Vintage at Folsom Senior Apartments

## Initial Study/Mitigated Negative Declaration

*Prepared by:*

**City of Folsom  
Community Development Department**  
50 Natoma Street  
Folsom, CA 95630

*With technical support from:*

**HELIX Environmental Planning, Inc.**  
11 Natoma Street, Suite 155  
Folsom, CA 95630

November 2022

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## ACRONYMS AND ABBREVIATIONS

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AB	Assembly Bill
APN	Assessors Parcel Number
AWSC	All-Way Stop Control
BMP	Best Management Practices
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CARB	California Air Resources Control Board
CBC	California Building Code
CCAA	California Clean Air Act
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CH <sub>4</sub>	Methane
CO	Carbon Monoxide
CO <sub>2</sub>	Carbon Dioxide
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CRHR	California Register of Historic Resources
CWA	Clean Water Act
dB	Decibels
dBA	A-weighted Decibel
DBH	Diameter at Breast Height
DTSC	Department of Toxic Substances Control
EBC	East Bidwell Corridor
EIR	Environmental Impact Report
EO	Executive Order
EPA	U.S. Environmental Protection Agency
EPAP	Existing plus Approved Project
EVCS	Electric vehicle charging station
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
GHG	Greenhouse Gas Emissions
GWh	Gigawatt hours
GWP	Global Warming Potential
HFC	Hydrofluorocarbons
HVAC	Heating, Ventilation and Air Conditioning
ISMND	Initial Study/Mitigated Negative Declaration
ITE	Institute of Transportation Engineers
LOS	Level of Service
LSAA	Lake and Streambed Alteration Agreement
MBTA	Migratory Bird Treaty Act
MHD	Multi-Family High Density
MLD	Most Likely Descendent

MMRP	Mitigation Monitoring and Reporting Program
MPH	Miles per Hour
MTP	Metropolitan Transportation Plan
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCIC	North Central Information Center
NOX	Nitrogen Oxides
NPDES	National Pollution Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
N <sub>2</sub> O	Nitrous Oxide
OHP	Office of Historic Preservation
OPR	Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
O <sub>3</sub>	Ozone
PACE	Property Assessed Clean Energy
PD	Planned Development
PFC	Perfluorocarbons
PG&E	Pacific Gas & Electric
PM	Particulate Matter
PRC	Public Resources Code
ROG	Reactive Organic Gases
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCS	Sustainable Communities Strategy
sf	Square foot/feet
SF <sub>6</sub>	Sulfur Hexafluoride
SIP	State Implementation Plan
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Municipal Utilities District
SSC	Species of Special Concern
SSO	Sanitary Sewer Overflows
STC	Sound Transmission Class
SWITRS	Statewide Integrated Traffic Records System
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
SVAB	Sacramento Valley Air Basin
TCR	Tribal Cultural Resources
TIS	Transportation Impact Study
TNM	Traffic Noise Model
TWSC	Two-Way Stop Control
UAIC	United Auburn Indian Community
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
VMT	Vehicle Miles Traveled
WL	Watch List

## 1.0 INTRODUCTION

Vintage at Folsom, LP (Applicant) proposes to develop the Vintage at Folsom Senior Apartments Project (proposed project), which includes construction and operation of a 136-unit, affordable senior (i.e., age-restricted) rental housing community on an estimated 4.86-acre site. The site is located at 103 East Natoma Street, approximately 350-feet (ft) northeast of the intersection of Fargo Way and Natoma Street in the City of Folsom.

This Initial Study addresses the proposed project and whether it may cause significant effects on the environment. These potential environmental effects are further evaluated to determine whether they were examined in the Folsom General Plan 2035 Environmental Impact Report (EIR; 2018). In particular, consistent with Public Resources Code (PRC) §21083.3, this Initial Study focuses on any effects on the environment which are specific to the proposed project, or to the parcels on which the project would be located, which were not analyzed as potentially significant effects in the General Plan EIR, or for which substantial new information shows that identified effects would be more significant than described in the previous EIRs. For additional information regarding the relationship between the proposed project and the previous EIRs, see Section 6 of this Initial Study.

The Initial Study is also intended to assess whether any environmental effects of the project are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or by other means [§15152(b)(2)] of the California Environmental Quality Act (CEQA) Guidelines. If such revisions, conditions, or other means are identified, they will be identified as mitigation measures.

This Initial Study relies on CEQA Guidelines §15064 and 15064.4 in its determination of the significance of environmental effects. According to §15064, the finding as to whether a project may have one or more significant effects shall be based on substantial evidence in the record, and that controversy alone, without substantial evidence of a significant effect, does not trigger the need for an EIR.

## 2.0 PROJECT BACKGROUND

The proposed project is comprised of Assessor Parcel Number (APN) 071-0320-042 in Sacramento County, California. The following project specific technical reports or surveys were used in preparation of this Initial Study and are incorporated by reference:

- Biological Resources and Wetland Evaluation Letter Report by HELIX (October 2020).
- Cultural Resources Assessment by HELIX (March 2022).
- Geotechnical Engineering Study by Youngdahl Consulting Group, Inc. (December 2021).
- Traffic Impact Study by T. Kear Transportation Planning & Management, Inc. (February 2022).
- Arborist Inventory Letter Report by HELIX (March 2022).
- Air Quality Assessment, Greenhouse Gas Emissions Analysis by HELIX (April 2022).
- Noise Impact Analysis by HELIX (May 2022).
- Tribal Consultation Record for Compliance with Assembly Bill 52 and CEQA, prepared by ECORP Consulting, Inc. (June 2022).
- Preliminary Drainage and Storm Water Quality Report by TSD Engineering, Inc. (August 2022).

## 3.0 PROJECT DESCRIPTION

### 3.1 Project Location

The project site is located at 103 East Natoma Street, approximately 350-ft northeast of the intersection of Fargo Way and Natoma Street, in the City of Folsom (City) in Sacramento County, California. The project site is approximately 4.86-acres and is identified as Assessor's Parcel Number (APN) 071-0320-042. The project site frontage is along East Natoma Street. The site is located within Rios de los Americanos Land Grant (Mount Diablo Base and Meridian, United States Geological Survey 7.5-minute "Folsom Quadrangle"). Refer to Figure 1 for the Vicinity Map, Figure 2 for the Aerial Map, and Figure 3 for the Site Plan (Note: All figures are located in **Appendix A**). The property is owned by Vintage at Folsom, LP.

### 3.2 Project Setting and Surrounding Land Uses

The triangle shaped project site is currently vacant and undeveloped. The project site is considered to be blue oak woodland, surrounded by urban development. Historic aerial imagery shows that the project site has changed little since 1952 and habitat types/vegetation communities in the project site include blue oak woodland and ephemeral and intermittent drainages. The site is moderately disturbed. There is evidence of recreational use by bicycles and the site has a constructed dirt track with several constructed dirt ramps and jumps for bicycles, presumably constructed by children from the adjacent residential neighborhood. It also has debris piles and other evidence of use by transients. The terrain in the project site and vicinity is locally flat. The elevation on the project site ranges from 350- to 370-ft above mean sea level (amsl) and has low to moderate slope from east to west.

Folsom State Prison is located immediately north of the site, along Prison Road. East of the project site is single family homes along Cimmaron Circle, and south of the project site is Pacific Gas & Electric (PG&E) powerlines, single-family homes, and duplexes. West of the project, along Fargo Way, is office space and across from Fargo way is the Folsom City Police Department.

Neighboring land uses are summarized in **Table 1**.

**Table 1. Neighboring Land Uses**

<b>Direction</b>	<b>Land Use</b>
North	Prison Road, Folsom State Prison
East	Cimmaron Circle, Single Family Homes
South	PG&E Powerlines, Single Family Homes, Duplexes
West	Fargo Way, Office Space, Folsom City Police Department

### 3.3 Project Characteristics

The proposed project is a 136-unit, affordable senior (i.e., age-restricted) rental housing community with a mix of one- and two-bedroom units in a three-story building. All 136-units would be Age Restricted Senior (+60 age restricted) Affordable Apartment as defined by the State and City requirements with 14 of the units offered to seniors with incomes at or below 30 percent of area median income (AMI) and 122-units would be available to seniors with incomes at or below 60 percent

of AMI. The project site would include surfaced driveways and parking spots surrounding the proposed building to accommodate 136 parking stalls. The site would also include 28 bicycle parking spaces, landscaping, and indoor and outdoor amenities. Table 2 provides a summary of all pervious and impervious project features on the 4.86-acre site.

**Table 2. Summary of Project Features**

<b>Project Feature</b>	<b>Acreage/ Percentage of Total Site</b>
Landscape (Pervious Area)	2.318 (47.69%)
Bioretention (Pervious Area)	0.045 (0.92%)
Parking Lot (Impervious Area)	1.289 (26.52%)
Hardscape (Impervious Area)	0.357 (7.34%)
Building (Impervious Area)	0.852 (17.53%)
<b>Total</b>	<b>4.861 (100%)</b>

The proposed three-story apartment building would include 98 one-bedroom units and 38 two-bedroom units. Residential units would range from approximately 552- to 748-square feet (sf) each. Each unit would be designed with a full kitchen, living space, kitchen/dining, bathroom, laundry, and a balcony. In-unit amenities would include dishwashers, garbage disposals, refrigerators, in-unit laundry, patios, and/or decks. Furthermore, 15 percent of the units would be set aside for persons with disabilities. Apartment units are planned on each of the three levels of the building and would be accessible from the hallway corridors. Entrances to the building would be located on each side of the irregularly shaped building. Maximum projected building height would be less than 34-ft with architectural elements ranging from 40-ft, 6-inches to up to 42-ft, 6-inches from grade.

Community amenities would include an estimated 2,500-sf community center on the ground floor, as well as a game room, a library room, exercise room and a craft room. A leasing office, electrical room, maintenance room, and trash room would also be located on the ground floor. Additional amenities on the project site would include outdoor seating and dining areas, perimeter walkways, a bocce ball court, bike racks, picnic tables with umbrellas, outdoor barbeques/ kitchens, and 6-ft benches. Landscaped areas with various trees and shrubs would surround the parking area and the proposed building.

### **3.3.1. Parking and Circulation**

Primary vehicle access to the site would be from a proposed main access driveway (36-ft) on East Natoma Street, across from Prison Road. The main entrance would modify the existing three-way signalization intersection at East Natoma Street and Prison Road, into a four-way signalized intersection. An additional right only ingress/egress driveway (27-ft) would be located on the northeastern corner of



the project site, with no traffic signal control. The main access driveway (36-ft) would wrap around the proposed building and connect with the additional egress/ingress point. The circulation driveway would range from 27- to 36-ft wide with parking spaces on either side. Turnarounds for emergency vehicle access would have an inner turning radius of 25-ft and an outer turning radius of 50-ft.

Oak Parkway Trail, a Class I Bikeway, surrounds the project site. This biking trail would enter the southwestern corner of the site boundary. Within the site boundary, the Oak Parkway Trail would be realigned and connected to a concrete sidewalk proposed for the project. The concrete sidewalk would extend around the southern parking area and connect to the existing Oak Parkway Trail section located south of the site boundary. The realignment would add a pedestrian connection to the existing Oak Parkway Trail. Additional proposed concrete sidewalks would be located at the frontage of the project site and would provide a sidewalk extension to Cimmaron Circle and would connect to internal sidewalks proposed around the building. These concrete sidewalks would provide walking paths for residents.

The proposed project would include 136 parking spaces in asphalt paved areas surrounding the proposed building. The parking supply includes 92 standard spaces (including 37 carport parking spaces), 10 compact parking stalls, 16 standard accessible stalls, four van accessible stalls, 12 standard electric vehicle charging station (EVCS) stalls, and two loading EVCS stalls. The electric vehicle charging spaces would be approximately 10.3 percent of the total parking spaces, which meets the electric vehicle charging station requirement outlined by CalGreen (Title 24, Part 11). Proposed parking is provided at a ratio of spaces per unit of 1:1.

The total parking area square feet excluding the carport areas would be 52,525-sf. The Folsom Municipal Code (FMC, Section 17.57 G (3) Planters, Landscaping) states that tree shall be interspersed through the parking area so that in 15 years, 40 percent of the parking lot will be in shade at high noon. In addition, the new California Green Code requires a project's parking lot area needs to provide 50 percent shade coverage within 15 years. Within the project site, the total shaded area would be 26,759-sf, which is approximately 50.9 percent of the total parking lot square footage, exceeding the minimum shade requirements of the Folsom Municipal Code and the California Green Code.

The applicant proposes a parking supply of 136 spaces to correspond to the development being age-restricted to seniors over 60 years of age and occupied with a population that typically has fewer drivers and a lower rate of vehicle ownership compared to conventional (family) multi-family communities. The reduced parking demand of age-restricted communities is also the result of reduced household sizes occupied by residents who no longer drive vehicles or who less frequently drive vehicles. Additionally, The Folsom Municipal Code does not address specific parking standards for senior residential uses. Formerly approved senior apartments project (for both Market Rate and Affordable) have varied from 0.81 parking stalls per unit to 1.09 parking stalls per unit.

Additionally, the Folsom Municipal Code requires one bicycle parking space for every five residential units. With 136 residential units, the project requires 27 bicycle parking spaces. Bike racks would accommodate 28 bicycle parking spaces on the eastern side of the project site, east of the proposed building.

### **3.3.2. Utilities**

Proposed utilities include domestic water, sewer utilities, fire service line and fire water main, primary and secondary electricity lines, storm drain line, telephone/cable line, and gas line. Electrical, telephone/cable, and gas lines would be connected to existing facilities within the same vicinity of the project site, on East Natoma Street. All on site sewer utilities and water utilities (fire, domestic, and irrigation) are to be privately owned, operated, maintained. All public water within the site boundary would be constructed in accordance with the City of Folsom water design standards and water construction details as a condition of approval. On-site water supply would be connected to the Zone 3 Cimmaron pressure zone located off-site. On-site sewer utilities would connect with a publicly owned sewer collection system off-site. Proposed fire hydrants are located throughout the project site. Along the frontage of the site, a 12.5-ft public utility easement would be installed for overhead or underground facilities.

### **3.3.3. Sustainability Features**

The project design incorporates sustainable features consistent with General Plan Goal LU 9.1 and the California Green Building Standards Code (CalGreen). The project would exceed the 2019 California Building Energy Efficiency Standards (Title 24, Part 6) by 15 percent or more. The project provides 10 percent electric vehicle parking spaces (14), which is consistent with CalGreen standards. Cool paving features would be incorporated in the project site such as shade trees (39.3 percent), sidewalks/patios (24.9 percent), and parking stall/trash apron (4 percent), for a total reduction of 68.2 percent. This exceeds the minimum 50 percent reduction of nonroof heat islands on the project site. A cool roof would be installed per CalGreen/California Building Code (CBC) and a solar array is proposed for the asymmetrical, gabled rooftops.

### **3.3.4. Trash/Recycling**

A City standard trash enclosure would be enclosed with a trellis cover. The trash enclosure would have refused bins for recyclables, organics, and general waste. The trash enclosure would be located in the southeastern corner of the project site. Additionally, a trash room would be located on the ground floor of the proposed apartment building.

### **3.3.5. Fencing and Signage**

An 8-ft masonry wall is proposed on the eastern side of the project site, behind the single-family residences. The masonry wall would tie into an existing wood fence that runs along the eastern boundary line. A 6-ft-tall monument sign would be placed adjacent to the main access driveway, along East Natoma Street.

### **3.3.6. Amenities and Landscaping**

Community amenities would include an estimated 2,500-sf community center on the ground floor, as well as a game room, a library room, exercise room and a craft room. Additional amenities on the project site would include outdoor seating and dining areas, perimeter walkways, a bocce ball court, bike racks, picnic tables with umbrellas, outdoor barbeques/ kitchens, and 6-ft benches. The project is

located just over one mile to East Bidwell and the Historic Folsom District which offers a variety of shopping centers, mercantile services, restaurants, state parks, and Light Rail Transit Access.

Landscaping would be designed to complement the buildings and make a positive contribution to the overall aesthetic of the site. The project would preserve key open space areas, including existing Oak Groves and portions of perennial creeks, through an interactive landscape design process. Within the property site, 30- to 35-ft diameter shade trees, 25-ft diameter shade trees, accent trees, screen shrubs, foundation shrubs, accent shrubs, groundcovers, and bio infiltration species would be planted. Under existing conditions, the runoff from residential properties located east of the property flows onto the property site. This offsite runoff would be intercepted by proposed landscaped swales within 15-ft landscape planters along the eastern boundary of the property. This runoff would then be redirected towards East Natoma Street and would enter the public storm drain system. Additionally, eight bio-retention planters are proposed throughout the project site to manage stormwater runoff.

### **3.4 Construction and Phasing**

The project would be graded and constructed in a single phase. Construction would likely begin in spring 2023 and would take approximately 18 months to complete.

### **3.5 City Regulation of Urban Development**

#### **3.5.1. General Plan**

The site is designated as Professional Office (PO) in the Folsom 2035 General Plan. The PO designation provides for low-intensity business and professional offices that are compatible with higher-intensity residential uses.

#### **3.5.2. Zoning Ordinance**

The zoning designation of the site is in the Business and Professional (BP) District. According to Section 17.22.30 of the Folsom Municipal Code, the BP zoning district generally permits office building and related uses such as banks, doctor's offices, general business office, and general uses. The purpose of a BP zoning district is to provide an area for business and professional office and compatible related uses. This zoning district is intended to promote a harmonious development of business and professional office areas with adjacent commercial or residential development. However, Senior citizens (Age 55+) residential complexes are considered a permitted land use within the BP zoning district upon approval of a Conditional Use Permit by the Planning Commission according to FMC Section 17.22.030E).

Entitlement requests for this project include a Planned Development Permit (PD) Permit and a Conditional Use Permit. The purpose of the PD Permit is to allow for greater flexibility in the design of integrated developments than otherwise possible through strict application of land use regulations. With the PD Permit, the project's site plan, elevations, and overall project design would be evaluated, and specific development standards would be defined. A Conditional Use Permit is required to allow for development of senior apartments on the project site based on the BP PD zoning designation.

### **3.6 Other City Regulation of Urban Development**

#### **3.6.1. Community Development Department Standard Construction Conditions**

The City's standard construction requirements are set forth in the City of Folsom, Community Development Standard Construction Specifications updated in July 2020. A summary of these requirements is set forth below and incorporated by reference into the project description. Copies of these documents may be reviewed at the City of Folsom, Community Development Department, 50 East Natoma Street, Folsom, California 95630.

The Department's standard construction specifications are required to be adhered to by any contractor constructing a public or private project within the City.

*Use of Pesticides* – Requires contractors to store, use, and apply a wide range of chemicals consistent with all local, state, and federal rules and regulations.

*Air Pollution Control* – Requires compliance with all Sacramento Metropolitan Air Quality Management District (SMAQMD) and City air pollution regulations.

*Water Pollution* – Requires compliance with City water pollution regulations, including National Pollutant Discharge Elimination System (NPDES) provisions.

*Noise Control* – Requires that all construction work comply with the Folsom Noise Ordinance (discussed further below), and that all construction vehicles be equipped with a muffler to control sound levels.

*Naturally Occurring Asbestos* – Requires compliance with all SMAQMD and City air pollution regulations, including preparation and implementation of an Asbestos Dust Mitigation Plan consistent with the requirements of Section 93105 of the State Government Code.

*Weekend, Holiday, and Night Work* – Prohibits construction work during evening hours, or on Sunday or holidays, to reduce noise and other construction nuisance effects.

*Public Convenience* – Regulates traffic through the work area, operations of existing traffic signals, roadway cuts for pipelines and cable installation, effects to adjacent property owners, and notification of adjacent property owners and businesses.

*Public Safety and Traffic Control* – Regulates signage and other traffic safety devices through work zones.

*Existing Utilities* – Regulates the relocation and protection of utilities.

*Preservation of Property* – Requires preservation of trees and shrubbery and prohibits adverse effects to adjacent property and fixtures.

*Cultural Resources* – Requires that contractors stop work upon the discovery of unknown cultural or historic resources, and that an archaeologist be retained to evaluate the significance of the resource and to establish mitigation requirements, if necessary.

*Protection of Existing Trees* – Specifies measures necessary to protect both ornamental and native oak trees.

*Clearing and Grubbing* – Specifies protection standards for signs, mailboxes, underground structures, drainage facilities, sprinklers and lights, trees and shrubbery, and fencing. Also requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to control erosion and siltation of receiving waters.

*Reseeding* – Specifies seed mixes and methods for reseeded of graded areas.

### 3.6.2. City of Folsom Municipal Code

The City regulates many aspects of construction and development through requirements and ordinances established in the Folsom Municipal Code. These requirements are summarized in **Table 3**, and hereby incorporated by reference into the Project Description as though fully set forth herein. Copies of these documents may be reviewed at the City of Folsom, Office of the City Clerk, 50 Natoma Street; Folsom, California 95630.

**Table 3. City of Folsom Municipal Code Regulating Construction and Development**

<b>Code Section</b>	<b>Code Name</b>	<b>Effect of Code</b>
8.42	Noise Control	Establishes interior and exterior noise standards that may not be exceeded within structures, including residences; establishes time periods for construction operations.
8.70	Stormwater Management and Discharge Control	Establishes conditions and requirements for the discharge of urban pollutants and sediments to the storm-drainage system; requires preparation and implementation of Stormwater Pollution Prevention Plans.
9.34	Hazardous Materials Disclosure	Defines hazardous materials; requires filing of a Hazardous Material Disclosure Form by businesses that manufacture, use, or store such materials.
9.35	Underground Storage of Hazardous Substances	Establishes standards for the construction and monitoring of facilities used for the underground storage of hazardous substances, and establishes a procedure for issuance of permits for the use of these facilities.
12.16	Tree Preservation	Regulates the cutting or modification of trees, including oaks and specified other trees; requires a Tree Permit prior to cutting or modification; establishes mitigation requirements for cut or damaged trees.
13.26	Water Conservation	Prohibits the wasteful use of water; establishes sustainable landscape requirements; defines water use restrictions.
14.19	Energy Code	Adopts the California Energy Code, 2019 Edition, published as Part 6, Title 24, C.C.R. to require energy efficiency standards for structures.

14.20	Green Building Standards Code	Adopts the California Green Building Standards Code (CalGreen Code), 2019 Edition, excluding Appendix Chapters A4, A5, and A6.1 published as Part 11, Title 24, C.C.R. to promote and require the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices.
14.29	Grading Code	Requires a grading permit prior to the initiation of any grading, excavation, fill or dredging; establishes standards, conditions, and requirements for grading, erosion control, stormwater drainage, and revegetation.
14.32	Flood Damage Prevention	Restricts or prohibits uses that cause water or erosion hazards, or that result in damaging increases in erosion or in flood heights; requires that uses vulnerable to floods be protected against flood damage; controls the modification of floodways; regulates activities that may increase flood damage or that could divert floodwaters.

## 4.0 PROJECT OBJECTIVES

The project objective is to provide affordable senior rental housing consistent with the 2035 General Plan, including the Housing Element, which identifies guiding principles, goals, and policies for housing choices for all generations.

## 5.0 REQUIRED APPROVALS

A listing and brief description of the regulatory permits and approvals required to implement the proposed project are provided below. This Initial Study is intended to address the environmental impacts associated with all of the following decision action and approval:

- Planned Development Permit (PD Permit);
- Conditional Use Permit (CUP); and,
- Density Bonus.

The City of Folsom has the following discretionary powers related to the proposed project:

- Adoption of the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program: The City of Folsom Planning Commission will act as the lead agency as defined by the California Environmental Quality Act (CEQA) and will have authority to determine if the Initial Study is adequate under CEQA.
- Approval of project: The City of Folsom Planning Commission will consider approval of the project and the entitlements described above.



## 6.0 PREVIOUS RELEVANT ENVIRONMENTAL ANALYSIS

### 6.1 City of Folsom General Plan

The Program EIR for the City of Folsom General Plan (2018) provides relevant policy guidance for this environmental analysis. The EIR evaluated the environmental impacts that could result from implementation of the City of Folsom 2035 General Plan (2035 General Plan) (City of Folsom 2018a). The Program EIR is intended to provide information to the public and to decision makers regarding the potential effects of adoption and implementation of the 2035 General Plan, which consists of a comprehensive update of Folsom's current General Plan. The 2035 General Plan consists of a policy document, including Land Use and Circulation Diagrams.

### 6.2 Tiering

"Tiering" refers to the relationship between a program-level EIR (where long-range programmatic cumulative impacts are the focus of the environmental analysis) and subsequent environmental analyses such as the subject document, which focus primarily on issues unique to a smaller project within the larger program or plan. Through tiering a subsequent environmental analysis can incorporate, by reference, discussion that summarizes general environmental data found in the program EIR that establishes cumulative impacts and mitigation measures, the planning context, and/or the regulatory background. These broad-based issues need not be reevaluated subsequently, having been previously identified and evaluated at the program stage.

Tiering focuses the environmental review on the project-specific significant effects that were not examined in the prior environmental review, or that are susceptible to substantial reduction or avoidance by specific revisions in the project, by the imposition of conditions or by other means. Section 21093(b) of the Public Resources Code requires the tiering of environmental review whenever feasible, as determined by the Lead Agency.

In the case of the proposed project, this Initial Study tiers from the EIR for the Broadstone Unit No. 3 Specific Plan, and the EIR for the City of Folsom General Plan. The Folsom General Plan, as amended, is a project that is related to the proposed project and, pursuant to §15152(a) of the CEQA Guidelines, tiering of environmental documents is appropriate. CEQA Guidelines §15152(g) specifically provides that:

The above mentioned EIRs can be reviewed at the following location:

City of Folsom  
Community Development Department  
50 Natoma Street (2<sup>nd</sup> Floor)  
Folsom, CA 95630  
Contact: Mr. Steve Banks, Principal Planner  
(916) 461-6207

## 7.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED


The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Energy
<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards and Hazardous Materials
<input type="checkbox"/> Hydrology and Water Quality	<input type="checkbox"/> Land Use and Planning	<input type="checkbox"/> Mineral Resources
<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Population and Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input checked="" type="checkbox"/> Transportation	<input checked="" type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Utilities and Service Systems	<input type="checkbox"/> Wildfire	<input checked="" type="checkbox"/> Mandatory Findings of Significance

7.1 DETERMINATION

On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
 \_\_\_\_\_  
 Signature  
 Pamela Johnson  
 \_\_\_\_\_  
 Printed Name

11/7/22  
 \_\_\_\_\_  
 Date  
 Community Development  
 \_\_\_\_\_  
 Title  
 Director

## 8.0 ENVIRONMENTAL INITIAL STUDY CHECKLIST

The lead agency has defined the column headings in the environmental checklist as follows:

- A. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant even with the incorporation of mitigation. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- B. "Less Than Significant with Mitigation Incorporated" applies where the inclusion of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." All mitigation measures are described, including a brief explanation of how the measures reduce the effect to a less than significant level. Mitigation measures from earlier analyses may be cross-referenced.
- C. "Less Than Significant Impact" applies where the project does not create an impact that exceeds a stated significance threshold.
- D. "No Impact" applies where a project does not create an impact in that category. "No Impact" answers do not require an explanation if they are adequately supported by the information sources cited by the lead agency which show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project specific screening analysis).

The explanation of each issue identifies the significance criteria or threshold used to evaluate each question; and the mitigation measure identified, if any, to reduce the impact to less than significance. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [CEQA Guidelines Section 15063(c)(3)(D)]. Where appropriate, the discussion identifies the following:

- a) **Earlier Analyses Used.** Identifies where earlier analyses are available for review.
- b) **Impacts Adequately Addressed.** Identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) **Mitigation Measures.** For effects that are "Less Than Significant with Mitigation Incorporated," describes the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

**I. AESTHETICS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

The 4.86-acre parcel proposed for development is currently vacant and undeveloped. Folsom State Prison is located immediately north of the site, along Prison Road. East of the project site is single family homes along Cimmaron Circle, and south of the project site is Pacific Gas & Electric (PG&E) utility powerlines, single-family homes, and duplexes. West of the project, along Fargo Way, is office space and across from Fargo Way is the Folsom City Police Department. Oak Parkway Trail is located west and south of the site, and Johnny Cash Recreation Trail is located north of the project site. The local setting is characterized by commercial development to the south and west, residential to the east and south, and institutional to the north. Existing utility lines are located along East Natoma Street and south of the project site.

**Evaluation of Aesthetics**

a) Have a substantial adverse effect on a scenic vista?

**No impact.** Neither the project site nor the surrounding areas are scenic vistas due to the existing nearby commercial, residential developments. Further, neither the project site, nor views to or from the project site, have been designated as important scenic resources by the City or any other public agency. Therefore, the proposed development would not interfere with or degrade a scenic vista, and no impact would occur.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

**No impact.** The project site is currently vacant and undeveloped. The nearest officially designated state scenic highway is the segment of US Highway 50 from Placerville to Echo Summit, approximately 20 miles east (CalTrans 2019). Therefore, the project would not impact scenic resources, such as trees, rock outcroppings or historic buildings within a state scenic highway, and no impact would occur.

- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

**Less than significant impact.** The proposed project is located within an urbanized area of Folsom, surrounded by commercial and residential development and institutional land. The site is vacant and undeveloped, and the existing character of the site would be modified by the proposed development. The proposed project would construct a 136-unit affordable senior housing development, as well as proposed parking (bicycle and vehicle), landscape, and outdoor and indoor amenities. The apartment building roof height is 34-ft, with architectural elements ranging from 42-ft, 6-inches to up to 42-ft, 6-inches above grade, and would be designed with stucco, board and batten, brick veneer, asphalt shingles, and wrought iron railing. The building would be visually compatible with the proposed landscaping throughout the project site. Please refer to Figure 4, Figure 5, Figure 6, and Figure 7 for architectural renderings of the proposed project site viewed from Natoma Street and the bike trail.

In order to accommodate for the change in existing character, the proposed project would implement landscape screening, site amenities, and building designs to blend the proposed project with surrounding development and screen the project from residential neighbors. Along the proposed 8-ft masonry wall on the eastern boundary, shade, and accent trees, as well as several evergreen species would be planted as landscape screening. The landscape screening would be planted in order to block the sightline of homes along Cimmaron Circle and surrounding streets from the third story of the proposed building. Tree height would range from 15- to 35-ft based on tree type and would supplement the existing trees in the neighboring yards. Please refer to Figure 8 and Figure 9 for architectural renderings of the proposed sightline screening. Additionally, landscaped areas with various trees and shrubs would surround the proposed building and parking area, and a bocce ball court, and outdoor seating areas would be included to add to the overall visual aesthetic. The proposed building would have asymmetrical gabled roofs to add visual interest.

The proposed project is consistent with types of uses envisioned and permitted in the Folsom General Plan. The project is consistent with the BP zoning district development standards and would be designed consistent with the City's Design Guidelines for Senior Housing Development. Entitlement requests for this project include a Planned Development Permit (PD Permit) and a Conditional Use Permit (CUP). The Conditional Use Permit is required to allow for development of a senior residential apartment community on the project site. The proposed land use is consistent with the overall suburban character and ongoing development in the vicinity and is expected to integrate into the existing and planned development of the area. The proposed project would have a less than significant impact on visual character and no mitigation is necessary.



- d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

**Less than significant impact.** The project includes a combination of free-standing, pole-mounted parking lot and walkway lights, recessed carport and elevator lights, and building-mounted lights. To minimize potential lighting-related impacts, free-standing parking lot lights and recessed carport lights would be screened, shielded, and directed downward to minimize glare towards the surrounding properties. New lighting installed with the development of the proposed project would be subject to City standard practices regarding night lighting that would be made a condition of approval of the PD Permit. The proposed units and other project features would comply with design standards outlined in the Folsom Municipal Code. The exterior of the proposed apartment buildings would be designed with architectural detailing that would not produce glare and would not affect day or nighttime views, and existing City standards would limit light spillover and intensity. Therefore, impacts would be less than significant, and no mitigation is necessary.

**II. AGRICULTURE AND FORESTRY RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non- forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

No agricultural activities or timber management occur on the project site or in adjacent areas and the project site is not designated for agricultural or timberland uses. The California Important Farmlands Map prepared for Sacramento County by the California Resources Agency classifies the project site and surrounding area as Other Land (California Department of Conservation (CDC) 2016). Other Land is land not included in any other mapping category. Common examples include low density rural developments; brush timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and non-agricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land (CDC 2016).

The Natural Resources Conservation Service (NRCS) soil survey report generated for the project site (NRCS 2020) indicates that the soil units at the site, Argonaut-Auburn complex, 3 to 8 percent slopes, and Argonaut-Auburn-Urban complex, 3 to 8 percent slopes, are not Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, or Unique Farmland.

## Evaluation of Agriculture and Forestry Services

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

**No impact.** The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide importance (Farmland), as indicated in the Sacramento County Important Farmland 2016 Map (CDC 2016). Therefore, the project would have no impact on these farmland resources.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

**No impact.** The project site is not zoned for agricultural use or a Williamson Act contract.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

**No impact.** The project site is not zoned or designated as farmland, and the surrounding land uses are primarily residential developments, office space, and institutional land. Therefore, the nature and location of the project would not directly or indirectly result in the conversion of Farmland to non-agricultural uses. No impact would occur.

- d) Result in the loss of forest land or conversion of forest land to non-forest use?

**OR**

- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

**No impact.** Because no portion of the City or the project site are zoned for forest land or timberland, no impact would occur for questions d) and e).

### III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

HELIX Environmental Planning conducted air quality modeling (CalEEMod) for the proposed project based primarily on the preliminary site plan and the Transportation Impact Study conducted by T. Kear Transportation Planning and Management (2022). Air quality modeling output files and quantitative results are presented in **Appendix B**.

#### Environmental Setting

Climate in the Folsom area is characterized by hot, dry summers and cool, rainy winters. During summer's longer daylight hours, plentiful sunshine provides the energy needed to fuel photochemical reactions between oxides of nitrogen (NO<sub>x</sub>) and reactive organic gases (ROG), which result in ozone (O<sub>3</sub>) formation. High concentrations of O<sub>3</sub> are reached in the Folsom area due to intense heat, strong and low morning inversions, greatly restricted vertical mixing during the day, and daytime subsidence that strengthens the inversion layer. The greatest pollution problem in the Folsom area is from NO<sub>x</sub>.

The City of Folsom lies within the eastern edge of the Sacramento Valley Air Basin (SVAB). The Sacramento Metropolitan Air Quality Management District (SMAQMD) is responsible for implementing emissions standards and other requirements of federal and state laws in the project area. As required by the California Clean Air Act (CCAA), SMAQMD has published various air quality planning documents as discussed below to address requirements to bring the District into compliance with the federal and state ambient air quality standards. The Air Quality Attainment Plans are incorporated into the State Implementation Plan (SIP), which is subsequently submitted to the U.S. Environmental Protection Agency (USEPA), the federal agency that administrates the Federal Clean Air Act of 1970, as amended in 1990.

Ambient air quality is described in terms of compliance with state and national standards, and the levels of air pollutant concentrations considered safe, to protect the public health and welfare. These standards are designed to protect people most sensitive to respiratory distress, such as people with asthma, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. The USEPA has established national ambient air quality standards (NAAQS) for seven air pollution constituents. As permitted by the Clean Air Act, California has adopted more stringent air emissions standards (California Ambient Air Quality Standards [CAAQS]) and expanded the number of regulated air constituents.

The California Air Resources Board (CARB) is required to designate areas of the state as attainment, nonattainment, or unclassified for any state standard. An "attainment" designation for an area signifies that pollutant concentrations do not violate the standard for that pollutant in that area. A "nonattainment" designation indicates that a pollutant concentration violated the standard at least once. The air quality attainment status of the SVAB, including the City of Folsom, is shown in Table 4.

**Table 4. Sacramento Valley Air Basin -- Attainment Status**

<b>Pollutant</b>	<b>State of California Attainment Status</b>	<b>Federal Attainment Status</b>
Ozone (1-hour)	Nonattainment	No Federal Standard
Ozone (8-hour)	Nonattainment	Nonattainment
Coarse Particulate Matter ( $PM_{10}$ )	Nonattainment	Attainment
Fine Particulate Matter ( $PM_{2.5}$ )	Attainment	Nonattainment
Carbon Monoxide (CO)	Attainment	Attainment/Unclassified
Nitrogen Dioxide ( $NO_2$ )	Attainment	Attainment/Unclassified
Lead	Attainment	Attainment/Unclassified
Sulfur Dioxide ( $SO_2$ )	Attainment	Unclassified
Sulfates	Attainment	No Federal Standard
Hydrogen Sulfide	Unclassified	No Federal Standard
Visibility Reducing Particles	Unclassified	No Federal Standard

Sources: SMAQMD 2020

Sacramento County is designated as nonattainment for the state and federal ozone standards, the state  $PM_{10}$  standards, and the federal  $PM_{2.5}$  standards. Concentrations of all other pollutants meet state and federal standards.

Ozone is not emitted directly into the environment, but is generated from complex chemical reactions between ROG, or non-methane hydrocarbons, and  $NO_x$  that occur in the presence of sunlight. ROG and  $NO_x$  generators in Sacramento County include motor vehicles, recreational boats, other transportation sources, and industrial processes.  $PM_{10}$  and  $PM_{2.5}$  arise from a variety of sources, including road dust, diesel exhaust, fuel combustion, tire and brake wear, construction operations, and windblown dust.

#### **Toxic Air Contaminants**

Toxic air contaminants (TAC) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or in serious illness or that may pose a present or potential hazard to human health. TACs can cause long-term chronic health effects such as cancer, birth defects, neurological damage, asthma, bronchitis, or genetic damage, or short-term acute effects such as eye watering, respiratory irritation (a cough), runny nose, throat pain, and headaches. TACs are considered either carcinogenic or

noncarcinogenic based on the nature of the health effects associated with exposure to the pollutant. For carcinogenic TACs, there is no level of exposure that is considered safe and impacts are evaluated in terms of overall relative risk expressed as excess cancer cases per one million exposed individuals. Noncarcinogenic TACs differ in that there is generally assumed to be a safe level of exposure below which no negative health impact is believed to occur. These levels are determined on a pollutant-by-pollutant basis.

The Health and Safety Code (§39655[a]) defines TAC as “an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health.” All substances that are listed as hazardous air pollutants pursuant to subsection (b) of Section 112 of the CAA (42 United States Code Sec. 7412[b]) are designated as TACs. Under State law, the California Environmental Protection Agency (CalEPA), acting through CARB, is authorized to identify a substance as a TAC if it determines the substance is an air pollutant that may cause or contribute to an increase in mortality or an increase in serious illness, or that may pose a present or potential hazard to human health.

Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material. The solid material in diesel exhaust is referred to as diesel particulate matter (DPM). Almost all DPM is 10 microns or less in diameter, and 90 percent of DPM is less than 2.5 microns in diameter (CARB 2022). Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung. In 1998, CARB identified DPM as a TAC based on published evidence of a relationship between diesel exhaust exposure and lung cancer and other adverse health effects. DPM has a notable effect on California’s population—it is estimated that about 70 percent of total known cancer risk related to air toxics in California is attributable to DPM (CARB 2022).

### **Sensitive Receptors**

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved and are referred to as sensitive receptors. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. CARB and the Office of Environmental Health Hazard Assessment (OEHHA) have identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, infants (including in utero in the third trimester of pregnancy), and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis (CARB 2005; OEHHA 2015).

Residential areas are considered sensitive receptors to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. Children and infants are considered more susceptible to health effects of air pollution due to their immature immune systems, developing organs, and higher breathing rates. As such, schools are also considered sensitive receptors, as children are present for extended durations and engage in regular outdoor activities.

The closest existing sensitive receptors to the project site are the single-family residences that border the project site to the east and the single-family residences located approximately 100-ft south of the project site. Additionally, Vibra Hospital of Sacramento is located approximately 350-ft south of the project site. The closest schools to the project site are Theodore Judah Elementary School and Blanche Sprentz Elementary School, located approximately 1,400-ft to the southwest and 2,000-ft to the southeast, respectively.



## Methodology and Assumptions

Criteria pollutant, precursor, and GHG emissions for project construction and operation were estimated using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0. CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use projects. The model was developed for the California Air Pollution Control Officers Association (CAPCOA) in collaboration with the California air districts. CalEEMod allows for the use of default data (e.g., emission factors, trip lengths, meteorology, source inventory) provided by the various California air districts to account for local requirements and conditions, and/or user-defined inputs. The calculation methodology and default data used in the model are available in the CalEEMod User's Guide, Appendices A, D, and E (CAPCOA 2021). The CalEEMod output files are included in Attachment A to this letter.

Construction of the project is anticipated to begin as early as January 2023 and be completed in April 2024. Construction modeling assumes the following anticipated schedule: site preparation 10 working days; grading 87 working days; building construction 207 working days; paving 21 working days; and architectural coating 22 working days. Construction equipment assumptions were based on estimates from CalEEMod defaults. The project would not require an import or export of soil during construction activities. Construction emissions modeling assumes implementation of basic dust control practices (watering exposed areas twice per day) to comply with the requirements of: SMAQMD Rule 403, *Fugitive Dust*.

Operational mobile emissions were modeled using the project trip generation of 441 average daily trips from the project Transportation Impact Study (T. Kear Transportation Planning and Management, Inc. 2022). Operational emissions resulting from energy use, water use, and solid waste generation were modeled using CalEEMod defaults with an added 20 percent reduction in water use to account for the requirements of the 2019 CALGreen, and an additional 25 percent solid waste diversion to account for AB 341 requirements.

## Standards of Significance

While the final determination of whether or not a project has a significant effect is within the purview of the lead agency pursuant to CEQA Guidelines Section 15064(b), SMAQMD recommends that its air pollution thresholds be used to determine the significance of project emissions. The criteria pollutant thresholds and various assessment recommendations are contained in SMAQMD's *Guide to Air Quality Assessment in Sacramento County* (CEQA Guide; 2020, revised), and are discussed under the checklist questions below.

## Evaluation of Air Quality

- a) Conflict with or obstruct implementation of the applicable air quality plan?

**Less than Significant Impact.** In accordance with SMAQMD's Guide, construction-generated NOX, PM10, and PM2.5, and operational-generated ROG and NOX (all ozone precursors) are used to determine consistency with the Ozone Attainment Plan. The Guide states:

*By exceeding the District's mass emission thresholds for operational emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>, the project would be considered to conflict with or obstruct implementation of the District's air quality planning efforts.*

As shown in the discussion for question 2) below, the project's construction-generated emissions of NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> and operation-generated emissions ROG and NO<sub>x</sub> would not exceed SMAQMD thresholds. The project would not conflict with or obstruct implementation of the applicable air quality plan and the impact would be less than significant.

- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

**Less than Significant Impact.** The Sacramento region is in non-attainment for ozone (ozone precursors NO<sub>x</sub> and ROG) and particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>). The project's emissions of these criteria pollutants and precursors during construction and operation are evaluated below.

#### Construction Emissions

CalEEMod version 2020.4.0 was used to quantify project-generated construction emissions. The model output sheets are included in Attachment A. Construction activities were assumed to commence as early as January 2023 and be completed in April 2024. The quantity, duration, and intensity of construction activity influence the amount of construction emissions and related pollutant concentrations that occur at any one time. As such, the emission forecasts provided herein reflect a specific set of conservative assumptions based on the expected construction scenario wherein a relatively large amount of construction activity is occurring in a relatively intensive manner. Because of this conservative assumption, actual emissions could be less than those forecasted. If construction is delayed or occurs over a longer time period, emissions could be reduced because of (1) a more modern and cleaner-burning construction equipment fleet mix than assumed in CalEEMod; and/or (2) a less intensive buildout schedule (i.e., fewer daily emissions occurring over a longer time interval).

The project's construction period emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are compared to the SMAQMD construction thresholds in Table 5. The SMAQMD does not have a recommended threshold for construction-generated ROG. However, quantification and disclosure of ROG emissions is recommended. The SMAQMD considers any emissions of PM<sub>10</sub> and PM<sub>2.5</sub> to be significant unless the Basic Construction Emissions Control Practices are implemented, also known as Best Management Practices (BMPs). The project would implement the SMAQMD BMPs to control fugitive dust in accordance with SMAQMD Rule 403. The modeling accounts for emissions reductions resulting from watering exposed surfaces twice daily. As shown in Table 5, the proposed project's construction period emissions of the ozone precursor NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> would not exceed the SMAQMD thresholds. Impacts related to construction-generated emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> would be less than significant.

**Table 5. Construction Criteria Pollutant and Precursor Emissions**

<b>Construction Activity</b>	<b>ROG (pounds/day)</b>	<b>NO<sub>x</sub> (pounds/day)</b>	<b>PM<sub>10</sub> (pounds/day)</b>	<b>PM<sub>2.5</sub> (pounds/day)</b>
Site Preparation	2.7	27.6	10.2	5.7
Grading	1.8	18.0	4.1	2.3
Building Construction	1.9	15.3	1.5	0.9
Paving	0.9	8.3	0.6	0.4
Architectural Coatings	62.6	1.3	0.2	0.1
<b>Maximum Daily Emissions</b>	<b>62.6</b>	<b>27.6</b>	<b>10.2</b>	<b>5.7</b>
<i>SMAQMD Thresholds</i>	<i>None</i>	<i>85</i>	<i>80</i>	<i>82</i>
<b>Exceed Thresholds?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod (output data is provided in Attachment A)

ROG = reactive organic gases; NO<sub>x</sub> = nitrogen oxides; PM<sub>10</sub> = particulate matter 10 microns or less in diameter;

PM<sub>2.5</sub> = particulate matter 2.5 microns or less in diameter; SMAQMD= Sacramento Metropolitan Air Quality Management District

### Operational Emissions

Emissions generated from operational activities would include:

- Areas sources – combustion emissions from the use of landscape maintenance equipment, the reapplication of architectural coatings for maintenance, and the use of consumer products.
- Energy sources – combustion emissions from the use of natural gas appliances, water heaters, and heating systems.
- Mobile emissions – combustion, fuel evaporation, brake and tire wear, and road dust emission resulting from worker, customer, and vendor vehicle traveling to and from the project site.

The results of the modeling for project operational activities are shown in Table 6. The data is presented as the maximum anticipated daily emissions for comparison with the SMAQMD thresholds, the model output and calculation sheets are included as Attachment A to this letter. As shown in Table 6, the proposed project operation period emissions of the ozone precursor NO<sub>x</sub>, ROG, PM<sub>10</sub>, and PM<sub>2.5</sub> would not exceed the SMAQMD thresholds. Impacts related to operation-generated emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> would be less than significant.

**Table 6. Maximum Daily Operational Emissions**

<b>Source</b>	<b>ROG (pounds/day)</b>	<b>NO<sub>x</sub> (pounds/day)</b>	<b>PM<sub>10</sub> (pounds/day)</b>	<b>PM<sub>2.5</sub> (pounds/day)</b>
Area	3.1	0.1	<0.1	<0.01
Energy	<0.1	0.3	<0.1	<0.01
Mobile	1.1	1.5	2.4	0.7
<b>Maximum Daily Emissions</b>	<b>4.2</b>	<b>2.0</b>	<b>2.5</b>	<b>0.7</b>
<i>SMAQMD Thresholds</i>	<i>65</i>	<i>65</i>	<i>80</i>	<i>82</i>
<b>Exceed Thresholds?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod (output data is provided in Attachment A)

ROG = reactive organic gases; NO<sub>x</sub> = nitrogen oxides; PM<sub>10</sub> = particulate matter 10 microns or less in diameter;

PM<sub>2.5</sub> = particulate matter 2.5 microns or less in diameter; SMAQMD= Sacramento Metropolitan Air Quality Management District

As shown in Table 5 and Table 6, the project's maximum daily construction or operational emissions would not exceed the SMAQMD's thresholds. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment, and the impact would be less than significant.

c) Expose sensitive receptors to substantial pollutant concentrations?

**Less than Significant Impact.** CARB and OEHHA have identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, infants (including in utero in the third trimester of pregnancy), and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis (CARB 2005, OEHHA 2015). Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved and are referred to as sensitive receptor locations. Examples of these sensitive receptor locations are residences, schools, hospitals, and daycare centers.

The closest existing sensitive receptors to the project site are the single-family residences that border the project site to the east and the single-family residences located approximately 100-ft south of the project site. Additionally, Vibra Hospital of Sacramento is located approximately 350-ft south of the project site. The closest schools to the project site are Theodore Judah Elementary School and Blanche Sprentz Elementary School, located approximately 1,400-ft to the southwest and 2,000-ft to the southeast, respectively.

The dose (of TAC) to which receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance in the environment and the extent of exposure a person has with the substance; a longer exposure period to a fixed quantity of emissions would result in higher health risks. Current models and methodologies for conducting cancer health risk assessments are associated with longer-term exposure periods (typically 30 years for individual residents based on guidance from OEHHA) and are best suited for evaluation of long duration TAC emissions with predictable schedules and locations. These assessment models and methodologies do not correlate well with the temporary and highly variable nature of construction activities. Cancer potency factors are based on animal lifetime studies or worker studies where there is long-term exposure to the carcinogenic agent. There is considerable uncertainty in trying to evaluate the cancer risk from projects that will only last a small fraction of a lifetime (OEHHA 2015). In addition, concentrations of mobile source DPM emissions disperse rapidly and are typically reduced by 70 percent at approximately 500-ft (CARB 2005). Considering this information, the highly dispersive nature of DPM, and the fact that construction activities would occur at various locations throughout the project site, it is not anticipated that construction of the project would expose sensitive receptors to substantial DPM concentrations.

According to the SMAQMD, land use development projects do not typically have the potential to result in localized concentrations of criteria air pollutants that expose sensitive receptors to substantial pollutant concentrations. This is because criteria air pollutants are predominantly generated in the form of mobile-source exhaust from vehicle trips associated with the land use development project. These vehicle trips occur throughout a paved network of roads, and, therefore, associated exhaust emissions of criteria air pollutants are not generated in a single location where high concentrations could be formed (SMAQMD 2020). Therefore, localized concentration of CO from exhaust emissions, or "CO hotspots," would only be a concern on high-volume roadways where vertical and/or horizontal mixing is substantially limited, such as tunnels or below grade highways. There are no high-volume roadways in the region with limited mixing that would be affected by project generated traffic. Once operational, the

project would not be a significant source of TACs. Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations, and the impact would be less than significant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

**Less than Significant Impact.** The project could produce odors during construction activities resulting from heavy diesel equipment exhaust and VOC released during application of asphalt. The odor of these emissions is objectionable to some; however, emissions would disperse rapidly from the project site and therefore should not be at a level that would affect a substantial number of people. Any odors emitted during construction activities would be temporary, short-term, and intermittent in nature, and would cease upon the facility maintenance. As a result, impacts associated with temporary odors during construction are not considered significant.

As an affordable senior rental housing development, operation of the project would not result in odors affecting a substantial number of people. Solid waste generated by the project would be collected by a contracted waste hauler, ensuring that any odors resulting from on-site waste would be managed and collected in a manner to prevent the proliferation of odors. The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people, and the impact would be less than significant.

#### IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

An Arborist Inventory Letter Report was prepared by HELIX Environmental Planning, Inc. on March 22, 2022 (HELIX 2022a) and is included as **Appendix C**. A Biological Resources Evaluation (BRE) was also prepared by HELIX Environmental Planning, Inc. on October 21, 2020 (HELIX 2020) and is included as **Appendix D**.

#### Environmental Setting

The project site is a vacant, wooded parcel within the City of Folsom. The site is generally bordered by residential parcels and small commercial buildings, as well as the paved Oak Parkway cycling trail. Folsom State Prison is located north of the project site, on the opposite side of Natoma Street.



## Site Conditions

The entire project site is considered to be blue oak woodland, surrounded by urban development. Historic aerial imagery shows that the project site has changed little since 1952 and has consisted of oak woodland with a drainage running through the site. The site is moderately disturbed. There is evidence of recreational use by bicycles and the site has a constructed dirt track with several constructed dirt ramps and jumps for bicycles, presumably constructed by kids from the adjacent residential neighborhood. It also has debris piles and other evidence of use by transients.

## Methods

Studies conducted in support of the BRE included a special-status species evaluation, an aquatic resources evaluation, and a biological and wetlands reconnaissance survey. An Arborist Report was also concluded.

### Special-Status Species Evaluation

For the purposes of the BRE, special-status species are those that fall into one or more of the following categories:

- Listed as endangered or threatened under the Federal Endangered Species Act of 1973 (FESA), including candidate species and species proposed for listing;
- Listed as endangered or threatened under the California Endangered Species Act (CESA), including candidate species and species proposed for listing;
- Designated as a Species of Special Concern (SSC) or watch-list (WL) species by the California Department of Fish and Wildlife (CDFW), or "Fully Protected" under the California Fish and Game Code (FP), or a sensitive natural community; and/or,
- Designated by the California Native Plant Society (CNPS) as California Rare Plant Rank 1A, 1B, 2A, 2B, or 3.

In order to evaluate special-status species and/or their habitats with the potential to occur in the project site and/or be impacted by the proposed project, HELIX obtained lists of special-status species known to occur and/or having the potential to occur on the proposed project site and vicinity from the U.S. Fish and Wildlife Service (USFWS; USFWS 2020), the California Native Plant Society (CNPS; CNPS 2020), and the California Natural Diversity Database (CNDDDB; CDFW 2020), which are included as **Appendix D**. The potential for these regionally occurring special-status species to occur in the project site is analyzed in **Appendix D**.

### Aquatic Resources Evaluation

The U.S. Fish and Wildlife Service's National Wetlands Inventory (NWI) online database<sup>1</sup> was reviewed to determine if there are any wetlands or other waters of the U.S. mapped by the USFWS on the project site. The NWI provides reconnaissance level information on wetlands and deepwater habitats from analysis of high-altitude aerial imagery. Historic aerial imagery from National Environmental Title Research (NETR)<sup>2</sup> was reviewed for information on past land uses and presence of aquatic features visible on aerial imagery. NETR provides aerial imagery covering the study area at irregular intervals

from 1956 to 2016.

## Biological and Wetland Resource Evaluation

A biological and wetlands reconnaissance survey was conducted on September 30, 2020 by HELIX Principal Biologist Stephen Stringer, M.S. and HELIX Biologist Stephanie McLaughlin, M.S. between 0830 and 1400 hours. The project site was assessed to identify the habitat type(s) present on-site and the potential to support special-status plant and wildlife species. The survey consisted of a pedestrian survey of the project site and the surrounding area. Meandering transects of the site were performed to obtain visual coverage of the site. Plant species were identified to the level necessary to determine whether or not they were a special-status species.

The three-parameter method was used to determine the presence/absence of wetlands, which involves identifying indicators of hydrophytic vegetation, hydric soils, and wetland hydrology according to the *Corps of Engineers Wetlands Delineation Manual* (USACE 1987), the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (Version 2.0; USACE 2008), *A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (Lichvar and McColley 2008) and the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* prepared by the State Water Resources Control Board and which became effective May 28, 2020. The presence/absence of other non-wetland aquatic resources was determined by searching for the presence of an ordinary high water mark and bed and bank. The extent of waters on the project site were mapped in the field with sub-meter accuracy using a Trimble GeoXT Global Positioning System (GPS) hand-held unit. The GPS data were downloaded from the unit, exported into ArcMap 10.7.1®, and used to produce the map of aquatic features in the delineation area and to calculate the acreage of each aquatic feature.

Weather during the survey was clear and warm and hazy conditions. A complete list of plant and animal species observed on the project site during the biological reconnaissance survey is included in **Appendix D**.

## Arborist Inventory

The arborist inventory was conducted on September 24, 2020 by HELIX Biologist and ISA Certified Arborist Stephanie McLaughlin, M.S. (WE-12922A). Woody plants in the project area with a trunk diameter of at least 4-inches at 4.5-ft above grade (diameter at breast height) were located and assessed. A diameter tape or calipers were used to verify each trunk diameter. The measurement from the trunk to the end of the longest lateral limb was estimated and used as the dripline radius. All accessible trees were numbered with a pre-printed aluminum tag. Approximate trunk locations were mapped using a sub-meter accurate global positioning system (GPS). Approximate tree locations are identified in Figure 3 of the arborist report (**Appendix C**).

The condition of each tree was rated one a scale of 1 to 5, with 1 indicating poor condition, 3 indicating fair condition, and 5 indicating good condition. The rating considers factors health and structural factors such as the size, color, and density of the foliage; the amount of deadwood within the canopy; bud viability; evidence of wound closure; and the presence or evidence of stress, disease, nutrient deficiency, and/or insect infestation; trunk and branch configuration; canopy balance; the presence of included bark and other structural defects such as decay; and the potential for structural failure.

## **Regulatory Framework Related to Biological Resources**

### ***State and Federal Endangered Species Acts***

Special status species are protected by state and federal laws. The California Endangered Species Act (CESA; California Fish and Game Code Sections 2050 to 2097) protects species listed as threatened and endangered under CESA from harm or harassment. This law is similar to the Federal Endangered Species Act of 1973 (FESA; 16 USC 1531 et seq.) which protects federally threatened or endangered species (50 CFR 17.11, and 17.12; listed species) from take. For both laws, take of the protected species may be allowed through consultation with and issuance of a permit by the agency with jurisdiction over the protected species.

### ***California Code of Regulations and California Fish and Game Code***

The official listing of endangered and threatened animals and plants is contained in the California Code of Regulations Title 14 § 670.5. A state candidate species is one that the California Fish and Game Code has formally noticed as being under review by CDFW for inclusion on the state list pursuant to Sections 2074.2 and 2075.5 of the California Fish and Game Code. CDFW also designates Species of Special Concern that are not currently listed or candidate species.

Legal protection is also provided for wildlife species in California that are identified as “fully protected animals.” These species are protected under Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fishes) of the California Fish and Game Code. These statutes prohibit take or possession of fully protected species at any time. The CDFW is unable to authorize incidental take of fully protected species when activities are proposed in areas inhabited by these species. The CDFW has informed non-federal agencies and private parties that they must avoid take of any fully protected species. However, Senate Bill (SB) 618 (2011) allows the CDFW to issue permits authorizing the incidental take of fully protected species under the CESA, so long as any such take authorization is issued in conjunction with the approval of a Natural Community Conservation Plan that covers the fully protected species (California Fish and Game Code Section 2835).

### ***California Native Plant Protection Act***

The California Native Plant Protection Act of 1977 (California Fish and Game Code Sections 1900 to 1913) requires all state agencies to use their authority to implement programs to conserve endangered and otherwise rare species of native plants. Provisions of the act prohibit the taking of listed plants from the wild and require notification of CDFW at least 10 days in advance of any change in land use other than changing from one agricultural use to another, which allows CDFW to salvage listed plants that would otherwise be destroyed.

### ***Nesting and Migratory Birds***

Nesting birds are protected by state and federal laws. California Fish and Game Code (§3503, 3503.5, and 3800) prohibits the possession, incidental take, or needless destruction of any bird nests or eggs; Fish and Game Code §3511 designates certain bird species “fully protected” (including all raptors), making it unlawful to take, possess, or destroy these species except under issuance of a specific permit. The Attorney General of California has released an opinion that the Fish and Game Code prohibits incidental take. Under the Migratory Bird Treaty Act (MBTA) of 1918 (16 USF §703-711), migratory bird

species and their nests and eggs that are on the federal list (50 CFR §10.13) are protected from injury or death, and project-related disturbance must be reduced or eliminated during the nesting cycle. The U.S. Court of Appeals for the 9<sup>th</sup> Circuit (with jurisdiction over California) has ruled that the MBTA does not prohibit incidental take (952 F 2d 297 – Court of Appeals, 9<sup>th</sup> Circuit, 1991).

### ***City of Folsom Tree Preservation Ordinance***

Requirements related to biological resources also include protection of existing trees and specifies measures necessary to protect both ornamental and native oak trees. Chapter 12.16 of the Folsom Municipal Code, the Tree Preservation Ordinance, further regulates the cutting or modification of trees, including oaks and specified other trees; requires a Tree Permit prior to cutting or modification; and establishes mitigation requirements for cut or damaged trees (City of Folsom 2020b). The Tree Preservation Ordinance establishes policies, regulations, and standards necessary to ensure that the City will continue to preserve and maintain its “urban forests”. Anyone who wishes to perform “Regulated Activities” on “Protected Trees” must apply for a permit with the City. Regulated activities include:

- Removal of a Protected Tree;
- Pruning/trimming of a Protected Tree; and/or,
- Grading or trenching within the Protected zone.

Protected trees include:

- Native oak trees with a diameter of 6-inches or larger for single trunk trees 20-inches or larger combined diameter of native oak multi-trunk trees;
- Heritage oak trees - native oaks with a trunk diameter of 19-inches or greater and native oaks with a multi-trunk diameter of 38 inches or greater;
- Landmark trees identified individually by the City Council through resolution as being a significant community benefit; and/or,
- Street trees within the tree maintenance strip.

### ***Jurisdictional Waters***

Any person, firm, or agency planning to alter or work in “waters of the U.S.,” including the discharge of dredged or fill material, must first obtain authorization from the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA). Section 401 requires an applicant for a federal license or permit that allows activities resulting in a discharge to waters of the U.S. must obtain a state certification that the discharge complies with other provisions of the CWA. The Regional Water Quality Control Board (RWQCB) administers the certification program in California. The RWQCB also regulates discharges of pollutants or dredged or fill material to waters of the State which is a broader definition than waters of the U.S.

### **California Fish and Game Code Section 1602 – Lake and Streambed Alteration Program**

Diversions or obstructions of the natural flow of, or substantial changes or use of material from the bed, channel, or bank of any river, stream, or lake in California that supports wildlife resources are subject to regulation by CDFW, pursuant to Section 1602 of the California Fish and Game Code. The CDFW requires notification prior to commencement of any such activities, and a Lake and Streambed Alteration Agreement (LSAA) pursuant to Fish and Game Code Sections 1601-1603, if the activity may substantially adversely affect an existing fish and wildlife resource.

### **Habitat Types/ Vegetation Communities**

Habitat types/vegetation communities in the project site include blue oak woodland and ephemeral and intermittent drainages.

#### *Blue Oak Woodland*

Blue oak woodland is the predominant habitat type in the project site and occupies approximately 4.82-acres within the site. Vegetation in the blue oak woodland habitat consists primarily of blue oak (*Quercus douglasii*) and interior live oak (*Quercus wislizeni*), with some non-native species including mulberry (*Morus alba*), Chinese tallow (*Triadica sebifera*), Chinese hackberry (*Celtis sinensis*), and ornamental cherry (*Prunus* sp.). The understory is dominated by non-native grasses and forbs, including cultivated oats (*Avena* sp.), Italian rye grass (*Festuca perennis*), and yellow star-thistle (*Centaurea solstitialis*). Disturbed areas, such as bike trails and jumps occur beneath the canopy of the oak woodland, and there is a significant amount of trash and debris in these areas. A small segment of the bike trail occurs in this habitat.

### **Topography**

The terrain in the project site and vicinity is locally flat. The elevation on the project site ranges from 350- to 370-ft above mean sea level and has low to moderate sloping from east to west.

### **Soils**

The project site includes two soil mapping units (NRCS 2020): Argonaut-Auburn-Urban land complex, 3 to 8 percent slopes and Argonaut-Auburn complex, 3 to 8 percent slopes. Soils on the National Hydric Soils List for Sacramento County (NRCS 2015) are not present in the project site.

Both soils occur on hills and are derived from residuum weathered from metamorphic rock. A typical profile of the Argonaut-Auburn-Urban land complex and Argonaut-Auburn complex, 3 to 8 percent slopes include loam from 0- to 14-inches, clay from 14- to 29-inches and bedrock from 29- to 33-inches; the depth to water table is more than 80-inches.

### **Special-Status Plant Species**

No special-status plant species were determined to have the potential to occur on the project site or be impacted by the proposed project. Of the 17 regionally occurring special-status plant species that were identified during the database queries and desktop review, the majority occur in wetland habitats such as vernal pools or seeps, which are absent from the site. Several others are limited to grassland or



cismontane woodland habitats. Although the site contains blue oak woodland, the study area is located in an urban area dominated by non-native species that does not provide suitable habitat for special status plant species. Therefore, no impacts to special-status plants are anticipated as a result of the proposed project.

### Special-Status Wildlife Species

A total of 23 regionally occurring special-status wildlife species were identified during the database searches and desktop review. The majority of the special-status wildlife species are associated with aquatic habitats of the adjacent Sacramento Valley such as rivers, sloughs, and freshwater wetlands, including vernal pools. The remaining species are associated with specific habitats such as bats roosting in rocky habitats, caves or abandoning buildings, which are not present in or near the study area.

There are no reported occurrences of special-status animal species on or adjacent to the site. However, the site provides suitable habitat for white-tailed kite (*Elanus leucurus*) and other nesting migratory birds. These species are discussed briefly below. Species determined to have no potential to occur on the project site or be impacted by the proposed project (**Appendix D**) are not discussed further in this report.

#### White-Tailed Kite

White-tailed kite is a year-round resident in coastal and valley lowlands, where it inhabits herbaceous and open stages of most habitat types. Individuals forage in grasslands, farmlands, and wetlands, preying mostly on small diurnal mammals. Nests are built near the top of dense tree stands, usually near open foraging areas (Zeiner et al. 1988).

No white-tailed kites were observed during any of the biological surveys conducted for the proposed project. The nearest reported extant occurrence of white-tailed kite in the CNDDDB is located approximately 3-miles southwest of the project site near Lake Natoma (CDFW 2020). Nesting habitat is present on the site in large trees and foraging habitat is present in the ruderal vegetation. However, habitat for white-tailed kite is marginal due to the urban character of the surrounding area.

No adverse effects to white-tailed kite foraging habitat are anticipated as a result of the loss of oak woodland habitat that would occur due to development of the proposed project. Non-breeding adults could readily avoid contact with construction equipment or personnel by moving out of the construction area. Displacement of non-breeding adults would not be a significant impact. The project has potential for adverse effects to white-tailed kite through nest disturbance leading to destruction of eggs or nestlings if this species were to nest in or adjacent to the project site. Eggs and young still dependent on the nest would be susceptible to injury or mortality through physical contact or through nest abandonment caused by displacement of adults. Destruction of eggs or young would be a violation of the Fish and Game Code and a significant impact.

Implementation of Mitigation Measure BIO-01 would reduce impacts to white-tailed kite and other nesting birds to a less than significant level.



### **Migratory Birds and Raptors**

The project site provides suitable habitat for nesting migratory birds and raptors. However, migratory and non-game birds are protected during the nesting season by California Fish and Game Code. The project site and immediate vicinity provides nesting and foraging habitat for a variety of native birds common to urbanized areas. Nests were not observed during surveys; however, a variety of migratory birds have the potential to nest in and adjacent to the site, in trees, shrubs and on the ground in vegetation.

Project activities such as clearing and grubbing during the avian breeding season (February 1 – August 31) could result in injury or mortality of eggs and chicks directly through destruction or indirectly through forced nest abandonment due to noise and other disturbance. Needless destruction of nests, eggs, and chicks would be a violation of the Fish and Game Code and a significant impact.

### **Aquatic Resource Evaluation**

The project site is located in the City of Folsom in the Upper American River hydrologic unit (HUC12: 180201110201). NWI mapping shows no aquatic features on the project site.

HELIX conducted a routine assessment of waters of the U.S. and State on September 30, 2020, generally in accordance with the U.S. Army Corps of Engineers' (USACE) Corps of Engineers Wetlands Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0). A formal delineation of wetlands was not completed. HELIX identified two aquatic resources; an intermittent drainage and an ephemeral drainage totaling 0.04-acre of aquatic resources that are potentially jurisdictional waters of the U.S. and state. The drainage features are depicted on the Habitat and Resource Map, which is included in Attachment A of **Appendix D**. No other aquatic resources are present on the site.

The intermittent drainage totals 0.03-acre and flows in a southwesterly direction along the northern boundary of the project site. The intermittent drainage is fed by an unnamed emergent wetland swale located north of the site on the Folsom State Prison grounds, via a 24-inch metal culvert that runs beneath Natoma Street to enter the project site. The drainage also receives stormwater runoff from Natoma Street. The water to the site flows intermittently, with water persisting after rain events. The banks of the drainage are incised with a stream channel that is approximately 3-ft wide at the ordinary high-water mark. The intermittent drainage on the project site does not support wetland vegetation, with most of the vegetation within the feature consistent with vegetation in the blue oak woodland vegetation community. Upon leaving the site, the intermittent drainage continues in a southwesterly direction and enters an unnamed tributary to the American River/Lake Natoma west of the prison.

An ephemeral drainage is characterized as a feature with a bed and a bank that channels water from uplands and typically only flows during periods of precipitation. Ephemeral drainages typically do not support wetlands due to their brief hydroperiods, although they typically have an incised bank. In the project site, there is one ephemeral drainage totaling 0.01-acre that crosses the eastern portion of the site and intersects with the intermittent drainage. The ephemeral drainage in the project site supports vegetation consistent with understory vegetation described in the blue oak woodland and is dominated by weedy grasses and forbs.

Determination of regulatory jurisdiction must be made by the U.S. Army Corps of Engineers (USACE), Central Valley Regional Water Quality Control Board (CVRWQCB), and CDFW. It is likely that impacts to the drainages would occur as a result of the proposed project, which would be a significant impact if they are considered waters of the U.S. or state or subject to CDFW jurisdiction.

### Protected Trees

A total of 111 trees are present on the site, including 94 blue oaks, seven Fremont's cottonwoods (*Populus fremontii*), four interior live oaks, two Gooding's black willow (*Salix gooddingii*), one mulberry, one Chinese hackberry, one Chinese tallow, and one ornamental cherry (Figure 3). The City of Folsom regulates trees under Section 12.16 of the Folsom Municipal Code (Tree Preservation Ordinance). A permit is required to remove native oaks (defined as valley oak, blue oak, interior live oak, and coast live oak) measuring 6-inches in diameter at standard height (i.e., 54-inches above natural grade, DSH), or a multi-stemmed native oak measuring a total of 20-inches at DSH. For a tree with a common root system that branches at the ground, DSH is defined as the sum of the diameter of the largest trunk and one-half the cumulative diameter of the remaining trunks measured at 4.5-ft above natural grade.

A total of 77 trees on the project site are considered protected by Folsom City Code. None of the Fremont's cottonwood, Chinese hackberry, Chinese tallow, mulberry, ornamental cherry or Gooding's black willow are protected. See Attachment B in **Appendix C** for additional data on the trees found on the project site.

**Table 7** outlines the number of trees, with their respective DSH, to be impacted or to be retained. The project includes a total of 111 trees on the project site, of which 77 trees are protected by the Folsom City Code. Of the total 77 protected trees, 65 protected trees require mitigation (the remaining 12 trees do not warrant mitigation due to poor health). Under the proposed project, 30 protected trees, with 473.1-inches at DSH, would be retained. The proposed project would result in direct or indirect impact of the remaining 47 protected trees, which would require 571.3-inches at DSH of mitigation. However, the final mitigation for the impact of protected trees is to be determined by the City Arborist prior to issuance of a City Grading Permit. Please refer to Figure 10 for the Tree Impact Plan.

**Table 7: On-Site Tree Designation**

	Total Trees on Project Site	Unprotected Trees	Protected Trees	Protected Trees to be impacted	Protected Trees to be retained
<b>Number</b>	111	34	77	47	30
<b>DSH (inches)</b>	--	--	--	571.3	473.1

Based on Figure 10 included in Appendix A.

## Evaluation of Biological Resources

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

**Less than significant with mitigation.** The trees and understory grassland areas within the project site provide suitable nesting habitat for white-tailed kite and other raptors as well as other native birds and large trees adjacent to the site provide nesting habitat for raptors. Removal of vegetation containing active nests would potentially result in destruction of eggs and/or chicks; noise, dust, and other anthropogenic stressors in the vicinity of an active nest could lead to forced nest abandonment and mortality of eggs and/or chicks. Needless destruction of eggs or chicks would be a violation of the Fish and Game Code and a significant impact. Pre-construction surveys should be conducted prior to project implementation to determine if nesting birds are present on or adjacent to the site, so that measures could be implemented if needed to avoid harming nesting birds. Implementation of Mitigation Measure BIO-01 would reduce impacts to white-tailed kite and other nesting birds to a less than significant level.

### Mitigation Measure BIO-01: Avoid and minimize impacts to white-tailed kite and other nesting birds.

- If project (construction) ground-disturbing or vegetation clearing and grubbing activities commence during the avian breeding season (February 1 – August 31), a qualified biologist shall conduct a pre-construction nesting bird survey no more than 14 days prior to initiation of project activities and again immediately prior to construction. The survey area shall include suitable raptor nesting habitat within 500-ft of the project boundary (inaccessible areas outside of the project site can be surveyed from the site or from public roads using binoculars or spotting scopes). Pre-construction surveys are not required in areas where project activities have been continuous since prior to February 1, as determined by a qualified biologist. Areas that have been inactive for more than 14 days during the avian breeding season must be resurveyed prior to resumption of project activities. If no active nests are identified, no further mitigation is required. If active nests are identified, the following measure is required:
  - A suitable buffer (e.g., 500-ft for raptors; 100-ft for passerines) shall be established by a qualified biologist around active nests and no construction activities within the buffer shall be allowed until a qualified biologist has determined that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest, or the nest has failed). Encroachment into the buffer may occur at the discretion of a qualified biologist. Any encroachment into the buffer shall be monitored by a qualified biologist to determine whether nesting birds are being impacted.

With implementation of Mitigation Measure BIO-01, impacts to the white-tailed kite and nesting birds would be less than significant.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

**No impact.** No riparian habitats, sensitive natural communities, or other protected habitats are located on or adjacent to the project site. Therefore, no impact would occur.

- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

**Less than significant with mitigation.** The 0.04-acre of aquatic features located on the project site are potentially regulated by the USACE, CVRWQCB, and CDFW under the Clean Water Act, Porter-Cologne Act, and Section 1600 of the Fish and Game Code. Therefore, removal or fill of the aquatic features would likely require a permit from these agencies. In order to avoid impacts to jurisdictional wetland and waters, Mitigation Measure BIO-02 would be implemented, mitigating impacts to a less than significant level.

**Mitigation Measure BIO-02: Avoid and minimize impacts to jurisdictional wetland and waters**

- Prior to start of construction, the project proponent shall either prepare a formal delineation and submit it to the USACE for verification or obtain verification based on the mapping of aquatic resources in this report as well as contact the USACE, CVRWQCB, and CDFW to determine the need for permits and secure any required aquatic resources permits for impacts to waters of the U.S./State from the USACE, CVRWQCB, and CDFW, pursuant to Sections 404 and 401 of the Clean Water Act, the California Water Code, Section 1600 of the Fish and Game Code, and the State Water Resource Control Board Dredge and Fill Policy. The project proponent shall comply with all conditions of such permits including providing compensatory mitigation at a minimum 1:1 ratio as required to achieve no net loss of wetlands or other waters.
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

**No impact.** The project site is surrounded by development including Prison Road and Folsom State Prison to the north, Cimmaron Circle and single-family homes to the east, PG&E powerlines, single family homes, and duplexes to the south, and Fargo Way, Office Space, and Folsom City Police Department to the west. The project site does not provide any wildlife movement corridors or wildlife nursery sites. Therefore, there would be no impacts to wildlife corridors or the use of native wildlife nursery sites as a result of the proposed project.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

**Less than significant impact with mitigation.** Of the 111 trees on the project site, 77 trees are considered protected by Folsom City Code. If protected trees will be removed by the proposed project mitigation will be required per Section 12.16.150.

Protected trees rated 3, 4 or 5 shall be replaced at a ratio of one-inch equivalent for every one-inch of DSH removed as shown in **Table 8**. Protected trees rated 2 shall be replaced at a ratio of one-half-inch equivalent for every one inch removed. Protected trees rated 0 or 1 require no replacement or any other mitigation. Mitigation for trees can be done through on-site replacement planting, payment of in lieu fees, or a combination thereof.

**Table 8. Tree Replacement Equivalency Table**

Replacement Tree Size	DSH Equivalency
A Sampling tree; or	0.5-inch DSH
Tree in container less than 15 gallons	0.5-inch DSH
15-gallon container tree	1-inch DSH
24-inch box tree	2-inch DSH
36-inch box tree	3-inch DSH

Of the 77 trees protected by Folsom City Code, only 65 trees require potential mitigation based on having a health rating of 5, 4, 3, or 2. Of those 65 trees potentially requiring mitigation, the proposed project would only result in direct or indirect impact to 47 protected oak trees, which would require 571.3-inches at DSH of mitigation (Table 7). With implementation of Mitigation Measure BIO-03, impacts to protected trees would be less than significant.

**Mitigation Measure BIO-03: Avoid and minimize impacts to protected trees**

- The applicant shall provide mitigation for directly or indirectly impacted oak trees based on having a health rating of 5,4,3, or 2. Based on the DSH equivalency ratio, the project applicant shall mitigate for the removal of approximately 47 oak trees (571.3 inches at DSH) that will be removed with development of the project. Final mitigation requirements shall be determined by the City Arborist upon receipt of final design plans prior to the issuance of a grading permit. Mitigation for trees shall be done through on-site replacement planting, payment of in-lieu fees as determined by the City, or a combination thereof.
- A Tree Permit Application containing an Application Form, Tree Protection and Mitigation Plan, and Arborist Report shall be submitted to the City of Folsom by the owner/applicant for issuance of a Tree Work Permit and Tree Removal Permit prior to commencement of any grading or site improvement activities. The tree protection and mitigation plan shall be prepared in collaboration with a qualified arborist and shall be subject to review and approval by the City. The tree protection and mitigation plan shall contain the contact information of the project arborist and shall be included in all associated plan sets for the project.
- Removal of any protected tree shall be mitigated by planting replacement trees and/or payment of "In-Lieu" fees on a diameter inch basis in accordance with FMC, Section 12.16.150. The proposed method of mitigation shall be subject to review and approval by the City.
- Prior to starting construction, oak trees to be preserved shall be fenced with high visibility fencing consistent with the city-approved tree protection and mitigation plan. Parking of vehicles, equipment, or storage of materials is prohibited within the Tree Protection Zone of Protected Trees at all times. Signs shall be posted on exclusion fencing stating that the enclosed trees are to be preserved. Signs shall state the penalty for damage to, or removal of, the protected tree.
- The owner/applicant shall retain the services of a project arborist for the duration of the development project to monitor the health of oak trees to be preserved and carry out the City-approved tree protection plan. All regulated activity conducted within the Critical Root Zone of protected trees, as that term is defined in Folsom Municipal Code (FMC) 12.16.020, shall be

performed under the direct supervision of the project arborist. A copy of the executed contract for these arboricultural services shall be submitted to the City prior to the issuance of any tree or grading permits

- Certification letters by the project arborist attesting compliance with the tree protection and mitigation plan and tree permit conditions shall be submitted to the City.
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

**No impact.** No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan has been approved for the City of Folsom. Therefore, no impacts to an existing adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan would occur.



**V. CULTURAL RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The discussion below is based on a cultural resources assessment prepared by HELIX Environmental Planning, Inc. (HELIX 2022b), attached to this Initial Study as **Appendix E**. This assessment, which addresses both archaeological and architectural resources, is based on the results of an archival records search, Native American coordination, and a pedestrian survey of the project site.

**Environmental Setting**

State and federal legislation require the protection of historical and cultural resources. In 1971, President’s Executive Order No. 11593 required that all federal agencies initiate procedures to preserve and maintain cultural resources by nomination and inclusion on the National Register of Historic Places. In 1980, the Governor’s Executive Order No. B-64-80 required that state agencies inventory all “significant historic and cultural sites, structures, and objects under their jurisdiction which are over 50 years of age and which may qualify for listing on the National Register of Historic Places.” Section 15064.5(b)(1) of the CEQA Guidelines specifies that projects that cause “...physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historic resource would be materially impaired” shall be found to have a significant impact on the environment. For the purposes of CEQA, an historical resource is a resource listed in, or determined eligible for listing in the California Register of Historical Resources. When a project could impact a resource, it must be determined whether the resource is an historical resource, which is defined as a resource that:

(A) is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political or cultural annals of California; and,

(B) Meets any of the following criteria: 1) is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage; 2) is associated with the lives of persons important in our past; 3) embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or 4) has yielded, or may be likely to yield, information important in prehistory or history. The City of Folsom Standard Construction Specifications were developed and approved by the City of Folsom in May 2004 and updated in

April 2015. They include Article 11 - Cultural Resources, which provides direction on actions to be taken in the event that materials are discovered that may ultimately be identified as a historical or archaeological resource, or human remains (City of Folsom 2015).

### **Cultural Background**

The following is a brief overview of the prehistory, ethnography, and historic background of the project area intended to provide a historical context for cultural resources that might be found in the vicinity of the APE. This section is not intended to be a comprehensive review of the current resources available; rather, it serves as a general overview of human occupations and uses of the general project vicinity. Further details can be found in ethnographic studies, mission records, and major published sources, including Beardsley (1948), Bennyhoff (1950, 1954, 1977), Fredrickson (1973 and 1974), Kroeber (1925), Chartkoff and Chartkoff (1984), and Moratto (1984).

### **Prehistoric Background**

Early archaeological investigations in central California were conducted at sites located in the Sacramento-San Joaquin Delta region. The first published account documents investigations in the Lodi and Stockton area (Schenck and Dawson 1929). The initial archaeological reports typically contained descriptive narratives, with more systematic approaches sponsored by Sacramento Junior College in the 1930s. At the same time, University of California at Berkeley excavated several sites in the lower Sacramento Valley and Delta region, which resulted in recognizing archaeological site patterns based on variations of inter-site assemblages. Research during the 1930s identified temporal periods in central California prehistory and provided an initial chronological sequence (Lillard and Purves 1936; Lillard et al. 1939). In 1939, Lillard noted that each cultural period led directly to the next and that influences spread from the Delta region to other regions in central California (Lillard et al. 1939). In the late 1940s and early 1950s, Beardsley documented similarities in artifacts among sites in the San Francisco Bay region and the Delta and refined his findings into a cultural model that ultimately became known as the Central California Taxonomic System (CCTS). This system proposed a uniform, linear sequence of cultural succession (Beardsley 1948 and 1954). The CCTS system was challenged by Gerow, whose work looked at radiocarbon dating to show that Early and Middle Horizon sites were not subsequent developments but, at least partially, contemporaneous (Gerow 1954, 1974; Gerow and Force 1968).

To address some of the flaws in the CCTS system, Fredrickson (1973) introduced a revision that incorporated a system of spatial and cultural integrative units. Fredrickson separated cultural, temporal, and spatial units from each other and assigned them to six chronological periods: Paleo-Indian (10000 to 6000 B.C.); Lower, Middle and Upper Archaic (6000 B.C. to A.D. 500), and Emergent (Upper and Lower, A.D. 500 to 1800). The suggested temporal ranges are like earlier horizons, which are broad cultural units that can be arranged in a temporal sequence (Moratto 1984). In addition, Fredrickson defined several patterns—a general way of life shared within a specific geographical region. These patterns include:

- Windmill Pattern or Early Horizon (3000 to 1000 B.C.);
- Berkeley Pattern or Middle Horizon (1000 B.C. to A.D. 500); and,
- Augustine Pattern or Late Horizon (A.D. 500 to historic period).

Brief descriptions of these temporal ranges and their unique characteristics are presented below.

*Windmill Pattern or Early Horizon (3000 to 1000 B.C.)*

The Windmill Pattern, or, the Early Horizon culture, was centered in the Cosumnes district of the Delta and emphasized hunting rather than gathering, as evidenced by the abundance of projectile points in relation to plant processing tools. Additionally, atlatl, dart, and spear technologies used typically included stemmed projectile points of slate and chert. Obsidian projectile points, however, are sparingly found on Windmill sites. The large variety of projectile point types and faunal remains suggests exploitation of numerous types of terrestrial and aquatic species (Bennyhoff 1950; Ragir 1972). Burials occurred in cemeteries and intra-village graves. These burials typically were ventrally extended, although some dorsal extensions are known with a westerly orientation and a high number of grave goods. Trade networks focused on acquisition of ornamental and ceremonial objects in finished form rather than as raw material. The presence of artifacts made of exotic materials such as quartz, obsidian, and shell indicate an extensive trade network that may represent the arrival of Utian populations into central California. Also indicative of this period are rectangular *Haliotis* and *Olivella* shell beads, and charmstones that usually were perforated.

*Berkeley Pattern or Middle Horizon (1000 B.C. to A.D. 500)*

The Middle Horizon is characterized by the Berkeley Pattern, which displays considerable changes from the Early Horizon. This period exhibited a strong milling technology represented by minimally shaped cobble mortars and pestles, although metates and manos were still used. Dart and atlatl technologies during this period were characterized by non-stemmed projectile points made primarily of obsidian. Fredrickson (1973) suggests that the Berkeley Pattern marked the eastward expansion of Mi-Wuk groups from the San Francisco Bay Area. Compared with the Early Horizon there is a higher proportion of grinding implements at this time, implying an emphasis on plant resources rather than on hunting. Typical burials occurred within the village with flexed positions, variable cardinal orientation, and some cremations. As noted by Lillard, the practice of spreading ground ochre over the burial was common at this time (Lillard et al. 1939). Grave goods during this period are generally sparse and typically include only utilitarian items and a few ornamental objects. However, objects such as charmstones, quartz crystals, and bone whistles occasionally were present, which suggest the religious or ceremonial significance of the individual (Hughes 1994). During this period, larger populations are suggested by the number and depth of sites compared with the Windmill Pattern. According to Fredrickson (1973), the Berkeley Pattern reflects gradual expansion or assimilation of different populations rather than sudden population replacement and a gradual shift in economic emphasis.

*Augustine Pattern or Late Horizon (A.D. 500 to Historic Period)*

The Late Horizon is characterized by the Augustine Pattern, which represents a shift in the general subsistence pattern. Changes include the introduction of bow and arrow technology; most importantly, acorns became the predominant food resource. Trade systems expanded to include raw resources as well as finished products. There are more baked clay artifacts and extensive use of *Haliotis* ornaments of many elaborate shapes and forms. Burial patterns retained the use of flexed burials with variable orientation, but there was a reduction in the use of ochre and widespread evidence of cremation (Moratto 1984). Judging from the number and types of grave goods associated with the two types of burials, cremation seems to have been reserved for individuals of higher status, whereas other individuals were buried in flexed positions. Johnson (1976) suggests that the Augustine Pattern represents expansion of the Wintuan population from the north, which resulted in combining new traits with those established during the Berkeley Pattern.

Central California research has expanded from an emphasis on defining chronological and cultural units to a more comprehensive look at settlement and subsistence systems. This shift is illustrated by the early use of burials to identify mortuary assemblages and more recent research using osteological data to determine the health of prehistoric populations (Dickel et al. 1984). Although debate continues over a single model or sequence for central California, the general framework consisting of three temporal/cultural units is generally accepted. Having said that, the identification of regional and local variation remains a major goal of current archaeological research.

### **Ethnographic Background**

The cultural groups that occupied the project area at the time of Euro-American contact around 1845 are the Southern Maidu, sometimes called the Nisenan. This group speaks a language related to the Penutian stock, and it is generally agreed that they entered the region sometime after 1750 AD, and that their territory included the Bear River, American River, Yuba River, and southern portions of the Feather River drainages (Wilson and Towne 1978:387). Southern Maidu settlements were often located on ridges that separated parallel streams, or terraces located part way up slopes (Kroeber 1925).

The Southern Maidu village of Yodok was thought to have been originally located on the south side of the American River, in the approximate vicinity of the current town of Folsom (Kroeber 1925:394). Later ethnographers however, depict the village on the north side of the river (Bennyhoff 1977:125, 165; Wilson and Towne 1978:388), close to the present-day location of the Cliff House Restaurant (located at 9900 Greenback Lane). It is suspected that additional large settlements existed in the region prior to Euroamerican contact which went undocumented due to the speed with which the Southern Maidu way of life was impacted by white settler colonialism.

Ethnographic descriptions of the Southern Maidu suggest a varied subsistence strategy based on the exploitation of available resources. They hunted a variety of large and small mammals, (including deer, bear, elk, antelope, and rabbit), fish (salmon, trout, and eel), and birds (waterfowl, crows, and pigeons), and gathered numerous edible seeds, nuts, berries, herbs, and native fruits (Kroeber 1925). The Maidu were nomadic throughout the year, following game and gathering plants. Population movements were predicated upon the changes of seasons in an effort to make subsistence gathering easier. Winter villages were formed along drainages at elevations below 2,500-ft (Johnson 1982:74-75). Spring, summer, and early fall were spent at higher elevation camps, where resources were gathered, prepared, and stored for winter (Wilson and Towne 1978:388).

Maidu dwellings include a conical structure built out of poles thatched with bark, sticks, leaves, and pine needles. These structures were often built on top of shallowly excavated pits, with dirt built up around their perimeters. These structures measured between 10- and 15-ft in diameter. Larger Maidu villages often included dance houses, which measured between 20- and 40-ft in diameter, as well as other larger structures which functioned as sweat houses and lodges. These larger structures extended down into the subsurface, with 10- to 20-ft high posts used to support a domed roof which consisted of poles and thatched sticks, bark, and pine needles. An outer layer of earth, measuring roughly 1-foot thick, was used to seal the structure against the elements (Kroeber 1925:407-408).

The epidemic of 1833, which was brought by Euroamericans into the Folsom area, had terrible impacts on local Maidu populations. Thought to be malaria, this epidemic is estimated to have killed up to 75 percent of the Sacramento Valley native population, Maidu included. Another major impact to the Maidu way of life came with the discovery of gold in Coloma in 1848. This prompted thousands of

miners to move into the region and stake claims for mining operations. This carving up of territory on maps was quickly followed by the removal of trees, and the diversion of rivers and creeks from their natural beds, resulting in the siltation of local streams. Beyond the environmental degradations these activities caused, mining operations radically reduced the hunting and gathering territories of the Maidu and other native American groups all but extinguishing their means of maintaining self-sufficient levels of food collection/production as well as their capacity to collect materials used in the crafting of tools, structures, trade goods, and medical supplies (Levy 1978, Wilson and Towne 1978). By the 1870s, the surviving Maidu were largely working in Euro-American owned mines and ranches or working as day laborers in industrial or agricultural settings (Powers 1975). Still, Maidu people continue to live in the region to this day, and are striving to maintain, reinvigorate, and safeguard their cultural heritage and traditional practices.

### Historic Background

The first Europeans to visit the interior of California were Spanish expeditions launched to recapture Native Americans who had escaped from the rule of coastal missions (Heizer and Almquist 1971, McGruder 1950, Napton 1997:6). Catholic missions were the hallmark of the Spanish Period (1796-1822) in California, during which time 21 missions were established by the Franciscan Order along the coast between San Diego (among the earliest of missions) and San Francisco. Among the first Europeans to formally explore the Central Valley was Lieutenant Gabriel Moraga, who led excursions in the area between 1806 and 1808 to examine the area's main water ways including what we today call the American, Calaveras, Cosumnes, Feather, Merced, Mokelumne, Sacramento, San Joaquin, and Stanislaus rivers. In 1813, Moraga again ventured into the Central Valley, this time focusing on the south, and coined the name of the San Joaquin River (Hoover et al. 2002:369). Luis Arguello led the last of the Spanish expeditions into the Central Valley in 1817 when he traveled up the Sacramento River, past current day Sacramento, and into the mouth of the Feather River before turning back to the coast (Beck and Haase 1974:18, 20, Grunsky 1989:3-4).

The Mexican Revolution, which took place between 1810 and 1821, resulted in the end of Spanish rule in modern day California and ushered in Mexican governance in the area, which was marked by an extensive issuance of land grants, mostly of lands in the interior of the state. Californios (or Mexican Citizens in California who were given land grants) were given locations by the Mexican Republic in the interior, with the goal of increasing populations in areas further from the coast where Spanish era settlements had already been established and developed into bustling areas of commerce.

Settlement of the Sacramento area began by late 1830s and early 1840s, when entrepreneurs such as John Sutter and Jared Sheldon obtained land grants from the Mexican government in exchange for an agreement to protect Mexican interest in these remote regions. In 1839, John Sutter built the earliest Euro-American settlement within Sacramento County. Named Sutter's Fort, it was well known outpost that brought with it an increase in Euro-American trappers, hunters, and settlers to the Sacramento area. John Sutter also founded New Helvetia, a trading and agricultural outfit, that was based out of Sutter's Fort, close to the location where the Sacramento and American rivers split, near today's City of Sacramento (Hoover et al. 2002).

The Mexican period was also characterized by exploration of the western Sierra Nevada mountain range by American fur trappers and later, miners. Jedediah Smith, an American trapper, is known to have explored the Sierra Nevadas in 1826 and 1827, entering the Sacramento Valley and traveling along the American and Cosumnes rivers and through the San Joaquin Valley. Soon after other trappers ventured



into the area, including those involved with the Hudson's Bay Company in 1832 (Hoover et al. 2002:370). Colonel J. Warner is also known to have traveled with the Ewing-Young trapping expedition which passed through the Central Valley in 1832 and 1833 (Gilbert 1879:11).

The American period in California began in 1848 with the end the Mexican American War (1846 – 1848), and the ensuing Treaty of Guadalupe Hidalgo which officially made California a territory of the United States. Soon after, gold was discovered at Sutter's Mill, located along the American River in Coloma. By 1849 over 80,000 people had emigrated to try and stake their claims and strike it rich in the California Gold Rush. Due to this population boom, and the industries that popped up as a result, California was made the 31<sup>st</sup> state of the United States in 1850, and by 1854, the bustling town of Sacramento was made the state capital.

### Local History

The City of Folsom was named after Captain Joseph Libbey Folsom, a West Point graduate who arrived in California in 1847 to serve as Quartermaster in San Francisco. In 1848 Captain Folsom purchased a 35,000-acre Mexican land grant located just to the east of John Sutter's land grant and hired Theodore Judah, a railway engineer, and surveyor, to lay out a town initially named Granite City. After Captain Folsom's death in July 19, 1885, his executors changed the town name to Folsom (Gudde 1998). The history of the city is steeped in the development of the mining and transportation industries, and later was heavily influenced by the development of the Folsom Prison and hydroelectric dams.

Mormon Bar, located just a few miles east of Folsom, was the second major gold find within California and by the spring of 1848 a group of Mormons had developed mining operations in the area (Hoover et al. 1990, The Telegraph 1966:8). These efforts were soon followed by the exploration of the other gravel bars along the American River; by 1849 mining works were established between Mormon Island and Mississippi Bar, including Alabama Bar, Slate Bar, Beam or Bean's Bar, and Sailor Bar. Other nearby mining camps included Texas Hill, just south of present-day Folsom and Big Gulch mining camp, north along the American River (Hoover et al. 1990:289). Negro Bar was also located on the American River, near present day Decatur and Reading streets, and was first mined by Afro-Americans in 1849. The community that sprang up around Negro Bar began within the current townsite of Folsom and extended almost a mile downstream. These works, camps, and residences housed some 700 inhabitants as of 1851, and the settlements included two general stores and two hotels (Gudde 1975:235, Hoover et al. 1990:289). In 1852, however, a massive flood on the river forced a relocation of the community onto the bluffs above the bar (Gudde 1975).

In 1851, check dams were built by the Natomas Water and Mining Company on the South Fork American River two miles above Salmon Falls to facilitate the supply of water for mining operations in the growing Folsom Mining District. By 1854 these dams diverted water across 20-miles of ditches and sluice gates that supplied the Folsom area, and included a main canal that reached Prairie City to the south (Barrows 1966, Reed 1923:130, Thompson and West 1880). The area saw an infusion of Chinese immigrants around 1850, with many of them hired to help build the ditches and dams for the Natomas Company. Some also established themselves in the Folsom area by reworking abandoned claims and tailings piles (Barrows 1966:70-71, Thompson and West 1880). By the mid-1850s there were over 1,200 Chinese living in the area, primarily working as miners.

Mining in the area persisted through the 1960s, though to a far lesser extent than the mining boom in the 1850s. these efforts included placer and drift mining ventures near Alder Creek and Willow Springs,



at the Golden Treasure Mine close to Leidersdorff Street, at the White and Donnelly Gravel Mine between Leidesdorff and Sutter Street, and at Wool and Reading streets (Maniery and Syda 1991:25). Dredge mining the American River was first attempted by W. P. Bonright and Company when they obtained title and rights to the Mississippi Bar (Barrows 1966:54-55). By the 1900s and 1910s several companies seeking to emulate the successes of the Bonright dredging endeavor moved into the region, with some working the gravels at Sailor Bar and Texas Hill (The Telegraph, May 30, 1903). Mining remained the primary focus on the Folsom economy until the 1940s, when the federal government placed a moratorium on the mining of non-essential metals as a result of the outbreak of World War II. Though mining/dredging operations resumed after the war in 1946, the returns proved to be not nearly as profitable as they had in earlier years. The last mining enterprise in the region halted operations in 1962 (Barrows 1966).

In 1852 the Sacramento Valley Railroad Company (SVRR) was developed to build a rail line between Sacramento and Negro Bar. The route was surveyed and laid in 1854. Construction began in 1855 and completed by 1856, making it the first line completed in California (Barrows 1966:16, Reed 1923:130). A terminus for the SVRR was built in Folsom near already established hotels and stores. The railway opened on February 22, 1856 and quickly made Folsom a transportation center for freight and passengers who needed to push further into the California interior, or to arrive in Sacramento for shipment by boat to San Francisco and then elsewhere. Many would arrive in Folsom to stage voyages to Sonora, Placerville, Auburn, and Marysville (Thompson and West 1880:223). As a result Folsom grew along with the railroad traffic, with the years between 1856 and 1865 characterized by the development of hotels, houses, churches, an academy, and businesses including a flour mill, and the Folsom Telegraph building (Thompson and West 1880:223). A series of fires (two in 1871, one in 1872, and another in 1886) destroyed a tremendous amount of property in the area, but each time the city's business district found ways to quickly bounce back with the construction of larger and grander buildings.

In the 1870s Folsom also saw an increase in agricultural activity as the Natoma Water and Mining Company began renting out large swaths of their property for use as vineyards, gardens, and orchards (Reed 1923:130). Chinese, Native Americans, Portuguese, Italians, and African Americans worked in these agricultural fields and took on the roles of cooks, laborers, and handymen in the Folsom area. Growth in the area was also spurred in the 1870s and 1880s by the opening of Folsom State prison in 1878. This prison remains a major employer for the town through the present day.

Originally intended to house the surplus of criminals held at San Quentin prison, construction began on the Folsom Prison in 1874, with the efforts largely supplied by local Folsom businesses. The prison was built on land owned by the Natoma Water and Mining company. In exchange for the state gaining possession of the land, convict labor was to be used to construct a dam for the company (Barrows 1966:77). A railroad spur intended to supply the new prison facility was built along the south bank of the American River and extended to the intended dam site. The first cell block was completed in 1880 prompting the first transfer of 44 convicts from San Quentin. These men were soon put to work building an additional cellhouse and the dam for the Natoma Company. These buildings were made with granite quarried from the prison grounds, and as the prison was expanded, so was the prisoner population. The prison was unique in that it had an electric power plant on the grounds to power interior lighting and the arc-lights that illuminated the boundaries of the prison grounds (Barrows 1966:78). Convict labor from the prison was used to build the Folsom dam as intended, which led to the development of the nearby hydroelectric plant.

The dam and the first half-mile of the associated canal were completed in 1893. Soon after log booms

were constructed so that logs could be floated through the power canal and to a milling pond and sawmill near Folsom. These logging businesses were operated by the American River Land and Lumber Company which were affiliated with the Natoma Company (Barrows 1966). By 1895, a hydroelectric system consisting of a two-story powerhouse, intake gates, penstocks, McCormick turbines, and GE generators was completed. Once operational, this powerhouse brought electric current through transmission lines to Sacramento, forming the longest transmission line in the world at the time (Barrows 1966:23). This hydroelectric system was continuously upgraded and remained in use until 1952 when the Folsom Dam was demolished in anticipation of the construction of a new dam further upstream.

In the latter half of the 20<sup>th</sup> century the City of Folsom continued to expand and grow. The new Folsom Dam project began in 1952 and was completed by 1956. This new dam was built to control flooding in Sacramento and to provide hydroelectric power to nearby cities. In the 1960s, musician Johnny Cash brought fame to the city and the Folsom Prison, with his hit single "Folsom Prison Blues" and the subsequent recording of an album on the prison grounds in 1968. In 1982 Intel Corporation, the computer hardware company, made Folsom its home and purchased 234 acres to set up offices, warehouses and manufacturing center. Today the 1.5 million square foot Intel campus employs over 6,000 employees and is the single largest employer in the city. In more recent decades, especially the 1990s, Folsom has been the site of rapid expansion, as the suburbs of Sacramento spread out into the Folsom city limits. As of the 2020 census, Folsom is home to some 80,454 residents. This recent growth has spurred the development of numerous residential neighborhoods, apartment complexes and shopping centers.

## Cultural Resource Record Search

### Previous Studies

On January 21, 2022, a records search addressing the APE and a 0.50-mile radius beyond the APE boundaries was conducted by the North Central Information Center (NCIC) at California State University, Sacramento. The purpose of the records search was to: (1) identify prehistoric and historic resources previously documented in the APE and within 0.5-mile of APE boundaries; (2) determine which portions of the APE may have been previously studied, when those studies took place, and how the studies were conducted; and, (3) ascertain the potential for archaeological resources, historical resources, and human remains to be found in the APE. This search also included a review of the appropriate USGS topographic maps on which cultural resources are plotted, archaeological site records, building/structure/object records, and data from previous surveys and research reports. The California Points of Historical Interest, the California Historical Landmarks, the NRHP, the CRHR, and the California State Historic Resources Inventory listings were also reviewed to ascertain the presence of designated, evaluated, and/or historic-era resources within the APE. Historical maps and historical aerial photographs of the area were also examined (NETROnline 2022).

The cultural resources records search identified 10 studies that have previously been conducted within a 0.5-mile radius of the APE (Table 9). Of these, two studies overlapped with the current APE for at least part of their survey area; these include report numbers 004508 (Maniery 1993) and 004509 (Maniery and Syda 1991). Brief summaries of the reports pertaining to surveys that overlapped with the current APE are provided below **Table 9**.

**Table 9. Previous Studies Conducted within 0.5-Mile of the APE**

<b>Report</b>	<b>Year</b>	<b>Author(s)</b>	<b>Affiliation</b>	<b>Includes APE?</b>	<b>Title</b>
004508	1993	Maniery, Mary L.	PAR Environmental Services, Inc.	Yes	Determination of Effect, American River Bridge Crossing Project, City of Folsom, Sacramento County, California
004509	1991	Maniery, Mary L. and Keith A. Syda	PAR Environmental Services, Inc.	Yes	Cultural Resources Investigation for the American River Bridge Crossing Project, City of Folsom, Sacramento County, California
000155	1977	Greenway, Gregory	Archaeology Study Center, CSU Sacramento	No	An Archaeological Survey of the Oak Avenue Parkway, Ashland Water Transmission Main and Storage, Blue Ravine Water Transmission Main, and the Lew Howard Memorial Park for the City of Folsom, Sacramento County, California
001837	1997	Waechter, Sharon	Sharon Waechter	No	Archaeological Survey for the Proposed Natoma Pipeline Expansion, Folsom Dam to the City of Folsom Water Treatment Plant
003761	2001	Billat, Lorna Beth	EarthTouch, LLC	No	Nextel Communications (on-air) CA-0205A / West Folsom Entrance Road to Folsom State Prison
006933	1998	Maniery, Mary L. and Cindy Baker	PAR Environmental Services, Inc.	No	Cultural Resources Investigation for the Folsom Sanitary Sewer Rehabilitation Project- Phase 1 Folsom, CA
011288	2013	PAR Environmental Services, Inc.	PAR Environmental Services, Inc.	No	Supplemental Historic Property Survey Report for the Johnny Cash Class 1 Bicycle Trail, City of Folsom, California Federal Project No. 5288 (025)
011533	2014	Wills, Carrie D. and Kathleen A. Crawford	Environmental Assessment Specialist, Inc.	No	Cultural Resources Records Search and Site Visit Results for T-Mobile West, LLC Candidate SC 14633A (East Natoma & Randall), 235 Marchant Drive, Folsom, Sacramento County, California
011755	2015	Allen, Josh	PAR Environmental Services, Inc.	No	Cultural Resources Survey of Folsom Zoo, Sacramento County, California
013383	2015	Wills, Carrie	HELIX Environmental Planning Inc.	No	Oak Parkway Trail Undercrossing, Draft Initial Study & Environmental Evaluation

Source: Helix 2022b.

**Report 004508 – Determination of Effect, American River Bridge Crossing Project, City of Folsom, Sacramento County, California** was written by Mary.L. Maniery in 1993. The American River Bridge Crossing Project APE consisted of four linear alignments or alternatives that extended (east to west) from near the current Folsom Dam, to downstream of the existing Rainbow Bridge. Intersection improvements and road widening activities were also planned as part of the project. The survey area covered for this effort encompassed four possible alignments (referred to in the report as “alternatives”) for a bridge that would be built across the American River. The records searches and surveys conducted for these alternative alignments encountered 10 historic period cultural resources including Folsom’s “Chinatown” district (CA-SAC-426-H), the Sacramento Valley Railroad (CA-SAC-428-H), the Folsom Hydroelectric System (CA-SAC-429-H), the Folsom Powerhouses (National Historic Landmark/CHL #633), Rainbow Bridge (Bridge #246-67), and several individual built resources on APNs 070-0113-001, 070-0105-012, 070-0010-019, 070-0010-019 and 070-0091-007. However, none of the identified resources fall within the currently proposed APE, nor are any of these resources anticipated to be affected by the currently proposed undertaking.

**Report 004509 – Cultural Resources Investigation for the American River Bridge Crossing Project, City of Folsom, Sacramento County, California**, was written by Mary L. Maniery and Keith A. Syda in 1991. Similar to report 004508, this cultural resource investigation examined four linear alignments or alternatives for a proposed bridge that would cross the American River, as well as associated road improvements that extended (east to west) from near the current Folsom Dam to downstream of the existing Rainbow Bridge. The investigation identified 13 archaeological sites, five isolated artifacts, and 55 historic structures. None of the resources identified during the records searches or pedestrian surveys covered within this report fall within the currently proposed APE, and none of the resources mentioned in the report are anticipated to be affected by the current undertaking.

#### Previously Recorded Searches

The records search revealed that elements of one cultural resource, the Folsom Mining District (P-34-000335 / CA-SAC-000308H) may be present within the APE, and that eight previously recorded cultural resources lie within 0.5-mile of the APE. A brief description of resource P-34-000335 (CA-SAC-000308H) is provided below **Table 10**.

**P-34-000335 (CA-SAC-000308H):** Most recently updated by Coleman, Talcott, and Wolpert of Solano Archaeological Services, this resource, known as the Folsom Mining District, is comprised of a variety of elements from the region’s historic mining period (spanning from the 1840s through the mid-twentieth century) including mines, quarries, tailings, mining equipment, habitation sites, roads, railroad grades, water conveyances, and structural foundations. The results of HELIX’s records search indicated that elements of this historic district could be present within the currently proposed APE. NCIC records suggest that the Folsom Mining District taken as a unified entity has been determined to be ineligible for listing on the NRHP and CRHR, but that individual elements within the district may be eligible for listing and that they should be evaluated as eligible or ineligible on a case-by-case basis.



Table 10. Previously Recorded Cultural Resources within 0.5-Mile of the APE

Primary	Trinomial	Year	Recorder	Description
P-34-000335	CA-SAC-0 00308H	1969	K. G. S.	Historic period district- Folsom Mining District, several incorporating elements including foundations and structure pads, a water conveyance system, mines, quarries, and tailings
P-34-000016	n/a	1990	Syda, K., and C. Thomas	Prehistoric period isolate - Mano
P-34-000017	n/a	1990	Syda, K., and C. Thomas	Prehistoric period isolate - Pestle
P-34-000018	n/a	1990	Syda, K., and C. Thomas	Historic period site- Concrete rubble and 3 quarried granite blocks
P-34-000451	CA-SAC-000424	1990	Syda, K., and C. Thomas	Historic period site - Water conveyance system, associated with Folsom Mining District
P-34-000452	CA-SAC-000425	1990	Syda, K., and C. Thomas	Prehistoric period site - Lithic scatter
P-34-000456	CA-SAC-000429H	1989	Gerry, R., and M. Peak	Historic period site - Water conveyance system, roads/trails/railroad grades, dams, and standing structures
P-34-005017	n/a	2014	Crawford, K. A.	Historic period site – 1960s PG&E Tower constructed with bolted steel L-shaped profiles and cross arms
P-34-005119	CA-SAC-000426	2011	Appleby, Richard Allen	Historic period site - Folsom State Prison Railroad, no longer extant, plotted route appears on 1892 USGS topo map

Source: HELIX 2022b

### Historic Maps and Aerial Photographs

Historic maps and aerial photographs examined for this review include plat maps from 1857 and 1866; Folsom USGS 7.5-minute quadrangle maps from 1914, 1944, 1954, and 1967; and a series of aerial photographs dating from 1952 through 2018 (NETROnline 2022). The plat maps and USGS quadrangle maps reveal no signs of development of the APE through 1967. The aerial photograph series of the APE reveals the development of Natoma Street by 1952 and several dirt roads to the southwest of the APE. By 1964, the area adjacent south of the APE has been further developed with paved roads and the construction of a few residential houses. By 1993 development in the area increased considerably, with residential construction having taken place to the northeast, east, south, southwest, and northwest of the APE. Due north of the APE, however, the land remained undeveloped save for the paved road that leads to the Folsom prison located 2.5-miles north of the APE. Despite these developments in the

vicinity of the APE throughout the 20th century, the aerial photography analysis suggests that no developments took place within the currently proposed APE (NETROnline 2022).

### **Native American Heritage Commission Sacred Lands File Search**

On January 21, 2022, HELIX requested that the NAHC conduct a search of their Sacred Lands File (SLF) for the presence of Native American sacred sites or human remains in the vicinity of the proposed project area. On February 9, 2022 HELIX received a response from the NAHC that indicated the SLF search returned negative results but that the absence of specific site information in the SLF does not necessarily indicate the absence of cultural resources within the project area. As a result, the letter recommended that HELIX reach out to 10 Native American tribal representatives (Appendix E) who may also have knowledge of cultural resources in the project area. The recommended points of contact with Native American Tribes included:

- Dahlton Brown, Director of Administration, Wilton Rancheria
- Grayson Coney, Cultural Director, Tsi Akim Maidu
- Pamela Cubbler, Treasurer, Colfax-Todds Valley Consolidated Tribe
- Regina Cuellar, Chairperson, Ione Band of Miwok Indians
- Sara A. Dutschke, Chairperson, Ione Band of Miwok Indians
- Steven Hutchason, Tribal Historic Preservation Office, Wilton Rancheria
- Rhonda Morningstar Pope, Chairperson, Buena Vista Rancheria of Me-Wuk Indians
- Clyde Prout, Chairperson, Colfax-Todds Valley Consolidated Tribe
- Jesus Tarango, Chairperson, Wilton Rancheria
- Gene Whitehouse, Chairperson, United Auburn Indian Community of the Auburn Rancheria

HELIX sent letters to these tribal representatives on February 10, 2022. As of the date of this report no responses have been received.

### **Pedestrian Survey**

HELIX Staff Archaeologist, Jentin Joe, surveyed the undertaking's APE on February 8, 2022. The survey involved the systematic investigation of the APE's ground surface by walking in parallel 10-meter (m) transects. During the survey the ground surface was examined for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, fire-affected rock, prehistoric ceramics), soil discoloration that might indicate the presence of a prehistoric cultural midden, soil depressions, and features indicative of the former presence of structures or buildings (e.g., standing exterior walls, postholes, foundations, wells) or historic debris (e.g., metal, glass, ceramics). Ground disturbances such as gopher holes, burrows, cut banks, and drainage banks were also visually inspected. Representative survey photographs are found in **Appendix E**.

The topography of the APE is largely flat, with small rises in elevation in the northeast which dip down to a small creek which lies along the north boundary of the property and runs east to west. The APE is bounded by residential neighborhoods to the south, and east, a small business center to the west, and by Natoma Street to the north, with the Folsom Prison property just north of Natoma Street. The APE is mostly covered in oak trees and tall grasses, and the surveyor encountered fairly poor surface visibility (10 percent or less) with the exception of exposed patches of the ground surface that have been



modified (Photograph 1). These patches have clearly been disturbed and reveal light brown, loamy soils with few inclusions. The patches are signs of significant and recent ground disturbance in the form of excavations and earthen works that appear to have been designed to create an informal mountain biking trail/racing course (Photograph 2). The surveyor also found a great deal of modern trash on the site, including planks of wood, scraps of plastic, and a discarded mattress (Photograph 3). To the west is a walking trail that extends just outside the southern boundary of the APE.

No prehistoric or historic-era materials or features were observed during HELIX's intensive pedestrian survey of the APE.

### **Evaluation of Cultural Resources**

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

#### **Less than significant impact with mitigation.**

The results of this Cultural Resources Assessment indicate that there are no known or newly discovered cultural resources within the APE, prompting HELIX to recommend that the area is not likely to contain surface based archaeological deposits. Although the NCIC records search indicated that elements of district P-34-000335 (the Folsom Mining District) may potentially be located within the current APE, no traces of the district were found during HELIX's pedestrian survey of the project area. As a result, the current project is anticipated to have no impacts on district P-34-000335.

Based on the results of HELIX's cultural resource assessment the APE can be assumed to have a low sensitivity for surficial cultural resources and this project is anticipated to have no impacts to historical resources for the purposes of compliance with both Section 106 of the NHPA and CEQA. The recommendations provided below are intended to minimize the potential for buried and undocumented cultural resources to be significantly impacted during project implementation.

Consequently, HELIX recommends that there would be no effect on historic properties or historical resources, including archaeological and built-environment resources as a result of project implementation. No additional studies, archaeological work, or construction monitoring are recommended. However, in light of the presence of prehistoric resources within the study area (P-34-0000016 and P-34-000017) and the potential presence of elements of district P-34-000335 to lie within the study area, HELIX recommends that the Mitigation Measure CUL-01 and CUL-02 outlined below be implemented in the unlikely event that cultural resources are encountered during construction. If historical or archaeological resources are discovered, implementation of Mitigation Measure CUL-01 and Mitigation Measure CUL-02 would reduce any potential impact to a less than significant level for questions a) and b).

#### **Mitigation Measure CUL-01: Inadvertent Discovery**

- In the event that cultural resources are exposed during ground-disturbing activities, construction activities should be halted within 100-ft of the discovery. Cultural resources could consist of but are not limited to stone, bone, wood, or shell artifacts, or features including

hearths, structural remains, or historic dumpsites. If the resources cannot be avoided during the remainder of construction, an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards should then be retained, in coordination with USACE and the City, to assess the resource and provide appropriate management recommendations. If the discovery proves to be NRHP- and/or CRHR-eligible, additional work, such as data recovery excavation, may be warranted and should be discussed in consultation with USACE and the City.

#### **Mitigation Measure CUL-02: Worker Awareness Training Program**

- All construction personnel involved in ground disturbing activities shall be trained in the recognition of possible cultural resources and protection of such resources. The training will inform all construction personnel of the procedures to be followed upon the discovery of archaeological materials, including Native American burials. Construction personnel will be instructed that cultural resources must be avoided and that all travel and construction activity must be confined to designated roads and areas. The training will include a review of the local, state, and federal laws and regulations related to cultural resources, as well as instructions on the procedures to be implemented should unanticipated resources be encountered during construction, including stopping work in the vicinity of the find and contacting the appropriate environmental compliance specialist.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

**Less than significant impact with mitigation.** No human remains are known to exist within the project area nor were there any indications of human remains found during the field survey. However, there is always the possibility that subsurface construction activities associated with the proposed project, such as trenching and grading, could potentially damage or destroy previously undiscovered human remains. This is a potentially significant impact. However, if human remains are discovered, implementation of Mitigation Measure CUL-02 and Mitigation Measure CUL-03 would reduce this potential impact to a less than significant level.

#### **Mitigation Measure CUL-03: Treatment of Human Remains**

- Although considered highly unlikely, there is always the possibility that ground disturbing activities during construction may uncover previously unknown human remains. In the event of an accidental discovery or recognition of any human remains, Public Resource Code (PRC) Section 5097.98 must be followed. Once project-related earthmoving begins and if there is a discovery or recognition of human remains, the following steps shall be taken:
  1. There shall be no further excavation or disturbance of the specific location or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains are Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the "most likely descendant" of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in PRC Section 5097.98, or

2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendent or on the project area in a location not subject to further subsurface disturbance:
- a. The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission;
  - b. The descendent identified fails to make a recommendation; or
  - c. The landowner or his authorized representative rejects the recommendation of the descendent,

## VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

California's electricity needs are satisfied by a variety of entities, including investor-owned utilities, publicly owned utilities, electric service providers and community choice aggregators. In 2020, the California power mix totaled 272,576 gigawatt hours (GWh). In-state generation accounted for 51 percent of the state's power mix. The remaining electricity came from out-of-state imports (CEC 2021a). Table 11 provides a summary of California's electricity sources as of 2020.

**Table 11. Previously Recorded Cultural Resources within 0.5-Mile of the APE**

Fuel Type	Percent of California Power
Coal	2.74
Large Hydro	12.21
Natural Gas	37.06
Nuclear	9.33
Oil	0.01
Other (Petroleum Coke/Waste Heat)	0.19
Renewables	33.09

Source: CEC 2021a.

Natural gas provides the largest portion of the total in-state capacity and electricity generation in California, with nearly 45 percent of the natural gas burned in California used for electricity generation in a typical year. Much of the remainder is consumed in the residential, industrial, and commercial sectors for uses such as cooking, space heating, and as an alternative transportation fuel. In 2012, total

natural gas demand in California for Industrial, residential, commercial, and electric power generation was 2,313 billion cubic feet per year (bcf/year), up from 2,196 bcf/year in 2010 (CEC 2021b).

Transportation accounts for a major portion of California's energy budget. Automobiles and trucks consume gasoline and diesel fuel, which are nonrenewable energy products derived from crude oil. Gasoline is the most used transportation fuel in California, with 97 percent of all gasoline being consumed by light-duty cars, pickup trucks, and sport utility vehicles (SUVs). In 2015, 15.1 billion gallons of gasoline were sold in California (CEC 2021c). Diesel fuel is the second most consumed fuel in California, used by heavy-duty trucks, delivery vehicles, buses, trains, ships, boats, and farm and construction equipment. In 2015, 4.2 billion gallons of diesel were sold in California (CEC 2021d).

### Evaluation of Energy

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

**Less than significant impact.** Energy used for construction would primarily consist of fuels in the form of diesel and gasoline for the operation of construction equipment and construction worker vehicles. While construction activities would consume petroleum-based fuels, consumption of such resources would be temporary and would cease upon the completion of construction. The Air Quality and Greenhouse Gas Emissions Technical Report estimated the proposed project's GHG emissions using CalEEMod (HELIX 2022c). The construction energy calculations from the prepared for the proposed project is shown in **Table 12**.

**Table 12. Construction Energy Summary**

Source	Gallons Diesel	Gallons Gas	kBtu
Off-Road Construction Equipment	14,104	-	1,960,515
On-Road Construction Traffic	2,926	8,916	1,512,319
<b>Project Construction Total</b>	<b>17,031</b>	<b>8,916</b>	<b>3,472,834</b>

Source: HELIX 2022c; kBtu = kilo-British thermal unit

The project's construction-related energy usage would not represent a significant demand on energy resources because it is temporary in nature. Additionally, with implementation of the low impact design features, project construction would avoid or reduce inefficient, wasteful, and unnecessary consumption of energy. Therefore, the project's construction-phase energy impacts would be less than significant.

Operation of the proposed project would increase the consumption of energy related to electricity, natural gas, water, and wastewater. However, implementation of low impact design, energy efficient, and sustainable features would also reduce the energy usage. The project design incorporates sustainable features that would exceed the requirement of the California Building Energy Efficiency Standards (Title 24, Part 6), by 15 percent or more. The project would provide 14 electric vehicle charging stations, as required under the City's General Plan GHG Reduction Measure T-8 and would provide 28 bicycle parking spaces, as required under the City's General Plan GHG Reduction Measure T-3 (**Appendix B**).

Hardscapes, such as pedestrian and bicycle pathways, outdoor seating and dining areas, and parking stalls/ trash apron would be constructed with cool paving materials (e.g., slab concrete). Cool paving areas, including shaded areas, account for approximately 68.2 percent of the non-roof impervious area.

The operational energy calculations prepared for the proposed project are shown in Table 13.

**Table 13. Operational energy Summary**

Energy Type	Quantity	kBtu
Gasoline (Gallons)	41,472	5,142,521
Diesel (Gallons)	3,099	430,744
Natural Gas (kBtu)	1,280.610	1,280,610
Electricity (kWh)	598,537	2,042,292
	<b>Total</b>	<b>8,896,167</b>

Source: HELIX 2022c; kBtu = kilo-British thermal unit

During operations, the majority of fuel consumption resulting from the project would involve the use of motor vehicles traveling to and from the project site, as well as fuels used for alternative modes of transportation that may be used by residents. It should be noted that over the lifetime of the project, the fuel efficiency of vehicles is expected to increase. As such, the amount of gasoline consumed as a result of vehicular trips to and from the project site during operation is expected to decrease over time. Based on these considerations, implementation of the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy. Impacts would be less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

**No impact.** The proposed project would not conflict with or obstruct a state or local plan for renewable energy efficiency. The project would conform to all applicable state, federal, and local laws and codes. Therefore, the proposed project would have no impact.



**VII. GEOLOGY AND SOILS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Geology and Soils section of this document is based on the project-specific Geotechnical Engineering Study prepared by Youngdahl Consulting Group, Inc (Youngdahl 2021). The environmental setting discussion below is largely from this geotechnical study, which is included as **Appendix F**.

**Environmental Setting**

**Surface Conditions**

The project site is located on the southeastern side of East Natoma Street in Folsom, California and is bounded by East Natoma Street to the northwest, existing residential subdivisions to the northeast and

south, and Folsom Prison to the north. A paved pedestrian path is present between the site and the subdivision to the west and south, along with transformer towers and overhead power lines. Seasonal drainage paths are present, extending from the east to the southwest along the northern property boundary. Topography at the site generally consists of the highest elevation at the southeast corner, sloping downward in various directions. The existing slopes within the site are generally 2H:1V (Horizontal: Vertical) or flatter. Vegetation throughout the project generally consisted of seasonal grasses and trees.

### **Geology**

The project site is situated on the eastern edge of Sacramento County, located within the western foothills of the Sierra Nevada geomorphic province of California. According to the Geologic Map of the Sacramento Quadrangle, California (D.L. Wagner, et al., 1981), this portion of the foothills and the project site is underlain by Copper Hill Volcanic Rocks. The Copper Hill volcanic are a sequence of Late Jurassic-age volcanic rock that overlies the Salt Spring Slate.

Based upon the records currently available from the California Department of Conservation, the project site is not located within an Alquist-Priolo Regulatory Review Zone and there are no known faults located at the project site.

### **Subsurface Conditions**

Subsurface explorations by Youngdahl Consulting Group, Inc., were conducted on November 5, 2021, and included the excavation of eight exploratory test pits. Subsurface soil conditions at the project site primarily consisted of sands, silts, and clays overlying weathered bedrock. The site was generally observed to be surfaced with sand and silt layers in a medium dense/ stiff condition, that were present to depths of 1- to 2.5-ft below existing grade. Test pit 8 consisted of clays in stiff condition, and in Test pits 1-7, clay layers were in a medium to stiff condition. The clays were primarily present in layer thicknesses between approximately 0.5- to 1-ft; however, 3-ft clay layers were encountered in Test pits 1 and 3. No clays were observed in Test pit 6. Bedrock was encountered at 1.5- to 4-ft below the ground surface and was completely to slightly weathered and soft to very hard condition range. A permanent groundwater table was not encountered at the project site with no impact to the development of the site. Due to shallow depth and low permeability of the underlying rock, perched water is common to the area and could be encountered during grading operations (Youngdahl 2021).

### **City Regulation of Geology and Soils**

The City of Folsom regulates the effects of soils and geological constraints on urban development primarily through enforcement of the California Building Code, which requires the implementation of engineering solutions for constraints to urban development posed by slopes, soils, and geology.

Additionally, the City adopted a Grading Code (Folsom Municipal Code Section 14.29) that regulates grading citywide to control erosion, storm water drainage, revegetation, and ground movement.

### Evaluation of Geology and Soils

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to *Division of Mines and Geology Special Publication 42*?

**Less than significant impact.** According to the Geotechnical Engineering Survey, there are no known active faults crossing the property, and the project site is not located within an Earthquake Fault Zone (Youngdahl 2021). Therefore, ground rupture is unlikely at the subject property, and impacts would be less than significant.

- ii. Strong seismic ground shaking?

**Less than significant impact.** The site-specific Geotechnical Engineering Survey identified the project site as a Site Class C in accordance with the 2016 California Building Code (Class A requires least earthquake resistant design and Class F the most earthquake resistant design). Seismic design parameters based on the 2016 California Building Code and site investigations were outlined in the Geotechnical Engineering Survey for use in structural design. Evaluation of seismicity for the project site included the review of existing fault maps and the implementation of seismic design parameters from the United State Geological Survey (USGS) online calculator and databases (Youngdahl 2021). Conformance to the current building code would minimize potential ground shaking impacts to a less than significant level.

- iii. Seismic-related ground failure, including liquefaction?

**Less than significant impact.** Liquefaction is the sudden loss of soil shear strength and sudden increase in porewater pressure caused by shear strains, which could result from an earthquake. Research has shown that saturated, loose to medium-dense sands with a silt content less than about 25 percent located within the top 40-ft are most susceptible to liquefaction and surface rupture or lateral spreading. Slope instability can occur as a result of seismic ground motions and/or in combination with weak soils and saturated conditions.

Due to the absence of a permanently elevated groundwater table, the relatively low seismicity of the area, and the relatively shallow depth to rock, the potential for seismically induced damage due to site liquefaction, surface rupture, and settlement was considered low (Youngdahl 2021). For the above-mentioned reasons, mitigation for these potential hazards is not considered necessary for the development of this project. Therefore, liquefaction is unlikely at the subject property and impacts would be less than significant.

- iv. Landslides?

**Less than significant impact.** The existing slopes on the project site were observed to have adequate vegetation on the slope face, appropriate drainage away from the slope face, and no apparent tension

cracks or slip blocks in the slope face or at the head of the slope. Additionally, due to the absence of permanently elevated groundwater table, the relatively low seismicity of the area, and the relatively shallow depth to bedrock, the potential for seismicity induced slope instability for the existing slopes was considered low (Youngdahl 2021). Therefore, landslides are unlikely at the subject property and impacts would be less than significant.

b) Result in substantial soil erosion or the loss of topsoil?

**Less than significant impact.** The 2016 CBC (California Building Code) and the City's Grading Code and standard conditions for project approval contain requirements to minimize or avoid potential effects from water erosion hazards. As a condition of approval, prior to the issuance of a grading or building permit, the City would require the applicant to prepare a soils report, a detailed grading plan, and an erosion control plan by a qualified and licensed engineer. The soils report would identify soil hazards, including potential impacts from erosion. The City would be required to review and approve the erosion control plan based on the California Department of Conservation's "Erosion and Control Handbook." The erosion control plan would identify protective measures to be implemented during excavation, temporary stockpiling, disposal, and revegetation activities. With the approval of a soils report, grading plan, and an erosion control plan, impacts relating to substantial soil erosion or loss of topsoil would be less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

**Less than significant impact with mitigation.** The proposed project is relatively long, irregular in shape, and anticipated to be supported by variable thicknesses of soil and or bedrock. Due to these features, the primary geotechnical concern associated with the planned development is the potential for excessive differential settlement, which can stress and damage foundations and other structural and architectural elements. Generally, foundations constructed within the planned cut areas of the building pad would bear a relatively thin section of native soils and or bedrock. However, foundations constructed within the planned fill areas could bear significantly thicker sections to fill, which have a much higher potential for settlement.

A Geotechnical Engineering Survey by Youngdahl Consulting Group, Inc. prepared recommendations for the foundation, construction, and design of the proposed building in the project site (See Appendix F for more detail on site recommendations). With the implementation of Mitigation Measure GEO-01, outlined below, the impacts relating to unstable soils in the project area would be less than significant with mitigation.

#### **Mitigation Measure GEO-01: Implementation of Recommendations in the Geotechnical Engineering Survey**

- A Geotechnical Engineering Survey was prepared by Youngdahl Consulting Group, Inc. in December 2021. The proposed projects' design plans and specifications outlined in the survey shall be reviewed and approved by a California-licensed geotechnical engineer or engineering geologist prior to contract bidding. A review shall be performed to determine whether the recommendations contained within the Geotechnical Engineering Survey are still applicable to the project. Modifications to the recommendations provided in the Geotechnical Engineering

Survey prepared by Youngdahl Consulting Group, Inc. or to the design may be necessary at the time of review based on the proposed plans. The project applicant shall implement all applicable recommendations approved by a California-licensed geotechnical engineer or engineering geologist prior to issuance of a grading permit.

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

**Less than significant impact with mitigation.** Plastic materials (clay soils) were encountered in relatively thin layers at the project site. An expansion index test was performed on a sample of the clay, which resulted in a value of 40 (low expansion). The majority of the remaining materials encountered in the exploration were generally non-plastic (rock, sand, and non-plastic silt). The non-plastic materials are generally considered to be non-expansive. The Geotechnical Engineering Study provided recommendations relating to mitigation of expansive soils in the project site (See Appendix F for more detail). Due to the configuration of the proposed construction, the anticipated grading, and with implementation of Mitigation Measure GEO-01, it is not anticipated that *special design considerations* for expansive soils would be required. With these conditions, the impacts would be less than significant with mitigation.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

**No impact.** The proposed sewer system would connect to the public sewer system and would not require septic systems or an alternative waste disposal system. No impact would occur.

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

**Less than significant impact with mitigation.** No previous surveys conducted in the project area have identified the project site as sensitive for paleontological resources or other geologically sensitive resources, nor have testing or ground disturbing activities performed to date uncovered any paleontological resources or geologically sensitive resources. While the likelihood encountering paleontological resources and other geologically sensitive resources is considered low, project-related ground disturbing activities could affect the integrity of a previously unknown paleontological or other geologically sensitive resource, resulting in a substantial change in the significance of the resource. Therefore, the proposed project could result in potentially significant impacts to paleontological resources. Implementation of Mitigation Measure GEO-02 would reduce potentially significant impacts to a less than significant level.

#### **Mitigation Measure GEO-02: Identification of Paleontological Resource During Project Construction**

- In the event a paleontological or other geologically sensitive resources (such as fossils or fossil formations) are identified during any phase of project construction, all excavations within 100-ft of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at the City of Folsom who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the City shall implement those measures which may include avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code Section 21083.2.



**VIII. GREENHOUSE GAS EMISSIONS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

HELIX Environmental Planning conducted a greenhouse gas emissions assessment for the proposed project based primarily on the results of the City’s Greenhouse Gas Reduction Strategy Consistency Checklist as presented in **Appendix B**.

**Environmental Setting**

Global climate change refers to changes in average climatic conditions on Earth including temperature, wind patterns, precipitation, and storms. Global temperatures are moderated by atmospheric gases. These gases are commonly referred to as greenhouse gasses (GHG) because they function like a greenhouse by letting sunlight in but preventing heat from escaping, thus warming the Earth’s atmosphere.

GHGs are emitted by natural processes and human (anthropogenic) activities. Anthropogenic GHG emissions are primarily associated with burning of fossil fuels during motorized transport; electricity generation; natural gas consumption; industrial activity; manufacturing; and other activities such as deforestation, agricultural activity, and solid waste decomposition.

The GHGs defined under California’s Assembly Bill (AB) 32 include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride (SF<sub>6</sub>). Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. Estimates of GHG emissions are commonly presented in carbon dioxide equivalents (CO<sub>2</sub>e), which weigh each gas by its global warming potential (GWP). Expressing GHG emissions in CO<sub>2</sub>e takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO<sub>2</sub> were being emitted. GHG emissions quantities in this analysis are presented in metric tons (MT) of CO<sub>2</sub>e. For consistency with United Nations Standards, modeling, and reporting of GHGs in California and the U.S. use the GWPs defined in the Intergovernmental Panel on Climate Change’s (IPCC) Fourth Assessment Report (IPCC 2007): CO<sub>2</sub> – 1; CH<sub>4</sub> – 25; N<sub>2</sub>O – 298.



## GHG Reduction Regulations and Plans

The primary GHG reduction regulatory legislation and plans (applicable to the project) at the State, regional, and local levels are described below. Implementation of California's GHG reduction mandates is under the authority of CARB at the state level, SMAQMD and the Sacramento Area Council of Governments (SACOG) at the regional level, and the City at the local level.

**Executive Order S-3-05:** On June 1, 2005, Executive Order (EO) S-3-05 proclaimed that California is vulnerable to climate change impacts. It declared that increased temperatures could reduce snowpack in the Sierra Nevada, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To avoid or reduce climate change impacts, EO S-3-05 calls for a reduction in GHG emissions to the year 2000 levels by 2010, to year 1990 levels by 2020, and to 80 percent below 1990 levels by 2050. Executive Orders are not laws and can only provide the governor's direction to state agencies to act within their authority to reinforce existing laws.

**Assembly Bill 32 – Global Warming Solution Act of 2006:** The California Global Warming Solutions Act of 2006, widely known as AB 32, requires that CARB develop and enforce regulations for the reporting and verification of statewide GHG emissions. CARB is directed by AB 32 to set a GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill requires CARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG emission reductions.

**Executive Order B-30-15:** On April 29, 2015, EO B-30-15 established a California GHG emission reduction target of 40 percent below 1990 levels by 2030. The EO aligns California's GHG emission reduction targets with those of leading international governments, including the 28 nation European Union. California achieved the target of reducing GHGs emissions to 1990 levels by 2020, as established in AB 32. California's new emission reduction target of 40 percent below 1990 levels by 2030 will make it possible to reach the goal established by EO S-3-05 of reducing emissions 80 percent under 1990 levels by 2050.

**Senate Bill 32:** Signed into law by Governor Brown on September 8, 2016, Senate Bill (SB) 32 (Amendments to the California Global Warming Solutions Action of 2006) extends California's GHG reduction programs beyond 2020. SB 32 amended the Health and Safety Code to include Section 38566, which contains language to authorize CARB to achieve a statewide GHG emission reduction of at least 40 percent below 1990 levels by no later than December 31, 2030. SB 32 codified the targets established by EO B-30-15 for 2030, which set the next interim step in the State's continuing efforts to pursue the long-term target expressed in EO B-30-15 of 80 percent below 1990 emissions levels by 2050.

**California Air Resources Board:** On December 11, 2008, the CARB adopted the Climate Change Scoping Plan (Scoping Plan) as directed by AB 32. The Scoping Plan proposes a set of actions designed to reduce overall GHG emissions in California to the levels required by AB 32. Measures applicable to development projects include those related to energy-efficiency building and appliance standards, the use of renewable sources for electricity generation, regional transportation targets, and green building strategy. Relative to transportation, the Scoping Plan includes nine measures or recommended actions related to reducing vehicle miles traveled (VMT) and vehicle GHGs through fuel and efficiency measures. These measures would be implemented statewide rather than on a project-by-project basis (CARB 2008).

In response to EO B-30-15 and SB 32, all state agencies with jurisdiction over sources of GHG emissions were directed to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 targets. The mid-term target is critical to help frame the suite of policy measures, regulations, planning efforts, and investments in clean technologies and infrastructure needed to continue driving down emissions (CARB 2014). In December 2017, CARB adopted the 2017 Climate Change Scoping Plan Update, the Strategy for Achieving California's 2030 Greenhouse Gas Target, to reflect the 2030 target set by EO B-30-15 and codified by SB 32 (CARB 2017).

**Sacramento Area Council of Governments:** As required by the Sustainable Communities and Climate Protection Act of 2008 (SB 375), SACOG has developed the 2020 Metropolitan Transportation Plan and Sustainable Communities Strategy. This plan seeks to reduce GHG and other mobile source emissions through coordinated transportation and land use planning to reduce VMT.

**City of Folsom:** As part of the 2035 General Plan, the City prepared an integrated Greenhouse Gas Emissions Reduction Strategy (Appendix A to the 2035 General Plan; adopted August 28, 2018). The purpose of the Greenhouse Gas Emissions Reduction Strategy (GHG Strategy) is to identify and reduce current and future community GHG emissions and those associated with the City's municipal operations. The GHG Strategy includes GHG reduction targets to reduce GHG emissions (with a 2005 baseline year) by 15 percent in 2020, 51 percent in 2035, and 80 percent in 2050. The GHG Strategy identifies policies within the City of Folsom General Plan that would decrease the City's emissions of greenhouse gases. The GHG Strategy also satisfies the requirements of CEQA to identify and mitigate GHG emissions associated with the General Plan Update as part of the environmental review process and serves as the City's "plan for the reduction of greenhouse gases", per Section 15183.5 of the CEQA Guidelines, which provides the opportunity for tiering and streamlining of project-level emissions for certain types of discretionary projects subject to CEQA review that are consistent with the General Plan (City 2018).

### Methodology and Assumptions

Criteria pollutant, precursor, and GHG emissions for project construction and operation were estimated using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0. CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use projects. The model was developed for the California Air Pollution Control Officers Association (CAPCOA) in collaboration with the California air districts. CalEEMod allows for the use of default data (e.g., emission factors, trip lengths, meteorology, source inventory) provided by the various California air districts to account for local requirements and conditions, and/or user-defined inputs. The calculation methodology and default data used in the model are available in the CalEEMod User's Guide, Appendices A, D, and E (CAPCOA 2021). The CalEEMod output files are included in **Appendix B**.

Construction of the project is anticipated to begin as early as January 2023 and be completed in April 2024. Construction modeling assumes the following anticipated schedule: site preparation 10 working days; grading 87 working days; building construction 207 working days; paving 21 working days; and architectural coating 22 working days. Construction equipment assumptions were based on estimates from CalEEMod defaults. The project would not require an import or export of soil during construction activities. Construction emissions modeling assumes implementation of basic dust control practices (watering exposed areas twice per day) to comply with the requirements of: SMAQMD Rule 403, *Fugitive Dust*.

Operational mobile emissions were modeled using the project trip generation of 441 average daily trips from the project Transportation Impact Study (T. Kear Transportation Planning and Management, Inc. 2022). Operational emissions resulting from energy use, water use, and solid waste generation were modeled using CalEEMod defaults with an added 20 percent reduction in water use to account for the requirements of the 2019 CALGreen, and an additional 25 percent solid waste diversion to account for AB 341 requirements.

### Standards of Significance

The final determination of whether or not a project has a significant effect is within the purview of the lead agency pursuant to CEQA Guidelines Section 15064(b). The City's GHG Strategy, described above, is a qualified plan for the reduction of greenhouse gases pursuant to CEQA Guidelines Section 15183.5. Consistency with the GHG Strategy may be used to determine the significance of the project's GHG emissions.

The City's 2035 General Plan Policy NCR 3.2.8 and GHG Strategy include criteria to determine whether the potential greenhouse gas emissions of a proposed project are significant (City 2018).

#### **NCR 3.2.8 Streamlined GHG Analysis for Projects Consistent with the General Plan**

Projects subject to environmental review under CEQA may be eligible for tiering and streamlining the analysis of GHG emissions, provided they are consistent with the GHG reduction measures included in the General Plan and EIR. The City may review such projects to determine whether the following criteria are met:

- Proposed project is consistent with the current general plan land use designation for the project site;
- Proposed project incorporates all applicable GHG reduction measures (as documented in the Climate Change Technical Appendix to the General Plan EIR) as mitigation measures in the CEQA document prepared for the project; and
- Proposed project clearly demonstrates the method, timing and process for which the project will comply with applicable GHG reduction measures and/or conditions of approval, (e.g., using a CAP/GHG reduction measures consistency checklist, mitigation monitoring and reporting plan, or other mechanism for monitoring and enforcement as appropriate).

### Evaluation of Greenhouse Gas Emissions

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

**Less than Significant Impact with Mitigation.** GHG emissions would be generated by the project during construction (vehicle engine exhaust from construction equipment, vendor trips, and worker commuting trips) and during long-term operation (electricity and natural gas use, electricity resulting from water consumption; solid waste disposal, and vehicle engine exhaust). GHG emissions were calculated used CalEEMod, as described in Methodology and Assumptions.

The calculated GHG emissions anticipated to be generated during construction of the project are shown below in **Table 14**. Due to the cumulative nature of GHGs, SMAQMD recommends amortizing a project's construction emissions over the operational lifetime of the project. Therefore, the construction emissions are amortized (i.e., averaged) over 30 years and added to operational emissions in this analysis.

**Table 14. Construction GHG Emissions**

Year	Emissions (MT CO <sub>2</sub> e)
2023	396.1
2024	92.4
<b>Total<sup>1</sup></b>	<b>488.5</b>
<i>Amortized Construction Emissions</i>	<i>16.3</i>

Source: CalEEMod (output data is provided in Attachment A)

<sup>1</sup> Totals may not sum due to rounding.

GHG = greenhouse gas; MT = metric tons; CO<sub>2</sub>e = carbon dioxide equivalent

The results of the 2025 Operational GHG Emissions are provided below in **Table 15**.

**Table 15. Operational GHG Emissions**

Emission Sources	2025 Emissions (MT CO <sub>2</sub> e)
Area	2.3
Energy	118.2
Mobile	370.0
Waste	23.6
Water	9.1
<b>Subtotal<sup>1</sup></b>	<b>523.3</b>
<i>Amortized Construction Emissions</i>	<i>16.3</i>
<b>Total</b>	<b>539.6</b>

Source: CalEEMod (output data is provided in Attachment A)

<sup>1</sup> Totals may not sum due to rounding.

GHG = greenhouse gas; MT = metric tons; CO<sub>2</sub>e = carbon dioxide equivalent

To determine significance of the project's GHG emissions, the City's Greenhouse Gas Reduction Strategy Consistency Checklist was completed (City of Folsom 2021; included in **Appendix B**).

#### Part 1: Land Use Consistency

The proposed project is consistent with the City's 2035 General Plan land use and zoning designations?

The project parcel is designated as Professional Office (PO) in the Folsom 2035 General Plan, which provides for low-intensity business and professional offices that are compatible with higher-intensity residential uses. The zoning designation of the project site is Business and Professional (BP) District. In accordance with the Greenhouse Gas Reduction Strategy Consistency Checklist, if the project would require a change in land use designation or a rezone, consistency would be determined by calculating the estimated the GHG emissions resulting from maximum buildout of the project site allowed using the current zoning and using the

proposed zoning change. If the land use designation/zoning change would not result in an increase in annual GHG emissions, the project would be consistent (*City 2021a*). However, the project would not result in a land use designation/zoning change and therefore, there would be no change in GHG emissions.

A senior housing development would be an allowable use for the BP zoning district. Entitlement requests for this project include a Planned Development Permit (PD Permit) and a Conditional Use Permit. The purpose of the PD Permit is to allow for greater flexibility in the design of integrated developments than otherwise possible through strict application of land use regulations. With the PD Permit, the project's site plan, elevations, and overall project design would be evaluated, and specific development standards would be defined. The project is consistent with applicable development standards for the BP zoning district. As shown in Table 15 above, the proposed project is anticipated to result in approximately 539.6 MT CO<sub>2</sub>e per year.

**Part 2: GHG Reduction Measures Consistency (only applicable measures shown):**

**E-1 Building energy Sector: The project will exceed the requirements of the California Building Energy Efficiency Standards (Title 24, Part 6) by 15 percent or more?**

Consistent. The project would exceed the requirement of the California Building Energy Efficiency Standards (Title 24, Part 6), by 15 percent or more.

**T-1 Project Location and Density: The project is a mixed-use building with two or more uses (i.e., residential, commercial, office, etc.) or if the site is 5 acres or larger there are two or more uses on the site connected by protected pedestrian paths (e.g., sidewalks, elevated walkways) excluding driveways?**

Consistent. The project is less than 5 acres and is located within an existing empty lot. Implementation of the proposed development would include a mix of uses including residential units, community center, and leasing office. The project would include a concrete sidewalk that would extend around the southern parking area and connect to the existing Oak Parkway Trail section located south of the site boundary. Additional proposed concrete sidewalks would be located at the frontage of the project site and would connect to internal sidewalks proposed around the building.

**T-3 Bicycle Parking: Project provides 5 percent more bicycle parking spaces than required in the City's Municipal Code?**

Consistent with mitigation. With 136 residential units, the project requires 27 bicycle parking spaces. Bike racks would accommodate 28 bicycle parking spaces on the eastern side of the project site, exceeding the number of bicycle parking spaces required by five percent. Mitigation Measure GHG-01 would require the installation of bicycle parking 5 percent or more higher than the requirements of City Code section 17.57.090.

**T-6 High-Performance Diesel (Construction only): Use high-performance diesel (also known as Diesel-HPR or Reg-9000/RHD) for construction equipment?**



Consistent with mitigation. Mitigation Measure GHG-02 would require the use of high-performance diesel for all project construction activities.

**T-8 Electric Vehicle Charging (Residential):** For multifamily projects with 17 or more dwelling units, provide electric vehicle charging in 5 percent of total parking spaces?

Consistent with mitigation. Mitigation Measure GHG-03 would require installation of 14 electrical vehicle charging stations based on the 136 total parking spaces proposed for the project.

**SW-1 Enhanced Construction Waste Diversion:** Project diverts to recycle or salvage at least 65 percent of nonhazardous construction and demolition waste generated at the project site in accordance with Appendix A4 (Residential) of CALGreen?

Consistent with mitigation. Mitigation Measure GHG-04 would require a minimum of 65 percent of nonhazardous construction and demolition waste to be diverted, recycled or salvaged.

**W-1 Water Efficiency:** For new residential and non-residential projects, the project will comply with all applicable indoor and outdoor water efficiency and conservation measures required under CALGreen Tier 1?

Consistent with mitigation. Mitigation Measure GHG-05 would require implementation of all 2019 CALGreen Tier 1 applicable indoor and outdoor water efficiency and conservation measures.

With implementation of Mitigation Measures GHG-01 through GHG-05, the project would be consistent with the City's GHG Strategy. Therefore, the project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, and the impact would be less than significant with mitigation.

**Mitigation Measure GHG-01: Bicycle Parking**

- In accordance with the City General Plan GHG Reduction Measure T-3, the project shall provide a minimum of 5 percent more bicycle parking than required in the City's Municipal Code Section 17.57.090.

**Mitigation Measure GHG-02: High-Performance Diesel**

- In accordance with the City General Plan GHG Reduction Measure T-6, the project shall use high-performance diesel (also known as Diesel-HPR or Reg-9000/RHD) for all diesel-powered equipment utilized in construction of the project.

**Mitigation Measure GHG-03: Electric Vehicle Charging**

- In accordance with the City General Plan GHG Reduction Measure T-8, the project shall provide 14 electric vehicle charging stations based on the 136 total parking spaces proposed for the project.



**Mitigation Measure GHG-04: Enhanced Construction Waste Diversion**

- In accordance with the City General Plan GHG Reduction Measure SW-1, the project shall divert to recycle or salvage a minimum 65 of nonhazardous construction and demolition waste generated at the project site in accordance with Appendix A4 (Residential) of the as outlined in the California Green Building Standards Code (2019 CALGreen).

**Mitigation Measure GHG-05: Water Efficiency**

- In accordance with the City General Plan GHG Reduction Measure W-1, the project shall comply with all applicable indoor and outdoor water efficiency and conservation measures required under 2019 CALGreen Tier 1, as outlined in the California Green Building Standards Code.
- b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Less than Significant Impact with Mitigation.** There are numerous State plans, policies, and regulations adopted for the purpose of reducing GHG emissions. The principal overall State plan and policy is AB 32, the California Global Warming Solutions Act of 2006. The quantitative goal of AB 32 is to reduce GHG emissions to 1990 levels by 2020. SB 32 would require further reductions of 40 percent below 1990 levels by 2030. The mandates of AB 32 and SB 32 are implanted at the state level by the CARB's Scoping Plan. Because the project's operational year is post-2020, the project aims to reach the quantitative goals set by SB 32. Statewide plans and regulations such as GHG emissions standards for vehicles (AB 1493), the LCFS, and regulations requiring an increasing fraction of electricity to be generated from renewable sources are being implemented at the statewide level; as such, compliance at the project level is not addressed. Therefore, the proposed project would not conflict with those plans and regulations.

The Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) for Sacramento County is the 2020 MTP/SCS adopted by the Sacramento Area Council of Governments (SACOG) on November 18, 2019. The 2020 MTP/SCS lays out a transportation investment and land use strategy to support a prosperous region, with access to jobs and economic opportunity, transportation options, and affordable housing that works for all residents. The plan also lays out a path for improving our air quality, preserving open space and natural resources, and helping California achieve its goal to reduce greenhouse gas emissions (SACOG 2019). The transportation sector is the largest source of GHG emissions in the state. A project's GHG emissions from cars and light trucks are directly correlated to the project's VMT. According to the Transportation Impact Study prepared for the project, the project is anticipated to generate at least 15 percent less VMT per capita than the regional average (T. Kear Transportation Planning and Management, Inc. 2022). This VMT reduction meets the 15 percent reduction required by SB 743. In addition to regional VMT projections, SACOG utilizes local growth projections to develop the strategies and measures in the 2020 MTP/SCS. As discussed in question a), above, there would be no change in land use and zoning, and no change in GHG emissions would result. Therefore, the regional VMT and population growth resulting from implementation of the project would be consistent with the assumptions used in the 2020 MTP/SCS.

As discussed in question a), above, with implementation of Mitigation Measures GHG-01 through GHG-05, the project would be consistent with the City's GHG Strategy, a qualified plan for the reduction of greenhouse gases pursuant to CEQA Guidelines Section 15183.5. Therefore, the project would not

conflict with CARB's 2017 Scoping Plan, the SACOG's 2020 MTP/SCS, or the City's GHG Strategy, and the impact would be less than significant with mitigation.

**IX. HAZARDS AND HAZARDOUS MATERIALS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

The project site is currently undeveloped has no past land uses associated with potentially hazardous sites. The schools nearest to the project site are St. John's Notre Dame School, approximately 0.2-miles east of the site, Theodore Judah Elementary School, approximately 0.5-miles southwest of the site, Blanche Sprentz Elementary School, approximately 0.7-miles southeast of the site and Folsom Middle School, approximately 1.5-miles southeast of the site.

The following databases were reviewed for the project site and surrounding area to identify potential hazardous contamination sites: the SWRCB Geotracker (SWRCB 2020); California Department of Toxic Substance Control's EnviroStor online tool (DTSC 2020); and the US EPA's Superfund National Priorities

List (EPA 2019). Based on the results of the databases reviewed, no hazardous waste sites are located on the project site.

Federal and state laws include provisions for the safe handling of hazardous substances. The federal *Occupational Safety and Health Administration (OSHA)* administers requirements to ensure worker safety. Construction activity must also be in compliance with the California OSHA regulations (*Occupational Safety and Health Act of 1970*).

### **Evaluation of Hazards and Hazardous Materials**

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

**Less than significant impact.** The site has no known history of past land uses associated with potentially hazardous sites. Construction of the proposed project would result in an increase in the generation, storage, and disposal of hazardous wastes. During project construction oil, gasoline, diesel fuel, paints, solvents, and other hazardous materials may be used. If spilled, these substances could pose a risk to the environment and to human health.

Following construction, household hazardous materials such as various cleaners, paints, solvents, pesticides, pool chemicals, and automobile fluids would be expected to be used. The routine transport, use, and disposal of hazardous materials are subject to local, state, and federal regulations to minimize risk and exposure.

Further, the City has set forth its hazardous materials goals and policies in the *Hazardous Materials Element* of the General Plan. The preventative policies protect the health and welfare of residents of Folsom through management and regulation of hazardous materials. Consequently, use of the listed materials above for their intended purpose would not pose a significant risk to the public or environment and would therefore cause a less than significant impact.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

**Less than significant impact.** As discussed above, the proposed project site has no known history of past land uses associated with potentially hazardous sites and construction of the proposed project would follow all local, state, and federal regulations. These regulations protect the health and welfare of residents of Folsom through management and regulation of hazardous materials in a manner that focus' on preventing problems. With the implementation of these regulations, the potential for a foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be low, and therefore would cause a less than significant impact.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

**Less than significant impact.** The nearest school is St. John's Notre Dame School, approximately 0.2-miles east of the site. During project construction, oil, gasoline, diesel fuel, paints, solvents, and other hazardous materials may be used, but they would be used accordingly to local, state, and federal regulations. With these regulations in place, the proposed project would have a less than significant impact.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

**No impact.** The site is not included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No hazardous materials sites are located at the project site based on review of the *EnviroStar* (DTSC 2020), *Geotracker* (SWRCB 2020), and *EPA Superfund Priority List* (EPA 2019). Therefore, project implementation would have no impact on hazards to the public or environment.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

**No impact.** The nearest public or public use airport is Cameron Airpark, approximately 11-miles east of the project site. At this distance, the project is not within the airport land use plan area and the project would have no impact on safety hazards or excessive noise related to airports.

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**Less than significant impact.** The City of Folsom maintains pre-designated emergency evacuation routes as identified in the *City of Folsom Evacuation Plan* (City of Folsom 2020a). The proposed project is located in evacuation plan area #10-Cimmaron Hill/ Rancho Diablo, which identifies East Natoma Street as a major evacuation route and Cimmaron Circle as a minor evacuation route. The proposed project would not modify any pre-designated emergency evacuation route or preclude their continued use as an emergency evacuation route. Emergency vehicle access would be maintained throughout the project site to meet the Fire Department standards for fire truck maneuvering, location of fire truck to fight a fire, rescue access to the units, and fire hose access to all sides of the building. Therefore, project impacts to the City's adopted evacuation plan and emergency plans would be less than significant.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

**Less than significant impact.** The project site is located in an urbanized area in the City of Folsom and is provided urban levels of fire protection by the City. The site is designed for clear fire lane/fire truck access and fire hose access to all parts of the buildings. The project would include fire hydrants, exterior Fire Department Connection assemblies, and fire riser rooms. Emergency vehicle access would be maintained on the site to meet the Fire Department standards for fire truck maneuvering, location of fire truck to fight a fire, rescue access to the units, and fire hose access to all sides of the building. The fire lane would be 27-ft minimum, with an inner turning radius of 25-ft and an outer turning radius of 50-ft. All curbs adjacent to the fire lane would be painted red for emergency fire services. Therefore, the proposed project would not expose people or structures to a significant risk of loss due to wildland fires, and impacts would be less than significant.

**X. HYDROLOGY AND WATER QUALITY**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A Preliminary Drainage and Stormwater Quality Report was prepared by TSD Engineering Inc. on August 19, 2022, and is included as **Appendix G**.

**Environmental Setting**

A Preliminary Drainage and Storm Water Quality Report was prepared for the proposed project by TSD Engineering and is included as **Appendix G**. This memo was used when analyzing potential impacts to hydrology and water quality resources. The project site is vacant and undeveloped with a fairly dense oak tree canopy and a drainage channel traversing the site adjacent to East Natoma Street. The Oak Parkway Trail separated the project site from residential properties to the south. The Cimmaron Hill Sub-division is located east of the project site and the entrance to Folsom State Prison (Prison) and the Johnny Cash Trail are located on the northwest side of E. Natoma Street. The project is proposing 2.318



acres of landscape (pervious area), 0.05-acres of bioretention (pervious area), 1.3-acres of parking lots (impervious surface), 0.4-acres of hardscape (impervious surface), and 0.9-acres of building (impervious surface).

The existing channel conveys runoff from a portion of the Cimmaron Hill Subdivision as well as runoff from a portion of the Prison open space. Runoff from the Prison property is conveyed to the existing channel through a 24-inch culvert that crosses E. Natoma Street. The channel conveys runoff to a 48-inch culvert that crosses and discharges on the northwest side of E. Natoma Street, ultimately discharging into the American River approximately 2,500-ft west of E. Natoma Street.

The existing 24-inch culvert that conveys runoff from the Prison site limits the contribution of runoff to the existing channel from the prison site. The 24-inch culvert has a maximum flow rate of 23.3-cubic feet per second (cfs) based on the size, slope and maximum headwater elevation. It is assumed that once the ponding area upstream of the 24-inch culvert is full, runoff will release overland, following the bike trail to trench drains located under the Prison Road bridge, ultimately reaching the American River through Robbers Ravine.

Precipitation is the source of surface water for the project site. Because the area is currently undeveloped, implementation of the project would result in an increase of impervious surface area and channelization of storm water runoff, the rates and volumes of which would increase. As the proposed project would create more than one acre of impervious area, the project is required to implement source control measures, low impact development measures, storm impact treatment and full trash captures measures in accordance with the Stormwater Quality Design Manual for the Sacramento Region, dated July 2018 (SWQ Manual).

Federal Emergency Management Agency (FEMA) flood insurance rate maps were reviewed for the project's proximity to a 100-year floodplain. The proposed project is on FEMA panel 06067C0117H, effective August 16, 2012. The project site is not located within a 100-year floodplain (FEMA 2012).

The site is not located in an area of important groundwater recharge. Domestic water in the City is provided solely by surface water sources. The City is the purveyor of water for the site.

### **Regulatory Framework Relating to Hydrology and Water Quality**

The City is a signatory to the Sacramento Countywide National Pollutant Discharge Elimination Program (NPDES) permit for the control of pollutants in urban stormwater. Since 1990, the City has been a partner in the Sacramento Stormwater Quality Partnership, along with the County of Sacramento and the Cities of Sacramento, Citrus Heights, Elk Grove, Galt, and Rancho Cordova. These agencies are implementing a comprehensive program involving public outreach, construction and industrial controls (i.e., BMPs), water quality monitoring, and other activities designed to protect area creeks and rivers. This program would be unchanged by the proposed project, and the project would be required to implement all appropriate program requirements.

In addition to these activities, the City maintains the following requirements and programs to reduce the potential impacts of urban development on stormwater quality and quantity, erosion and sediment

control, flood protection, and water use. These regulations and requirements would be unchanged by the proposed project.

Standard construction conditions required by the City include:

- Water Pollution – requires compliance with City water pollution regulations, including NPDES provisions.
- Clearing and Grubbing – specifies protection standards for signs, mailboxes, underground structures, drainage facilities, sprinklers and lights, trees and shrubbery, and fencing. Also requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to control erosion and siltation of receiving waters.
- Reseeding – specifies seed mixes and methods for reseeding of graded areas.

Additionally, the City enforces the following requirements of the Folsom Municipal Code as presented in Table 16.

**Table 16. City of Folsom Municipal Code Sections Regulating the Effects on Hydrology and Water Quality from Urban Development**

<b>Code Section</b>	<b>Code Name</b>	<b>Effect of Code</b>
8.70	Stormwater Management and Discharge Control	Establishes conditions and requirements for the discharge of urban pollutants and sediments to the storm-drainage system; requires preparation and implementation of Stormwater Pollution Prevention Plans.
13.26	Water Conservation	Prohibits the wasteful use of water; establishes sustainable landscape requirements; defines water use restrictions.
14.20	Green Building Standards Code	Adopts the California Green Building Standards Code (CalGreen Code), 2010 Edition, excluding Appendix Chapters A4 and A5, published as Part 11, Title 24, C.C.R. to promote and require the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices.
14.29	Grading Code	Requires a grading permit prior to the initiation of any grading, excavation, fill or dredging; establishes standards, conditions, and requirements for grading, erosion control, stormwater drainage, and revegetation
14.32	Flood Damage Prevention	Restricts or prohibits uses that cause water or erosion hazards, or that result in damaging increases in erosion or in flood heights; requires that uses vulnerable to floods be protected against flood damage; controls the modification of floodways; regulates activities that may increase flood damage or that could divert floodwaters.
14.33	Hillside Development	Regulates urban development on hillsides and ridges to protect property against losses from erosion, ground movement and flooding; to protect significant natural features; and to provide for functional and visually pleasing development of the city's hillsides by establishing procedures and standards for the siting and design of physical improvements and site grading.

Source: City of Folsom 2020b

## Evaluation of Hydrology and Water Quality

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
  - i. Result in substantial erosion or siltation on- or off-site?
  - ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site?
  - iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff?
  - iv. Impede or redirect flood flows?
- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

**Less than significant impact.** The project site consists of open space with a fairly dense oak tree canopy and a drainage channel traversing the site adjacent to E. Natoma Street. The Oak Parkway Trail separates the project site from residential properties to the south. The Cimmaron Hill Sub-division is located east of the project site and the entrance to Folsom State Prison is located northwest of East Natoma Street. The existing channel conveys runoff from a portion of the Cimmaron Hill Subdivision as well as runoff from a portion of the Prison open space. Implementation of the proposed project would alter the existing drainage patterns on the project site. The site conditions would be replaced with impervious surfaces from the three-story building, associated parking and drive aisles, and landscaping. The existing drainage channel will remain and will be required to maintain the existing drainage patterns, conveying the runoff generated onsite and *offsite, as is the case under existing conditions.*

Modifications to the existing drainage patterns may result in localized flooding, and an increase in impervious surfaces may result in an increase in the total volume and peak discharges of the proposed project has the potential to degrade water quality associated with urban runoff. Ground disturbing activities would expose soil to erosion and may result in the transport of sediments which could adversely affect water quality. A 36-inch culvert is proposed to be installed under the southernmost driveway to allow runoff to continue to flow through the existing channel. The 36-inch culvert will restrict the developed flows, causing water to back up in the existing channel. The existing channel will function as a detention basin in high intensity storm events. The preliminary analysis considered the worst possible scenario under a 10-year, 24-hour storm event, and under a 100-year, 24-hour storm event.

Sacramento Method within SacCalc software was used to estimate runoff, employing the same methods used to determine the runoff under existing conditions, as outlined in the Preliminary Drainage and Stormwater Quality Report. Comparison of the runoff rates under existing and developed conditions during the 10-year, 24-hour storm event show equal flow rates under existing and developed conditions

during the 10-year, 24-hour storm event. Therefore, the development of the site would maintain existing drainage paths and would not have a negative effect on the existing storm system.

Preliminary hydrologic and hydraulic analysis estimates a decrease of 5.84 cfs during 100-year, 24-hour storm event *due to the development* of the site as proposed. Table 17 shows the peak discharge rates under existing conditions and developed conditions. The hydrologic estimations neglect losses due to friction, travel time and proposed onsite storage and should be considered conservative.

**Table 17. Peak Discharge Rates (Downstream from the Project Site)**

	Existing (cfs)	Mitigated Developed (cfs)
10-Year	75.3	75.3
100-Year	112.3	106.46

The preliminary analysis determined the development site would not increase the flow rate through the existing channel during the 10-year, 24-hour storm event, and flow rates through the existing channel are estimated to decrease during the 100-year, 24-hour storm event. The existing channel has the capacity, upstream from the proposed 36-inch culvert, to detain flows exceeding the capacity of the culvert while maintain at least 1-foot of freeboard. The offsite areas draining through the existing channel and associated underground system will not be negatively affected by the development of this project. Impacts would be less than significant.

Additionally, the proposed project would be required to comply with various State and local water quality standards which would ensure the proposed project would not violate water quality standards or waste discharge permits, or otherwise substantially degrade water quality. As the project is greater than one acre, the proposed project would be subject to NPDES permit conditions which include the preparation of a SWPPP for implementation during construction. The proposed project would also be subject to all of the City's standard Code requirements, including conditions for the discharge of urban pollutants and sediments to the storm drainage system, and restrictions on uses that cause water or erosion hazards.

As outlined previously, the preliminary analysis concluded flow rates with the development site would be equal to or decrease under the 10-year and 100-year storm events. Additionally, compliance with these requirements would ensure that water quality standards and discharge requirements are not violated, and water quality is protected. Therefore, impacts would be less than significant, and no mitigation would be necessary for questions a), c), d), e), and f).

- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

**Less than significant impact.** Implementation of the proposed project would not result in the use of groundwater supplies because domestic water in the City is provided solely from surface water sources from the Folsom Reservoir. While development of the proposed project would increase the percentage of impervious surface on the site that could affect groundwater recharge, the site is not previously known to be important to groundwater recharge. Further, because the proposed project would not rely on groundwater for domestic water and irrigation purposes, and because the site is not an important area of groundwater recharge, the proposed project would not deplete groundwater supplies or interfere substantially with groundwater recharge that would result in a net deficit in aquifer volume or

a lowering of the local groundwater table. Therefore, impacts to groundwater supplies and recharge would be less than significant.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

**Less than significant impact.** The project site is not located within a 100-year floodplain and is not subject to flood hazard. The project site is also approximately 70-miles northeast of the nearest tsunami inundation area near Benicia, CA (California Emergency Management Agency 2009). The nearest body of water is the American River, which is approximately 0.5-miles west, and Folsom Lake, which is approximately 1-mile north of the project site. Based on the site's location away from the 100-year floodplain, distance from tsunami inundation area, and distance to Folsom Lake, the project site is not subject to release of pollutants due to inundation.

The City of Folsom is located approximately 95-miles from the Pacific Ocean, at elevations ranging from approximately 140- to 828-ft amsl. Because of this, there would be no possibility of inundation by tsunami. The City is located adjacent to Folsom Lake, a reservoir of the American River impounded by a main dam on the river channel and wing dikes. Areas of the City adjacent to the wing dikes could be adversely affected by a seiche as a result of an earthquake, either through sloshing within a full reservoir or by a massive landslide or earth movement into the lake. Although historic seismic activity has been minor, the potential for strong ground shaking is present and the possibility exists of a strong earthquake occurring when lake levels are high. This could create a large enough wave to overtop or breach the wing dikes although this is considered to be a remote possibility.

Mudslides and other forms of mass wasting occur on steep slopes in areas having susceptible soils or geology, typically as a result of an earthquake or high rainfall event. Slopes associated with the edges of the building pads are located on the project site; however, City grading standards, including requirements to evaluate slope stability and implement slope stabilizing measures as necessary, would prevent this potential effect. In summary, there would be no potentially significant effect from inundation by seiche, tsunami, or mudflow and no mitigation would be necessary.



**XI. LAND USE AND PLANNING**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

Land use in the project area is regulated by the City of Folsom through the various plans and ordinances adopted by the City. These include the City of Folsom General Plan and the City of Folsom Municipal Code, including the Zoning Code. The project site is designated in the General Plan as Professional Office (PO) which provides low-intensity business and professional offices that are compatible with higher-intensity residential uses.

The zoning designation of the site is in the Business and Professional (BP) District. According to the Folsom City Municipal Code, the BP zoning district generally permits office building and related uses such as banks, doctor’s offices, general business office, and general uses. The purpose of a BP zoning district is to provide an area for business and professional office and compatible related uses. This zoning district is intended to promote a harmonious development of business and professional office areas with adjacent commercial or residential development. A senior citizens residential complex is allowed in the BP zoning district with approval of a minor Conditional Use Permit.

Entitlement requests for this project include a Planned Development Permit (PD Permit) and a Conditional Use Permit (CUP). The purpose of the PD Permit is to allow for greater flexibility in the design of integrated developments than otherwise possible through strict application of land use regulations. With the PD Permit, the project’s site plan, elevations, and overall project design would be evaluated, and specific development standards would be defined. The Conditional Use Permit is required to allow development of a senior citizens residential complex within the BP zoning district.

**Evaluation of Land Use and Planning**

a) Physically divide an established community?

**Less than significant impact.** The proposed project would develop a vacant, undeveloped lot, surrounded by residential, commercial, and institutional land uses. The construction would not barricade or reduce access to East Natoma Street, Fargo Way, Cimmaron Circle, or Prison Road. The community would not be gated, and the main access driveway would be on East Natoma Street, across from Prison Road. Oak Parkway Trail surrounds the project site and would enter into the southwestern corner of the site boundary. Within the site boundary, the Oak Parkway Trail would be realigned and



connected to a concrete sidewalk proposed for the project site. The concrete sidewalk would extend around the southern parking area and connect to the existing Oak Parkway Trail section located south of the site boundary. The realignment would add a pedestrian connection to Oak Parkway Trail. Although the proposed project would realign the Oak Parkway Trail for a pedestrian connection, the existing trail surrounding the site would not be physically impacted. The proposed project would not divide an established community and therefore impacts would be less than significant.

- b) Cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

**No impact.** The proposed project is consistent with both the General Plan land use and zoning designations for the site, as affordable senior housing is identified as a permitted land use with a minor Conditional Use Permit. A CUP is a required approval for the implementation of the proposed project. The density of the proposed project would be 0.32 FAR which is consistent with the maximum 0.5 FAR densities permitted under the BP zoning district and PO land use designation. The proposed project would not conflict with any land use plan, policy, or regulation and, therefore, would have no impact.

**XII. MINERAL RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The Folsom area regional geologic structure is defined by the predominantly northwest to southeast trending belt of metamorphic rocks and the strike-slip faults that bound them. The structural trend influences the orientation of the feeder canyons into the main canyons of the North and South Forks of the American River. This trend is interrupted where the granodiorite plutons outcrop (north and west of Folsom Lake) and where the metamorphic rocks are blanketed by younger sedimentary layers (west of Folsom Dam) (Geotechnical Consultants, Inc. 2013). The four primary rock divisions found in the area are: ultramafic intrusive, metamorphic, granodiorite intrusive, and volcanic mud flows.

The presence of mineral resources within the City has led to a long history of gold extraction, primarily placer gold. No areas of the City are currently designated for mineral resource extraction. Based on a review of the *Mineral Land Classification of the Folsom 15' Quadrangle, Sacramento, El Dorado, Placer, and Amador Counties, California* (Department of Conservation 1984), no known mineral resources are mapped in the project area.

**Evaluation of Mineral Resources**

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

**No impact.** The proposed project is not located in a zone of known mineral or aggregate resources. No active mining operations are present on or near the site. Implementation of the project would not interfere with the extraction of any known mineral resources. Thus, no impacts would result, and no mitigation would be necessary for questions a) and b).

**XIII. NOISE**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the Folsom General Plan or noise ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generate excessive ground-borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public use airport or private airstrip, expose people residing or working in the project area to excessive noise.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A Noise and Vibration Assessment was prepared by HELIX on May 5, 2022, and is included as **Appendix H**. The components of the report are summarized below.

**Noise Metrics**

All noise-level and sound-level values presented herein are expressed in terms of decibels (dB), with A weighting, abbreviated “dBA,” to approximate the hearing sensitivity of humans. Time averaged noise levels of one hour are expressed by the symbol “ $L_{EQ}$ ” unless a different time period is specified. Maximum noise levels are expressed by the symbol “ $L_{MAX}$ .” Some of the data also may be presented as octave-band-filtered and/or A-octave band-filtered data, which are a series of sound spectra centered on each stated frequency, with half of the bandwidth above and half of the bandwidth below, the stated frequency. These data are typically used for machinery noise analysis and barrier-effectiveness calculations. The Community Noise Equivalent Level (CNEL) is a 24-hour average, where noise levels during the evening hours of 7:00 p.m. to 10:00 p.m. have an added 5 dBA weighting, and sound levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. have an added 10 dBA weighting. This is similar to the Day Night sound level ( $L_{DN}$ ), which is a 24-hour average with an added 10 dBA weighting on the same nighttime hours but no added weighting on the evening hours.

Because decibels are logarithmic units,  $S_{PL}$  cannot be added or subtracted through standard arithmetic. Under the decibel scale, a doubling of sound energy corresponds to a 3 dBA increase. In other words, when two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3 dBA higher than from one source under the same conditions. For example, if one automobile produces an  $S_{PL}$  of 70 dBA when it passes an observer, two cars passing simultaneously would not produce 140 dBA—rather, they would combine to produce 73 dBA. Under the decibel scale, three sources of equal loudness together produce a sound level 5 dBA louder than one source.

Under controlled conditions in an acoustical laboratory, the trained, healthy human ear is able to discern 1 dBA changes in sound levels, when exposed to steady, single-frequency ("pure-tone") signals in the mid-frequency (1,000 Hertz [Hz]–8,000 Hz) range. In typical noisy environments, changes in noise of 1 to 2 dBA are generally not perceptible. It is widely accepted, however, that people begin to detect sound level increases of 3 dB in typical noisy environments. Further, a 5 dBA increase is generally perceived as a distinctly noticeable increase, and a 10 dBA increase is generally perceived as a doubling of loudness.

### **Vibration Metrics**

Groundborne vibration consists of rapidly fluctuating motions or waves transmitted through the ground with an average motion of zero. Sources of groundborne vibrations include natural phenomena and anthropogenic causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous (e.g., factory machinery) or transient (e.g., explosions). Peak particle velocity (PPV) is commonly used to quantify vibration amplitude. The PPV, with units of inches per second (in/sec), is defined as the maximum instantaneous positive or negative peak of the vibration wave. Decibels are also used to compress the range of numbers required to describe vibration. Vibration velocity level (LV) with units of VdB are commonly used in evaluating human reactions to vibrations.

### **Environmental Setting**

#### **Existing Noise Environment**

The project site is currently vacant and undeveloped. Surrounding land uses include Folsom State Prison to the north; single-family residences to the northeast; Pacific Gas & Electric (PG&E) powerlines and a bicycle trail to the south; single- and multi-family residences to the south; and office space and the City of Folsom Police Department to the west. Noise sources in the project vicinity are dominated by traffic noise from East Natoma Street. Additional noise sources in the area include typical suburban residential noise (e.g., landscape maintenance equipment; building heating, ventilation, and air conditioning (HVAC) systems; dogs) and occasional noise from operation of the Folsom State prison, approximately 2,500-ft (0.5-mile) to the north.

#### **Noise Sensitive Land Uses**

Noise-sensitive land uses (NSLUs) are land uses that may be subject to stress and/or interference from excessive noise, including residences, hospitals, schools, hotels, resorts, libraries, sensitive wildlife habitat, or similar facilities where quiet is an important attribute of the environment. Noise receptors (receivers) are individual locations that may be affected by noise. The closest existing NSLUs to the project site are five single-family residences adjacent to the project's northeast property line. Additional single-family and multi-family residence are located approximately 120-ft south of the project site. The closest school to the project site is the Saint John's Notre Dame School approximately 320-ft to the southeast. The closest hospital to the project site is the Vibra Hospital of Sacramento, approximately 350-ft to the south.

#### **Noise Survey**

A site visit/noise survey was conducted on March 29, 2022, which included two short-term (10 minute) ambient noise measurements. Measurement M1 was conducted on the northeast side of

the project site approximately 150-ft from the residences along Cimmaron Drive and approximately 300-ft from East Natoma Street. Measurement M2 was conducted the northwest side of the project site approximately 40-ft from East Natoma Street and approximately 300-ft northeast of the Folsom Prison Road intersection. Traffic counts were conducted during measurement M2. The noise measurement survey notes are included as Attachment A to this report. The noise measurement locations are shown on Figure 2 in Appendix H. The measured noise levels are shown on Table 18.

**Table 18. Noise Measurement Results**

<b>M1</b>	
Date	March 29, 2022
Time	1:57 p.m. – 2:07 p.m.
Location	Northeast side of the project site, approximately 150 feet from residences on Cimmaron Drive
Noise Level	56.7 dBA $L_{eq}$
Notes	Noise primarily from vehicular traffic on East Natoma Street and residential landscape maintenance equipment.
<b>M2</b>	
Date	March 29, 2022
Time	2:10 p.m. – 2:20 p.m.
Location	Northwest side of the project site, approximate 40 feet from East Natoma Street.
Noise Level	65.5 dBA $L_{eq}$
Notes	Noise primarily from traffic on East Natoma Street. Traffic count: 170 cars, 1 medium truck.

## Regulatory Framework

### City of Folsom General Plan Noise Element

The Safety and Noise Element of the City of Folsom General Plan regulates noise emissions from public roadway traffic on new development of residential or other noise sensitive land uses. Policy SN 6.1.2 and Table SN-1 from the General Plan provide noise compatibility standards for land uses. For multi-family housing, noise due to traffic on public roadways, railroad line operations, and aircraft shall be reduced to or below 65 CNEL for outdoor activity areas and reduced to or below 45 CNEL for interior use areas. For other land uses that may be affected by project-generated traffic noise, the exterior noise compatibility limit is: 60 CNEL for single-family residential uses and 70 CNEL for commercial uses (City 2021b).

Policy SN 6.1.8 requires construction projects and new development anticipated to generate a significant amount of vibration to ensure acceptable interior vibration levels at nearby vibration-sensitive uses based on Federal Transit Administration criteria. Table SN-3 from the General Plan provides vibration impact criteria. For construction with infrequent vibration events (defined as fewer than 30 vibration events of the same source per day), impacts would be significant if nearby residences are subject to ground borne vibrations in excess of 80 VdB (City 2021b).

## City of Folsom Municipal Code

For stationary noise sources, the City has adopted a Noise Ordinance as Section 8.42 of the City Municipal Code (City 1993). The Noise Ordinance establishes hourly noise level performance standards that are most commonly quantified in terms of the one-hour average noise level ( $L_{EQ}$ ). Using the limits specified in Section 8.42.040 of the Noise Ordinance, noise levels generated on the project site (other than noise from HVAC systems) for 30 or more minutes in any hour would be significant if they exceed 50 dBA  $L_{EQ}$  from 7:00 a.m. to 10:00 p.m. and 45 dBA  $L_{EQ}$  from 10:00 p.m. to 7:00 a.m., measured at off-site residential property boundaries. Section 8.42.060 exempts construction noise from these standards provided that construction does not occur before 7:00 a.m. or after 6:00 p.m. on weekdays, or before 8:00 a.m. or after 5:00 p.m. on Saturday or Sunday. Noise from the project's HVAC would be significant if exterior noise levels exceed 50 dBA, per Section 8.42.070 of the City Municipal Code measured at off-site residential property boundaries.

## Methodology and Assumptions

### Noise Modeling Software

Project construction noise was analyzed using the U.S. Department of Transportation (USDOT) Roadway Construction Noise Model ([RCNM]; USDOT 2008), which utilizes estimates of sound levels from standard construction equipment.

Modeling of the exterior noise environment for this report was accomplished using the Computer Aided Noise Abatement (CadnaA) model version 2021. Traffic noise was evaluated within CadnaA using the U.S. Department of Transportation Federal Highway Administration (FHWA) Traffic Noise Model (TNM) version 2.5 (USDOT 2004). The noise models used in this analysis were developed from the site plan provided by the project architect. Input variables included building mechanical equipment reference noise levels, road alignment, lane configuration, projected traffic volumes, estimated truck composition percentages, and vehicle speeds

### Off-Site Traffic Noise

The one-hour  $L_{EQ}$  traffic noise level is calculated utilizing peak-hour traffic. The model-calculated one-hour  $L_{EQ}$  noise output is the equivalent to the CNEL (Caltrans 2009). The off-site traffic noise modeling includes does not account buildings, structures or terrain. The project Transportation Impact Study (TIS) included an intersection analysis with data for calculation of peak hour traffic volumes on streets in the project vicinity (T. Kear 2022). Existing traffic for East Natoma Street was estimated from intersection turning counts included in the TIS. The PM peak hour traffic volumes used in the analysis is shown in **Table 19**. The noise modeling input and output are included in **Appendix H**. Traffic was assumed to be comprised of a typical mix of vehicles for suburban streets in California: 96 percent cars and light trucks; 3 percent medium trucks and buses; and 1 percent heavy trucks.

**Table 19. PM Peak Hour Traffic Volumes**

Roadway Segment	Existing (2022)	Existing (2022) + Project
East Natoma Street – Fargo Street to Folsom Prison Road	1,060	1,089
East Natoma Street – Folsom Prison Road to Cimmaron Circle	943	969

Source: T. Kear 2022



### Heating, Ventilation, and Air Conditioning

The project would use one residential-sized HVAC units for each apartment, with the air conditioning condenser located on the rooftop of the building. The condensers would be located behind a parapet wall of equal or greater height to the HVAC unit, which would provide substantial noise attenuation. Specific details on planned HVAC units were not available at the time of this analysis. A typical system for apartments in multi-story buildings would be a Carrier model 38BRC-024-34 2-ton split system for, which has a sound rating of 76 dBA  $S_{WL}$  (Carrier 2005). The manufacturer's noise data for the HVAC units is provided below in Table 20.

**Table 20. HVAC Condenser Noise Data (SWL dBA)**

	<b>125 Hz</b>	<b>250 Hz</b>	<b>500 Hz</b>	<b>1 kHz</b>	<b>2 kHz</b>	<b>4 kHz</b>	<b>8 kHz</b>	<b>Overall Noise Level</b>
	55.5	62.5	68.0	70.0	67.0	61.5	58.5	76.0

Source: Carrier 2005

$S_{WL}$  = sound power level; Hz = Hertz; kHz = kilohertz

### Standards of Significance

Based on Appendix G of the CEQA Guidelines, implementation of the project would result in a significant adverse impact if it would:

1. Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the City of Folsom General Plan or noise ordinance;
2. Generate excessive ground-borne vibration or ground borne noise levels; or
3. For a project located within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public use airport or private airstrip, expose people residing or working in the project area to excessive noise.

Per the City General Plan, impacts related to the generation of noise on the project site would be significant if noise levels generated by the project site HVAC systems would be significant if it would exceed 50 dBA  $L_{EQ}$  residential property boundaries. For traffic-related noise, impacts would be considered significant if the project would cause ambient noise levels at nearby NSLUs to exceed the noise compatibility limits defined in the City General Plan or would increase noise levels by 1.5 CNEL or more in areas with exiting ambient noise levels exceeding the noise compatibility limits.

In accordance with the City Municipal Code, any noise from project construction activity would be considered significant for construction occurring before 7:00 a.m. or after 6:00 p.m. on weekdays, or before 8:00 a.m. or after 5:00 p.m. on Saturday or Sunday.

In accordance with the City General Plan, excessive ground-borne vibration would occur if construction-related ground-borne vibration exceeds 80 VdB at nearby residential properties.

## Evaluation of Noise

- a) *Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the Folsom General Plan or noise ordinance?*

**Less than significant with mitigation.**

### Construction Noise

The nearest NSLUs to the project site area are single-family residences approximately adjacent to the project's northeast property line. Heavy earthmoving equipment would have the potential to be as close as 15-ft from the residential property line, including rubber-tired dozers and graders. Over the course of one hour, it is anticipated that the average distance of heavy earthmoving equipment from residential property lines would be approximately 50-ft. Modeling shows that the combined one-hour noise from a dozer and grader would result in 82.7 dBA  $L_{EQ}$  at the closest residential property. Because construction equipment would be mobile as it moves across the project site, the noise level experienced by the neighboring uses would vary throughout the day. The modeling output for the anticipated construction equipment is included in Attachment B, within **Appendix H**.

According to the City Code Section 8.42.060, noise sources associated with construction of the project which are conducted between the hours of 7:00 a.m. and 6:00 p.m., on Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday, are exempt from the City noise standard (City 1993). Nighttime construction noise is not anticipated for the project. However, nighttime construction is not exempt from the City Noise Ordinance and would exceed the nighttime standard of 45 dBA if it were to occur, resulting in a potentially significant noise impact. Mitigation measure NOI-01 would prohibit construction activities outside the above daytime hours.

### Operation Noise

#### *Off-Site Traffic Noise*

As described above, modeling of the exterior noise environment for this report was accomplished using CadnaA and the TNM. According to the TIS, the project is expected to generate approximately 504 daily trips and 41 trips during the PM peak hour (T. Kear 2022). Future traffic noise levels presented in this analysis are based on traffic volumes (as described above) for the existing (2022) and existing plus project scenarios. The modeling does not account for intervening terrain or structures (e.g., sound walls, buildings).

The calculated off-site traffic noise levels are shown in Table 21, *Off-Site Traffic Noise Levels*. In typical outdoor environments, a 3 dBA increase in ambient noise level is considered just perceptible and a 5 dBA increase is considered distinctly perceptible. In areas where existing or future ambient noise exceeds the land use compatibility standards, an individual project's contribution to increases in ambient noise level could be considered significant if it exceeds 1.5 dBA. Because areas along the analyzed road segments already exceed the residential land use noise compatibility standard listed in the City General Plan (60 CNEL for low density residential; 65 CNEL for multi-family residential), this analysis uses a threshold of a 1.5 CNEL increase to determine significance of the impact.

As shown in **Table 21**, the maximum change in CNEL as a result of project-generated traffic would be 0.1 CNEL, a change in ambient noise level that is lower than the threshold and is not discernable.

Therefore, impacts related to the project generating a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of General Plan standards from project-generated traffic would be less than significant.

**Table 21. Off-Site Traffic Noise Levels**

Roadway Segment	Existing 2021 (CNEL)	Existing + Project (CNEL)	Change in CNEL
East Natoma Street – Fargo Street to Folsom Prison Road (Commercial)	63.4	63.5	0.1
East Natoma Street – Folsom Prison Road to Cimmaron Circle (Residential)	67.5	67.6	0.1

Source: TNM version 2.5

#### *Heating, Ventilation, and Air Conditioning Noise*

The primary potential noise sources on the project site would be roof-top mounted HVAC systems, as described in the Methodology and Assumptions section, above. HVAC systems were analyzed using the CadnaA software, assuming 140 condenser units (one per apartment plus additional for common areas) as shown on the project roof plan. Modeling assumed one hour of continuous operation of all equipment. Modeled noise levels were analyzed at receivers placed at the property line of nearby NSLUs (see Figure 2 for NSLU areas) at a height of 5-ft above the ground. The modeled 1-hour ( $L_{EQ}$ ) noise level at the adjacent property lines is compared with the City standard in Table 22, *Operational HVAC Noise*. As shown in Table 22, noise from the project's HVAC systems would not exceed the City's noise ordinance standard of 50 dBA  $L_{EQ}$ , and impacts from project HVAC noise would be less than significant.

**Table 22. Operational HVAC Noise**

Receptor	Description	Modeled Noise (dBA $L_{EQ}$ )	HVAC Standard (dBA $L_{EQ}$ )	Exceed Standards?
R1	Single-family residence	28.5	50	No
R2	Single-family residence	29.7	50	No
R3	Single-family residence	29.7	50	No
R4	Single-family residence	28.6	50	No
R5	Single-family residence	26.2	50	No
R6	Multi-family residence	28.8	50	No
R7	Single-family residence	28.6	50	No
S1	School	20.3	50	No
H1	Hospital	24.5	50	No

Source: CadnaA; City Noise Ordinance Sections 8.42.050

#### *Off-site Traffic Noise*

Modeling of the exterior noise environment on the project site was accomplished using the CadnaA model and the road segment traffic volumes, as described above.

### Exterior Noise

As discussed above, the City General Plan Safety and Noise Element has established an exterior noise standard of 65 CNEL for multi-family residential outdoor activity areas, defined as “[...] the patios or common areas where people generally congregate for multifamily development” (City 2021b). The patio/outdoor kitchen/bocce ball and seating areas on the west side of the project building would be the outdoor activity areas for the project. The modeling shows ground level noise for the outdoor common areas would range from approximately 55.5 CNEL to 58.6 CNEL. This noise level would not exceed the City exterior noise standard of 65 CNEL and the impact would be less than significant.

### Interior Noise

Standard building design and construction using current building codes provides approximately 20 dBA of exterior to interior noise reduction with the windows and doors closed. The noise at the exterior facades for the project end units facing East Natoma Street was modeled for apartments on the first through third floors, and is shown in Table 23.

**Table 23. Building Exterior Noise Levels**

Floor	North Arm (CNEL)	West Arm (CNEL)
First	66.3	62.7
Second	66.0	62.5
Third	65.7	62.0

Source: CadnaA version 2021

Buildings with exterior noise levels exceeding 65 dBA could result in interior noise levels in excess of the City General Plan Safety and Noise Element standard of 45 CNEL. Noise levels for the end unit apartments on the project building north arm would exceed 65 CNEL. Therefore, interior noise levels were calculated based on the architectural plans for the project. The calculation sheets are included in Attachment B. The calculations show, with construction meeting minimum code requirements, interior noise levels would not exceed the City standard of 45 CNEL, and the impact would be less than significant.

### Impact Conclusion

If project construction activities were to occur outside the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday, construction noise generated by the project would not be exempt for the City’s noise ordinance nighttime exterior standard of 45 dBA, and the impact would be potentially significant. Implementation of Mitigation Measure NOI-01 would restrict construction hours.

The addition of permanent project-generated traffic vicinity on roadways would not result in a discernable increase in ambient noise levels. The project would not expose future project residents to noise levels that exceed compatibility guidelines in the General Plan.

Long-term operation of project would not result in noise levels from on-site sources, including HVAC systems, exceeding the City noise ordinance standards, measured at the property line of the closest NSLUs to the project site.

Therefore, with implementation of Mitigation Measure NOI-01, the project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the Folsom General Plan or noise ordinance and the impact would be less than significant.

#### **Mitigation Measure NOI-01: Construction Hours/Scheduling**

- The City shall specify on all grading, and construction permits that construction activities for all phases of construction, including servicing of construction equipment shall only be permitted during the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between 8:00 a.m. to 5:00 p.m. on Saturdays. Construction shall be prohibited on Sundays and on all holidays. Delivery of materials or equipment to the site and truck traffic coming to and from the site shall be restricted to the same construction hours specified above.

b) *Generation of excessive ground-borne vibration or ground borne noise levels?*

**Less than significant with mitigation.**

An on-site source of vibration during project construction would be a vibratory roller. A vibratory roller would primarily be used to achieve soil compaction as part of the foundation and paving construction, and for aggregate and asphalt compaction as part of project driveway and parking lot construction). Vibratory rollers could be used within approximately 65-ft of the single-family residences to the northwest. A large vibratory roller creates approximately 0.21 in/sec PPV at a distance of 25-ft, or 94 VdB (Caltrans 2020). At a distance of 65-ft, a vibratory roller would create a PPV of 0.073 in/sec, or 85 VdB.<sup>1</sup> This would exceed the City General Plan residential standard of 80 VdB, and the impact would be potentially significant. Once operational, the project would not be a source of groundborne vibrations. A large vibratory roller would result in approximately 80 VdB or greater at distances less than 120-ft. Mitigation measure NOI-02 would require the contractor demonstrate that the rollers to be used on the project site would produce less than 80 VdB at nearby occupied residences, or use vibratory rollers in static mode only (no vibrations) when operated within 120-ft of occupied residences. Therefore, with implementation of Mitigation Measure NOI-02, the project would not generate excessive ground-borne vibration levels and the impact would be less than significant.

#### **Mitigation Measure NOI-02: Vibratory Roller**

- The applicant or designated contractor shall provide evidence to the City (via testing data or calculations from a qualified expert), demonstrating that vibratory rollers to be used on the project site would produce less than 80 VdB at nearby occupied residences, or all vibratory rollers shall be used in static mode only (no vibrations) when operating within 120-ft of an occupied residence. The City shall specify vibratory roller model, size, or operating mode restrictions on all demolition, grading, and construction permits.

<sup>1</sup> Equipment PPV = Reference PPV \* (25/D)<sup>n</sup>(in/sec), where Reference PPV is PPV at 25 feet, D is distance from equipment to the receptor in feet, and n= 1.1 (the value related to the attenuation rate through the ground); formula from Caltrans 2020. VdB = 20 \* Log(PPV/4/10<sup>-6</sup>).

- c) *For a project located within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public use airport or private airstrip, expose people residing or working in the project area to excessive noise.*

The closest airports to the project site are the Cameron Park Airport, approximately 9-miles to the east, and Mather Airport, approximately 10.7-miles to the southwest. The project site is not located within the influence area or noise contours for the Cameron Park Airport (El Dorado County 2012). The project site is located within the influence area and is identified as a review area in the Mather Airport Land Use Compatibility Plan (ALUCP). The project site is beneath the approach paths for runways 22 Left and 22 Right, however, the project site is not with the 60 dBA noise contour for the airport (Sacramento County Association of Governments 2020). Therefore, although the project site is subject to overflight by aircraft approaching and departing Mather Airport, residents of the proposed project or people working in the project area would not be exposed to excessive levels of noise due to aircraft or airport operations, and the impact would be less than significant.



**XIV. POPULATION AND HOUSING**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

Folsom’s estimated population in 2019 was 81,328 people (U.S. Census Bureau 2019). The population is projected to increase to 97,485 by 2035 (City of Folsom 2018a). The proposed project would construct 136 affordable one- and two-bedroom senior apartment units within an estimated 109,608-sf building.

**Evaluation of Population and Housing**

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

**Less than significant impact.** Implementation of the proposed project would result in the construction of 136 affordable one- and two-bedroom units for seniors aged 60 and older. Existing backbone infrastructure and roads in the area would not need to be expanded or extended as a result of the project. A signal would need to be added to the existing stoplight at the intersection of East Natoma Street and Prison Road for the proposed main access driveway.

The proposed project would accommodate the demand for housing and would not induce substantial growth in the City of Folsom. Although it is anticipated that the majority of individuals relocating to the apartment community would be from the area, it is possible that the apartment units could draw in between 136 to 358 new residents (assuming 2.63 people per unit, based on projected household size in 2035 [City of Folsom 2018a]). The projected household size is for single family homes, which is larger than the predicted unit size of a senior housing complex proposed for the project. The project would be restricted to residents 60 years and older and units would be one- or two- bedroom. The population generated by the project is within the projected increase in population from planned growth as projected in the City’s Housing Element. Therefore, impacts from project implementation would be less than significant, and no mitigation would be required.

- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

**No Impact.** The project site is currently vacant. Therefore, there would be no impact on displacement of existing people or housing.

**XV. PUBLIC SERVICES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

The proposed project is in an area currently served by urban levels of all utilities and services. Public services provided by the City of Folsom in the project area include fire, police, school, library, and park services. The site is served by all public utilities including domestic water, wastewater treatment, and storm water utilities.

The City of Folsom Fire Department provides fire protection services. There are five fire stations providing fire/rescue and emergency medical services within the City of Folsom. Station 38 is nearest to the project site and is located at 1300 Blue Ravine Road, approximately 2.5-miles southeast of the project site. The Fire Department responds to over 6,000 requests for service annually with an average of 16.4 per day (City of Folsom 2018b). The City of Folsom Police Department is located at 46 Natoma Street, approximately 1-mile southwest of the project site.

The project site is located within the Folsom Cordova Unified School District and is within the attendance area for St. John's Notre Dame School, Blanche Sprentz Elementary School, Folsom Middle School, and Folsom Lake High School. There are several parks near the project site, including the Folsom City Lions Park, Granite Mini Park, Castle Park, Elvie Perazzo Briggs Park, and Econome Family Park.

The Sacramento Municipal Utilities District (SMUD) would supply electricity to the project site. Pacific Gas & Electric (PG&E) provides natural gas to the area and would provide natural gas to the project site. The City of Folsom has a program of maintaining and upgrading existing utility and public services within the City. Similarly, all private utilities maintain and upgrade their systems as necessary for public convenience and necessity, and as technology changes.

## Evaluation of Public Services

### a) Fire protection?

**Less than significant impact.** On-site water for fire services would be privately owned and managed but would connect to the City of Folsom's water supply in Zone 3 Cimmaron Pressure Zone. The project would include fire hydrants, exterior Fire Department Connection assemblies, and fire riser rooms. Emergency vehicle access would be maintained on the site to meet the Fire Department standards for fire truck maneuvering, location of fire truck to *fight a fire*, rescue access to the units, and fire hose access to all sides of the building. The fire lane would be 27-ft minimum, with an inner turning radius of 25-ft and an outer turning radius of 50-ft. All curbs adjacent to the fire lane would be painted red for emergency fire services. The proposed project would not significantly increase fire service demands or render the current service level to be inadequate, and impacts would be less than significant.

### b) Police Protection?

**Less than significant impact.** The project site is within an urbanized area of Folsom and would increase the residential population requiring police protection services. The project would be required to pay the City's Capital Improvement New Construction Fee (Folsom Municipal Code Chapter 3, Title 3.80) to fund police services and facilities. The project includes features that reduce opportunities for crime such as adequate lighting on East Natoma Street, the proposed building, and parking areas (refer to 8.0 I. Aesthetics for more detail on lighting). Additionally, there would be on-site management services, visibility of common areas from adjacent units, and no dead-end low-visibility areas. Potential impacts from implementation of the proposed project would therefore be less than significant.

### c) Schools?

**Less than significant impact.** The proposed project is age-restricted to residents aged 60 years and older and would not generate students in grades K-12 or create demand for school facilities. Pursuant to Government Section 65995.1, the project would be required to pay development impact fees to the Folsom Cordova Unified School District. No new school facilities would be necessary to serve the proposed project. Potential impacts from implementation of the proposed project would be less than significant.

### d) Parks?

**Less than significant impact.** The 136-unit project would accommodate residents who would create additional demand for park and recreation facilities. The nearest park is Folsom City Lions Park, 403 Stafford Street, approximately 0.5-miles from the project site. Since the park is not adjacent to the *proposed apartment community*, a substantial increase in usage of the park is not anticipated. The proposed project would include on-site indoor and outdoor recreational amenities to serve residents that would *reduce the need for park demand*. The project would be required to pay park fees to mitigate the project's impact on existing park facilities and fund new park and recreation facilities. The potential impacts from the proposed project would be less than significant.

### e) Other Facilities?

**Less than significant impact.** The project site is within the urban area of Folsom served by adequate police, fire, and emergency services. The senior housing apartment complex would include on-site

recreational amenities to serve residents. Construction and operation of the proposed project would not require the construction or expansion of parks and other public facilities or result in the degradation of those facilities. Potential impacts would be less than significant, and mitigation would not be necessary.

**XVI. RECREATION**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

The Folsom Parks and Recreation Department provides and maintains a full range of recreational activities and park facilities for the community. There are several recreational amenities and parks near the project site, including the Johnny Cash Recreational Trail and Oak Parkway Trail, Folsom City Lion’s Park, Granite Mini Park, Castle Park, Elvie Perazzo Briggs Park, and Econome Family Park.

**Evaluation of Recreation**

- a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**Less than significant impact.** Some additional use of community parks and trails is anticipated, however, on-site recreational facilities at the apartment complex would reduce park and trail demand. Implementation of the proposed project would enhance existing and planned recreation facilities in the project area. The project would be required to pay park fees to mitigate the project’s impact on existing park facilities and fund new park and recreation facilities. Potential impacts to existing parks would be less than significant.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**Less than significant impact.** The proposed project would result in a 2,500-sf community center on the ground floor of the proposed building. Additional amenities on the project site would include outdoor seating and dining areas, perimeter walkways, a bocce ball court, bike racks, picnic tables with umbrellas, outdoor barbeques/ kitchens, and 6-ft benches. On-site facilities and existing neighborhood parks are anticipated to adequately serve the recreation demands of project residents. The amenities associated with the proposed project are analyzed in this IS/MND. Potential impacts on recreational facilities would be less than significant.



**XVII. TRANSPORTATION**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion below is based on a Transportation Impact Study (TIS) prepared by T. Kear Transportation Planning & Management, Inc. (T. Kear 2022). The report is included in **Appendix I**.

**Environmental Setting**

**Study Scenarios**

Four scenarios were identified for inclusion in this TIS through consultation with City staff. These study scenarios were used to evaluate Project impacts relevant to General Plan Policy M4.1.3 relative to level of service. This study determines the weekday AM peak-hour, PM peak-hour, and Sunday peak-hour level-of-service at study intersections under the following scenarios:

- Existing 2022 without Project condition
- Existing 2022 with Project condition

Analysis of the existing condition reflects the traffic volumes and roadway geometry at the time the study began. This scenario quantifies performance measures for the existing condition and serves as a known reference point for those familiar with the study area. These scenarios, with and without the Project, identify Project related impacts anticipated to occur if the Project opened in 2020.

**Roadway System**

Brief descriptions of the key roadways serving the project site are provided below:

- **Natoma St/East Natoma St** is a two-lane minor arterial connecting from Folsom Blvd, past Folsom City Hall, and connecting through Green Valley Rd and onto Empire Ranch Rd. From Folsom Blvd to Fargo Way, just east of City Hall, there are sidewalks, curb, and gutter with striped class 2 bike lanes. From Fargo Way to the east, fronting the Project site and Folsom State Prison, there are dirt shoulders without sidewalks until Folsom Crossing Rd, where East Natoma

Street becomes a four-lane arterial with sidewalk, curb, gutter, and striped class 2 bike lanes to Empire Ranch Rd. At Coloma Street, near City Hall, Natoma St carries about 11,000 vehicles per day. A volume which drops to about 10,000 vehicles per day near the Project Site.

- **Prison Rd** is a two-lane north-south access road from East Natoma St to Folsom State Prison. It has unpaved shoulders without bike lanes or sidewalks. Prison Road is signed to prohibit stopping or turning within the prison's property.

### Study Intersections

The traffic impact study analyzed the following three study intersections:

- 1) East Natoma St/ Prison Road: Signal
- 2) East Natoma Street/ Eastern Project Driveway: Side-Street-Stop-Control (SSSC)

### Level of Service Methodology

Level of service (LOS) is a qualitative indication of the level of delay and congestion experienced by motorists using an intersection. LOS are designated by the letters A through F, with A being the best conditions and F being the worst (high delay and congestion). Calculation methodologies, measures of performance, and thresholds for each letter grade differ for road segments, signalized intersections, and unsignalized intersections.

Based on guidance from City staff, the following procedures described below for intersection traffic operations analysis were utilized for this TIS.

#### *Intersection Traffic Operations Analysis*

#### Signalized Intersections

The methodology from the Highway Capacity Manual (HCM) 6<sup>th</sup> Edition<sup>2</sup>, are used to analyze signalized intersections. LOS can be characterized for the entire intersection, each approach, or by lane group. Control delay alone (the weighted average delay for all vehicles entering the intersection) is used to characterize LOS for the entire intersection or an approach. Control delay and volume to capacity ratio are used to characterize level-of-service for lane groups. The average delay criteria used to determine the LOS at signalized intersections is presented in **Table 24**. The HCM 2010 methodology is used as the primary method. HCM 2000 methods are only utilized where the signal phasing is incompatible with HCM 2010 methods.

**Table 24. Level-of-Service Criteria for Signalized Intersections**

Level -of- Service	Description	Average Delay <sup>1</sup> (Sec. /Vehicle.)
A	Very Low Delay: This level-of-service occurs when progression is extremely favorable, and most vehicles arrive during a green phase. Most vehicles do not stop at all.	≤ 10.0

<sup>2</sup> Transportation Research Board (2016) Highway Capacity Manual, Washington, D.C.

B	Minimal Delays: This level-of-service generally occurs with good progression, short cycle lengths, or both. More vehicles stop than at LOS A, causing higher levels of average delay.	10.1-20.0
C	Acceptable Delay: Delay increases due to only fair progression, longer cycle lengths, or both. Individual cycle failures ( <i>to service all waiting vehicles</i> ) may begin to appear at this level of service. The number of vehicles stopping is significant, though many still pass through the intersection without stopping.	20.1-35.0
D	Approaching Unstable/Tolerable Delays: The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high v/c ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.	35.1-55.0
E	Unstable Operation/Significant Delays: This is considered by many agencies the upper limit of acceptable delays. These high delay values generally indicate poor progression, long cycle lengths, and high v/c ratios. Individual cycle failures are frequent occurrences.	55.1-80.0
F	Excessive Delays: This level, considered to be unacceptable to most drivers, often occurs with oversaturation (i.e., when arrival flow rates exceed the capacity of the intersection). It may also occur at high v/c ratios below 1.00 with many individual cycle failures. Poor progression and long cycle lengths may also contribute to such delay levels.	> 80.0 or v/c >1.0

**Note 1:** Weighted average of delay on all approaches. This is the measure used by the Highway Capacity Manual to determine level-of-service. Any movement with a volume-to-capacity ratio (v/c) greater than 1.0 is considered to be level-of-service F.

**Source:** Transportation Research Board (2016) Highway Capacity Manual 6<sup>th</sup> Edition, Washington D.C.

### Unsignalized Intersections

The methodology from HCM 6<sup>th</sup> Edition is used for the analysis of unsignalized intersections. At an unsignalized intersection, most of the main street traffic is un-delayed and, by definition, have acceptable conditions. The main street left-turn movements and the minor street movements are all susceptible to delay of varying degrees. Generally, the higher the main street traffic volumes, the higher the delay for the minor movements. Separate methods are utilized for Two-Way Stop-Controlled (TWSC) intersections and All-Way Stop-Controlled (AWSC) intersections.

- **TWSC:** The methodology for analysis of two-way stop-controlled intersections calculates an average total delay per vehicle for each minor street movement and for the major street left-turn movements, based on the availability of adequate gaps in the main street through traffic. A LOS designation is assigned to individual movements or combinations of movements (in the case of shared lanes) based upon delay, it is not defined for the intersection as a whole. Unsignalized intersection LOS is for each movement (or group of movements) based upon the respective average delay per vehicle presents the average delay criteria used to determine the LOS at TWSC and AWSC intersections.
- **AWSC:** At all-way stop-controlled intersections, the LOS is determined by the weighted average delay for all vehicles entering the intersection. The methodologies for these types of intersections calculate a single weighted average delay and LOS for the intersection as a whole. The average delay criteria used to determine the LOS at all-way stop intersections is the same as

that presented in **Table 25**. LOS for specific movements can also be determined based on the TWSC methodology.

It is not unusual for some of the minor street movements at unsignalized intersections to have LOS D, E, or F conditions while the major street movements have LOS A, B, or C conditions. In such a case, the minor street traffic experiences delays that can be substantial for individual minor street vehicles, but the majority of vehicles using the intersection have very little delay. Usually in such cases, the minor street traffic volumes are relatively low. If the minor street volume is large enough, improvements to reduce the minor street delay may be justified, such as channelization, widening, or signalization.

**Table 25. Level-of-Service Criteria for Unsignalized Intersections**

Level of Service (LOS)	Description	TWSC <sup>1</sup>	AWSC <sup>2</sup>
		Average Delay by Movement (seconds / vehicle)	Intersection Wide Average Delay (seconds / vehicle)
A	Little or no delay	< 10	< 10
B	Short traffic delay	> 10 and < 15	> 10 and < 15
C	Average traffic delays	> 15 and < 25	> 15 and < 25
D	Long traffic delays	> 25 and < 35	> 25 and < 35
E	Very long traffic delays	> 35 and < 50	> 35 and < 50
F	Extreme delays potentially affecting other traffic movements in the intersection	> 50 (or, v/c >1.0)	> 50

**Note 1:** Two-Way Stop-Control (TWSC) level-of-service is calculated separately for each minor street movement (or shared movement) as well as major street left turns using these criteria. Any movement with a volume to capacity ratio (v/c) greater than 1.0 is considered to be level-of-service F.

**Note 2:** All-Way Stop-Control (AWSC) assessment of level-of-service at the approach and intersection levels is based solely on control delay.

**Source:** Transportation Research Board (2016) Highway Capacity Manual 6<sup>th</sup> Edition, Washington D.C.

## General Plan Thresholds

### Level of Service

Consistency with General Plan LOS policies for the proposed project were determined based on the methods described above and identified as either "conforming" or "non-conforming". General Plan Policy M 4.1.3 addresses LOS:

*Strive to achieve at least traffic Level of Service "D" (or better) for local streets and roadways throughout the city. In designing transportation improvements, the City will prioritize use of smart technologies and innovative solutions that maximize efficiencies and safety while minimizing the physical footprint. During the course of Plan buildout, it may occur that temporally higher LOS result where roadway improvements have not been adequately phased as development proceeds. However, this situation will be minimized based on annual traffic studies and monitoring programs. City Staff will report to the City Council at regular intervals via the Capital Improvement Program process for the Council to prioritize projects integral to achieving LOS D or better.*

The General Plan EIR includes a criterion addressing potential impacts at locations that operate at LOS E or F under no-project conditions. Under this standard, a non-conforming situation would occur if the proposed project would:

*Increase the average delay by five seconds or more at an intersection that currently operates (or is projected to operate) at an unacceptable LOS under "no-project" conditions.*

For the purposes of this analysis, LOS is considered potentially non-conforming if implementation of the project would result in any of the following:

- Cause an intersection in Folsom that currently operates (or is projected to operate) at LOS D or better to degrade to LOS E or worse.
- Increase the average delay by five seconds or more at an intersection in Folsom that currently operates (or is projected to operate) at an unacceptable LOS E or F.

#### *Bicycle/Pedestrian/Transit Facilities*

An impact is considered significant if implementation of the project would:

- Inhibit the use of bicycle, pedestrian, or transit facilities.
- Eliminate existing bicycle, pedestrian, or transit facilities.
- Prevent the implementation of planned bicycle, pedestrian, or transit facilities.

#### **Vehicle Miles Traveled Standards of Significance**

Under State Law (SB 743), on July 1, 2020, vehicle miles traveled (VMT) will become the only metric for evaluating significant transportation impacts in environmental impact analyses required under the California Environmental Quality Act (CEQA). Without specific General Plan guidance for VMT thresholds, this analysis uses a qualitative screening against The Governors' Office of Planning and Research (OPR) guidance of a 15 percent per capita VMT reduction and utilizes OPR's suggested exemption for affordable housing projects.

Folsom General Plan policy NCR 3.1.3 addresses VMT, as stated below:

Policy NCR 3.1.3 "Encourage efforts to reduce the amount of VMT. These efforts could include encouraging mixed-use development promoting a jobs/housing balance, and encouraging alternative transportation such as walking, cycling, and public transit."

OPR has published guidance recommending a CEQA threshold for transportation impacts of land use projects of a 15 percent VMT reduction per capita, relative to either city or regional averages based on

the California's Climate Scoping Plan<sup>3</sup>. Qualitative assessment of VMT reduction is acceptable to screen projects<sup>4</sup>. Based on these criteria, a project will be considered to have a potentially significant impact if:

- Per capita VMT from residential projects is anticipated to be greater than 85 percent of the regional average per capita VMT.
- The project is anticipated to inhibit implementation of planned pedestrian, bicycle, or transit improvements.

### Analysis Tools

#### LOS

Control delays and level-of-service for study intersections were calculated using the Synchro 11<sup>5</sup> analysis software (Version 11.1, build 1, revision 6). Synchro implements the methodologies of the 6<sup>th</sup> Edition of the Highway Capacity Manual to model traffic controls and vehicle delay.

The software requires data on road characteristics (geometric), traffic counts, and the signal timing data for each analysis intersection. In general, default parameters were used, except in locations where specific field data are available. Heavy vehicle percentages of 2 percent were assumed during the peak hour.

#### VMT

To support jurisdictions' SB743 implementation, The Sacramento Area Council of Governments (SACOG) staff developed thresholds and screening maps for residential and office projects, using outputs from the 2016 base year travel demand model run for the 2020 Metropolitan Transportation Plan/Sustainable Communities Strategies (MTP/SCS). SACOG travel demand model is activity/tour based and is designed to estimate an individual's daily travel, accounting for land use, transportation and demographics that influence peoples' travel behaviors.

For residential projects, the threshold is defined as total household VMT per capita achieving 15 percent of reduction comparing to regional (or any appropriate sub-area) average. The SACOG screening map uses "hex" geography, with each hex being about 1,000-ft on edge. Residential VMT per capita per hex is calculated by tallying all household VMTs, including VMT traveling outside the region, generated by the residents living at the hex and divided by the total population in the hex. Hexes are then color coded with green and blue hexes depicting neighborhoods with at least a 15 percent reduction in residential VMT relative to the SACOG region. Yellow, orange, pink and red hexes have less than a 15 percent VMT reduction.

### Existing 2022 Condition

Table 26 presents a summary of level-of-service results for the study intersections under Existing Conditions, along with 95 percent queue lengths for left turns. All study intersections operate at LOS A

<sup>3</sup> OPR (2018) Technical Advisory on Evaluating Transportation Impacts In CEQA, [http://www.opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](http://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf).

<sup>4</sup> OPR's webinar on SB 743 implementation, 4/16/2020.

<sup>5</sup> <https://www.trafficware.com/synchro-studio.html>



or better during the AM, PM, and Sunday peak hours. Left turn queues are adequately accommodated by the existing left turn storage pockets.

**Table 26. Existing 2022 Intersection Delay and Level-of-Service**

Intersection	Control	No Project (Delay and Level-of-Service)	
		AM	PM
E Natoma St/Prison Rd	Signal	9.3 A	9.1 A
Eastern Project Driveway	SSSC *	n/a	n/a
Intersection	Approach	No Project 95% Queues (Feet)	
		AM	PM
E Natoma St/Prison Rd	EB Left	173'	30'
	WB Left	n/a	n/a
	SB Left	22'	49'
	NB Left	n/a	n/a
Eastern Project Driveway	NB	n/a	n/a

\* SSSC = Side Street Stop Control

### Projected Trip Generation

Projected traffic generated by the proposed Project was calculated using trip generation factors from the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 11<sup>th</sup> Edition (2021)*, and is provided in **Table 27**.

**Table 27. Project Trip Generation**

Land Use	ITE Category	Quantity	Data	Daily	AM Peak hour			PM Peak hour		
					Total	Inbound	Outbound	Total	Inbound	Outbound
Senior Adult Housing (Multifamily)	252	136 dwelling units	Rate	3.24	0.29	45%	55%	0.3	54%	46%
			Trips	441	39	17	22	41	22	19

Source: ITE (2021) Trip Generation Manual, Institute of Transportation Engineers, Washington DC. (Higher value of either the average rate or the fitted equation-based rate for peak hour of generator).

### Trip Distribution

Trip distribution was based on observed traffic counts and select zone analysis within the travel demand model. New Project trips were distributed as follows:

- 48 percent to/from the west on East Natoma Street
- 48 percent to/from the east on East Natoma Street
- 4 percent to/from the north via Prison Road

### Signal Timing Geometry

With the addition of a fourth leg to the East Natoma St/Prison Rd intersection, the signal timing and lane geometry was assumed to be configured as follows:

- Eastbound: An eastbound right turn pocket was assumed with 150-ft of storage and a 60-foot taper; for a total of one left, one through, and one right turn lane.
- Westbound: A westbound left turn lane with 100-foot pocket plus 60-foot taper for a total of one left and one shared through-right lane.
- Southbound: The existing exclusive right-turn lane is assumed to be restriped as a through-right turn lane (for a total of one left and one shared through-right).
- Northbound: The northbound approach is assumed to provide one left and one shared through-right lane. The northbound through-right lane is assumed to be in a 70-foot turn pocket plus 60-foot taper.
- Timing: Eastbound and westbound protected left turn phasing, northbound and southbound split phasing. 150 second cycle length, with 34 second northbound southbound split phases and 20 second eastbound and westbound protected phases, and 62 second eastbound and westbound through phases. Crosswalks are assumed across all legs of the intersection with flashing don't walk phases set to 22 seconds to accommodate a 3-feet per second walking speed.

### Existing 2022 with Project Conditions

Project peak-hour traffic was added to the Existing 2022 turning volumes at each intersection. Delay and LOS were determined at the study intersections. **Table 28** presents a summary of LOS results for the study intersections under Existing Conditions. All study intersections operate at LOS B or better during the AM, PM, and Sunday peak hours. Left turn queues are adequately accommodated by the existing left turn storage pockets.

**Table 28. Baseline 2022 Intersection Delay and Level-of-Service, with and without Project**

Intersection	Control	No Project (Delay and Level-of-Service)		With Project (Delay and Level-of-Service)	
		AM	PM	AM	PM
E Natoma St/Prison Rd	Signal	9.3 A	9.1 A	15.9 B	16.7 B
Eastern Project Driveway	SSSC*	n/a	n/a	10.6 B (NB)	12.3 B (NB)
Intersection	Approach	No Project 95% Queues (Feet)		With Project 95% Queues (Feet)	
		AM	PM	AM	PM
E Natoma St/Prison Rd	EB Left	173'	30'	166'	37'
	WB Left	n/a	n/a	22'	23'
	SB Left	22'	49'	23'	73'
	NB Left	n/a	n/a	27'	21'
Eastern Project Driveway	NB	n/a	n/a	0	0

\* SSSC = Side Street Stop Control

## Project VMT Impacts and General Plan LOS Conformity

### Conformance with General Plan LOS Policy

All study intersections are anticipated to operate at LOS B or better under all study scenarios, both with and without the addition of project traffic. The project is not anticipated to create new LOS deficiencies, or to or worsen any existing deficiencies, based on General Plan Policy M4.1.3.

## Evaluation of Transportation

- a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

**Less than significant impact.** The project is anticipated to generate 441 daily vehicle trips including 39 AM peak-hour vehicle trips, and 41 PM peak-hour vehicle trips. Fewer than 50 peak-hour project trips are projected to pass through any intersection. All study intersections are anticipated to operate at LOS B or better under all study scenarios, both with and without the addition of project traffic. The project is not anticipated to create new LOS deficiencies, or to or worsen any existing deficiencies, based on General Plan Policy M4.1.3. All intersection LOS impacts are considered less than significant.

The project does not inhibit the use of bicycle or pedestrian facilities; eliminate existing bicycle, or pedestrian facilities; or prevent the implementation of planned bicycle, or pedestrian facilities. The project includes accessible pathways around the building to provide a walking path for residents. Path connections are planned to paths internal to the project site, south to the Oak Parkway Trail, and west to the East Natoma St underpass to the Johnny Cash Trail. The project has a less than significant impact on pedestrians and bicycles. With relocation of the effected bus stop, transit impacts will be less than significant.

The City does not have an adopted parking standard for age-restricted (senior) multi-family housing. With a Planned Development Permit (PD), parking supply is established through the PD permit process. The project is proposing 136 spaces (1.00 parking spaces per unit). This exceeds that of many other recently approved age restricted multi-family projects in and around Folsom. The 136 spaces include eight accessible spaces (i.e., with the adjacent space striped out to provide vehicle access for wheelchairs and/or mobility scooters) and 14 spaces with electric vehicle charging.

The ITE Parking Generation Manual<sup>6</sup> lists an average peak parking demand of 0.59 vehicles per dwelling unit for Land Use 252 (Senior Adult Housing-Attached), with a standard deviation of 0.12. The ITE sample size is small (three observations), yet the proposed parking ratio of 1.05 is greater than 3.5 standard deviations greater than the mean parking demand. Consequently, the proposed parking for the Project is sufficient to meet the anticipated parking demand with a parking ratio of 1.00.

For comparison, Revel Senior Living, a similar project approved by Folsom in 2018 had a parking ratio of 0.81 spaces per dwelling unit. The Revel project conducted a parking survey of six similar Sacramento

<sup>6</sup> ITE (2010) Parking Generation 4<sup>th</sup> Edition, Institute of Transportation Engineers, Washington DC.

area facilities. All six facilities were found to use less than 0.60 spaces per dwelling unit during peak parking demand hours (consistent with the ITE parking demand data referenced above.) A second parking review for the Revel Senior Living project surveyed local jurisdictions parking requirements for senior housing. Only two jurisdictions in the vicinity of Folsom were found to directly address the issue of the parking needs of senior independent living facilities. Both of those zoning code requirements from other jurisdictions are lower than the proposed parking supply for the Vintage at Folsom Senior Apartments Project. Therefore, the proposed parking supply of 136 parking spaces is adequate for the 136 multi-family units proposed in the project.

The project would have a less than significant impact on program plans, ordinances, or policies addressing the circulation system.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

**Less than significant impact.** SB 743, passed in 2013, required OPR to develop new CEQA Guidelines that address traffic metrics under CEQA. As stated in the legislation (and Section 21099[b][2] of CEQA), upon adoption of the new CEQA guidelines, “automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to this division, except in locations specifically identified in the CEQA guidelines, if any.” The Office of Administrative Law approved the updated CEQA Guidelines on December 28, 2018, and the changes are reflected in new CEQA Guidelines (Section 15064.3). State CEQA Guidelines Section 15064.3 was added December 28, 2018, to address the determination of significance for transportation impacts. Pursuant to the new CEQA Guidelines VMT replaced congestion as the metric for determining transportation impacts.

The Governors’ Office of Planning and Research (OPR) has published guidance recommending a CEQA threshold for transportation impacts of land use projects of a 15 percent VMT reduction per capita, relative to either city or regional averages, based on the California’s Climate Scoping Plan<sup>7</sup>. Qualitative assessment of VMT reduction is acceptable to screen projects<sup>8</sup>.

Under State Law (SB 743), VMT became the only CEQA threshold of significance for transportation impacts on July 1, 2020. Without specific General Plan guidance for VMT thresholds, this analysis uses qualitative screening against OPR’s guidance of a 15 percent per capita VMT reduction.

To support jurisdictions’ SB743 implementation, SACOG developed thresholds and screening maps for residential projects<sup>9</sup>, using outputs from the 2016 base year travel demand model run for the 2020 MTP/SCS. SACOG’s travel demand model is activity/tour based and is designed to estimate an individual’s daily travel, accounting for land use, transportation and demographics that influence peoples’ travel behaviors. For residential projects, the threshold is defined as total household VMT per capita achieving 15 percent of reduction compared to regional (or any appropriate sub-area) average VMT. The map uses HEX geography. Residential VMT per capita per HEX is calculated by tallying all household VMTs, including VMT traveling outside the region, generated by the residents living at the HEX and divided by the total population in the HEX. Green hexagons denote areas where residential

<sup>7</sup> OPR (2018) Technical Advisory on Evaluating Transportation Impacts in CEQA, [http://www.opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](http://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf).

<sup>8</sup> OPR’s webinar on SB 743 implementation, 4/16/2020.

<sup>9</sup> SACOG (2021) <https://sb743-sacog.opendata.arcgis.com/>

VMT is 50 to 85 percent of the regional average and yellow hexagons denote areas where residential VMT is 85 to 100 percent of the regional average.

The project is located within one of the green hexagons with average residential VMT of 17 miles per capita (per day). The Project is anticipated to generate less than 82 percent of the regional per capita residential daily VMT of 20.82 miles. The project is therefore anticipated to have a less than significant impact on VMT.

- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**Less than significant impact with mitigation.** Access to the project site would be provided by two driveways on East Natoma Street. City standards requires a 60-ft right turn taper in conditions with ten or more peak-hour right turns into a driveway, and a 150-ft pocket plus 60-ft taper, with 50 or more peak-hour right turns. Neither project driveway is anticipated to have ten or more right turning vehicles into the project during the AM or PM peak-hours. The main driveway at the signalized East Natoma Street/Prison Rd intersection includes an eastbound right turn pocket and a westbound left turn pocket accessing the project, these are adequate to safely accommodate project traffic without hindering existing traffic.

The secondary (eastern) driveway is restricted to right-in-right-out movements and is anticipated to only have fewer than ten eastbound right-turns into the project during either the AM or PM peak hours. No turn pockets are necessary. In order to limit the secondary (eastern) driveway to right-in-right-out access, the applicant would implement Mitigation Measure TRA-01. With Mitigation Measure TRA-01 implemented, impacts relating to process access design would be less than significant.

For an 81–160-unit apartment complex, the standard for the Minimum Required Throat Depth (MRTD) is 50 feet<sup>10</sup>. This 50-ft length represents vehicle storage equivalents, which means the total required length may be achieved by summing the throat depths for several access points if more than one access point is to serve the site. The throat depths for the primary and second driveways exceed 50-ft and 25-ft, respectively. Therefore, MRTD of the project driveways meet the standard because the primary driveway throat depth meets the minimum standard of 50-ft.

Potential geometric constraints and safety issues were evaluated, including driveway spacing, sight triangles, and Statewide Integrated Traffic Records System (SWITRS) collision data. Driveway spacing, throat depth, and corner sight distance are all adequate. In the last five years, there have been three accidents proximate to the project site including:

- One eastbound rear-end collection at the existing traffic light,
- Two driving under the influence (DUI) accidents (one a sideswipe, and the other a single vehicle overturn.)

These are not accident varieties that would be anticipated to be worsened by the project, and the project does not require any project specific traffic safety treatments.

<sup>10</sup> Folsom (2020) Design and Procedures Manual and Improvement Standards, site access Table 12-1, <https://www.folsom.ca.us/civicax/filebank/blobdload.aspx?t=66183.89&BlobID=38340>.

Implementation of Mitigation Measures TRA-01 would reduce all potential impacts regarding hazards due to geometric design to a less than significant level.

**Mitigation Measure TRA-01: Limit Access to the Secondary (Eastern) Driveway**

- During construction of the project, the applicant shall ensure the eastern driveway is channelized to restrict left turns from entering or exiting the project via the eastern driveway. Such channelization shall be accomplished during construction by either a triangular island located within the driveway, or by extending the raised median at the East Natoma St/Cimmaron Cir intersection west-ward across the eastern project driveway.

d) Result in inadequate emergency access?

**No impact.** The project proposes two access points connected by a fire lane which circles the back of the Proposed apartments. All internal radii have at least a 25-foot inner radius and 50-foot outer radius per City requirements. Emergency vehicle access is available to the site from East Natoma Street. Emergency vehicle access is designed consistent with standards and is adequate. There would be no impact.



**XVIII. TRIBAL CULTURAL RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The discussion below is based on a tribal cultural resources memorandum prepared by ECORP Consulting, Inc. (ECORP 2022), attached to this Initial Study as **Appendix J**.

**Environmental Setting**

CEQA, as amended in 2014 by Assembly Bill 52 (AB 52), requires that the City of Folsom (City) provide notice to any California Native American tribes that have requested notice of projects subject to CEQA review, and consult with tribes that responded to the notice within 30 days of receipt with a request for consultation. Section 21073 of the Public Resources Code (PRC) defines California Native American tribes as “a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of the Statutes of 2004.” This includes both federally and non-federally recognized tribes. For the City, these include the following tribes that previously submitted general request letters, requesting such noticing:

- Wilton Rancheria (letter dated January 13, 2020);
- Lone Band of Miwok Indians (letter dated March 2, 2016); and,
- United Auburn Indian Community (UAIC) of the Auburn Rancheria (letter dated November 23, 2015 and updated per UAIC via email on September 29, 2021).

The purpose of consultation is to identify Tribal Cultural Resources (TCR) that may be significantly impacted by the proposed project, and to allow the City to avoid or mitigate significant impacts prior to project approval and implementation. Section 21074(a) of the PRC defines TCRs for the purpose of CEQA as:

*Sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either of the following:*

- a) included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or,*
- b) included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or,*
- c) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.*

Because the first two criteria also meet the definition of a Historical Resource under CEQA, a TCR may also require additional consideration as an Historical Resource. TCRs may or may not exhibit archaeological, cultural, or physical indicators and can only be identified by a culturally affiliated tribe, which has been determined under State law to be the subject matter expert for TCRs.

CEQA requires that the City initiate consultation with tribes at the commencement of the CEQA process to identify TCRs. Furthermore, because a significant effect on a TCR is considered a significant impact on the environment under CEQA, consultation is required to develop appropriate avoidance, impact minimization, and mitigation measures. Therefore, in accordance with the requirements summarized above, the City carried out, or attempted to carry out, tribal consultation for the project.

Within 14 days of initiating CEQA review for the project, on November 19, 2021, the City sent project notification letters to the three California Native American tribes named above, which had previously submitted general consultation request letters pursuant to 21080.3.1(d) of the Public Resources Code (PRC). Each tribe was provided a brief description of the project and its location, the contact information for the City's authorized representative, and a notification that the tribe has 30 days to request consultation.

The Lone Band of Miwok Indians did not respond to the City's notification letter, and therefore, the threshold for carrying out tribal consultation with that tribe under PRC 21080.3.1(e) was not met, and no further consultation is warranted.

On December 10, 2021, and within the 30-day response timeframe, the City received an email from Anna Starkey that acknowledged receipt of the City's notification letter and accepted consultation under AB 52 for the project. She indicated that the project area is potentially sensitive for unrecorded cultural and tribal cultural resources based on the presence of a known and recorded resource in the vicinity. She inquired whether a cultural resources survey has been conducted and if so, requested a copy.

On December 13, 2021, the City formally initiated consultation with United Auburn Indian Community

and acknowledged Ms. Starkey's inquiry of a cultural report. The City confirmed that a survey had been conducted and that preparation of a cultural resources report was underway and welcomed the opportunity to further discuss the project. Accordingly, the City provided a copy of the report to Ms. Starkey for her review on March 8, 2022. Ms. Starkey responded the same day indicating that the report aligns with their findings and inquired whether an arborist report had been prepared and if so, requested to review it. Additionally, Ms. Starkey questioned if any heritage trees had been identified. On March 23, 2022, the city transmitted the arborist report to Ms. Starkey. As of the date of this memorandum, there has been no further correspondence received from Ms. Starkey or any other representative from UAIC. The City did not receive any specific information about TCRs that meet the definitions in PRC Section 21074 within the project area. Therefore, on June 3, 2022, the City formally concluded consultation with UAIC pursuant to PRC Sections 21080.3.2(b)(1) and 21082.3(d)(1).

Wilton Rancheria did not respond to the City's notification letter, and therefore, the threshold for carrying out tribal consultation with that tribe under PRC 21080.3.1(e) was not met. However, separately, as part of the cultural resources inventory, HELIX contacted the Native American Heritage Commission (NAHC) on January 21, 2022 to request a search of the Sacred Lands File. On February 9, 2022, the NAHC contacted HELIX to report that no sacred lands are recorded inside the project area and provided a list of culturally affiliated tribes and their contact information. On February 10, 2022, HELIX contacted all of the named tribes, which included Wilton Rancheria, UAIC, Tsi Akim Maidu, the Colfax-Todds Valley Consolidated Tribe, the Lone Band of Miwok Indians, and the Buena Vista Rancheria of Me-Wuk Indians. While none of the other tribes responded, on March 31, 2022, an unnamed representative of the Cultural Preservation Department from Wilton Rancheria replied by email and stated that the tribe had requested consultation on December 2 for this project, and that the tribe was requesting monitoring because of three sensitive sites in the vicinity. No specific information about TCRs was provided in the March 31 email.

After an exhaustive search of the consultation record, City staff emails, and physical mail, none of the City staff or its consultants could locate any correspondence from Wilton on this project. Suspecting that the tribal representative might have been mistaking this as a different project, on April 8, 2022, HELIX replied to the tribe to report that the City is not in possession of any correspondence regarding this project and requested a copy of the December 2 correspondence. Wilton Rancheria did not respond to the request for information, and as of the date of this memorandum, there has been no further communication received from the tribe. Therefore, because the City: 1) is not in possession of a written request for consultation on this project; and 2) did not receive any specific information about TCRs that meet the definitions in PRC Section 21074 within the project area; and, further, because Wilton Rancheria failed to engage in consultation pursuant to PRC 21802.3(d)(2), the City closed the matter and drew from other lines of evidence to make a determination of impacts to TCRs.

### **Evaluation of Tribal Cultural Resources**

- a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

**Less than significant impact with mitigation.** As discussed in Section V., Cultural Resources, the results of this Cultural Resources Assessment indicate that there are no known or newly discovered cultural resources within the APE, prompting HELIX to recommend that the area is not likely to contain surface based archaeological deposits. Although the NCIC records search indicated that elements of district P-34-000335 (the Folsom Mining District) may potentially be located within the current APE, no traces of the district were found during HELIX's pedestrian survey of the project area. As a result, the current project is anticipated to have no impacts on district P-34-000335.

Based on the results of HELIX's cultural resource assessment the APE can be assumed to have a low sensitivity for surficial cultural resources and this project is anticipated to have no impacts to historical resources for the purposes of compliance with both Section 106 of the NHPA and CEQA. Consequently, HELIX recommends that there would be no effect on historic properties or historical resources, including archaeological and built-environment resources as a result of project implementation. No additional studies, archaeological work, or construction monitoring are recommended. However, in light of the presence of prehistoric resources within the study area (P-34-0000016 and P-34-000017) and the potential presence of elements of district P-34-000335 to lie within the study area, HELIX recommends that the Mitigation Measure CUL-01 and CUL-02 outlined below be implemented in the unlikely event that cultural resources are encountered during construction

If historical or archaeological resources are discovered, implementation of Mitigation Measure CUL-01 and Mitigation Measure CUL-02 (Section V) would reduce any potential impact to a less than significant level.

- ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

**Less than significant impact with mitigation.** Information about potential impacts to TCRs was drawn from information provided by consulting and culturally affiliated tribes, the ethnographic context, the results of a search of the Sacred Lands File by the NAHC, and the results of a cultural resources inventory prepared by HELIX (Appendix E). Based on the information provided, the project would not have any impact on known TCRs. Impacts to unanticipated tribal cultural resources, if encountered during construction, would be potentially significant. Based on the consultation record summarized above and included in Appendix J, the City concludes that there would be a less than significant impact on TCR's with the incorporation of Mitigation Measure TCR-01 regarding unanticipated discoveries.

**Mitigation Measure TCR-01: Unanticipated Discovery of Tribal Cultural Resources.**

- If potentially significant Tribal Cultural Resources (TCR) are discovered during ground disturbing construction activities, all work shall cease within 50-ft of the find, or an agreed upon distance based on the nature of the find. A Native American Representative from traditionally and culturally affiliated Native American Tribes that requested consultation on the project shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified cultural resources specialist meeting the Secretary of Interior's Standards and Qualifications for Archaeology, may also assess the significance of the find in joint

consultation with Native American Representatives to ensure that Tribal values are considered. Work at the discovery location cannot resume until the City, in consultation as appropriate and in good faith, determines that the discovery is either not a TCR, or has been subjected to culturally appropriate treatment, if avoidance and preservation cannot be accommodated.

**XIX. UTILITIES AND SERVICE SYSTEMS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

The project site is currently vacant and does not contain any existing utilities. Existing powerlines are located on East Natoma Street and south of the project boundary. The City of Folsom employs a design process that includes coordination with potentially affected utilities as part of project development. Identifying and accommodating existing utilities is part of the design process, and utilities are considered when finalizing public project plans. The City of Folsom coordinates with the appropriate utility companies to plan and implement any needed accommodation of existing utilities, including water and sewer utility lines. Based on the results of an initial request for comments from the utility providers, all utility services are able to accommodate the proposed project.

**Evaluation of Utilities and Service Systems**

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?



- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years
- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

**Less than significant impact.** Discussion of the project's impact on water, wastewater treatment or storm water drainage, electric power, natural gas, and telecommunications facilities follows:

#### Water Supply

The City's public water supply is from the Folsom Reservoir and Folsom South Canal. The City's Urban Water Management Plan calculated supply and demand at buildout of the 2035 General Plan and determined that there was sufficient supply available for normal, single dry, and multi-dry years scenarios (City of Folsom 2018a). Folsom's Water Treatment Plant has a capacity of 50 million gallons per day. According to the Urban Water Management Plan and General Plan EIR, water demand is not anticipated to exceed the City's current water rights to 38,970 acre-feet annually (City of Folsom 2018a). All on site water (fire, domestic, and irrigation) are to be privately owned, operated, maintained as a condition of approval. All public water within the site boundary shall be constructed in accordance with the City of Folsom water design standards and water construction details as a condition of approval. The on-site water supply would be connected to the Zone 3 Cimmaron pressure Zone located off-site. The proposed project would provide housing for less than 400 residents and would not result in a substantial increase in water demand. Because sufficient supplies are available for build out of land uses in the General Plan (including development at the proposed project site) no additional facilities would need to be constructed or expanded and impacts would be less than significant.

#### Water Conservation Efforts

The City actively implements water conservation actions in response to the drought. Standards and regulations issued by the State Water Resources Control Board that came into effect June 1, 2015, require the City to reduce water consumption by 32 percent. In response, the City developed a water reduction plan to reduce water consumption, and conserve water in the City.

City actions include reducing watering in parks by one third, removing turf and retrofitting irrigation in more than 30 medians citywide, turn off irrigation in ornamental streetscapes that do not have trees, prohibiting new homes and buildings from irrigating with potable water unless water-efficient drip systems are used, replacing and upgrading sprinklers and irrigation systems with water-efficient systems, suspending operation of water features throughout the City. The City also implemented water restrictions and rebate programs for residents of the City. Folsom residents successfully reduced water consumption by 21 percent in 2014. The City reduced water consumption in parks by 27 percent, and 31 percent in Landscape and Lighting Districts. This was among the highest conservation rates statewide (Brainerd 2015).

#### Wastewater (Sanitary Sewer)

The City of Folsom is responsible for managing and maintaining its wastewater collection system, including 275-miles of pipeline and nine pump stations. This system ultimately discharges into the Sacramento Regional County Sanitation District interceptor sewer system. Wastewater is treated at the Sacramento Regional Wastewater Treatment Plant, located in Elk Grove.

In compliance with the 2006 State Water Resources Control Board (SWRCB) General Waste Discharge Requirements for Sanitary Sewer Systems, the City of Folsom adopted a Sewer System Management Plan on July 28, 2009 which was updated and adopted on August 26, 2014. The plan outlines how the municipality operates and maintains the collection system, and the reporting of all Sanitary Sewer Overflows (SSO) to the SWRCB's online SSO database. All on site sewer utilities are to be privately owned, operated, maintained as a condition of approval, and would connect with an existing public sewer collection system off-site. Because the City has sufficient capacity to accommodate any additional demand that could result from implementation of the proposed project, and because the City is in compliance with statutes and regulations related to wastewater collection and treatment, there would be no impact and mitigation would not be necessary.

#### Stormwater

Folsom's Public Works Department handles stormwater management for the City, from design and construction of the storm drain system to operation and maintenance, and urban runoff pollution prevention.

Under existing conditions, runoff from residential properties located east of the property flows onto the property site. This offsite runoff would be intercepted by proposed landscaped swales within the 15-foot landscape planters along the eastern boundary of the property. This runoff would then redirect the flow towards East Natoma Street and enter the public storm drain system. Additionally, eight (8) bio-retention planters are proposed throughout the project site to manage stormwater runoff. The curb, gutter, and sidewalk are proposed to be extended to Cimmaron Circle, which requires storm drain improvements at the frontage of the project site. Stormwater drains would be installed throughout the concrete parking lot areas and would be designed to prevent flooding or ponding. The on-site storm drain would conform to City of Folsom standards. Environmental impacts from these stormwater features would be less than significant and no mitigation would be necessary.

#### Electricity, Gas, and Telephone

Primary and secondary electric lines, gas lines, and telephone/cable lines are proposed within the project. These proposed utility lines would connect with existing utilities in the same vicinity of the project site, on East Natoma Street. Through the City's coordination with utility providers including SMUD for electricity, PG&E for underground gas lines, AT&T for underground telephone lines, utility providers are able to accommodate the proposed project.

Based on the details above, the project would have less than significant impact on water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. No mitigation is needed for questions a), b), and c).

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

**Less than significant impact.** The City of Folsom provides solid waste, recycling, and hazardous materials collection services to its residential and business communities. In order to meet the State mandated 50 percent landfill diversion requirements stipulated under AB 939, the City has instituted several

community-based programs. The City offers a door-to-door collection program for household hazardous and electronic waste, in addition to six "drop off" recycling locations within the City.

After processing, solid waste is taken to the Kiefer Landfill, the primary municipal solid waste disposal facility in Sacramento County. The landfill facility sits on a site of 1,084-acres in the community of Sloughhouse. Currently 250-acres, the State permitted landfill is 660-acres in size, and is of sufficient capacity to accommodate the solid waste disposal needs of the City of Folsom. Because the landfill serving the project area is of sufficient capacity to accommodate solid waste needs, there is less than significant impact and no mitigation would be necessary for questions d) and e).

**XX. WILDFIRE**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The project site is located in a Local Responsibility Area and it is not in a Very High Fire Hazard Severity Zone (California Department of Forestry and Fire Protection 2007).

**Evaluation of Wildfire**

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

**No impact.** Questions “a” through “d” are not applicable because the project site is in a Local Responsibility Area and the site is not in a Very High Fire Hazard Severity Zone (California Department of Forestry and Fire Protection 2007).

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Evaluation of Mandatory Findings of Significance**

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

**Less than significant impact.** The preceding analysis indicates that the proposed project has the potential to adversely affect biological resources, cultural resources, geology and soils, greenhouse gas emissions, noise, transportation, and tribal cultural resources. See Sections 8.IV, 8.V, 8.VII, 8.VIII, 8.XIII, 8.XVII, and 8.XVIII of this Initial Study for discussion of the proposed project's potential impacts on these environmental issue areas. With implementation of the mitigation measures identified in those Sections, and compliance with City programs and requirements identified in this report, impacts would be reduced to a less than significant level. No significant or potentially significant impacts would remain.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when



viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?

**Less Than Significant Impact.** While the project would indirectly contribute to cumulative impacts associated with increased urban development in the City and region, these impacts have previously been evaluated by the City and considered in development of the City's General Plan as set forth in this Initial Study. Key areas of concern are discussed in detail below.

*Evaluation of cumulative biological resources impacts:* The trees and understory grassland areas within the project site provide suitable nesting habitat for white-tailed kite and other raptors as well as other native birds and large trees adjacent to the site provide nesting habitat for raptors. Pre-construction surveys should be conducted prior to project implementation to determine if nesting birds are present on or adjacent to the site, so that measures could be implemented if needed to avoid harming nesting birds. Implementation of Mitigation Measure BIO-01 would reduce impacts to white-tailed kite and other nesting birds to a less than significant level.

The 0.04-acre of aquatic features located on the project site are potentially regulated by the USACE, CVRWQCB, and CDFW under the Clean Water Act, Porter-Cologne Act, and Section 1600 of the Fish and Game Code. Therefore, removal or fill of the aquatic features would likely require a permit from these agencies. In order to avoid impacts to jurisdictional wetland and waters, Mitigation Measure BIO-02 would be implemented, mitigating impacts to a less than significant level.

Of the 111 trees on the project site, 77 trees are considered protected by Folsom City Code. If protected trees will be removed by the proposed project mitigation will be required per Section 12.16.150. Of the 77 trees protected by Folsom City Code, only 65 trees require mitigation based on having a health rating of 5, 4, 3, or 2. Based on the DSH equivalency ratio, mitigation for a total of 935.6-inches is required if all protected trees subject to mitigation requirements are impacted. With implementation of Mitigation Measure BIO-03, impacts to protected trees would be less than significant.

With implementation of Mitigation Measures BIO-01, BIO-02, and BIO-03 the impacts would be reduced to a less than significant level and the project would not result in a cumulatively considerable contribution to any significant cumulative impacts.

*Evaluation of cumulative cultural resources impacts:* The results of the Cultural Resources Assessment indicate that there are no known or newly discovered cultural resources within the APE, prompting HELIX to recommend that the area is not likely to contain surface based archaeological deposits. Although the NCIC records search indicated that elements of district P-34-000335 (the Folsom Mining District) may potentially be located within the current APE, no traces of the district were found during HELIX's pedestrian survey of the project area. As a result, the current project is anticipated to have no impacts on district P-34-000335. No additional studies, archaeological work, or construction monitoring are recommended. However, in light of the presence of prehistoric resources within the study area (P-34-0000016 and P-34-000017) and the potential presence of elements of district P-34-000335 to lie within the study area, HELIX recommends that the Mitigation Measure CUL-01 and CUL-02 outlined below be implemented in the unlikely event that cultural resources are encountered during construction. If historical or archaeological resources are discovered, implementation of Mitigation Measure CUL-01 and Mitigation Measure CUL-02 would reduce any potential impact to a less than significant level.

No human remains are known to exist within the project area nor were there any indications of human remains found during the field survey. However, there is always the possibility that subsurface construction activities associated with the proposed project. However, if human remains are discovered, implementation of Mitigation Measure CUL-02 and Mitigation Measure CUL-03 would reduce impacts to a less than significant level.

With implementation of Mitigation Measures CUL-01 and CUL-02, and CUL-03, the impacts would be reduced to a less than significant level and the project would not result in a cumulatively considerable contribution to any significant cumulative impacts.

Evaluation of cumulative geology and soils impacts: A Geotechnical Engineering Survey was written by Youngdahl Consulting Group, Inc. on December 3<sup>rd</sup>, 2021. In the survey, Youngdahl prepared recommendations for the foundation, construction, and design of the proposed building in the project site (See Appendix F for more detail on site recommendations). With the implementation of Mitigation Measure GEO-01, outlined below, the impacts relating to unstable soils in the project area would be less than significant.

No previous surveys conducted in the project area have identified the project site as sensitive for paleontological resources or other geologically sensitive resources, nor have testing or ground disturbing activities performed to date uncovered any paleontological resources or geologically sensitive resources. While the likelihood encountering paleontological resources and other geologically sensitive resources is considered low, project-related ground disturbing activities could affect the integrity of a previously unknown paleontological or other geologically sensitive resource, resulting in a substantial change in the significance of the resource. Therefore, the proposed project could result in potentially significant impacts to paleontological resources. Implementation of Mitigation Measure GEO-02 would reduce potentially significant impacts to a less than significant level.

With implementation of Mitigation Measure GEO-01 and GEO-02, the impacts would be reduced to a less than significant level and the project would not result in a cumulatively considerable contribution to any significant cumulative impacts.

Evaluation of cumulative greenhouse gas emissions impacts: The project must comply with the City's Greenhouse Gas Reduction Strategy Consistency Checklist. The Checklist is part of the City's 2035 General Plan GHG Reduction Strategy which outlines the policies and programs that the City will undertake to achieve its proportional share of State GHG emissions reductions. Per the Checklist, the GHG reduction measures included in the Checklist that are applicable to a project are to be incorporated into the project's CEQA documents as mitigation measures. The GHG reduction measures applicable to the proposed project are therefore included as Mitigation Measure GHG-01 through GHG-05. With implementation of this mitigation measure and compliance with SMAQMD's recommendations, the 2017 Scoping Plan, and the MTP/SCS, the project's impacts would be reduced to a less than significant level and the project would not result in a cumulatively considerable contribution to any significant cumulative impacts.

Evaluation of cumulative noise impacts: The project would be subject to noise from construction and operation conditions. If project construction activities were to occur outside the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday, construction noise generated by the project would not be exempt for the City's noise ordinance nighttime exterior standard of 45

dBa, and the impact would be potentially significant. Implementation of Mitigation Measure NOI-01 would restrict construction hours and reduce impacts to a less than significant level.

An on-site source of vibration during project construction would be a vibratory roller. A vibratory roller would primarily be used to achieve soil compaction as part of the foundation and paving construction, and for aggregate and asphalt compaction as part of project driveway and parking lot construction). Vibratory rollers could be used within approximately 65-ft of the single-family residences to the northwest. A large vibratory roller creates approximately 0.21 in/sec PPV at a distance of 25-ft, or 94 VdB (Caltrans 2020). At a distance of 65-ft, a vibratory roller would create a PPV of 0.073 in/sec, or 85 VdB.<sup>11</sup> This would exceed the City General Plan residential standard of 80 VdB, and the impact would be potentially significant. Once operational, the project would not be a source of groundborne vibrations. A large vibratory roller would result in approximately 80 VdB or greater at distances less than 120-ft. Mitigation measure NOI-02 would require the contractor demonstrate that the rollers to be used on the project site would produce less than 80 VdB at nearby occupied residences, or use vibratory rollers in static mode only (no vibrations) when operated within 120-ft of occupied residences.

With the implementation of Mitigation Measure NOI-01 and NOI-02, the project would not result in a cumulatively considerable contribution to any significant cumulative impacts related to noise.

Evaluation of cumulative transportation impacts: Access to the project site would be provided by two driveways on East Natoma Street. City standards requires a 60-ft right turn taper in conditions with ten or more peak-hour right turns into a driveway, and a 150-ft pocket plus 60-ft taper, with 50 or more peak-hour right turns. Neither project driveway is anticipated to have ten or more right turning vehicles into the project during the AM or PM peak-hours. The main driveway at the signalized East Natoma Street/Prison Rd intersection includes an eastbound right turn pocket and a westbound left turn pocket accessing the project, these are adequate to safely accommodate project traffic without hindering existing traffic. The secondary (eastern) driveway is restricted to right-in-right-out movements and is anticipated to only have fewer than ten eastbound right-turns into the Project during either the AM or PM peak hours. No turn pockets are necessary. In order to limit the secondary (eastern) driveway to right-in-right-out access, the applicant would implement Mitigation Measure TRA-01. Thus, the project would not result in a cumulatively considerable contribution to any significant cumulative impacts related to transportation.

Evaluation of cumulative tribal cultural resources impacts: The City of Folsom sent project notification letters to three California Native American tribes. Although there is no evidence of TCRs occurring or having the potential to occur on the project site, the City recognizes that sensitive and/or protected resources could be unintentionally discovered during project demolition and construction. With implementation of Mitigation Measures TCR-01, the impacts would be reduced to a less than significant level and potentially significant cumulative impacts would be avoided. Thus, the project would not result in a cumulatively considerable contribution to any significant cumulative impacts related to tribal cultural resources.

<sup>11</sup> Equipment PPV = Reference PPV \* (25/D)<sup>n</sup>(in/sec), where Reference PPV is PPV at 25 feet, D is distance from equipment to the receptor in feet, and n= 1.1 (the value related to the attenuation rate through the ground); formula from Caltrans 2020. VdB = 20 \* Log(PPV/4/10<sup>-6</sup>).

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**Less than significant impact.** Because of site conditions, existing City regulations, and regulation of potential environmental impacts by other agencies, the proposed project would not have the potential to cause substantial adverse effects on human beings as demonstrated in the detailed evaluation contained in this Initial Study.

## 9.0 MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared by the City per Section 15097 of the CEQA Guidelines and is presented in **Appendix K**.

## 10.0 INITIAL STUDY PREPARERS

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Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 26**

### **Comment Letters from Public Agencies**

SACRAMENTO METROPOLITAN



November 30, 2022

Steven Banks  
 City of Folsom Planning Department  
 50 Natoma Street  
 Folsom Cordova, CA 95630

**Subject: Vintage at Folsom Senior Apartments Mitigated Negative Declaration (SAC202102633)**

Dear Steven Banks:

Thank you for the opportunity to review the Mitigated Negative Declaration (MND) for the Vintage at Folsom Senior Apartments project. The project includes the construction of a 136-unit affordable senior rental apartments in a three-story building on 4.86 acres at 103 East Natoma Street. Sac Metro Air District commends the project for providing high density, affordable, senior housing with access to a trail network and within a half mile of a transit stop. We also commend the project for including cool roofing and solar arrays as sustainability features. The following comments are intended to further improve air quality and health and reduce greenhouse gas emissions.

**CEQA comments**

Although the MND determined the project is consistent with the City's Greenhouse Gas Reduction Strategy, and therefore not significant for greenhouse gas emission impacts, Sac Metro Air District recommends the proponent consider building the project without natural gas infrastructure. Not only does removing natural gas reduce the cost of infrastructure, operating buildings without burning natural gas provides substantial public health benefits. Homes in which gas stoves are used have nitrogen dioxide concentrations 50 to 400% higher than homes with electric stoves<sup>1</sup>. Using a gas stove and oven for just an hour often leads to indoor air pollutant levels that exceed California's ambient air quality standards. This exposure to nitrogen dioxide can cause respiratory effects.

If the project is built with natural gas infrastructure, Sac Metro Air District recommends the project be pre-wired to allow for the future conversion to all-electric (space heating, water heating, cooking) to support the State's goal of carbon neutrality by 2045.

Since greenhouse gas emissions from equipment during project construction do not exceed Sac Metro Air District's recommended thresholds of significance, the emissions do not need to be amortized in the analysis.

The CalEEMod report in Appendix A includes PG&E as the utility provider for electricity. The project is in SMUD territory, therefore SMUD electricity intensity factors should be included.

<sup>1</sup> Rocky Mountain Institute, Basalt, CO. *Health Effects from Gas Stove Pollution* (2020) <https://rmi.org/insight/gas-stoves-pollution-health/>

**Greenhouse Gas Reduction Strategy consistency**

Mitigation Measure GHG-03 requires the project to comply with Greenhouse Gas Reduction Strategy Measure T-8 (page 69). Measure T-8 requires multi-family residential projects with 17 or more units to provide EV charging in 5% of total parking spaces. To comply with GHG Reduction Strategy Measure T-8, the project would need at least 7 EV charging stations (5% of the 136 stalls). Sac Metro Air District recommends installing Level 2 EV charging stations.

Mitigation Measure GHG-03 indicates the project will provide 14 EV charging stations. For clarity and convenience, we recommend updating GHG-03 to specify the actual number of EV charging stations that the project proponent must install to comply with Measure T-8. We recommend that GHG-03 specify that at least 7 EV charging stations are required to comply with Measure T-8.

Finally, please note that the MND appears to reference CalGreen incorrectly. The MND indicates (page 4) the project will provide "12 standard electric vehicle charging station (EVCS) stalls, and two loading EVCS stalls." And further states that "The electric vehicle charging spaces would be approximately 10.3 percent of the total parking spaces, which meets the electric vehicle charging station requirement outlined by CalGreen (Title 24, Part 11)." This text appears to reference the 2019 CalGreen Code, which requires that 10% EV capable spaces be installed, but does not require that actual EV charging stations be installed.

**Design comments**

To promote the use of bicycles by residents, Sac Metro Air District recommends the proponent cover the bicycle parking areas for weather protection and install outdoor electrical outlets to allow charging of E-bikes, which are becoming more common. Bicycle parking areas should be sized to accommodate larger bicycle types that seniors may use, including tricycles, cargo bikes, and reclined bikes, consistent with the City of Folsom's Active Transportation Plan Design Guide, Chapter VI, and the APBP Bicycle Parking Guide<sup>2</sup>.

There is a statement on page 108 regarding that "relocation of the effected bus stop" would reduce transit impacts to less than significant. No additional details are included in the MND. If a bus stop will be relocated, Sac Metro Air District recommends adding a shelter to provide shade and weather protection to further encourage transit use.

**Construction**

The MND notes that Folsom's Community Development Department Standard Construction Conditions include air pollution control and naturally occurring asbestos provisions. Sac Metro Air District recommends all projects implement the attached Basic Construction Emission Control Practices<sup>3</sup>. A listing of the most common air district rules that apply during construction<sup>4</sup> is also attached.

<sup>2</sup> Association of Pedestrian and Bicycle Professionals, *Essentials of Bike Parking* (2015)

[https://www.apbp.org/assets/docs/EssentialsofBikeParking\\_FINA.pdf](https://www.apbp.org/assets/docs/EssentialsofBikeParking_FINA.pdf)

<sup>3</sup> Sac Metro Air District Basic Construction Emission Control Practices, CEQA Guide Chapter 3 (2019)

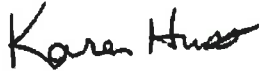
<https://www.airquality.org/LandUseTransportation/Documents/Ch3BasicEmissionControlPracticesBMP5Final7-2019.pdf>

<sup>4</sup> Sac Metro Air District Rules Statement (2020)

<https://www.airquality.org/LandUseTransportation/Documents/RulesAttachment10-2020Final.pdf>

Please contact me at 279-207-1131 or [khuss@airquality.org](mailto:khuss@airquality.org) if you have any questions regarding these comments.

Sincerely,



Karen Huss  
Associate Air Quality Planner/Analyst

cc: Paul Philley, AICP, Program Supervisor

Attachments

## Basic Construction Emission Control Practices (Best Management Practices)

### BASIC CONSTRUCTION EMISSION CONTROL PRACTICES (BEST MANAGEMENT PRACTICES)

The following Basic Construction Emissions Control Practices are considered feasible for controlling fugitive dust from a construction site. The practices also serve as best management practices (BMPs), allowing the use of the non-zero particulate matter significance thresholds. Lead agencies should add these emission control practices as Conditions of Approval (COA) or include in a Mitigation Monitoring and Reporting Program (MMRP).

- Control of fugitive dust is required by District Rule 403 and enforced by District staff.
- Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.
- Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.
- Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
- Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).
- All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

The following practices describe exhaust emission control from diesel powered fleets working at a construction site. California regulations limit idling from both on-road and off-road diesel-powered equipment. The California Air Resources Board (CARB) enforces idling limitations and compliance with diesel fleet regulations.

- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
- Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1]. For more information contact CARB at 877-593-6677, [doors@arb.ca.gov](mailto:doors@arb.ca.gov), or [www.arb.ca.gov/doors/compliance\\_cert1.html](http://www.arb.ca.gov/doors/compliance_cert1.html).

Although not required by local or state regulation, many construction companies have equipment inspection and maintenance programs to ensure work and fuel efficiencies.

- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.



SACRAMENTO METROPOLITAN



## Sac Metro Air District Rules & Regulations Statement (revised 10/2020)

*The following statement is recommended as standard condition of approval or construction document language for all development projects within the Sacramento Metropolitan Air Quality Management District (Sac Metro Air District):*

All projects are subject to Sac Metro Air District rules in effect at the time of construction. A complete listing of current rules is available at [www.airquality.org](http://www.airquality.org) or by calling 916-874-4800. Specific rules that may relate to construction activities or building design may include, but are not limited to:

**Rule 201: General Permit Requirements.** Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from Sac Metro Air District prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the Sac Metro Air District early to determine if a permit is required, and to begin the permit application process. Other general types of uses that require a permit include, but are not limited to, dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc.) with an internal combustion engine over 50 horsepower is required to have a Sac Metro Air District permit or a California Air Resources Board portable equipment registration (PERP) (see Other Regulations below).

**Rule 402: Nuisance.** The developer or contractor is required to prevent dust or any emissions from onsite activities from causing injury, nuisance, or annoyance to the public.

**Rule 403: Fugitive Dust.** The developer or contractor is required to control dust emissions from earth moving activities, storage or any other construction activity to prevent airborne dust from leaving the project site.

**Rule 414: Water Heaters, Boilers and Process Heaters Rated Less Than 1,000,000 BTU PER Hour.** The developer or contractor is required to install water heaters (including residence water heaters), boilers or process heaters that comply with the emission limits specified in the rule.

**Rule 417: Wood Burning Appliances.** This rule prohibits the installation of any new, permanently installed, indoor or outdoor, uncontrolled fireplaces in new or existing developments.

**Rule 442: Architectural Coatings.** The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

**Rule 453: Cutback and Emulsified Asphalt Paving Materials.** This rule prohibits the use of certain types of cut back or emulsified asphalt for paving, road construction or road maintenance activities.

777 12th Street, Ste. 300 • Sacramento, CA 95814

Tel: 279-207-1122 • Toll Free: 800-880-9025

[AirQuality.org](http://AirQuality.org)



**Rule 460: Adhesives and Sealants.** The developer or contractor is required to use adhesives and sealants that comply with the volatile organic compound content limits specified in the rule.

**Rule 902: Asbestos.** The developer or contractor is required to notify the Sac Metro Air District of any regulated renovation or demolition activity. Rule 902 contains specific requirements for surveying, notification, removal, and disposal of asbestos containing material.

#### **Other Regulations (California Code of Regulations (CCR))**

**17 CCR, Division 3, Chapter 1, Subchapter 7.5, §93105 Naturally Occurring Asbestos:** The developer or contractor is required to notify the Sac Metro Air District of earth moving projects, greater than 1 acre in size in areas "Moderately Likely to Contain Asbestos" within eastern Sacramento County. The developer or contractor is required to comply with specific requirements for surveying, notification, and handling soil that contains naturally occurring asbestos.

**13 CCR, Division 3, Chapter 9, Article 5, Portable Equipment Registration Program:** The developer or contractor is required to comply with all registration and operational requirements of the portable equipment registration program such as recordkeeping and notification.

**13 CCR, Division 3, Chapter 9, Article 4.8, §2449(d)(2) and 13 CCR, Division 3, Chapter 10, Article 1, §2485 regarding Anti-Idling:** Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes. These apply to diesel powered off-road equipment and on-road vehicles, respectively.



## Central Valley Regional Water Quality Control Board

14 December 2022

Steven Banks  
 City of Folsom  
 50 Natoma Street  
 Folsom, CA 95630  
 sbanks@folsom.ca.us

### **COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, VINTAGE SENIOR APARTMENTS PROJECT, SCH#2022110187, SACRAMENTO COUNTY**

Pursuant to the State Clearinghouse's 10 November 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Vintage Senior Apartments Project, located in Sacramento County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

#### **I. Regulatory Setting**

##### **Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

Vintage Senior Apartments Project  
Sacramento County

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Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

#### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)



**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

Vintage Senior Apartments Project  
Sacramento County

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#### **Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

#### **Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

#### **NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

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If you have questions regarding these comments, please contact me at (916) 464-4684  
or [Peter.Minkel2@waterboards.ca.gov](mailto:Peter.Minkel2@waterboards.ca.gov).

*Peter Minkel*

Peter Minkel  
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento



Powering forward. Together.

**Sent Via E-Mail**

December 14, 2022

Steven Banks  
City of Folsom Planning Department  
50 Natoma Street  
Folsom, CA 95630  
[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)

**Subject: Vintage Senior Apartments / MND / 2022110187**

Dear Mr. Banks:

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the Mitigated Negative Declaration (MND) for the Vintage Senior Apartments (Project, SCH 2022110187). SMUD is the primary energy provider for Sacramento County and a portion of the proposed Project area. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce global warming, and lower the cost to serve our region. As a Responsible Agency, SMUD aims to ensure that the proposed Project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

We have no comments to offer at this time but would appreciate if the City of Folsom would continue to keep SMUD facilities in mind as environmental review of the Project moves forward. Please reroute the Project analysis for SMUD's review if there are any changes to the scope of the Project.

If you have any questions regarding this letter, please do not hesitate to contact me at 916.732.7466, or by email at [Ammon.Rice@smud.org](mailto:Ammon.Rice@smud.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Ammon Rice", is positioned above the typed name.

Ammon Rice  
Environmental Services Supervisor  
Sacramento Municipal Utility District  
6201 S Street  
Sacramento, CA 95817

cc: Entitlements

## Steven Banks

---

**From:** Boyd, Alexa <A5G5@pge.com>  
**Sent:** Friday, December 23, 2022 12:15 PM  
**To:** Steven Banks  
**Subject:** Vintage Senior Apartments

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Classification: Public

Hello Steve,

This project is under review by PG&E's transmission engineering group for the associated grading and improvements (retaining wall) before an approval letter can be issued. In the meantime, I wanted to provide the following comments:

- **Retaining Wall:** Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. **No wall, fence or other like structure is to be installed within 10 feet of tower footings.** Please provide distances from proposed retaining wall to tower footings.
- **Landscaping:** On overhead electric transmission easements, trees and shrubs are limited to those varieties that do not exceed 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
- No buildings or other structures are permitted within transmission easement areas; this included signage.

Respectfully,



**Alexa Boyd | Land Agent**

**Pacific Gas and Electric Company**  
**Land Management, Land Rights Services**  
2730 Gateway Oaks Drive, Ste 220 | Sacramento, CA 95833  
Phone: (916) 760-5738  
Email: [alexa.gardea@pge.com](mailto:alexa.gardea@pge.com)

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

## **Attachment 27**

### **Comment Letters from Residents**

**Steven Banks**

**From:** dreamasplace@aol.com  
**Sent:** Thursday, June 30, 2022 3:42 PM  
**To:** Steven Banks  
**Subject:** Vintage project at 103 E Natoma St

You don't often get email from dreamasplace@aol.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Steve Banks,

I am a resident of the Cimmaron Hills neighborhood directly next to 103 E Natoma Street. We have attended two meetings with the owner/developer that wants to put a three story 136 unit senior (55 and up) apartment building on that property. This property is zoned BP and while the proposed use is allowed it needs an issuance of a minor conditional permit to have a three story building. I, as well as my neighbors, are requesting that this conditional use permit be denied.

A three story building at this location is unacceptable. There are no three story buildings in this area. This property borders residential neighborhoods that have single or two story homes, and one story office buildings. Changing this small plot of land from R2 to R4 high density is egregious. Not only will it be an eyesore, but it does not fit in with the adjoining neighborhoods. Those neighbors along its border lose the privacy and peaceful enjoyment of their property.. Imagine the occupants of the third story looking directly into your backyard and back windows. This is not one of those neighborhoods that have homes close together and look down into each other's back yards. We have larger lot sizes and the homes are built so that we have that privacy. That is why people have chosen to live here. Please do not allow the third story, a one story would be more appropriate for this space.

Another main concern is parking. The developer has indicated to us that there are not parking spaces for every unit. Yikes!!! Their response is that not every occupant will have a vehicle. Maybe so, but the reality is that most units will have more than one occupant and all occupants in those units will have vehicles. Then if you factor in building staff, caregivers, and visitors there is not ample parking spaces. This means that their cars will be lining the streets of the adjoining neighborhoods, once again unacceptable. Please require that all units have parking spaces as well as additional parking for staff, caregivers, and visitors.

It is also our understanding that there will be two entrance/exits. One is proposed to be a right in, right out passage. I would ask that this be made accessible to service vehicles only. Police, EMT, Fire Dept. The traffic issue is going to be a nightmare. Natoma has become a very busy street. The additional entrance/exits will put three entrance/exits within a very short distance from each other. Once again that is a traffic nightmare. Residents in our neighborhood have a hard enough time getting in and out as it is. There are already visibility problems as well as a pedestrian crosswalk. This will be a very dangerous situation.

What a shame to lose all the beautiful trees and wildlife on this lot, as well as, the minimal undeveloped green space left in Folsom. This project does not align with the Distinctive by Nature image in appearance or location.

Please take these issues into consideration and not issue this conditional permit.

Yours respectfully,  
 Dreama Pacheco  
[dreamasplace@aol.com](mailto:dreamasplace@aol.com)  
 916-496-6536

**Steven Banks**

**From:** Elaine Andersen  
**Sent:** Friday, July 8, 2022 7:14 AM  
**To:** Steven Banks  
**Subject:** FW: Vintage project at 103 E Natoma St

**From:** dreamasplace@aol.com <dreamasplace@aol.com>  
**Sent:** Thursday, June 30, 2022 3:40 PM  
**To:** Elaine Andersen <eandersen@folsom.ca.us>  
**Subject:** Vintage project at 103 E Natoma St

You don't often get email from [dreamasplace@aol.com](mailto:dreamasplace@aol.com). [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Elaine Andersen,

I am a resident of the Cimmaron Hills neighborhood directly next to 103 E Natoma Street. We have attended two meetings with the owner/developer that wants to put a three story 136 unit senior (55 and up) apartment building on that property. This property is zoned BP and while the proposed use is allowed it needs an issuance of a minor conditional permit to have a three story building. I, as well as my neighbors, are requesting that this conditional use permit be denied.

A three story building at this location is unacceptable. There are no three story buildings in this area. This property borders residential neighborhoods that have single or two story homes, and one story office buildings. Changing this small plot of land from R2 to R4 high density is egregious. Not only will it be an eyesore, but it does not fit in with the adjoining neighborhoods. Those neighbors along its border lose the privacy and peaceful enjoyment of their property.. Imagine the occupants of the third story looking directly into your backyard and back windows. This is not one of those neighborhoods that have homes close together and look down into each other's back yards. We have larger lot sizes and the homes are built so that we have that privacy. That is why people have chosen to live here. Please do not allow the third story, a one story would be more appropriate for this space.

Another main concern is parking. The developer has indicated to us that there are not parking spaces for every unit. Yikes!!! Their response is that not every occupant will have a vehicle. Maybe so, but the reality is that most units will have more than one occupant and all occupants in those units will have vehicles. Then if you factor in building staff, caregivers, and visitors there is not ample parking spaces. This means that their cars will be lining the streets of the adjoining neighborhoods, once again unacceptable. Please require that all units have parking spaces as well as additional parking for staff, caregivers, and visitors.

It is also our understanding that there will be two entrance/exits. One is proposed to be a right in, right out passage. I would ask that this be made accessible to service vehicles only. Police, EMT, Fire Dept. The traffic issue is going to be a nightmare. Natoma has become a very busy street. The additional entrance/exits will put three entrance/exits within a very short distance from each other. Once again that is a traffic nightmare. Residents in our neighborhood have a hard enough time getting in and out as it is. There are already visibility problems as well as a pedestrian crosswalk. This will be a very dangerous situation.

What a shame to lose all the beautiful trees and wildlife on this lot, as well as, the minimal undeveloped green space left in Folsom. This project does not align with the Distinctive by Nature image in appearance or location.

Please take these issues into consideration and not issue this conditional permit.



## Steven Banks

---

**From:** Kandi Jones <kandis57@yahoo.com>  
**Sent:** Thursday, July 7, 2022 7:43 PM  
**To:** Steven Banks  
**Subject:** 103 E. Natoma Street

You don't often get email from kandis57@yahoo.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I reside on Cimmaron Circle. I am vehemently opposed to the proposed project at the above referenced address for reasons too many to list here, but are well known to the builder/developers.



## Steven Banks

---

**From:** eprkeeper5 <eprkeeper5@gmail.com>  
**Sent:** Thursday, July 7, 2022 8:00 PM  
**To:** Steven Banks  
**Subject:** 103 E. Natoma Street

You don't often get email from eprkeeper5@gmail.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I reside on Cimmaron Circle and I am vehemently opposed to the proposed project at the above referenced address for too many reasons to list here. but which are well known to the owner/developers.

Sent via the Samsung Galaxy S22+ 5G, an AT&T 5G smartphone

**Steven Banks**

**From:** erin@sargentfam.net  
**Sent:** Thursday, July 14, 2022 2:11 PM  
**To:** Steven Banks  
**Subject:** Vintage Housing proposal question

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

My name is Erin Sargent. We met at the first neighborhood meeting regarding the Vintage Housing senior living proposal. I was also in attendance for the second meeting, but did not see you there. I have also tried reaching out to you earlier, but we were not able to connect.

I, along with my neighbors on Cimmaron Circle, have some valid concerns with this development. Obviously, anytime there is a new development, the loss of beautiful open space is mourned, and concerns about noise, traffic, & parking are all negatives compared to the open space that currently exists. And neighbors who have lived with that open space behind them for over 30 years are rightfully dismayed. One of the very reasons we purchased our home here six months ago was because of the amazing trail access and quiet, open feel. Our home abuts the trail access from Cimmaron Circle and therefore, overflow parking for those seeking access to the apartment complex from the Oak Parkway trail is of considerable concern to me.

However, I understand that this is developable land per the zoning map, and that all the studies that need to be done regarding noise, traffic, tree removal, etc. have all been done or are in process.

I have read the zoning code and also understand that there are significant developer incentives or bonuses involved when considering low income and senior living facilities.

My question is regarding a specific part of the code, namely section 17.102.030 where density bonuses are concerned, as pasted below:

A. Density Bonus.

1. The city shall grant a density bonus to an applicant or developer of a housing development, consisting of five or more dwelling units, who agrees to provide the following:
  - a. At least ten percent of the total units of a housing development for low income households; or
  - b. At least five percent of the total units of a housing development for very low income households; or
  - c. A senior citizen housing development.

All density calculations resulting in fractional units shall be rounded up to the next whole number.

2. In determining the number of target units to be provided pursuant to this section, the maximum residential density shall be multiplied by 0.05 where very low income households are targeted, or by 0.10 where low income households are targeted. The density bonus units shall not be included when determining the total number of target units in the housing development. When calculating the required number of target units, any fractions of units shall be rounded to the next larger number.

3. Amount of Density Bonus.

a. **General Density Bonus.** The density bonus shall be a density increase of at least twenty percent, unless a lesser percentage is elected by the applicant/developer over the otherwise maximum allowable residential density. The amount of density bonus to which the applicant/developer is entitled shall vary according to the amount by which the percentage of affordable units exceeds the percentage set forth in subsection (A)(1) of this section. For each percent increase above ten percent in the percentage of units affordable to low income households, the density bonus shall be increased by one and one-half percent up to a maximum of thirty-five percent. For each one percent increase above five percent in the percentage of units affordable to very low income households, the density bonus shall be increased by two and one-half percent up to a maximum of thirty-five percent. **For senior citizen housing developments, the density bonus shall be a flat twenty percent.**

I am curious as to how these density bonuses are calculated, and if Vintage housing is seeking a larger bonus due to the low income nature of their units? Which is the overriding percentage? Can Vintage claim larger density bonus based on the low income household status or is the flat 20 percent for senior citizen housing applicable?

Exactly what numbers are the starting point here? On an intuitive level, it seems like a jump from our neighborhood with R1-ML zone to an R4 high density zone would be more than 20%. This is why I am seeking clarification on the matter.

I would be happy to discuss the matter over the phone or in person if that is easier for you. I can be reached at 916-849-2134 at your convenience, and am available to meet in person any time next week.

Thank you so much,  
Erin Sargent

## Steven Banks

---

**From:** Randy Bundock <randybundock@yahoo.com>  
**Sent:** Monday, November 14, 2022 10:08 AM  
**To:** Steven Banks  
**Subject:** Vintage Senior Apartments

[You don't often get email from randybundock@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

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Dear Steve,

It was inevitable someone would want to develop the land across from the prison entrance. My wife and I always joked if we won the lottery we would buy it and build another bike and dog park, but that hasn't happened yet. It seems that there would be a lot of challenges with extra traffic at a 4 way stop since the shift changes at the prison already make that intersection busy enough. Also how to preserve all the nice oak trees, the small creek that forms when it rains, and how close the power lines are. A three story building seems like it would be too tall for that area. The city has invested so much in the JC Trail with bridges and tunnels it would be a shame to clog up the trail access with more cross traffic.

Thank you for your time,

Randy Bundock  
218 Spencer Street

Sent from my iPhone

## Steven Banks

---

**From:** Kandi Jones <kandis57@yahoo.com>  
**Sent:** Monday, November 14, 2022 1:27 PM  
**To:** Steven Banks  
**Subject:** 103 E Natoma

You don't often get email from kandis57@yahoo.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am contacting you to express my opposition to the proposed project by Vintage Properties at 103 E Natoma. I have several issues, however, my concern at this time is the 3 story proposal and overall design of the building which does not blend in with the existing neighboring structures, which includes single family homes, businesses, medical facilities, and other multi family apartments. Thank you . Kandi Jones

## Steven Banks

---

**From:** Dreama Pacheco <dreamasplace@aol.com>  
**Sent:** Wednesday, November 16, 2022 12:53 PM  
**To:** Steven Banks  
**Subject:** Vintage Properties 103 Natoma

[You don't often get email from dreamasplace@aol.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Steve Banks,

I am writing in regards to the Vintage Properties proposed for 103 Natoma St. Although I have many concerns what I would like to address here is the parking situation for this project.

This 136 unit apartment building does not have plans for enough parking spaces. There is not a parking space for each unit nor parking designated for staff and visitors. The developers answer to this was that not every one living in the building will drive. That is a nonsense answer, as many of those units will have more than one driver.

In my research I found eight other properties owned by this company and of the many complaints the one common thread for all eight properties is those living there cannot find parking. Some complaining that they have to park in the supermarket parking lot down the road, and one resident complaining she has to park down the road and walk to the building in the dark. These are seniors, this is not acceptable.

Also having cars scattered all over the neighborhood from lack of parking is unacceptable.

Please require this project to have parking spaces for all units as well as additional parking for staff and visitors.

Thank you,  
Dreama Pacheco

Sent from my iPhone



## Steven Banks

---

**From:** Farrah Wood <farrahwood@gmail.com>  
**Sent:** Monday, November 28, 2022 2:26 PM  
**To:** Steven Banks  
**Subject:** Vintage Properties at 103 E Natoma Folsom, CA

[You don't often get email from farrahwood@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr Banks-

I am contacting you to express my opposition to the proposed project by Vintage Properties at 103 E. Natoma. I have several issues, however, my concern at this time is the 3 story proposal and overall design of the building which does not blend in with the existing structures which includes single family homes, businesses, medical facilities, and other multi family apartments. Also the protected oak trees. Thank you.

Farrah Wood  
Sent from iPhone

## Steven Banks

---

**From:** Bill Pacheco <billjpacheco@aol.com>  
**Sent:** Tuesday, November 29, 2022 5:21 PM  
**To:** Steven Banks  
**Subject:** Vintage Senior Apartments

[You don't often get email from billjpacheco@aol.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Steve,

Our neighborhood has many concerns about the senior apartments planned to be built next to the homes on Cimmaron Circle.

Natomas is already extremely impacted by the current traffic conditions from all of the building over the past 15 years. It's very dangerous as it is and with adding a three story building will increase the traffic and make more unsafe. There is a crosswalk for the bike/walking trails that has had the signs hit by oncoming vehicles several times. The most recent time one of the signs has been hit , the driver through the sign over my fence into my backyard. Most people driving on that road speed and eventually one of the walking path users are going to get hurt. This is already a major safety problem.

It's also frustrating when you can't leave your neighborhood in a reasonable amount of time.

The road noise/pollution is very loud only going to get louder with more traffic.

There are few services near this location for seniors. This project would make more sense near shopping and grocery stores.

What is the City of Folsom planning to do about the safety issues, the road noise issues, timely accessibility and the lack of services for the seniors?

Please excuse any typos this message was sent from my iPhone

Thanks,

Bill Pacheco

**Steven Banks**

---

**From:** Josh Guthrie <joshguthrie@hotmail.com>  
**Sent:** Thursday, December 15, 2022 8:42 AM  
**To:** Steven Banks  
**Cc:** Rosario Rodriguez; Mike Kozlowski; YK Chalamcherla; Sarah Aquino; Anna Rohrbough  
**Subject:** Opposition to Vintage Senior Apartments across from Folsom Prison Entrance

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Steve,

I couldn't attend last night's City Council Meeting, so I wanted to write this email.

I'm adamantly opposed to putting a three story senior living center on APN:071-0320-042, as it will adversely affect my quality of life, along with hundreds of other residents.

- 1) The Traffic is already an issue for the residents of Cimmaron Hills entering Natomas street. This will only add to it.
- 2) A three story complex doesn't conform to the 'feel' of the area.
- 3) This project will erode the property values of the adjacent homes by creating direct viewable access to residents living rooms. Unacceptable design.
- 4) I'm very concerned about the density and classification of these residences
  - a. They can be too easily converted to 'Low-income' genialized dwellings in the future, and our area already carries its societal burden with the medium density dwellings of Montrose and Talisman, and the areas behind Circle K. The city will be effectively creating a 'ghetto' in the future and this is simply irresponsible planning.
- 5) I'm not allowed to build a stair case within 10 feet of my oak tree, but we're comfortable wiping out an entire oak grove, all at the justification of high density tax revenues. Ridiculous hypocrisy being exhibited here. Again, unacceptable design.

I seriously hope this isn't approved.

Best regards,  
 Josh Guthrie  
 242 Spencer St.

## Steven Banks

---

**From:** Kat Gray <k.blackman.gray@gmail.com>  
**Sent:** Wednesday, December 21, 2022 9:33 AM  
**To:** Steven Banks  
**Subject:** Mitigation Measures for Vintage Homes Apartments

You don't often get email from k.blackman.gray@gmail.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Steve,

I am inquiring about the Vintage Homes apartment project at Natoma. I'm a concerned resident and homeowner living near the proposed Vintage Homes site. I know you are probably really busy but I am wondering if you can tell me where to find information for all the Mitigation Measures listed in the summary. I counted 15 different mitigation measures for the many impacts this project will have. Where can I find out more? Hoping you can point me in the right direction.

Kat Gray

Planning Commission  
Vintage Senior Apartments (PN 21-159)  
January 18, 2023

**Attachment 28**

**CEQA Response Memorandum**  
**Dated January 4, 2023**

# Memorandum

HELIX Environmental Planning, Inc.  
1180 Iron Point Road, Suite 130  
Folsom, CA 95630  
916.435.1205 tel  
[www.helixepi.com](http://www.helixepi.com)



**Date:** January 3, 2023

**To:** Steve Banks, Principal Planner, City of Folsom

**From:** Robert Edgerton, AICP CEP

**Message: Vintage at Folsom Senior Apartments Comment Letters Memorandum**

Below is a summary of public agency letters and local resident comments received regarding the Vintage at Folsom Senior Apartments Initial Study Mitigated Negative Declaration (ISMND) prepared by HELIX Environmental Planning, Inc. (HELIX). The 30-day public review period for the ISMND began on November 14, 2022 and ended on December 14, 2022.

Public Agency Letters

- Central Valley Regional Water Quality Control Board (CVRWQCB) (December 14, 2022)
- Sacramento Municipal Utility District (SMUD) (December 14, 2022)
- Sacramento Metropolitan Air Quality Management District (SMAQMD) (November 30, 2022)
- Pacific Gas and Electric Company (PG&E) (November 17, 2022)

All four letters received from the CVRWQCB, SMUD, SMAQMD, and PG&E were standardized template letters. No response is required for the public agency letters received to date as no comments relevant to compliance with the California Environmental Quality Act (CEQA) were noted. The public agency letters may contain relevant information for the City to consider (primarily for conditions of approval purposes).

Local Resident Comments

Several comment letters were received from local residents expressing concern with project impacts related to aesthetics, biological resources, transportation and parking, safety, and noise. No letter received from a public agency, or a local resident triggers additional action required of the City per CEQA Guidelines. All of the issues raised in the comment letters, regarding CEQA compliance, have been previously addressed in the ISMND. No formal written response from the City is required.

- 103 E Natoma Letter (November 14, 2022)
- 103 E. Natoma Street Letter (July 7, 2022)
- 103 E. Natoma Street Letter (July 7, 2022)
- FW Vintage project at 103 E Natoma Street Letter (July 8, 2022)
- Opposition to Vintage Senior Apartments across from Folsom Prison Entrance (December 15, 2022)
- Vintage Housing proposal question Letter (July 14, 2022)



**Memorandum to Mr. Steve Banks**  
**January 3, 2023**

**Page 2 of 2**

- **Vintage project at 103 E Natoma Street Letter (July 30, 2022)**
- **Vintage Properties 103 Natoma Letter (November 16, 2022)**
- **Vintage Properties at 103 E Natoma Folsom, CA (November 28, 2022)**
- **Vintage Senior Apartments Letter (November 29, 2022)**
- **Vintage Senior Apartments Letter (November 14, 2022)**

## Attachment 4

### Minutes from January 18, 2023 Planning Commission Meeting



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**PLANNING COMMISSION MINUTES  
JANUARY 18, 2023  
CITY COUNCIL CHAMBERS  
6:30 P.M.  
50 Natoma Street  
Folsom, CA 95630**

**CALL TO ORDER PLANNING COMMISSION**

The regular Planning Commission Meeting was called to order at 6:30 p.m. with Chair Eileen Reynolds presiding.

**ROLL CALL**

Commissioners Present: Mathew Herrera, Commissioner  
Daniel West, Vice Chair  
Bill Miklos, Commissioner  
Ralph Peña, Commissioner  
James Ortega, Commissioner  
Eileen Reynolds, Chair

Commissioners Absent: Bill Romanelli, Commissioner

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**Oath of Office was Administered to Mathew Herrera, James Ortega, Eileen Reynolds, and Daniel West**

**Election of Chair and Vice Chair**

COMMISSIONER WEST MOVED TO ELECT COMMISSIONER EILEEN REYNOLDS AS CHAIR OF THE PLANNING COMMISSION.

COMMISSIONER PEÑA SECONDED THE MOTION.

AYES: HERRERA, WEST, MIKLOS, PEÑA, ORTEGA, REYNOLDS

NOES: NONE

RECUSED: NONE

ABSENT: ROMANELLI

COMMISSIONER REYNOLDS WAS ELECTED TO SERVE AS CHAIR FOR 2023.

COMMISSIONER MIKLOS MOVED TO ELECT COMMISSIONER DANIEL WEST AS VICE CHAIR OF THE PLANNING COMMISSION.

COMMISSIONER HERRERA SECONDED THE MOTION.

AYES: HERRERA, WEST, MIKLOS, PEÑA, ORTEGA, REYNOLDS  
NOES: NONE  
RECUSED: NONE  
ABSENT: ROMANELLI

COMMISSIONER WEST WAS ELECTED TO SERVE AS VICE CHAIR FOR 2023.

**Planning Commission Recommendation of Two Members to Serve on the Historic District Commission**

COMMISSIONER MIKLOS MOVED TO SELECT COMMISSIONER DANIEL WEST AND COMMISSIONER RALPH PEÑA FOR RECOMMENDATION TO SERVE ON THE HISTORIC DISTRICT COMMISSION.

COMMISSIONER HERRERA SECONDED THE MOTION.

AYES: HERRERA, WEST, MIKLOS, PEÑA, ORTEGA, REYNOLDS  
NOES: NONE  
RECUSED: NONE  
ABSENT: ROMANELLI

COMMISSIONER WEST AND COMMISSIONER PEÑA WERE SELECTED FOR RECOMMENDATION TO THE CITY COUNCIL TO SERVE ON THE HISTORIC DISTRICT COMMISSION FOR 2023.

**CITIZEN COMMUNICATION**

NONE

**MINUTES**

The minutes of the November 16, 2022 Regular Meeting were approved as submitted.

**NEW BUSINESS**

**1. PN22-026: AT&T Livermore Park Monopine Cellular Site**

A Public Hearing to consider a request from New Cingular Wireless PCS, LLC for approval of a Conditional Use Permit Application for the installation and operation of a monopine cellular site located at 6004 Riley Street. The zoning classification for the site is OSC, while the General Plan land-use designation is P. An Initial Study and Mitigated Negative Declaration have been prepared in accordance with the requirements of the California Environmental Quality Act. (Project Planner: Josh Kinkade/Applicant: New Cingular Wireless PCS, LLC)

COMMISSIONER MIKLOS MOVED TO ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE INSTALLATION AND OPERATION OF A MONOPINE CELLULAR SITE LOCATED AT 6004 RILEY STREET; AND MOVED TO APPROVE THE CONDITIONAL USE PERMIT APPLICATION (PN22-026) FOR THE INSTALLATION AND OPERATION OF A MONOPINE CELLULAR SITE LOCATED AT 6004 RILEY STREET AS ILLUSTRATED IN ATTACHMENT 5 FOR THE AT&T LIVERMORE PARK CELLULAR SITE CONDITIONAL USE PERMIT PROJECT, BASED ON THE FINDINGS INCLUDED IN THIS REPORT (FINDINGS A-1) AND SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL (CONDITIONS 1-24).

COMMISSIONER WEST SECONDED THE MOTION.

AYES: HERRERA, WEST, MIKLOS, PEÑA, ORTEGA, REYNOLDS  
NOES: NONE

RECUSED: NONE  
 ABSENT: ROMANELLI

MOTION PASSED

**2. PN 21-159: Vintage Senior Apartments Conditional Use Permit, Planned Development Permit, and Density Bonus**

A Public Hearing to consider a request from Vintage at Folsom, LP for approval of a Conditional Use Permit, Planned Development Permit, and Density Bonus for development of a 136-unit senior affordable apartment community on a 4.86-acre site located on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road (103 East Natoma Street). The General Plan land use designation for the project site is PO, while the Zoning designation is BP PD. An Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program have been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. (Project Planner: Steve Banks/Applicant: Vintage at Folsom, LP)

1. Kandi Jones presented a petition against the project to the Commissioners and opposed the project due to concerns about the number of stories, overcrowding, and emergency evacuation safety.
2. Art Jones addressed the commission in opposition to the conditional use permit and had concerns about noise.
3. Henry Sundermier spoke in opposition to the project due to concerns about the number of stories, impact on traffic and emergency response, and parking.
4. John Sutherland opposed the project due to concerns about parking and landscape maintenance.
5. Giovanni Ottolini voiced the importance of wage standards for local workers in the community.
6. Ravi Kahlin spoke in opposition to the project due to concerns about potential noise and light impact, and impact on nearby home values. She also questioned whether the results of the traffic study may have been impacted by the COVID-19 pandemic and reduced cars on the road.
7. Edie Anderson opposed the project due to concerns about traffic safety for the neighborhood entry/exit.
8. Bob Maechler opposed the project due to concerns about bicycle/pedestrian safety and drainage.
9. Brian Oleson opposed the project and requested third party impact studies to be done for comparison with those by the developer.
10. Teresa Golden-Oleson opposed the project due to concerns about parking, trees and visibility, impact on magpies, project design, and traffic.
11. Jill Perkins opposed the project with concerns about parking and traffic.
12. Carole Garrett opposed the project due to concerns about the impact on recreation and wildlife in the area.
13. Bill Pacheco spoke in opposition to the project with concerns about traffic safety and traffic impact on the neighborhood.

CHAIR REYNOLDS CLOSED THE PUBLIC HEARING.

COMMISSIONER WEST MOVED TO CONTINUE PROJECT PN 21-159 TO THE FEBRUARY 15<sup>TH</sup>, 2023 MEETING IN ORDER TO ENABLE STAFF TO PROVIDE COMMISSIONERS WITH MORE INFORMATION ON THE LEGAL JUSTIFICATIONS FOR SPECIFIC ADVERSE IMPACTS ON PUBLIC HEALTH AND SAFETY SO THAT THE COMMISSION CAN MAKE AN EDUCATED DECISION ON APPROVAL OR DENIAL.

COMMISSIONER MIKLOS SECONDED THE MOTION.

AYES: HERRERA, WEST, MIKLOS, PEÑA, ORTEGA, REYNOLDS

NOES: NONE

RECUSED: NONE

ABSENT: ROMANELLI

MOTION PASSED

**PLANNING COMMISSION / PLANNING MANAGER REPORT**

The next Planning Commission meeting is scheduled for February 15, 2023.

**ADJOURNMENT**

There being no further business to come before the Folsom Planning Commission, Chair Eileen Reynolds adjourned the meeting at 10:26 p.m.

RESPECTFULLY SUBMITTED,



Christina Kelley, ADMINISTRATIVE ASSISTANT

APPROVED:



Eileen Reynolds, CHAIR



## Attachment 5

### Minutes from February 15, 2023 Planning Commission Meeting



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**PLANNING COMMISSION MINUTES  
FEBRUARY 15, 2023  
CITY COUNCIL CHAMBERS  
6:30 P.M.  
50 Natoma Street  
Folsom, CA 95630**

**CALL TO ORDER PLANNING COMMISSION:**

The regular Planning Commission Meeting was called to order at 6:31 p.m. with Chair Eileen Reynolds presiding.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited.

**ROLL CALL:**

Commissioners Present: Daniel West, Vice Chair  
Bill Miklos, Commissioner  
Ralph Peña, Commissioner  
Bill Romanelli, Commissioner  
James Ortega, Commissioner  
Mathew Herrera, Commissioner  
Eileen Reynolds, Chair

Commissioners Absent: None

**CITIZEN COMMUNICATION:** NONE

**Oath of Office was Administered to Bill Romanelli**

**Commendations Presented to Barbara Leary and Justin Raithe!**

**MINUTES:** The minutes of the January 18, 2023 Regular Meeting were approved as submitted.

**NEW BUSINESS**

**1. PN 21-159: Vintage Senior Apartments Conditional Use Permit, Planned Development Permit, and Density Bonus**

A Public Hearing to consider a request from Vintage at Folsom, LP for approval of a Conditional Use Permit, Planned Development Permit, and Density Bonus for development of a 136-unit senior affordable apartment community on a 4.86-acre site located on the south side of East Natoma Street at the intersection of East Natoma Street and Prison Road (103 East Natoma Street). The General Plan land use designation for the project site is PO, while the Zoning designation is BP PD. An Initial Study, Mitigated Negative Declaration, and Mitigation

Monitoring and Reporting Program have been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. **(Project Planner: Steve Banks/Applicant: Vintage at Folsom, LP)**

1. Erin Sargent opposed the project and questioned whether studies were done based on the legal allowable number of residents, and had concerns about parking.
2. Katie Salcone opposed the project based on the potential parking overflow into the neighborhood.
3. Robert McNair opposed the project based on parking impact in the neighborhood and traffic/pedestrian safety.
4. Henry Sundermier opposed the project based on traffic safety.
5. Art Jones opposed the project based on parking impact to the neighborhood and emergency vehicle noise impact.
6. Bob Maechler opposed the project based on traffic/pedestrian safety and congestion at crossings.
7. Kat Gray opposed the project, requesting clarification on date of traffic study and discussed potential impact on the yellow-billed magpie.
8. Teresa Golden-Oleson opposed the project based on traffic safety and parking.
9. Farrah Wood opposed the project based on pedestrian/traffic safety and parking impact.
10. Bill Pacheco opposed the project based on traffic safety at the pedestrian crossing.

COMMISSIONER MIKLOS MOVED TO ADOPT THE MITIGATED DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED FOR THE VINTAGE SENIOR APARTMENTS PROJECT (PN 21-159) PER ATTACHMENT 25 OF THE ORIGINAL STAFF REPORT IN ATTACHMENT 2; AND APPROVE A CONDITIONAL USE PERMIT FOR DEVELOPMENT AND OPERATION OF A SENIOR AFFORDABLE APARTMENT COMMUNITY ON THE SUBJECT 4.86-ACRE PROPERTY; AND APPROVE A PLANNED DEVELOPMENT PERMIT FOR DEVELOPMENT OF THE 136-UNIT VINTAGE SENIOR APARTMENTS PROJECT ON A 4.86 ACRE SITE LOCATED AT 103 EAST NATOMA STREET; AND APPROVE A DENSITY BONUS FOR DEVELOPMENT OF THE VINTAGE SENIOR APARTMENTS PROJECT AT A RESIDENTIAL DENSITY OF 28 UNITS PER ACRE AND TO ALLOW FOR THREE INCENTIVES/CONCESSIONS INCLUDING ESTABLISHING A PARKING RATIO OF ONE PARKING SPACE PER UNIT, INCREASING THE MAXIMUM BUILDING HEIGHT FROM 35 FEET TO 42-FEET 6-INCHES, AND INCREASING THE MAXIMUM NUMBER OF BUILDING STORIES FROM 2-STORIES TO 3-STORIES. THESE APPROVALS ARE BASED ON THE FINDINGS (FINDINGS A-U) AND SUBJECT TO THE CONDITIONS OF APPROVAL (CONDITIONS 1-76) ATTACHED TO THIS REPORT.

COMMISSIONER ROMANELLI SECONDED THE MOTION.

AYES: WEST, MIKLOS, ROMANELLI, ORTEGA  
 NOES: PEÑA, HERRERA, REYNOLDS  
 RECUSED: NONE  
 ABSENT: NONE

MOTION PASSED

**5. USPT22-00310, Kinetic Ink Conditional Use Permit and Determination that the Project is Exempt from CEQA**

A Public Hearing to consider a request from Faun O'Neel for a Conditional Use Permit to operate a tattoo parlor and piercing shop at 47A Natoma Street. The zoning classification for the site is C-2 while the General Plan land-use designation is CC. The project is exempt from the California Environmental Quality Act in accordance with Section 15301 of the CEQA Guidelines. **(Project Planner: Josh Kinkade/Applicant: Faun O'Neel)**

COMMISSIONER ROMANELLI MOVED TO APPROVE THE KINETIC INK CONDITIONAL USE PERMIT (USPT22-00310), BASED ON THE FINDINGS INCLUDED IN THIS REPORT (FINDINGS A-G) AND SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL (CONDITIONS 1-14).

COMMISSIONER ORTEGA SECONDED THE MOTION.

AYES: WEST, MIKLOS, PEÑA, ROMANELLI, ORTEGA, HERRERA, REYNOLDS  
 NOES: NONE  
 RECUSED: NONE  
 ABSENT: NONE

MOTION PASSED

**2. MSTR22-00218, Folsom Ranch Apartments Conditional Use Permit, Planned Development Permit, Development Agreement Amendment, Minor Administrative Modification and Determination that the Project is Exempt from CEQA**

A Public Hearing to consider a request from Lewis Management Corporation for the approval of a Development Agreement Amendment, Planned Development Permit, Conditional Use Permit, and Minor Administrative Modification for the development and operation of a 238-unit market rate apartment community on a 15.8-acre site located at the northwest corner of the intersection of Alder Creek Parkway and Westwood Drive within the Folsom Plan Area. The General Plan land use designation is GC and the Specific Plan designation is SP-GC-PD. The City, as lead agency, has determined that the Mangini Ranch Phase 1 project is entirely consistent with the Folsom Plan Area Specific Plan (FPASP) and therefore the project is exempt from the California Environmental Quality Act as provided by Government Code section 65457 and CEQA Guidelines section 15182. **(Project Planner: Steve Banks/Applicant: Lewis Management Corporation)**

COMMISSIONER MIKLOS MOVED TO APPROVE THE CEQA EXEMPTION FOR THE PROPOSED PROJECT PURSUANT TO GOVERNMENT CODE SECTION 65457 AND CEQA GUIDELINES SECTION 15182(C), AND APPROVE A CONDITIONAL USE PERMIT FOR DEVELOPMENT AND OPERATION OF A MARKET-RATE PAIRED, TOWNHOUSE-STYLE APARTMENT COMMUNITY ON THE SUBJECT 15.8-ACRE PROPERTY, AND APPROVE A PLANNED DEVELOPMENT PERMIT WHICH CONTAINS DETAILED DEVELOPMENT AND ARCHITECTURAL STANDARDS FOR THE PROPOSED 328-UNIT RESIDENTIAL APARTMENT COMMUNITY AS DESCRIBED IN THIS REPORT AND THE ATTACHED CONDITIONS OF APPROVAL, AND APPROVE A MINOR ADMINISTRATIVE MODIFICATION TO TRANSFER 116 MMD ALLOCATED UNITS FROM PARCEL 61 TO THE SUBJECT PARCEL (PARCEL 85A), TO TRANSFER 221 MHD ALLOCATED UNITS FROM THE SUBJECT PARCEL (PARCEL 85A) TO PARCEL 61, AND TO TRANSFER 3.3 ACRES OF PARKLAND FROM THE SUBJECT PARCEL (PARCEL 85A) TO PARCEL 61 WITHIN THE FOLSOM PLAN AREA, AND TO RECOMMEND THAT THE CITY COUNCIL APPROVE A DEVELOPMENT AGREEMENT AMENDMENT TO THE FIRST AMENDED AND RESTATED TIER 1 DEVELOPMENT AGREEMENT TO DEED RESTRICT 64 AFFORDABLE HOUSING UNITS ON A PORTION OF THE REMAINDER WITHIN PARCEL 61 IN THE FOLSOM PLAN AREA. THESE APPROVALS AND RECOMMENDATIONS ARE BASED ON THE PROPOSED FINDINGS BELOW (FINDINGS A-U) AND SUBJECT TO THE RECOMMENDED CONDITIONS OF APPROVAL (CONDITIONS 1-46) ATTACHED TO THIS REPORT, WITH THE FOLLOWING MODIFICATIONS TO CONDITIONS NO. 7, NO. 17, NO. 19, AND NO. 30:

**Modification to Condition of Approval No. 7**

The owner/applicant acknowledges that the State adopted amendments to Section 65850 of the California Government Code (specifically Section 65850(g)), effective January 1, 2018, to allow for the implementation of inclusionary housing requirements in residential rental units, upon adoption of an ordinance by the City. In the event that the City amends its Inclusionary Housing Ordinance (IHO) with respect to inclusionary requirements for rental housing units prior to owner/applicant's submittal of a complete application for a building permit for the Folsom Ranch Apartments Project, the owner/applicant (or successor in interest) agrees that the project shall be subject to said rental unit inclusionary requirements, as amended.

Landowner further agrees to **create and** record a deed restriction against a **certain** portion of Parcel 61 in the Folsom Plan Area, **shown and designated as the Remainder on Parcel Map PN-21-043 filed for record on October 21, 2021 in Book 245 of Parcel Maps at Page 2 in the official records of Sacramento County,** to restrict use of such property to affordable housing purposes only ("Affordable Housing Parcel"). Said deed restriction shall be in a form reasonably approved by the City and shall be recorded against the Affordable Housing Parcel **upon creation of the same and** prior to issuance of a building permit for any portion of the Folsom Ranch Apartments Project. Said deed restriction shall require the Affordable Housing Parcel to include 64



deed restricted multi-family housing units available for low-, very-low, and/or extremely-low income households (as those terms are defined in Sections 50079.5, 50093, 50150, and 50106 of the Health and Safety Code), which shall remain in place for at least 55 years from the date of recording.

**The 64 units are anticipated to be located on a site of approximately 2.5 but no more than 3 acres with MHD zoning that is expected to accommodate 25 to 35 units per acre. A large lot parcel map will be processed through the City to create the ultimate deed restricted Affordable Housing Parcel. A site plan will be submitted with the large lot parcel map to verify that the deed restricted Affordable Housing Parcel is sized to accommodate the 64 affordable units. Unless City amends its Inclusionary Housing Ordinance as described in Section 1.7 of Amendment No. 2 to the First Amended and Restated Development Agreement prior to Landowner (or a successor in interest) submitting a complete application for its first building permit for a residential rental project on Parcel 61, Landowner's compliance with this Condition of Approval shall fully satisfy Landowner's obligations with respect to inclusionary and/or affordable housing under the General Plan Housing Element, Specific Plan, Folsom Municipal Code, and Entitlements for any residential rental project on Parcel 61. In the event (i) City amends its Inclusionary Housing Ordinance as described in Section 1.7 of Amendment No. 2 to the First Amended and Restated Development Agreement prior to Landowner (or a successor in interest) submitting a complete application for its first building permit for a residential rental project on Parcel 61 or (ii) Landowner (or a successor in interest) proposes a for-sale residential project on Parcel 61, then Landowner's compliance with this Condition of Approval shall instead offset Landowner's obligations with respect to inclusionary and/or affordable housing under the General Plan Housing Element, Specific Plan, Folsom Municipal Code, and Entitlements on Parcel 61 and Landowner shall receive credits for a total of 64 deed-restricted multi-family housing units ("Affordable Housing Credits"). City agrees that any such Affordable Housing Credits may be transferred to and used to satisfy and/or offset the inclusionary and/or affordable housing obligation for any residential project on Parcel 61, 77, 85A-3 or 85A-4. Owner/applicant understands and agrees that this deed restriction shall have no effect on owner/applicant's (or a successor in interest's) obligations with respect to inclusionary and/or affordable housing on Parcel 85A-3 (APN 072-4110-002) or Parcel 85A-4 (APN 072-4110-001).**

#### **Modification to Condition of Approval No. 17**

The improvement plans for the required public and private improvements necessary to serve the project shall be reviewed and approved by the Community Development Department prior to approval of a building permit for the project. **In addition, the required public and private improvements including landscape and irrigation improvements for the project shall be completed and accepted by to the satisfaction of the Community development Department prior to issuance of a Certificate of Occupancy for the project each phase of the development.**

#### **Modification to Condition of Approval No. 19**

The on-site water and sewer systems shall be privately owned and maintained. The fire system shall be constructed to meet the National Fire Protection Association Standard 24 **California Fire Code and State Building Codes**. The domestic water and irrigation system shall be metered per City of Folsom *Standard Construction Specifications*.

#### **Modification to Condition of Approval No. 30**

1. This project shall require two points of **metered connections** to the City's Potable Water Distribution Main for each parcel. **The water system shall be constructed in accordance with City of Folsom water standards.**
  - a. ~~Connection shall be constructed in accordance with City of Folsom water standards~~
  - b. ~~From masonry wall to back of curb will be used with non-potable water~~
  - c. ~~Irrigation interior to the project shall be served by the domestic water~~
  - d. ~~Connection 1 for first parcel (Parcel 85A-3) shall include:~~
    - i. ~~A water service manifold per WR-23 to serve domestic (metered and approved RPPA) and fire flow (with approved RPDA).~~
    - ii. ~~A separate irrigation service with meter coming from the non-potable water line.~~

- e. ~~Connection 2 for first parcel (Parcel 85A-3) shall include:
 
    - i. ~~A water service manifold per WR-23 to serve domestic (metered and approved RPPA) and fire flow (with approved RPDA).~~
    - ii. ~~A separate irrigation service with meter coming from the non-potable water line.~~~~
  - f. ~~Connection 1 for second parcel (Parcel 85A-4) shall include:
 
    - i. ~~A water service manifold per WR-23 to serve domestic (metered and approved RPPA) and fire flow (with approved RPDA).~~
    - ii. ~~A separate irrigation service with meter coming from the non-potable water line.~~~~
  - g. ~~Connection 2 for second parcel (Parcel 85A-4) shall include:
 
    - i. ~~A water service manifold per WR-23 to serve domestic (metered and approved RPPA) and fire flow (with approved RPDA).~~
    - ii. ~~A separate irrigation service with meter coming from the non-potable water line.~~~~
2. The applicant shall perform a hydraulic analysis/study to confirm the 2-story duplexes are capable of meeting domestic water demands and fire flow sprinkler demands since this location is at the top of Pressure Zone 3.
  3. Hot-Taps to the existing potable distribution system and non-potable distribution system are not allowed. Cut-in Tees only.
  4. There shall be a Sanitary Sewer Manhole Placed at the Property line boundary that differentiates private vs public sewer system for each Parcel (Two Parcels in total).
  5. All on-site water shall be privately owned, operated, and maintained.
  6. All on-site sewer shall be privately owned, operated, and maintained.
  7. If there is going to be a clubhouse with a kitchen, it will require the applicant to install an 8.5"x11" placard affixed to the wall in the Clubhouse Kitchen that informs users about the Do's and Don'ts of FOG.
  8. All backflow devices shall be RPPA (Domestic) or RPDA (Fire).
  9. All meters shall include a meter bypass per the City's Water Construction Standards.

COMMISSIONER HERRERA SECONDED THE MOTION.

AYES: WEST, MIKLOS, PEÑA, ROMANELLI, ORTEGA, HERRERA, REYNOLDS

NOES: NONE

RECUSED: NONE

ABSENT: NONE

MOTION PASSED

### **3. DRDL22-00304, Fire Station No. 34 Design Review**

A Public Meeting to consider a request from the City of Folsom for Design Review approval of a new fire station located at 3255 Westwood Drive. The specific plan designation for the site is SP-MLD-PD while the General Plan land-use designation is MLD. The project was previously determined to be exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15332 of the CEQA Guidelines. **(Project Planner: Brianna Gustafson/Applicant: City of Folsom)**

COMMISSIONER REYNOLDS MOVED TO APPROVE A DESIGN REVIEW APPLICATION FOR FIRE STATION NO. 34 AS ILLUSTRATED ON ATTACHMENT 5 (DRCL22-00304) BASED ON THE FINDINGS (FINDINGS A-G) AND SUBJECT TO THE CONDITIONS OF APPROVAL (CONDITIONS 1-28) ATTACHED TO THIS REPORT.



COMMISSIONER PEÑA SECONDED THE MOTION.

AYES: WEST, MIKLOS, PEÑA, ROMANELLI, ORTEGA, HERRERA, REYNOLDS  
NOES: NONE  
RECUSED: NONE  
ABSENT: NONE

MOTION PASSED

**4. DRCL22-00304, Russell Ranch Phase 2 Villages 1 & 2 Residential Design Review Modifications**

A Public Meeting to consider a request from Lennar Homes of California for Design Review approval to modify two master plans within the previously approved Russell Ranch Phase 2 Villages 1 and 2 project. The specific plan designation for the site is SP-SFHD while the General Plan land-use designation is SFHD. An Environmental Impact Report was previously certified for the Russell Ranch Subdivision project on May 15, 2015 by the City Council in accordance with the requirements of the California Environmental Quality Act (CEQA) and the CEQA Guidelines and no further environmental review is required as a part of this project. **(Project Planner: Josh Kinkade/Applicant: Lennar Homes of California)**

COMMISSIONER WEST MOVED TO APPROVE A RESIDENTIAL DESIGN REVIEW APPLICATION TO MODIFY TWO MASTER PLANS WITHIN THE PREVIOUSLY APPROVED RUSSELL RANCH PHASE 2 VILLAGES 1 AND 2 PROJECT AS ILLUSTRATED ON ATTACHMENT 7 FOR THE RUSSELL RANCH PHASE 2 VILLAGES 1 AND 2 RESIDENTIAL DESIGN REVIEW MODIFICATIONS PROJECT (DRCL22-00319) BASED ON THE FINDINGS (FINDINGS A-J) AND SUBJECT TO THE CONDITIONS OF APPROVAL (CONDITIONS 1-14) ATTACHED TO THIS REPORT.

COMMISSIONER ROMANELLI SECONDED THE MOTION.

AYES: WEST, MIKLOS, PEÑA, ROMANELLI, ORTEGA, HERRERA, REYNOLDS  
NOES: NONE  
RECUSED: NONE  
ABSENT: NONE

MOTION PASSED

**PLANNING COMMISSION / PLANNING MANAGER REPORT**

The next Planning Commission meeting is scheduled for March 15, 2023.

**ADJOURNMENT**

There being no further business to come before the Folsom Planning Commission, Chair Eileen Reynolds adjourned the meeting at 9:55 p.m.

RESPECTFULLY SUBMITTED,

\_\_\_\_\_  
Christina Kelley, ADMINISTRATIVE ASSISTANT

**APPROVED:**

\_\_\_\_\_  
Eileen Reynolds, CHAIR

Attachment 6  
Applicant Response Letter, dated March 7, 2023

ROBERT G. HOLDERNESS

**HOLDERNESS LAW FIRM**

ATTORNEY AT LAW  
 122 Oak Rock Circle  
 FOLSOM, CA 95630  
 Telephone (916) 984-1410  
 Facsimile (916) 984-1413  
 rholderness@holdernesslaw.com

Mailing Address:  
 P. O. Box 975  
 Folsom, CA 95763-0975

March 7, 2023

Mr. Steven Banks  
 Principal Planner  
 Community Development Department  
 City of Folsom  
 50 Natoma Street  
 Folsom, CA. 95630

RE: Opposition to Appeal from Planning Commission Project Approval, on February 15, 2023, of the Vintage Senior Apartments (100% Affordable Housing Project; PN:21-159)

Dear Mr. Banks:

Per your request, my client, Vintage Housing, submits this letter in opposition to the appeal of Katherine L. Gray. and Mark A. Gray from the Folsom Planning Commission's February 15, 2023, approval of the above project as more particularly set forth below. This letter also provides background information relevant to the issues raised by appellants.

**A. BACKGROUND:**

1. The Project & Its Location: Vintage Senior Apartments ["Vintage Apts."] is a 136-unit senior affordable housing apartment community to be located on a 4.86-acre parcel which is located across the street from the main entrance to Folsom State Prison, and specifically located on the south-westerly side of Natoma Street at its intersection with Prison Road.

2. The Neighborhood:

a. Prison Road connects two male inmate state prisons and one female detention center, as well as the residential area known as Represa to the City of Folsom and environs. The prison grounds are more than 1,000 acres in area. Folsom Prison is over 130 years old. Prison Road is used by employees at the prison, vendors, suppliers to the prison, and inmate family members. It is not a thru way, but only used for access to the grounds of the Folsom

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Prisons. Access to the prison grounds is the main source of roadway travel volume along this part of Natoma Street.

b. The project site is within walking distance of the Folsom Police Department, Folsom's Senior Center, Folsom City Hall, Folsom's Community Center, Folsom's Zoo, Folsom's main city park, Folsom's Catholic Church and school, Folsom's Lutheran Church and school, St. Vincent DePaul's thrift shop, Folsom's Twin Lakes Food Bank, doctors' offices, a long term care hospital (Vibra Hospital), two restaurants, a gas station, a battery of small offices and some retail. It is also walking distance from a gas station, a Circle K market, and a veterinarian clinic.

c. In addition, the project site backs up to four individual houses which are part of the Cimarron Hills Development. Cimarron Hills is a custom home development started in approximately 1978. It has about 90 custom homes, ranging in value [according to Zillow] from \$600,000 to \$1,000,000. However, that development is not the only nearby residential neighborhood to the project site. There are about 20 homes in the Evelyn Terrace single family detached homes development, the houses in that subdivision that are located on Ruth Court are closer to the project site than fully 1/3 of the homes in Cimarron Hills. Moreover, on Montrose Street there are about ten 1960s era duplexes and two small apartment houses that are probably sixty years old. All of those residences on Montrose Street are closer in distance to the project site than fully two-thirds of the homes in the Cimarron Hills development, yet no one residing on Ruth Court or Montrose Drive came forward at the Commission's hearings to oppose this project in their "neighborhood." Anyone who ever bought a house in the Cimarron Hills development knew that the aforesaid Montrose Drive residents were already part of the Cimarron Hills "neighborhood" as were the prison, the Circle K, the schools, the hospital, city hall & the police station.

**B. THE REQUESTED ENTITLEMENTS:**

1. Conditional Use Permit: The subject-4.86-acre parcel is zoned BP (Business Professional). Under the Folsom Municipal

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Code ("FMC") the subject project is allowed in the BP zone, subject to Planning Commission approval of a Conditional Use Permit ("CUP"). FMC Sections 17.22.030 (E)214) and 17.22.040(1). The appeal in this case is mainly focused on the claim that this project does not meet any of the requirements for a CUP. These claims are addressed below.

1.. Density Bonus (FMC Section 17.102): The Applicant sought a density bonus by increasing the density of the project to 28 units/acre, and ancillary bonuses, as follows:

- (1) Parking [one to one parking space to apartments ratio]
- (2) Three Stories of apartments, and
- (3) 42' 6" in height [or over 7' above the 35' standard height limitation].

A fair reading of the appeal only challenges the granting of these density bonuses by the Planning Commission within the criteria of the CUP standards, as hereinafter described. There is no claim that the project is ineligible for these bonuses, nor that the Density Bonus law was misapplied.

c. Planned Development Permit: Per city staff, a Planned Development Permit ("PDP") allows greater flexibility in design of the development and is employed by the City as a means of encouraging creative and efficient uses of land. In this case, the PDP is aimed at establishing development standards and building architecture and design for the project. See, Attachment 3, Section C. of the Planning Commission Staff Report dated January 18, 2023. Although some people testified before the Planning Commission that they had concerns re: the design and architecture of the building, the appeal of the Planning Commission's approval of this project presents no issues specifically related to the granting of the PDP.

4. Environmental Assessment & Resulting Mitigated Negative Declaration: A mitigated negative declaration, including

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mitigation monitoring, and reporting program, was approved by the Planning Commission with the finding that the project, as mitigated, will not have a significant effect on the environment and based thereon and as conditioned by the Commission [including without limitation, modified conditions No. 3, No. 38, No. 53, and No. 54], there is no substantial evidence to the contrary. See, Planning Commission Staff Report, February 15, 2023, pages 13, 17-21.

### **C. CALIFORNIA'S AFFORDABLE HOUSING LAW**

1. Introduction: As succinctly stated by city staff in its Feb 15, 2023, report to the Planning Commission, "[w]hile the Folsom Municipal Code continues to govern the findings required to grant a conditional use permit, state law has severely limited the City's ability to deny a conditional use permit and other discretionary approvals in the context of housing development projects." Planning Commission Staff Report, above, at page 4.

2. Overview of California's Affordable Housing Laws Application to this Project: The chief state housing statute governing the City's consideration of this project is the Housing Accountability Act ("HAA"). Government Code Section 65589.5. This law, among other things, limits the city's discretionary power in its consideration of an application for approval of an affordable housing project until the year 2030. The Legislature's stated intent is to address California's current housing crisis. The relevance of that law to this application is well and ably addressed in the Planning Commission Staff Report, above, at pages 4-9. There is no need to repeat or belabor those points: suffice it to say, there is no objective basis for denying this project on any of the five statutory grounds set forth in the HAA, and no evidence of the record to the contrary. Those five statutory criteria are the only grounds upon which a denial of this project could lawfully be undertaken by the City of Folsom. In the same vein Appellants have not presented any evidence, and not identified any such statutory basis for denial of the project in their appeal papers.

3. Penalties for Ignoring the Objective Standards and Requirements of HAA: Getting right to the point, any denial of this project in clear violation of HAA standards would expose the city to the payment of penalties ranging from \$10,000/unit



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to \$50,000/unit. That is, potential penalties in the aggregate ranging from \$1.36 million to \$4.4 million. It would be irresponsible for the Appellants to ask the city to ignore the risk of those penalties by granting this meritless appeal.

**D. The APPELLANTS' ISSUES & THEIR APPEAL:**

1. Appellants' Wrongly Contend that the Initial Study and the MND Are Inadequate: In this case, Appellants "request an EIR" but fail to point to any facts or testimony adduced at the Planning Commission hearings of January 18<sup>th</sup> and February 15<sup>th</sup> that establish a factual/evidentiary basis for the City to require an EIR. The applicable legal standard, under the California Environmental Quality Act ("CEQA"), for requiring a full Environmental Impact Report is that a project "may have a significant effect on the environment." Public Resources Code ("PRC"), Sections 21100 and 21151. See also, 14 California Code of Regulations ("CCR"), Section 15063. To meet the statutory standard, substantial evidence is required. Applying that standard to this case, Applicant contends that there is no substantial evidence in the administrative record from the Commission that this project may have a significant effect on the environment. Specifically, no evidence thereof was presented at the Planning Commission hearings on January 18, 2023, or February 15, 2023.

2. Appellants' "Wait Times" Issue: Appellant's have written, "Transportation wait times are too long." This allegation can only refer to the wait times for vehicles exiting Cimarron Circle at the western-most intersection of Cimarron Circle and Natoma Street, even though the Appellants don't actually say so. Be that as it may, no probative evidence was presented at either session of the Folsom Planning Commission that "wait times" at that intersection exceeded some City standard for "wait times." Indeed, the Appellants did not establish before the Commission that the city has a "wait times" standard that would apply to that intersection. Moreover, the evidence in the record shows that the time regulating factor at that intersection is the existing signal a few yards down the hill at Natoma Street and Prison Road, not this Affordable Housing Project for seniors. No evidence was presented at the Planning Commission hearing that this senior, affordable housing project will upset the smooth functioning of that signal or that intersection, and the

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Appellants present none in their statement of grounds for the appeal.

3. Appellants cite no facts in the Planning Commission record nor any authority for their contention that they are entitled to "reserve the right to bring additional info on appeal": Counsel for the Applicant knows of no provision of the Folsom Municipal Code granting such a right or power of reservation to the Appellants. To the contrary, Folsom Municipal Code ("FMC") Section 17.04.120 provides in relevant part, "...all persons interested may appeal and give such evidence or testimony or make such statements as are pertinent to the appeal..." (Emphasis Added). It couldn't be otherwise, for were it so, Applicants would not know what they were defending against. Consequently, the FMC requires Appellants to tell the Applicant and the Folsom City Council the facts "as are pertinent to the appeal" in their appeal document and without reservation. Counsel for the Applicant submits this language from the FMC can only mean that the scope and nature of the appeal is determined by a fair reading of the four corners of the appeal document submitted by the Appellants and without any "reservation." In other words, Appellants get no second bite at expanding or changing the scope of the appeal under this or other FMC provisions pertinent to this appeal, for to allow such a "reserve" would transgress the ten-day limitation set out in FMC Section 17.04.110, and deprive the Applicant of its right to "Due Process."

4. The "Project Not Feasible" Claim: The feasibility issue is not raised under CEQA absent substantial evidence that the project will have a significant impact on the environment. See, PRC Sections 21100 and 21151, above, and 14 CCR Section 15384; Laurel Heights Improvement Association v. Regents, (etc.) (1988) 47 C.3d 376, 393. In the hearing before the Folsom Planning Commission, Appellants did not meet that burden and their appeal document is likewise deficient. As such, the city council is within its powers to treat this argument as forfeited. California Farm Bureau Federation v. California Wildlife Conservation Board (2006) 143 Cal.App.4th 173, 192-193.

5. Appellants' Attack on Granting the CUP is Groundless: Appellants allege that practically all of the criteria for denial of a CUP are met. They say the CUP should not be granted because it "would have an adverse effects on public health,

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safety, and welfare and would be detrimental and injurious to property and improvements in the neighborhood." Appeal Papers of Mr. and Mrs. Gray, at page one. In the Grays' appeal papers, there is no presentation of facts and argument demonstrating the Commissions' alleged failure to fairly, lawfully apply the CUP standards in light of the strict requirements of HAA. Nor is there any argument about how those standards should have been applied. Likewise, in this appeal, the Appellants fail to join issue with the "Modified Conditions of Approval." That is, Conditions No. 38, No. 53, and No. 54. Those three conditions, were modified in-order-to address concerns raised by some Cimarron Hills residents at the Commission hearings, as follows:

- (1) Condition 38 provides more protection to the immediate neighbors by strengthening the landscaping requirements to assure the success of the landscaping plan, including increasing the size of trees to be planted.
- (2) Condition 53 imposes new requirements to strengthen the safety of the automotive traveling public, pedestrians, and bicyclists, into and around the intersection of Natoma Street and Cimarron Circle as well as the intersection of Natoma Street with the project entrance and the Prison Road.
- (3) Condition 54 places specific requirements whereby 130 on-site parking permits are issued to residents and six designated parking spaces are reserved for employees and visitors only.

The appeal is also silent on those modified conditions. It makes no effort to explain how those modifications were unsatisfactory or inadequate.

#### **E. CONCLUSION:**

For all of the reasons above-stated, the Grays' appeal should be denied and the February 15, 2023, decision of the Folsom Planning Commission granting entitlements to the Applicant, including without limitation, the Conditional Use Permit, the Density Bonus, the Planned Development Permit, the Mitigated negative Declaration, etc., and the Conditions of Approval adopted by the Planning Commission on February 15,  
 //////////////

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2023. herein should be sustained in its entirety by the Folsom City Council.

Respectfully Submitted,

  
Robert G. Holderness  
Counsel for Vintage Housing

RGH:bh

Cc: Folsom City Council  
Pam Johns, Community Development Director  
Scott Johnson, Planning Manager  
Steven Banks, Senior Planner  
Sari Dierking, Assistant City Attorney  
Office of the Folsom City Clerk

**Attachment 7**

**Additional Public Comment Letters**

City Council Members:

I had no intention of sending you further correspondence regarding the Vintage Project, however, it has recently come to my attention that Mr. Holderness of the Holderness law firm personally delivered a copy of an opposition letter he wrote to Steve Banks to a Cimarron Hills resident. I think the letter is worthy of a response.

First thing is the personal delivery of the letter. Is this common practice? Neither, myself or as far as I know has anyone who has written letters opposing this project to Steve Banks, the planning commission or the city council sent or personally delivered copies to Vintage Properties, Mr. Holderness, or the Holderness Law firm. I will not speculate on his intentions but it does come across as an intimidation tactic.

Second, this letter was written to Steve Banks who is the Principal Planner for the city of Folsom and the first line reads, " Per your request". Is it customary for the Principal Planner of the city to request letters of opposition from developers or their attorneys? This seems odd. It brings other questions to mind. Such as what exactly is Mr. Banks relationship to the developer or its attorney? Is he working for them or for the city? Was there a previous meeting between the developer and Mr. Banks prior to purchasing the property or shortly after? Were promises made to the developer by Mr. Banks or the city? And if so what was the context of these conversations and promises? I think it also begs the question did the Vintage Properties give any donation or financial contributions to the city or promise to do so in the future? I think the citizens of Folsom deserve answers to these questions.

He addresses the proximity to services for this location. He is mistaken on several of his points. They are not in proximity to any grocery stores. Circle K is not a grocery store and it does not carry a large variety of products. Also their prices are marked higher than a grocery and probably not feasible for someone who is living in affordable housing. There is a very limited amount of retail, I mean sure if your looking to buy flowers. One of the restaurants located near by is closing and will not be available. There are no doctors offices within walking distance and Vibra Hospital is a private hospital with no emergency services.

Mr. Holderness is mistaken Ruth Court is not closer to the project than the Cimarron Hills neighborhood. Our neighborhood literally backs up to the project. It is curious that he assumes neighbors in these adjoining neighborhoods are not opposed to the project. Many were at the initial meetings with Vintage as well as being in attendance at both planning commission meetings. Just because they did not speak during the meetings does not mean they were not there or opposed. The planning commission was given a petition signed by over 400 residents and I guarantee if you look up the addresses, they were from all over Folsom. As for the duplex's Mr. Holderness specifically mentions, these are with few exception rentals. Many of the owners may have not even gotten word of this project. Most renters and many owners who never intend on living in these properties may not be motivated to participate in opposition.

As for Mr. Holderness claim that turning onto Natoma St. via Cimarron Circle and Fargo is not an issue, I think he is just being disingenuous. If you have not attempted to turn onto Natoma St. especially during peak hours I encourage you to give it try.

Mr. Holderness also suggests that the neighbors appealing this are somehow irresponsible. I would counter that a fellow Folsom resident who is a former city council member and mayor who would champion a project that literally shoves a three-story apartment complex in between a neighborhood of single residential homes and one-story office building is indeed the irresponsible party.

Mr. Holderness than proceeds into a bunch of legalities. As I do not have a law degree I will stay in my lane and let the attorneys hash that out. I will say that it sounds as if Mr. Holderness is trying to manipulate and convince you to decide in his favor. Not surprising as that is what he was hired to do. I would hope that you would consider your decision carefully and not make the threat of litigation your determining factor. Not everyone who threatens litigation follows through and if they do there is no guarantee of them winning. Once again please keep the interests of your constituents in mind.

Thank you,  
Dreema Pacheco



This email pertains to the proposed building project "Vintage Senior Apartments" located at Natoma and Prison Rd. At the two Planning Commission meetings there were many concerns raised regarding this "affordable, senior, 136 units, 3 stories tall (42'+6") building." Six of the planning commissioners (one absent) publicly stated at the first meeting they were against this project.

Below are some of the issues raised:

1. It's a very **unsuitable** location for a "senior" complex as it lacks any of the support systems needed by seniors, such as nearby grocery store, drug store, restaurants, or general shopping. Plus there is **NO** public transportation available.
2. There were concerns from the planning commission regarding the feasibility that fire engines, especially a hook and ladder, would **NOT** have adequate room to move about in the case of a fire. To be clear, I'm not referring to response time.
3. Issues of "safety" regarding the intersection itself. Presently Natoma is one lane in each direction with a left turn lane for Prison Rd. The developer's traffic expert stated that the intersection is/or will be "tight". Keep in mind that Natoma is a major artery leading to Folsom Lake and many vehicles tow large boats that require adequate space for safe passage. Also the new "4-way" traffic light is going to create **backlogs** on Natoma extending beyond Fargo, making it difficult & "**unsafe**" to turn "left" onto Fargo or left from Fargo onto Natoma. This will especially be noticeable on school days & Sundays with the comings and goings from St John's. Also trying to exit from either end of Cimmaron and Randall (making left turns) will become much harder and dangerous. The City Council should demand additional and very detailed studies on this intersection to determine how the traffic patterns will effect the public's safety. Don't just accept their first study. The city needs further detailed analysis.
4. The crosswalk across Natoma at Prison Rd is a crosswalk to "**nowhere**". Once on the "prison side" there are no sidewalks east or west. One has to walk either **on the street** or dirt before reaching a sidewalk or trail entrance. This is **NOT SAFE**. If this project goes through the developer should be required to add sidewalks on both sides of Natoma.
5. There is a ravine within this property that has merging creeks. During the rainy season water is present in these creek beds. It appears some of this water comes from the hills of the prison land, goes under Natoma and spills into this plot of land. Their packet(s) noted a preliminary water analysis was preformed in 2022. We've been in a multi year drought, so how accurate can their current analysis be? The city council needs a new and updated comprehensive water and land report before any voting. Also this five acres will require extensive grading and tree removal.
6. The planned 136 parking spaces are not adequate. Of the 136 spaces: 6 will be for employees/guests, an additional 20 for disabled and another 14 for EV (which will not even be hooked up). Leaving a total of 96 spaces. As noted by their lawyer, excess cars will probably park on the public streets of Cimmaron Cir & Montrose Dr. Their plan to have written into the rental contract "one car per unit" will be impossible to enforce and multi cars per unit will create a shortage of on site parking. The excess cars, parking on the surrounding neighborhood streets will cause traffic and safety issues.

It is sad that we've entered an era where bulldog, profit hungry corporations and their pit bull lawyers, roar into towns, dictate "their projects" and threaten law suits if they don't get their way. They appear to have little regard for the community they're impacting.

Please **DO NOT** approve this project. It is a square peg & they're attempting to jack hammer it into a round hole despite any safety concerns that have been expressed. It **does not** fit this particular plot of land/location & comes with many public safety issues.

Sincerely, Jean Sundermier 339 Cimmaron Cir.

## Steven Banks

---

**From:** Connie Clark <cclark610@icloud.com>  
**Sent:** Saturday, March 18, 2023 7:52 AM  
**To:** Steven Banks  
**Subject:** Sr housing

[You don't often get email from cclark610@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Everyone knows this project is necessary. A senior housing project is not a threat to the community and should not be threatened. Unless those who oppose it have a better location, let it go through.

Sent from my iPhone

## Steven Banks

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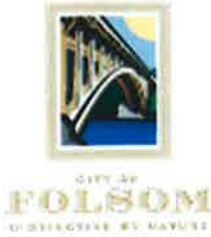
**From:** Lindsey Soto <lsoto1712@gmail.com>  
**Sent:** Friday, March 17, 2023 2:48 PM  
**To:** Steven Banks  
**Subject:** Vintage at Folsom senior apartments support

[You don't often get email from lsoto1712@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Just wanted to make sure you know you have community support for this affordable housing project for Folsom. We are in dire need of more affordable housing and this is a beautiful spot for seniors where they can still be integrated into our community and enjoy the nature and quiet that Folsom has to offer. This will help create more housing that will allow for much needed diversity in Folsom. Thank you for developing this project.

Lindsey Soto Sent from my iPhone



# Folsom City Council Staff Report

<b>MEETING DATE:</b>	3/28/2023
<b>AGENDA SECTION:</b>	Old Business
<b>SUBJECT:</b>	Resolution No. 11015 - A Resolution Adopting the City of Folsom Strategic Plan, FY2023-24 through FY2027-28
<b>FROM:</b>	City Manager's Office

### **RECOMMENDATION / CITY COUNCIL ACTION**

The City Manager recommends that the City Council move and adopt Resolution No. 11015 - A Resolution Adopting the City of Folsom Strategic Plan, FY 2023-24 through FY2027-28 (Attachment 1).

### **BACKGROUND / ISSUE**

The City Manager and the City Council sought to develop a City strategic plan and correlating implementation plan to provide City leaders with a road map to capture opportunities and address challenges over the next five years. The City Manager committed to delivering a strategic plan for adoption by the City Council by March 31, 2023.

The City Manager worked with the City Council on foundational strategic planning activities throughout the last year, including during two special City Council meetings. Later in the process, the City Manager retained consulting firm Baker Tilly to help guide the City Council through to completion of the draft strategic plan (which can be found in Attachment 2).

The strategic planning process included gathering input from members of the City Council, the City’s Executive Management Team, community stakeholders, and businesses:

### **Early City Council Input**

A first step in the planning process was interviews with each member of the City Council to gather their input about challenges and key priorities for the future.

### **Gap Analysis Questionnaire**

A gap analysis questionnaire was completed by the City's Executive Management Team, providing input about strengths, weaknesses/limitations, opportunities, and threats (SWOT analysis); goals; and mission, vision, and values. Significant plans and projects were identified.

### **Community and Business Input**

Input from the community was gathered through a survey conducted in March 2022 by Godbe Research. A qualitative survey was also sent out to all City residents, with assistance by CliffordMoss. Input from the business community was gathered by Baker Tilly through an online survey conducted in January, 2023.

### **Workshops**

A full day workshop with the City's Executive Management Team was held in December, 2022 to discuss the information gathered. A City Council workshop was held in February, 2023 to discuss goals and strategies and to decide on top priorities.

## **POLICY / RULE**

Section 2.02 of the Charter of the City of Folsom (General Powers of the City Council) states that all powers of the City shall be vested in the City Council, except as otherwise provided by this Charter.

## **ANALYSIS**

The Strategic Plan contains a renewed vision and mission statement, along with a set of values for the organization. Our vision is aspirational, a statement of the future for the City of Folsom. Our mission represents the purpose of the City of Folsom organization. Our values reflect expected behaviors of all members of the City of Folsom – including staff and appointed and elected officials.

The City of Folsom Strategic Plan contains four high-level goals:

- (A) Financial Stability and Sustainability,
- (B) Public Safety and Infrastructure,
- (C) Economic and Community Development, and

(D) Organization Effectiveness.

Each goal contains a set of strategies for implementation over the five-year period.

To further help drive direction through the current fiscal year, FY2023-24, and FY2024-25, the City Council examined all of the strategies and identified five top priorities, known as the City Council's Priorities. These include:

- Identify a funding plan to expand police department facilities to meet department needs. (Goal B, Strategy 3)
- Identify funding to increase police department staffing to meet community needs. (Goal B, Strategy 4)
- Initiate technology solutions to streamline organization and improve efficiency. (Goal B, Strategy 9)
- Complete the River District Master Plan to enhance the City's waterfront and waterfront-adjacent recreation and development opportunities. (Goal C, Strategy 1)
- Develop funding/sponsorship plan for the Johnny Cash Trail (JCT) art trail to increase tourism focused on Lake Natoma. (Goal C, Strategy 5)

An Implementation Action Plan correlates with and supports the Strategic Plan. The Implementation Action Plan is an internal staff document that will contain a schedule, roles, and responsibilities and key steps toward achieving the plan. Upon adoption of the Strategic Plan, staff will use the Implementation Action Plan to carry out the Strategic Plan and monitor progress, reporting back to the City Council and the community at least twice each fiscal year. A strategic planning website will be developed to assist with communicating the plan to the community and the region.

The Strategic Plan will guide financial, operational, and policy decisions starting now and through FY2027-28, with oversight by the City Manager, in partnership and cooperation with the City Council and staff.

Each fiscal year, the City Manager will bring the Strategic Plan to the City Council for review, and updates and changes will be made as needed.

### **FINANCIAL IMPACT**

There is no fiscal impact associated with adopting the Strategic Plan. Future City Budgets will contain the City Council Priorities, and the City Manager will seek to align the Preliminary Budget along those priorities.



**ATTACHMENTS**

1. Resolution No. 11015 - A Resolution Adopting the City of Folsom Strategic Plan, FY 2023-24 through FY2027-28
2. Draft City of Folsom Strategic Plan, FY2023-24 through FY2027-28

Submitted,

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Elaine Andersen, City Manager

**ATTACHMENT 1**  
**Resolution No. 11015**

**RESOLUTION NO. 11015****A RESOLUTION ADOPTING THE CITY OF FOLSOM STRATEGIC PLAN,  
FY2023-24 THROUGH FY2027-28**

**WHEREAS**, the City Manager and the City Council sought to develop a City strategic plan to provide City leaders with a road map to capture opportunities and address challenges over the next five years; and

**WHEREAS**, the strategic planning process included gathering input from members of the City Council, the City's Executive Management Team, community stakeholders, and businesses; and

**WHEREAS**, the City Manager worked with the City Council on foundational strategic planning activities throughout the last year, including during two special City Council meetings. Later in the process, the City Manager retained consulting firm Baker Tilly to help guide the City Council through to completion of the draft strategic plan, with Baker Tilly consultants facilitating day-long workshops with both the City's Executive Management Team and the City Council; and

**WHEREAS**, the City's strengths, weaknesses/limitations, opportunities, and threats; goals; and mission, vision, and values were critically examined and refreshed, and major projects identified;

**WHEREAS**, the City Council identified four strategic goals which are memorialized in the Strategic Plan: (A) Financial Stability and Sustainability, (B) Public Safety and Infrastructure, (C) Economic and Community Development, and (D) Organization Effectiveness; and

**WHEREAS**, the Strategic Plan also includes the City's vision, mission, values, goals, City Council priorities, and strategies; and

**WHEREAS**, the Strategic Plan will guide financial, operational, and policy decisions starting now and through FY2027-28; and,

**WHEREAS**, staff will use an Implementation Action Plan to carry out the Strategic Plan and monitor progress, reporting back to the City Council and the community at least twice each fiscal year; and,

**WHEREAS**, each fiscal year, the City Manager will bring the Strategic Plan to the City Council for review, and updates and changes will be made as needed.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom adopts the City of Folsom Strategic Plan, FY2023-24 through FY2027-28.

**PASSED AND ADOPTED** this 28th day of March, 2023, by the following roll-call vote:

**AYES:** Councilmember(s):  
**NOES:** Councilmember(s):  
**ABSENT:** Councilmember(s):  
**ABSTAIN:** Councilmember(s):

---

Rosario Rodriguez, MAYOR

ATTEST:

---

Christa Freemantle, CITY CLERK

**ATTACHMENT 2**  
**Draft Strategic Plan**

# DRAFT



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## City of Folsom Strategic Plan

FY 2023-24 through FY 2027-28



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# City Council



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The Folsom City Council is dedicated to ensuring Folsom's high standards for public health, safety, and quality of life.

Through responsible leadership, the City Council provides policy direction and financial oversight to the City Manager, who is hired by and is accountable to the City Council. The City Manager is responsible for the day-to-day operations of the City organization under the Council/Manager form of government. With an eye to the long-term, the City Council serves as careful stewards for residents and businesses as they guide the direction of the City.



## A Message from the City Manager

This Strategic Plan sets the path for the City of Folsom for the next five years. It contains the City Council's guidance regarding top policy priorities and establishes the framework for allocating resources to achieve important objectives.

Many people participated in developing this Strategic Plan. We started with seeking early input from members of the City Council through individual interviews conducted by our facilitators. The executive team provided detailed information about current and future plans and projects, as well as participated in a day-long workshop. Community input was obtained through the Godbe Research survey conducted in March 2022, and business community input was gathered through an online survey conducted by Baker Tilly in January 2023. See Attachment A for more information about our strategic planning process.

As we implement our Strategic Plan, we will continue to strengthen ties between the City of Folsom and our many community members and partners.

**Success of the City of Folsom will always be a team effort.**

Elaine Andersen  
City Manager

### Strategic Planning Guidance Provided By

- Elaine Andersen, City Manager
- Allison Garcia, Human Resources Director
- Christa Freemantle, City Clerk
- Christine Brainerd, Communications Director
- Ken Cusano, Fire Chief
- Lorraine Poggione, Parks and Recreation Director
- Marcus Yasutake, Environmental and Water Resources Director
- Mark Rackovan, Public Works Director
- Pam Johns, Community Development Director
- Rick Hillman, Police Chief
- Stacey Tamagni, Finance Director
- Steve Wang, City Attorney
- Thomas Gruneisen, Library Director

## About the City of Folsom

The City of Folsom was founded in 1856, incorporated in 1946, and chartered in 1990. The City is located approximately 110 miles northeast of San Francisco, and 20 miles east of Sacramento. A full-service Charter city, Folsom covers approximately 30 square miles and serves over 81,000 residents.

City services include police, fire, public works, planning, parks and recreation, library, water, wastewater, and solid waste utilities. The City is known for its high water quality, which has helped attract major corporations to Folsom. Major employers in Folsom include Intel, Kikkoman, Kaiser Permanente, Toshiba, Micron, Kioxia, Gekkeikan, and Safe Credit Union.

Folsom is rich in history and has connections to California's Gold Rush, the Pony Express, and the first railroad in the West. Folsom's revitalized Historic District includes the Folsom History Museum and the Folsom Hotel (a landmark since 1885), and offers premier dining, shopping, and historic architecture.

Folsom's Zoo Sanctuary, aquatic center, 48 parks, 50 miles of paved recreational trails, Folsom Lake, Lake Natoma, and American River are just a few of the attractions offering outdoor recreational and educational activities to residents and visitors.



## Committees and Commissions

The City of Folsom has long benefited from the involvement of residents in many civic activities. One of the ways that residents can be involved is by serving on one of the City's commissions and committees, which are listed below.

- Arts and Culture Commission
- Historic District Commission
- Landscaping and Lighting Districts Advisory Committee
- Library Commission
- Parks and Recreation
- Planning Commission
- Traffic Safety Committee
- Utility Commission

# Opportunities and Challenges

The City of Folsom has numerous opportunities and several challenges.

## Opportunities

- Abundant historic and recreational amenities
- Strong interest in the River District and Central Business District
- Strong interest in creating a Folsom Plan Area town center
- Prominent healthcare and high-tech industries
- Capacity for revenue enhancement
- Strong community sense of volunteerism
- Greater efficiency through use of new technologies
- Grow public-private partnerships

## Challenges

- Lack of financial capacity to provide existing and future needed services and infrastructure
- Outdated technology
- Need for greater planning for future needs
- Employee retirements and turnover
- Lack of affordable housing
- Growing population with new needs
- Inability to maintain current service levels

## Major Factors Influencing Folsom's Future

Significant changes have occurred in recent years and other factors will influence the next 10 and more years. Some are listed below.



Effects of the pandemic



Folsom Plan Area



Threat of wildfires



Unfunded state mandates



Tight labor market



Rising housing



Financial capacity



# Vision, Mission and Values

Our vision is aspirational, a statement of the future. Our mission represents the purpose of the City of Folsom as an organization. Our values reflect expected behaviors of all members of the City of Folsom – including staff, appointed and elected officials. We are proud of where we are going as a city, and how we go about our work.



## VISION

The City of Folsom serves as a role model and regional leader that blends its rich historical roots and diverse cultural, recreational, and business resources into a great community.

## MISSION

The City of Folsom provides a safe, healthy, and vibrant community through innovative, responsive, and effective delivery of public services to maintain and enhance the quality of life of our residents.

## VALUES

**Integrity:** Demonstrating honesty and strong ethical principles in all actions and decisions.

**Professionalism:** Delivering high-quality services based on the skills and competence of trained employees, and best industry practices.

**Financial stability:** Planning for the long term and making decisions in the short term to ensure the necessary resources are available to deliver City services and achieve goals established by the Council.



# Multi-Year Goals

We have ambitious goals as we respond to community interests and organizational needs. Our Strategic Plan contains four multi-year goals covering a range of important initiatives intended to position the City well over five years.

**Goal A:** Financial Stability and Sustainability

**Goal B:** Public Safety and Infrastructure

**Goal C:** Economic and Community Development

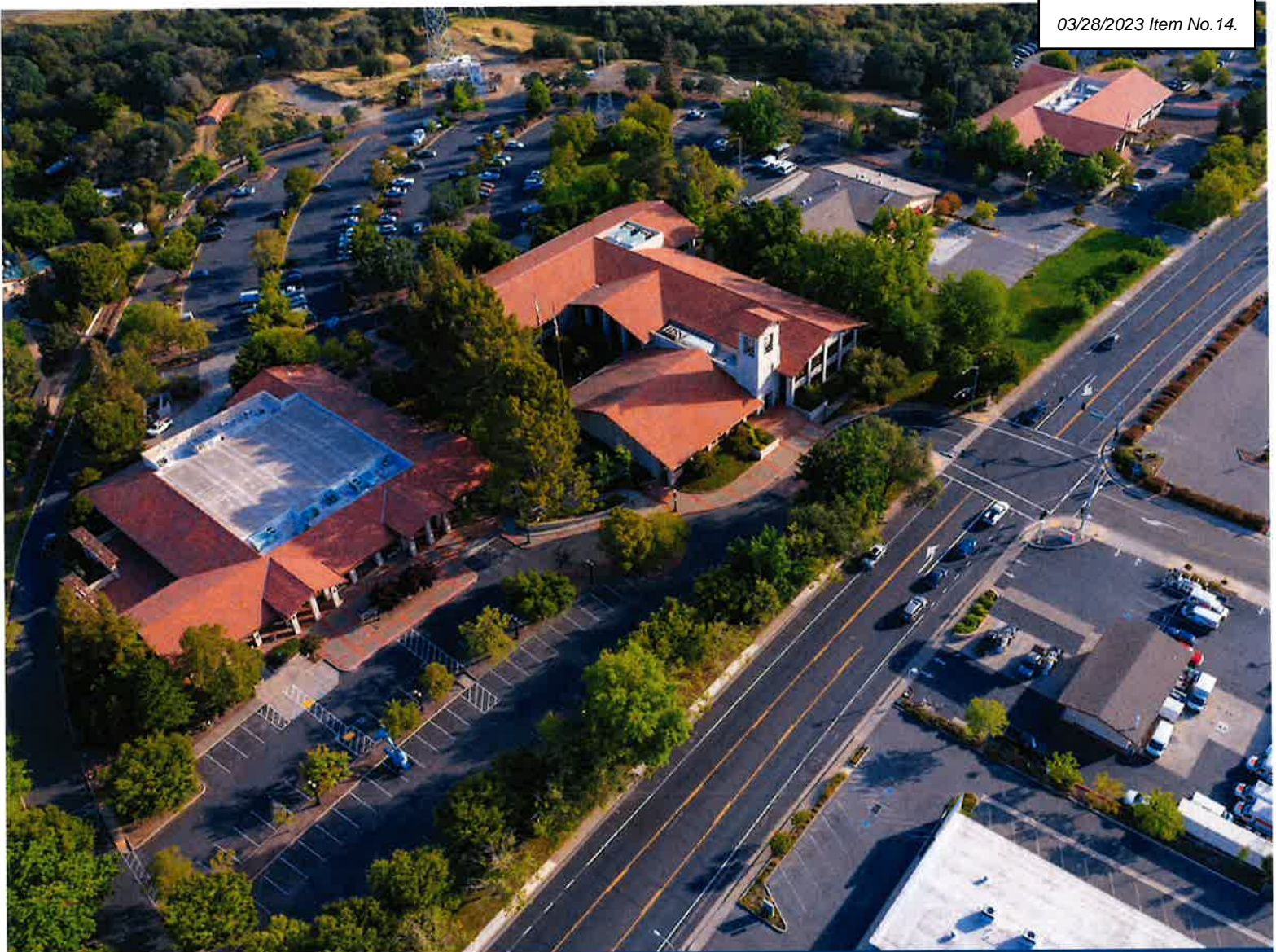
**Goal D:** Organization Effectiveness



Each of these goals has an associated set of strategies.

The City Council's top priorities for the first two years are shown on the next page.





## City Council Priorities

Our work is in alignment with City Council policies and priorities. The following strategies address specific Council priorities in the first two years of the Strategic Plan. Each strategy listed below is also shown in the relevant goal section later in this document. The numbers shown below are consistent with those in the goal sections.

- Identify a funding plan to expand police department facilities to meet department needs. (Goal B, Strategy 3)
- Identify funding to increase police department staffing to meet community needs. (Goal B, Strategy 4)
- Initiate technology solutions to streamline organization and improve efficiency. (Goal B, Strategy 9)
- Complete the River District Master Plan to enhance the City's waterfront and waterfront-adjacent recreation and development opportunities. (Goal C, Strategy 1)
- Develop funding/sponsorship plan for the Johnny Cash Trail (JCT) art trail to increase tourism focused on Lake Natoma. (Goal C, Strategy 5)





# Goal A: Financial Stability and Sustainability

Support fiscal health through long-term planning, cost control, heightened efficiency, increased revenue, and cost recovery.

The following table contains nine strategies intended to help the City achieve the goal of financial stability and sustainability over the next several years. For each strategy, the time frame that work will begin has been noted. In a number of cases, the strategy is a continuation of work that began previously but significant effort will be needed to complete the strategy.

## STRATEGIES

*Year to Begin Strategy*

FY 2022-23,  
FY 2023-24 and  
FY 2024-25

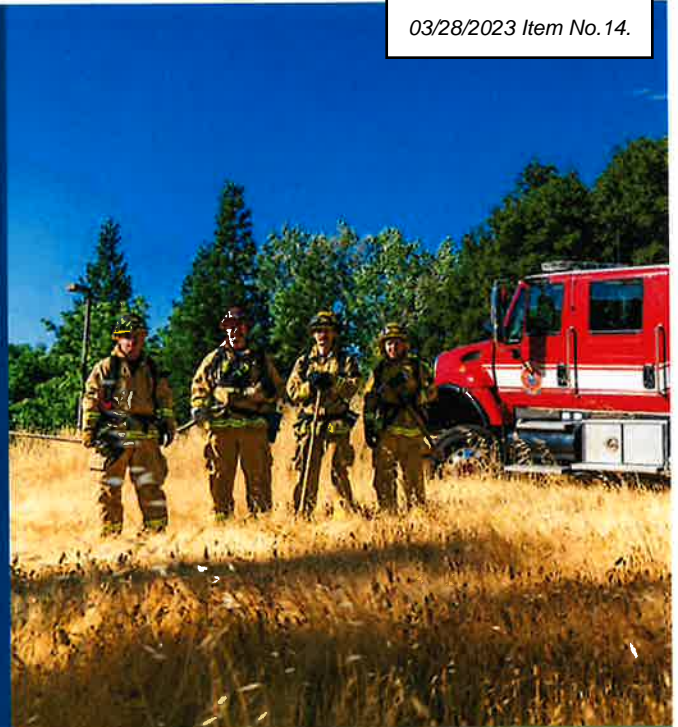
FY 2025-26 and  
FY 2026-27

1. Evaluate current policies for cost recovery and actual revenue received and modify as needed to implement increased cost recovery.	X
2. Identify and prioritize services needed, and determine the costs of those services, to meet current and increased population.	X
3. Assess the procurement process for contracts to streamline processes, identify inefficiencies, achieve cost savings.	X
4. Prepare and implement updated financial policies that incorporate a minimum emergency reserve and policy for use of any surplus funds at year-end.	X
5. Create a long-term funding plan that includes a fund-balance policy for deferred and ongoing infrastructure needs including asset replacement (e.g., drainage, parks, vehicle replacement, city facilities, technology, and other).	X
6. Develop new funding sources and strategies to build new facilities or expand and enhance existing facilities to meet the demands of a growing population.	X
7. Develop additional revenue sources for consideration to provide sufficient revenues to deliver services to the community.	X
8. Quantify the costs of and resources assigned to carry out major special events to ascertain any potential changes needed, and determine the economic impacts of such events.	X
9. Update the Public Facilities Financing Plan for the Folsom Plan Area.	X

# Goal B: Public Safety and Infrastructure

Enhance provision of public safety resources, invest in technological solutions, and maintain, repair, and improve public facilities and infrastructure.

The following table contains 19 strategies intended to help the City achieve the goal of public safety and infrastructure over the next several years. For each strategy, the time frame that work will begin has been noted. In a number of cases, the strategy is a continuation of work that began previously but significant effort will be needed to complete the strategy.



*Year to Begin Strategy*

## STRATEGIES

FY 2022-23,  
FY 2023-24 and  
FY 2024-25

FY 2025-26 and  
FY 2026-27

### *Fire and Police*

- |  |   |   |
|--|---|---|
| 1. Complete plans for a new, second fire station in the Folsom Plan Area, including an initial staffing plan of nine additional employees for a single engine company. |   | X |
| 2. Develop a plan to meet future fire department needs including review of need for additional stations, apparatus, and administrative and training facilities.        | X |   |
| 3. Identify a funding plan to expand police department facilities to meet department needs.  | X |   |
| 4. Identify funding to increase police department staffing to meet community needs.  | X |   |

### *Environmental Sustainability*

- |   |  |   |
|---|--|---|
| 5. Establish a plan and identify a funding source for completing a transition to full electric fleet by 2035. |  | X |
| 6. Conduct a full inventory of greenhouse gas emissions on the City's fixed assets.                           |  | X |

### *Technology*

- |   |   |  |
|---|---|--|
| 7. Conduct an organization-wide IT needs assessment that could lead to an IT strategic roadmap.       | X |  |
| 8. Establish a funded replacement schedule for updating and replacing outdated hardware and software. | X |  |
| 9. Initiate technology solutions to streamline organization and improve efficiency.                   | X |  |



# STRATEGIES

Year to Begin Strategy  
 FY 2022-23,  
 FY 2023-24 and  
 FY 2024-25

FY 2025-26 and  
 FY 2026-27

## Technology

- |   |   |   |
|---|---|---|
| 10. Assess what would be involved in becoming a “Smart City” and establish a plan that matches resources as feasible.   |   | X |
| 11. Implement a robust Human Resources Information System (HRIS) that allows HR staff to track important employee information such as recruiting and talent acquisition, compensation, and organizational and absence management. |   | X |
| 12. Create a city intranet for all forms, processes, templates, contracts, approved City documents, and internal files to increase efficiency and security of file and document use.  | X |   |
| 13. Create new ways for the public to access information and records for increased transparency and to meet Public Records Act requirements.  | X |   |

## Public Works

- |  |   |   |
|--|---|---|
| 14. Establish a method of assessing and comparing the relative costs and benefits of roundabouts in lieu of traffic signal controls and create criteria to apply in determining which alternative to employ. | X |   |
| 15. Establish an asset management plan and program for fleet management and parts procurement.   |   | X |
| 16. Study, design, and construct capital improvements to enhance traffic flow and improve safety citywide.   |   | X |

## Parks and Recreation

- |  |   |   |
|--|---|---|
| 17. Update the Zoo Sanctuary Master Plan to provide focus for future operations, funding, and development. |   | X |
| 18. Prepare an update to the Parks and Recreation Master Plan.   | X |   |
| 19. Update the Arts and Culture Master Plan.   |   | X |



# Goal C: Economic and Community Development

Promote effective use of existing amenities and resources to create future opportunities that enrich the community.

The following table contains ten strategies intended to help the City achieve its economic and community development goals over the next several years. For each strategy, the time frame that work will begin has been noted. In a number of cases, the strategy is a continuation of work that began previously but significant effort will be needed to complete the strategy.



## STRATEGIES

*Year to Begin Strategy*

FY 2022-23,  
FY 2023-24 and  
FY 2024-25

FY 2025-26 and  
FY 2026-27

### *Preparation of Plans*

- |  |   |   |
|--|---|---|
| 1. Complete the River District Master Plan to enhance the City's waterfront and waterfront-adjacent recreation and development opportunities.                            | X |   |
| 2. Complete a master plan of the City's central business district with the goal to revitalize land use and infrastructure and set the foundation for future investments. | X |   |
| 3. Create a plan for relocating the corporation yard, including funding and timing.  |   | X |

### *Outreach and Business Development*

- |   |   |
|---|---|
| 4. Evaluate market opportunities in Folsom to create opportunities to leverage existing high tech, healthcare, and other significant local industries.  | X |
| 5. Establish a long-term vision for the Wye property and the Placerville and Sacramento Valley Railroad.  | X |
| 6. Develop funding/sponsorship plan for the Johnny Cash Trail (JCT) art trail to increase tourism focused on Lake Natoma.   | X |
| 7. Develop a narrative plan (e.g., QR codes) along walking and bicycle trails, and historic sites for self-guided tours.  | X |
| 8. Partner with Choose Folsom to market Folsom as a premier recreation and competitive events destination in northern California (e.g., Folsom Lake, Lake Natoma, the Historic District, scenic trails, bike trails, etc.). | X |



# STRATEGIES

Year to Begin Strategy  
FY 2022-23, FY 2023-24 and FY 2024-25      FY 2025-26 and FY 2026-27

## Outreach and Business Development

- 9. Identify funding and other factors to determine feasibility of large scale, highly visible facilities and events that could provide recreational and tourism benefits to the community. X

---

- 10. Conduct community outreach and collaborate with private developers to implement the vision-concept for a town center in the Folsom Plan Area (preliminary plans submitted and under review). X





# Goal D: Organization Effectiveness

Build strong connections and support for the community and employees through a commitment to local government best practices and employee development, support, and retention to meet community needs.

The following table contains five strategies intended to help the City achieve the goal of organizational effectiveness over the next several years. For each strategy, the time frame that work will begin has been noted. In a number of cases, the strategy is a continuation of work that began previously but significant effort will be needed to complete the strategy.



## STRATEGIES

*Year to Begin Strategy*

FY 2022-23,  
FY 2023-24 and  
FY 2024-25

FY 2025-26 and  
FY 2026-27

1. Implement multi-year staffing and succession planning for each department in consideration of projected retirements and turnover.	X	
2. Establish an enhanced employee training program that includes the latest tools in technology, local government best practices, and new customer service approaches (e.g., Folsom University 2.0, lunch and learns, "how to" videos).		X
3. Establish customer service standards and corresponding resource funding.		X
4. Establish a diversity, equity, and inclusion (DEI) program to support an environment welcoming to people of all backgrounds.	X	
5. Actively promote continuous improvement in City operations.	X	





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# Implementation and Tracking

## **Implementation Action Plan**

An Implementation Action Plan, contained in a separate document, provides further information. This includes the starting year, lead person and key tasks for each strategy. Timelines may be adjusted based on changing priorities, budget and personnel availability.

## **Tracking and Reporting Progress**

Progress reports will be provided to the City Council on a regular basis.





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# Conclusion

This Strategic Plan is designed to guide the work and future of the City of Folsom. The plan articulates our vision, mission, and values and establishes a set of goals, strategies, and City Council priorities to guide the work of the City over the next five years.

The plan will be updated periodically as we accomplish our priorities and as needs change.

The City of Folsom is committed to continuing collaboration with our many partners in achieving the goals in this Strategic Plan.

**Thank you to everyone who contributed to this important planning effort.**

# Attachment A: Strategic Planning Process

The strategic planning process included gathering input from members of the City Council, executive leadership team, community and businesses.

## Early City Council Input

A first step in the planning process was interviews with each member of the City Council to gather their input about challenges and key priorities for the future.

## Gap Analysis Questionnaire

A gap analysis questionnaire was completed by the City's executive team, providing input about strengths, weaknesses/limitations, opportunities, and threats (SWOT); goals; and mission, vision and values. Significant plans and projects were identified.

## Community and Business Input

Input from the community was gathered through a survey conducted in March 2022 by Godbe Research. Input from the business community was gathered by Baker Tilly through an online survey conducted in January 2023.

## Workshops

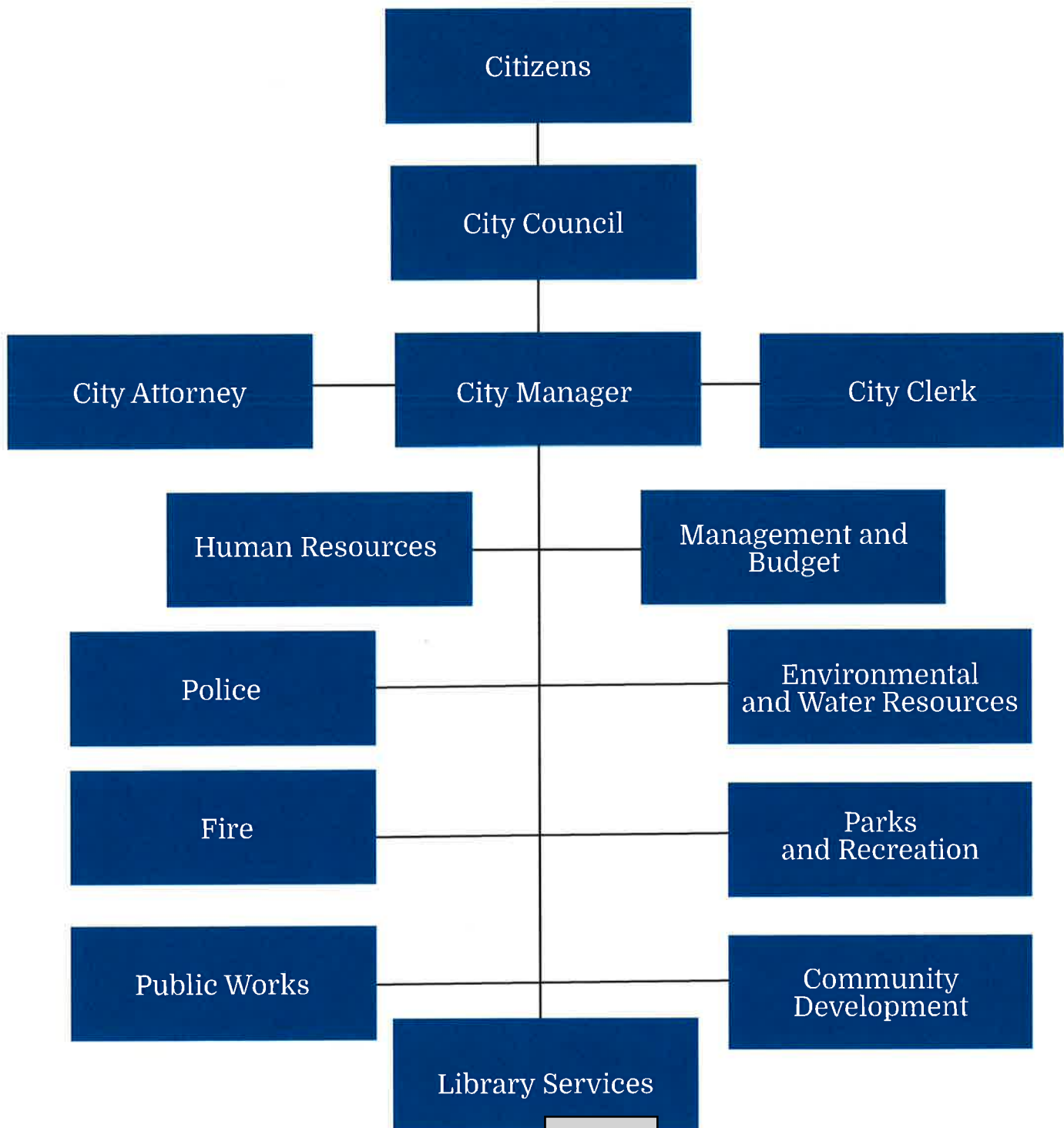
A full day workshop with the executive team was held in December 2022 to discuss the information gathered. A City Council workshop was held in February 2023 to discuss goals and strategies and to decide on top priorities.

## Regular Updates

City staff will be providing updates on progress of the Strategic Plan. An Implementation Action Plan accompanies this Strategic Plan. Each year, the strategic plan will be reviewed, and updates and changes will be made as needed.

# Attachment B: Organizational Chart

The City of Folsom is organized as shown in the following chart. The largest departments are police, fire, public works, library services, environmental and water resources, parks and recreation, and community development.





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