



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Agenda

City Council Regular Meeting

City Council Chambers | 50 Natoma Street, Folsom CA 95630

January 11, 2022

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.

How to Participate

The Sacramento County Health Order dated January 6, 2022 has ordered that all in-person council and commission public meetings be suspended, and that those meetings be conducted virtually. The next page of the agenda provides details describing how to participate in this meeting via Zoom.

How to Watch

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

Online	On TV
 <p>Watch the livestream and replay past meetings on the city website, www.folsom.ca.us</p>	 <p>Watch live and replays of meetings on Sac Metro Cable TV, Channel 14</p>

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. Requests must be made as early as possible and at least two full business days before the start of the meeting.

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



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

City Council Regular Meeting

Folsom City Council Chambers
50 Natoma Street, Folsom, CA
www.folsom.ca.us

Tuesday, January 11, 2022 6:30 PM

Kerri Howell, Mayor

Rosario Rodriguez, Vice Mayor
YK Chalamcherla, Councilmember

Sarah Aquino, Councilmember
Mike Kozlowski, Councilmember

REGULAR CITY COUNCIL AGENDA

In association with the Governor's proclamation of a State of Emergency due to the coronavirus (COVID-19) public health emergency and Assembly Bill 361, the Sacramento County Health Order dated January 6, 2022 has ordered that all in-person council and commission public meetings be suspended, and that those meetings be conducted virtually.

Join the meeting by Zoom online: <https://us06web.zoom.us/j/85349631082>

To make a public comment using the Zoom online platform, please use the "raise hand" feature at the bottom center of the screen. Please make sure to enable audio controls once access has been given by the City Clerk to speak. Please wait to be called upon by the City Clerk.

Join the meeting by Zoom telephone: Dial +1 408 638 0968 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799

Meeting ID: 853 4963 1082

*To make a public comment by phone, please press *9 to raise your hand. Please make sure to enable audio controls once access has been given by the City Clerk to speak. Please wait to be called upon by the City Clerk.*

Verbal comments via virtual meeting must adhere to the principles of the three-minute speaking time permitted for public comment at City Council meetings.

To submit material for presentation during the meeting: Email documents you would like to share to CityClerkDept@folsom.ca.us no later than noon on the day of the meeting.

CALL TO ORDER

ROLL CALL:

Councilmembers: Aquino, Chalamcherla, Kozlowski, Rodriguez, Howell

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.

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.

- [1.](#) Approval of December 14, 2021 Regular Meeting Minutes
- [2.](#) Resolution No. 10758 – A Resolution of the City Council Making Findings to Continue Teleconferencing Options for Public Meetings Under AB 361
- [3.](#) Resolution No. 10779 - A Resolution of the City Council of the City of Folsom Rescinding Resolution No. 10167 and Amending Attachment No. 1 to Resolution No. 8187 Relating to Governance of the Retirement Board of Authority
- [4.](#) Resolution No. 10781 – A Resolution Authorizing the Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the Amount of \$149,820 and Appropriation of Funds
- [5.](#) Resolution No. 10782 - A Resolution Approving the Name of Prospector Park, Formerly Known as Neighborhood Park #3 in the Folsom Plan Area
- [6.](#) Resolution No. 10783 - A Resolution of the City Council of the City of Folsom Appointing a Director and an Alternate Director to the Northern California Cities Self Insurance Fund Board of Directors
- [7.](#) Resolution No. 10784 - A Resolution Authorizing the City Manager to Execute an Agreement with Stantec Consulting Services, Inc. for Engineering Consulting Services for the Folsom Reservoir Raw Water Delivery Reliability Project and Appropriation of Funds and Authorizing the City Manager to Execute a Memorandum of Agreement Regarding Sharing of Costs for the Project
- [8.](#) Resolution No. 10785 – A Resolution Authorizing the City Manager to Execute an Agreement with McGuire and Hester for the Design-Assist and Construction of the Natoma Alley Rehabilitation and Replacement Project and Appropriation of Funds
- [9.](#) Resolution No. 10786 - A Resolution Amending Resolution No. 10296 to Enact the Annual Inflationary Adjustment for the Housing Trust Fund Fee

- [10.](#) Resolution No. 10787 – A Resolution Authorizing the City Manager to Execute an Agreement with Always Paving, Inc. DBA General Construction for Construction of the Environmental and Water Resources Department On-Call Trench Repair Asphalt Paving Restoration Project and Appropriation of Funds
- [11.](#) Resolution No. 10788 - A Resolution of the Folsom City Council Opposing SB 262 (Hertzberg) Bail
- [12.](#) City of Folsom Community Facilities District No. 23 (Folsom Ranch) Amended Improvement Area No. 3 and Improvement Area No. 7

- i. Ordinance No. 1321 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Second Reading and Adoption)

- ii. Ordinance No. 1322 – An Uncodified Ordinance Levying Special Taxes for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Second Reading and Adoption)

PUBLIC HEARING:

- [13.](#) Resolution No. 10780 - A Resolution to Approve a Small-Lot Vesting Tentative Subdivision Map and Minor Administrative Modification for the Toll Brothers at Folsom Ranch Phase 2 Subdivision Project
- [14.](#) Public Hearing No. 3 Under the California Voting Rights Act Regarding the Composition of the City’s Voting Districts Pursuant to Elections Code Section 10010

NEW BUSINESS:

- [15.](#) Appeal by Bob Delp, Folsom Railroad Block Developer, LLC, and the Historic Folsom Residents Association of Decisions by the Historic District Commission Approving a Conditional Use Permit and Design Review for the Barley Barn Tap House project (PN 19-174) located at 608 ½ Sutter Street and Determination that the Project is Exempt from CEQA

CITY MANAGER REPORTS:

COUNCIL COMMENTS:

ADJOURNMENT

The next regular meeting is scheduled for January 25, 2022.

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 raise your hand. 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.

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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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City Council Regular Meeting

MINUTES

Tuesday, December 14, 2021 6:30 PM

Pursuant to Governor Newsom's Executive Order N-29-20, members of the Folsom City Council and staff may participate in this meeting via teleconference.

CALL TO ORDER

The regular City Council meeting was called to order at 6:30 pm in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Mike Kozlowski presiding.

ROLL CALL:

Councilmembers Present: Kerri Howell, Councilmember
Rosario Rodriguez, Councilmember
Sarah Aquino, Vice Mayor
YK Chalamcherla, Councilmember
Mike Kozlowski, Mayor

Councilmembers Absent: None

Participating Staff: City Manager Elaine Andersen
City Attorney Steve Wang
City Clerk Christa Freemantle
Finance Director/CFO Stacey Tamagni
Public Works Director Mark Rackovan
Community Development Director Pam Johns
Principal Planner Steve Banks
General Services Manager Marie McKeeth
Senior Planner Stephanie Henry

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AGENDA UPDATE

City Clerk Christa Freemantle announced that item 15 had a revised staff report and items 25 and 31 had additional information.

BUSINESS FROM THE FLOOR:

The following speakers addressed the City Council:

1. Harley Price, in support of a nature center at Hinkle Creek
2. Olivia Klein, in support of a nature center at Hinkle Creek
3. Jennifer Lane, in support of a nature center at Hinkle Creek
4. Crystal Tobias, in support of a nature center at Hinkle Creek
5. Rebekah Bornemisza for Robin Kaplan, in support of a nature center at Hinkle Creek
6. Malkaush Gadhvi, in support of a nature center at Hinkle Creek
7. Sharon Kindell, in support of a nature center at Hinkle Creek

SCHEDULED PRESENTATIONS

1. Proclamation of the Mayor of the City of Folsom Proclaiming January 2022 as Tamil Heritage Month in the City of Folsom

Councilmember Rosario Rodriguez presented the proclamation to President of the Sacramento Tamil Mandrum John Britto and members of Tamil Mandrum.

2. Proclamation of the Mayor of the City of Folsom Proclaiming Sikh Awareness and Appreciation Month in the City of Folsom

Councilmember YK Chalamcherla presented the proclamation to Kulvinder Singh.

3. Presentation by PG&E on PG&E Overhead Transmission Lines Vegetation Management and Tree Removal Project

Regional Vice President for PG&E Joe Wilson introduced Senior Manager of Local Governmental Affairs John Costa and Director of Vegetation Management Kevin Bertau. They made a presentation and answered question from the City Council.

The following speakers addressed the City Council:

1. Bruce Cline
2. Sharon Kindel

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 October 26, 2021 Special and Regular Meeting Minutes
5. Approval of November 9, 2021 Special and Regular Meeting Minutes

6. Appointment of Representative to the Sacramento-Yolo Mosquito and Vector Control District
7. Ordinance No. 1318 - An Ordinance of the City of Folsom Amending Section 10.20.510 of the Folsom Municipal Code to Increase Parking Penalty in Certain Areas of the Historic District (Second Reading and Adoption)
8. Ordinance No. 1319 - An Ordinance of the City of Folsom Amending Sections 3.20.040 of the Folsom Municipal Code Pertaining to Responsible Parties for Municipal Services (Second Reading and Adoption)
9. Ordinance No. 1320 – An Ordinance of the City of Folsom Repealing and Replacing the Garbage Collection Ordinance as Set Forth in Chapter 8.32 of the Folsom Municipal Code to Incorporate New State Law Mandates (Second Reading and Adoption)
10. Receive and File SB-165 Annual Reports for Community Facilities Districts No. 13, No. 14, No. 2013-1, No. 16, No. 17, No. 18, No. 19, No. 20, No. 21, No. 22, and No. 23 to Comply with the Local Agency Special Tax Bond And Accountability Act
11. Resolution No. 10751 – A Resolution of the City Council Making Findings to Continue Teleconferencing Options for Public Meetings Under AB 361
12. Resolution No. 10752 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 173-21 20-034) with Water Works Engineers, LLC for Design Services for the Folsom Blvd 27-Inch Trunk Sewer Project (SECAP Project)
13. Resolution No. 10753 - A Resolution Authorizing the Police Department to Accept a U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Alzheimer's & Developmental Disability Tracking Devices Grant in The Amount Of \$121,491 and Appropriation of Funds
14. Resolution No. 10754 - A Resolution Authorizing the City Manager to Execute an Agreement with Downtown Ford Sales to Purchase Two Ford Trucks for the Parks & Recreation Department
15. Resolution No.10755 - A Resolution Authorizing the City Manager to Execute Amendment No. 3 to the Contract with Kimley-Horn and Associates, Inc. for Grant Application Assistance for the Folsom Placerville Rail Trail Project (Contract No. 173-21 17-013) and Appropriation of Funds
16. Resolution No. 10757 - A Resolution Authorizing the City Manager to Execute a Lease Agreement between the City of Folsom and Kelli Vaccaro, a Sole Proprietor Doing Business as Kid's Inc., for Lease of City Property Located at 405 Natoma Station Drive
17. **pulled for comment**
18. Resolution No. 10762 - A Resolution Authorizing Adoption of an Amendment to the Memorandum of Understanding Between the City of Folsom and the Folsom Middle Management Group
19. Resolution No. 10763 - A Resolution Authorizing Adoption of an Amendment to the Memorandum of Understanding Between the City of Folsom and International Union of Operating Engineers, Local 39

- 20. Resolution No. 10764 - A Resolution Authorizing Adoption of an Amendment to the Memorandum of Understanding Between the City of Folsom and the City of Folsom Fire Department Middle Management Employees
- 21. Resolution No. 10765 - A Resolution Accepting the AB1600 Development Fees Annual Report for the Fiscal Year Ended June 30, 2021
- 22. Resolution No. 10766 – A Resolution Accepting a Grant from the Sacramento Metropolitan Air Quality Management District for Sacramento Emergency Clean Air and Transportation Program Funding for Two Zero Emission Electric Refuse Trucks
- 23. Resolution No. 10773 - A Resolution Authorizing Additional Spending Under the Current Agreement with Schaefer Systems Inc. (Contract No. 173-21 17-067) for the Purchase of Residential Solid Waste Containers and Appropriation of Funds
- 24. Resolution No. 10774 – A Resolution Authorizing the City Manager to Execute a Construction Agreement with Sierra National Construction, Inc. for the Duchow Way at Rumsey Way Intersection Drainage Improvement Project
- 25. Resolution No. 10778 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Between the City of Folsom and the Folsom Police Officers Association (FPOA)

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to approve Consent Calendar items 4 – 16 and 18 – 25.

Motion carried with the following roll call vote:

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

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

- 17. Resolution No. 10761 – A Resolution Authorizing the City Manager to Execute a Design and Consulting Services Contract with TJKM for the Folsom Lake Crossing and East Natoma Street Safety Improvements Project and Appropriation of Funds

This item was pulled in order to allow comments from the public regarding the project.

The following speakers addressed the City Council:

- 1. Rebecca Bolin
- 2. Gary Bolin
- 3. Jerry Bernau

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to approve Resolution No. 10761.

Motion carried with the following roll call vote:

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

PUBLIC HEARING:

26. Resolution No. 10775 – A Resolution of the City Council Setting Forth Results of Protests in Connection with Utility Rate Hearing Conducted Pursuant to Proposition 218 and Establishing New Solid Waste Rates and Fees

Public Works Director Mark Rackovan introduced the item and General Services Manager Marie McKeeth made a presentation and responded to questions from the City Council.

City Clerk Christa Freemantle confirmed that the legal requirements for publishing the public hearing notice were fulfilled as required by law.

Mayor Mike Kozlowski opened the public hearing at 8:25 pm and announced that the City Clerk would count all received protests.

The following speaker addressed the City Council:

- Bill Smith

There being no further comments, the public hearing was closed at 8:31 pm.

City Clerk Christa Freemantle stated that a total of 297 written protests were received and that a majority protest does not exist for the proposed utility rate increase.

Mayor Mike Kozlowski explained that since a majority protest does not exist that the City Council could consider the resolution to establish new solid waste utility rates and fees.

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to approve Resolution No. 10775 with Alternative B and to not charge a fee for bulky waste.

Motion carried with the following roll call vote:

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

27. City of Folsom Community Facilities District No. 23 (Folsom Ranch) Amended Improvement Area No. 3 and Improvement Area No. 7

- i. Resolution No. 10767 - A Resolution of the City Council of the City of Folsom Calling Special Mailed Ballot Election Related to Change Proceedings for Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)
- ii. Resolution No. 10768 – A Resolution of Change of the City Council of the City of Folsom Relating to Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)
- iii. Resolution No. 10769 - A Resolution of the City Council of the City of Folsom to Designate Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) and to Levy Special Taxes therein
- iv. Resolution No. 10770 - A Resolution of the City Council of the City of Folsom Deeming it Necessary to Incur Bonded Indebtedness within Improvement Area No. 7 of City of Folsom Community Facilities District No. 23 (Folsom Ranch)
- v. Resolution No. 10771 - A Resolution of the City Council of the City of Folsom Calling Special Mailed Ballot Election in the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7
- vi. Resolution No. 10772 – A Resolution of the City Council of the City of Folsom Declaring Election Results in the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7
- vii. Ordinance No. 1321 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Introduction and First Reading)
- viii. Ordinance No. 1322 – An Uncodified Ordinance Levying Special Taxes for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Introduction and First Reading)

Finance Director/CFO Stacey Tamagni made a presentation.

City Clerk Christa Freemantle confirmed that the legal requirements for noticing of this public hearing were fulfilled as required by law.

Mayor Mike Kozlowski opened the public hearing at 8:50 pm. Hearing no public comments, the public hearing was closed.

City Clerk Christa Freemantle stated that no protests have been received from landowners within Area 3 and therefore no majority protest exists.

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to approve Resolution No. 10767.

Motion carried with the following roll call vote:

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

City Clerk Christa Freemantle announced that 241 votes were in support and 0 opposed of the measure and therefore the measure is approved.

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to approve Resolution No. 10768.

Motion carried with the following roll call vote:

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

City Clerk Christa Freemantle stated that no protests have been received from landowners within Area 7 and therefore no majority protest exists.

Motion by Councilmember Rosario Rodriguez, second by Councilmember YK Chalamcherla to approve Resolution No. 10769.

Motion carried with the following roll call vote:

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

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to approve Resolution No. 10770.

Motion carried with the following roll call vote:

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

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to approve Resolution No. 10771.

Motion carried with the following roll call vote:

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

City Clerk Christa Freemantle conducted the election for Area 7 and stated she has received all ballots and declared the election closed. She announced that 61 votes were in support and 0 opposed of the measure and therefore the measure is approved.

Motion by Councilmember Rosario Rodriguez, second by Councilmember Kerri Howell to approve Resolution No. 10772.

Motion carried with the following roll call vote:

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

Motion by Councilmember Rosario Rodriguez, second by Councilmember Kerri Howell to introduce and hold the first reading of Ordinance No. 1321.

Motion carried with the following roll call vote:

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

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to introduce and hold the first reading of Ordinance No. 1322.

Motion carried with the following roll call vote:

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

28. Broadstone Estates Small-Lot Vesting Tentative Subdivision Map Extension – Southeast corner of Placerville Road and U.S. Highway 50 (PN 21-234)

i. Resolution No. 10759 – A Resolution extending the Small-Lot Vesting Tentative Subdivision Map for the Broadstone Estates Subdivision project (PN 21-234)

Principal Planner Steve Banks made a presentation and responded to questions from the City Council.

Mayor Mike Kozlowski opened the public hearing at 9:01 pm. Hearing no public comments, the public hearing was closed.

Motion by Vice Mayor Sarah Aquino, second by Councilmember Rosario Rodriguez to approve Resolution No. 10759.

Motion carried with the following roll call vote:

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

29. Folsom Heights Small-Lot Vesting Tentative Subdivision Map Extension – Northeast corner of the Folsom Plan Area (PN 21-234)

i. Resolution No. 10760 – A Resolution extending the Small-Lot Vesting Tentative Subdivision Map for the Folsom Heights Subdivision project (PN 21-233)

Principal Planner Steve Banks made a presentation.

Mayor Mike Kozlowski opened the public hearing at 9:04 pm. Hearing no public comments, the public hearing was closed.

Motion by Councilmember Rosario Rodriguez, second by Councilmember Kerri Howell to approve Resolution No. 10760.

Motion carried with the following roll call vote:

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

30. Resolution No. 10777 - A Resolution of the City Council Approving the Sale of Surplus Land Located at 300 Persifer Street Property to Habitat for Humanity of Greater Sacramento, Inc. for Purpose of Developing Affordable Housing

Community Development Director Pam Johns and Leah Miller from Habitat for Humanity each made a presentation and responded to questions from the City Council.

Mayor Mike Kozlowski opened the public hearing at 9:28 pm. Hearing no public comments, the public hearing was closed.

Motion by Councilmember Rosario Rodriguez, second by Councilmember Kerri Howell to approve Resolution No. 10777.

Motion carried with the following roll call vote:

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

OLD BUSINESS:

- 31. Resolution No. 10744 – A Resolution Authorizing the City Manager to Execute a Fiber Networks Installation Agreement with SiFi Networks Folsom LLC for the Installation of a Fiber Optic Network in the City of Folsom

Public Works Director Mark Rackovan gave an overview of the project and responded to questions from the City Council.

The following speakers addressed the City Council.

- 1. Ed Kurzenski from Netly
- 2. Bill Smith

Motion by Councilmember Rosario Rodriguez, second by Mayor Mike Kozlowski to approve Resolution No. 10744.

Motion failed with the following roll call vote:

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

NEW BUSINESS:

32. Resolution No. 10776 - A Resolution of the City of Folsom Approving an Affordable Housing Loan in the Amount of \$6,860,000 from the City's Housing Fund to Mangini Place Affordable, LP, Authorizing the City Manager to Execute Loan Agreement and Related Documents for the Construction of 152 Affordable Housing Units at the Mangini Place Multifamily Affordable Housing Development, and Appropriation of Funds

Senior Planner Stephanie Henry made a presentation and responded to questions from the City Council.

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to approve Resolution No. 10776.

Motion carried with the following roll call vote:

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

Mayor Mike Kozlowski called for an exception to the 10:30 pm policy.

Motion by Councilmember Kerri Howell, second by Councilmember Rosario Rodriguez to continue the meeting past 10:30 pm.

Motion carried with the following roll call vote:

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

33. Appointment of At-Large Member to the Folsom Planning Commission

City Clerk Christa Freemantle explained that this appointment is to replace a vacancy on the Planning Commission.

The City Council unanimously appointed Bill Romanelli to the Planning Commission with the term ending in December 2022.

34. Appointment of Three At-Large Members to the Folsom Historic District Commission and Appointment of Planning Commissioner to Serve on the Historic District Commission

City Clerk Christa Freemantle explained that two appointments are to replace vacancies on the Historic District Commission and one appointment is for a current Planning Commissioner to serve on the Historic District.

The following speakers addressed the City Council:

- 1. Kathleen Cole
- 2. Bob Delp

The City Council unanimously decided to not fill the Historic District Commission vacancy for a representative of the Historical Society/Historic Preservation at this time.

The City Council unanimously reappointed incumbents Kathleen Cole and Mark Dascallos to the Historic District Commission with terms ending December 2023.

The City Council unanimously appointed Planning Commissioner Justin Raithel to the Planning Commission with a term ending December 2022.

The City Council adjourned to the joint meeting.

JOINT CITY COUNCIL AGENDA

JOINT CITY COUNCIL / FOLSOM REDEVELOPMENT SUCCESSOR AGENCY / FOLSOM PUBLIC FINANCING AUTHORITY / FOLSOM RANCH FINANCING AUTHORITY / SOUTH OF 50 PARKING AUTHORITY MEETING

ROLL CALL: Council / Board Members: Howell, Rodriguez, Aquino, Chalamcherla, Kozlowski

CONSENT CALENDAR:

- 35. Approval of the September 14, 2021 Joint City Council / Successor Agency / Public Financing Authority / Folsom South of 50 Parking Authority / Folsom Ranch Financing Authority Meeting Minutes
- 36. 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 September 2021

Motion by Council/Boardmember Kerri Howell, second by Council/Boardmember Rosario Rodriguez to approve the consent calendar.

Motion carried with the following roll call vote:

AYES: Council/Boardmember(s): Howell, Rodriguez, Aquino, Chalamcherla, Kozlowski

NOES: Council/Boardmember(s): None

ABSENT: Council/Boardmember(s): None

ABSTAIN: Council/Boardmember(s): None

ADJOURNMENT

There being no further business to come before the joint City Council / Redevelopment Successor Agency / Public Financing Authority / Folsom South of 50 Parking Authority / Folsom Ranch Financing Authority, the meeting was adjourned to the regular City Council meeting at 10:28 pm.

RECONVENE CITY COUNCIL MEETING

ELECTION:

37. Selection of Mayor and Vice Mayor for 2022

City Clerk Christa Freemantle explained the voting process for Mayor and Vice Mayor. She distributed ballots and read the results for the record.

For the position of Mayor, the following votes were cast:

YK Chalamcherla voted for Kerri Howell
Rosario Rodriguez voted for Kerri Howell
Kerri Howell voted for Kerri Howell
Sarah Aquino voted for Mike Kozlowski
Mike Kozlowski voted for Mike Kozlowski

The City Council elected Kerri Howell as Mayor for 2022.

For the position of Vice Mayor, the following votes were cast:

Rosario Rodriguez voted for Rosario Rodriguez
YK Chalamcherla voted for Rosario Rodriguez
Mike Kozlowski voted for Sarah Aquino
Sarah Aquino voted for Mike Kozlowski
Kerri Howell voted for Rosario Rodriguez

The City Council elected Rosario Rodriguez as Vice Mayor for 2022.

CITY MANAGER REPORTS:

City Manager Elaine Andersen thanked Mayor Mike Kozlowski and Vice Mayor Sarah Aquino for serving this past year and congratulated Kerri Howell as Mayor and Rosario Rodriguez as Vice Mayor for 2022. She spoke of the by-district elections and how residents can participate and the Folsom Holiday Lights Contest. She thanked residents for conserving water and invited the community to the upcoming January 18 special City Council meeting on budget forecasting.

CITY COUNCIL COMMENTS:

Councilmember YK Chalamcherla spoke about his first year on the City Council, his recent coffee with a councilmember event. He encouraged residents to register their security cameras with the Police Department and encouraged City Manager Elaine Andersen to hire an Assistant City Manager. He concluded by speaking about promoting youth in government.

Vice Mayor Sarah Aquino gave an update of a recent Association of California Cities Allied with Public Safety meeting. She congratulated Kerri Howell on her term as Mayor and Rosario Rodriguez as Vice Mayor. She thanked Mayor Mike Kozlowski for his past year as Mayor.

Mayor Mike Kozlowski thanked everyone for the past year on the City Council and gave an update on the Sacramento Transportation Authority meeting.

Councilmember Rosario Rodriguez congratulated the Folsom Bulldogs Football on their excellent season and encouraged residents to shop local. She said she is excited to serve as Vice Mayor.

Councilmember Kerri Howell gave an update on recent meetings of Regional Transit, Regional Sanitation and gave an update on the SE Connector project. She encouraged everyone to drive safely.

ADJOURNMENT

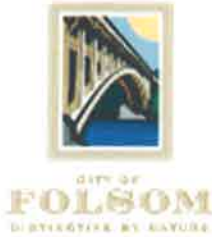
There being no further business to come before the Folsom City Council, Mayor Mike Kozlowski adjourned the at 10:44 pm.

SUBMITTED BY:

Christa Freemantle, City Clerk

ATTEST:

Mike Kozlowski, Mayor



Folsom City Council Staff Report



MEETING DATE:	1/11/2022
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10758 – A Resolution of the City Council Making Findings to Continue Teleconferencing Options for Public Meetings Under AB 361
FROM:	City Attorney's Office

RECOMMENDATION / CITY COUNCIL ACTION

Staff respectfully recommends that the City Council pass and adopt the following Resolution: Resolution No 10758. A Resolution of the City Council Making Findings to Continue Teleconferencing Options for Public Meetings Under AB 361.

BACKGROUND / ISSUE

Pursuant to AB 361, the City Council passed Resolution No. 10737 on October 26, 2021 to allow public meetings to continue offer teleconferencing as an option. In order to continue offering teleconferencing as an option for public meetings, **City Council action is required every 30 days.**

The rapid spread of the novel coronavirus 2019 (COVID-19) throughout California and the United States caused Governor Newsom to declare a state of emergency on March 4, 2020. The Sacramento County Board of Supervisors ratified the declaration of a state of emergency by the County Health Officer on March 10, 2020, and the Folsom City Council made a similar declaration of a local emergency on March 16, 2020.

In an effort to promote social distancing and reduce the rapid spread of COVID-19, California Legislature passed Assembly Bill 361 to allow teleconferencing as an option for public meetings. AB 361 was signed into law by Governor Newsom and becomes operative on October 1, 2021.

POLICY / RULE

In order for the City to offer teleconferencing as an option in public meetings, **AB 361 requires findings be made every 30 days** that the nature of the emergency continues to impact the ability to meet safely in person, or that the State or local officials continue to impose or recommend social distancing.

ANALYSIS

California Legislature passed Assembly Bill 361 as an urgency measure to allow public meetings to offer teleconferencing as an option, provided that the local legislative body makes findings every 30 days that the nature of the emergency continues to impact the ability to meet safely in person, or that the State or local officials continue to impose or recommend social distancing.

Notwithstanding national and local vaccination efforts, new variants of COVID-19 have continued the wide spread of COVID-19 throughout communities. The COVID-19 public health emergency continues to pose a threat to the public's health and safety, and the circumstances of the State of Emergency proclaimed by Governor Newsom on March 4, 2020 have not yet been abated.

Due to the fact that the COVID-19 public health emergency continues to impact the ability to meet safety in person, and that state and local officials continue to recommend social distancing, the City Council has the ability to make necessary findings under AB 361 to allow the City to continue offer teleconferencing as an option for City public meetings.

FINANCIAL IMPACT

Negligible.

ENVIRONMENTAL REVIEW

This action is not considered a project under Section 15061(b)(3) of the California Environmental Quality Act Guidelines, and as such is exempt from environmental review.

ATTACHMENT

1. Resolution No. 10758 – A Resolution of the City Council Making Findings to Continue Teleconferencing Options for Public Meetings Under AB 361

Respectfully submitted,

Steven Wang, City Attorney

RESOLUTION NO. 10758

A RESOLUTION OF THE CITY COUNCIL MAKING FINDINGS TO CONTINUE TELECONFERENCING OPTIONS FOR PUBLIC MEETINGS UNDER AB 361

WHEREAS, the Governor of the State of California proclaimed on March 4, 2020 a State of Emergency to exist in California as a result of the threat from the rapid spread of a respiratory illness caused by novel coronavirus 2019 (COVID-19); and

WHEREAS, on March 10, 2020 the Sacramento County Board of Supervisors ratified the County Public Health Officer’s Proclamation of Local Public Health Emergency in Sacramento County due to the threat to public health and safety from COVID-19; and

WHEREAS, on March 16, 2020, the City Council adopted Resolution No. 10408 and proclaimed the existence of a local emergency in the City of Folsom; and

WHEREAS, Sacramento County has documented community transmission of COVID-19, with multiple cases of diagnosed patients and fatalities, and the County Health Officer has recommended measures to promote social distancing to prevent rapid transmission of COVID-19; and

WHEREAS, Governor Newsom signed Assembly Bill 361 on September 16, 2021 to allow meetings of legislative bodies to be conducted via teleconference, starting October 1, 2021, provided that findings are made every 30 days to continue teleconference meetings under AB 361.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby finds that it has reconsidered the circumstances of the State of Emergency, that the COVID-19 public health emergency continues to impact the ability to meet safely in person, and that State or local officials continue to impose or recommend social distancing.

BE IT FURTHER RESOLVED that public meetings of the City of Folsom may continue to offer teleconferencing as an option under AB 361.

PASSED AND ADOPTED this 11th day of January, 2022, by the following roll-call vote:

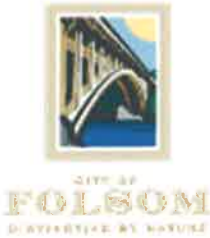
- AYES:** Councilmember(s):
- NOES:** Councilmember(s):
- ABSENT:** Councilmember(s):
- ABSTAIN:** Councilmember(s):

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report



MEETING DATE:	1/11/2022
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10779 - A Resolution of the City Council of the City of Folsom Rescinding Resolution No. 10167 and Amending Attachment No. 1 to Resolution No. 8187 Relating to Governance of the Retirement Board of Authority
FROM:	City Clerk's Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council adopt Resolution No. 10779 - A Resolution of the City Council of the City of Folsom Rescinding Resolution No. 10167 and Amending Attachment No. 1 to Resolution No. 8187 Relating to Governance of the Retirement Board of Authority.

BACKGROUND / ISSUE

On January 8, 2008, the City Council adopted Resolution No. 8187, a resolution authorizing the creation of a Futuris Public Entity Investment Trust and Retirement Board of Authority (“RBOA”) and authorizing the Board of Authority to adopt agreements relating to the trust. Resolution No. 8187 provides the Powers of Authority, including membership of the five-member Board. The members of the Board include the Mayor, one Councilmember annually appointed by the Mayor, the City Manager, the Finance Director and the Human Resources Director.

On September 22, 2015, the City Council adopted Resolution No. 9656 and amended Attachment No. 1 to Resolution No. 8187 in order to authorize the appointment of alternate members in the event a member is not available, and also to address the authority of a person serving in an interim capacity acting as a Board member.

On August 28, 2018, the City Council adopted Resolution No. 10167 and amended Attachment No. 1 to Resolution No. 8187 in order to authorize the City Manager to appoint another department head in the event a single person served as both the Finance Director and the Human Resources Director until such time the positions of the Finance Director and the Human Resources Director are no longer occupied by a single person.

In December, 2021, the City Manager appointed a Human Resources Manager to serve as the Human Resources department head. Since this position title is “manager” and not “director”, the formal composition of the Board needs to be updated to authorize the Human Resources Manager to serve on the board and to ensure that the Board will continue to be comprised with, and served by, five individuals.

POLICY / RULE

Resolution No. 8187 authorized the City Council to establish the Retirement Board of Authority, to designate the title and positions of people to serve as members of the board and to establish the powers of authority. The City Council is authorized to amend or modify provisions in Resolutions that it previously has adopted.

ANALYSIS

The Retirement Board of Authority consists of five members and meets several times a year. As designated by Resolution No. 8187, two of the five Board members are the City’s Finance Director and the Human Resources Director. The purpose of this Resolution is to revise Attachment No. 1 to Resolution No. 8187 relating to the Powers of Authority in order to change the representative title from Human Resources Director to Human Resources Manager and to ensure that the Board continues to be comprised with five individuals.

The proposed further changes to Attachment No. 1 (Powers of Authority) to Resolution No. 8187 are shown as follows (addition underlined, deletions in strikethrough):

Attachment No. 1 (Powers of Authority) to Resolution No. 8187, Section 8 - The members of the Retirement Board of Authority shall consist of the Mayor, one Councilmember annually appointed by the Mayor, the City Manager, the Finance Director and the Human Resources Manager ~~Director~~. In the absence of the Mayor, the Vice-Mayor shall serve as a member. The Mayor shall name an alternate City Councilmember for the Councilmember position. In the event the City Council or City Manager has named an Acting or Interim City Manager, Finance Director or Human Resources Manager ~~Director~~, such interim or acting employee shall serve as the member until the permanent person is named or returns to their position. ~~In the event a single person serves as both the Finance Director and the Human Resources Director, the City Manager shall appoint another department head to serve as Board member until such time the positions of~~

~~the Finance Director and the Human Resources Director are no longer occupied by a single person.~~

The RBOA has adopted By-Laws and those By-Laws may be amended by the RBOA. Should the City Council approve the proposed resolution, then the RBOA will amend the By-Laws to make the membership consistent with this action.

FINANCIAL IMPACT

There is no financial impact associated with this resolution.

ENVIRONMENTAL REVIEW

This action by the City Council is exempt from environmental review pursuant to Section 15061(b)(3) (Review for Exemption) of the California Environmental Quality Act.

ATTACHMENTS

1. Resolution No. 10779 - A Resolution of the City Council of the City of Folsom Rescinding Resolution No. 10167 and Amending Attachment No. 1 to Resolution No. 8187 Relating to Governance of the Retirement Board of Authority
2. Resolution No. 10167 - A Resolution of the City Council of the City of Folsom Rescinding Resolution No. 9656 and Amending Attachment No. 1 to Resolution No. 8187 Relating to Governance of the Retirement Board of Authority
3. Resolution No. 8187 - A Resolution Authorizing the Creation of a Futuris Public Entity Investment Trust and a Retirement Board of Authority, and Authorizing the Board of Authority to Adopt Agreements Relating to the Trust (including Attachment No. 1 - Powers of Authority)

Submitted,

Christa Freemantle, CMC
City Clerk

Attachment 1

**Resolution No. 10779 - A Resolution of the City Council of the City of Folsom
Rescinding Resolution No. 10167
and
Amending Attachment No. 1 to Resolution No. 8187 Relating to
Governance of the Retirement Board of Authority**

RESOLUTION NO. 10779

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM
 RESCINDING RESOLUTION NO. 10167 AND
 AMENDING ATTACHMENT NO. 1 TO RESOLUTION NO. 8187
 RELATING TO
 GOVERNANCE OF THE RETIREMENT BOARD OF AUTHORITY**

WHEREAS, Resolution No. 8187, adopted by the City Council on January 8, 2008, authorized the creation of a Futuris Public Entity Investment Trust and a Retirement Board of Authority (RBOA) and authorizing the Board of Authority to adopt agreements relating to the trust; and

WHEREAS, Attachment No. 1 to Resolution No. 8187 provides the Powers of Authority, including the membership of the Board. The members of the Board include the Mayor, one Council member annually appointed by the Mayor, the City Manager, the Finance Director and the Human Resources Director; and

WHEREAS, Resolution No. 9656, adopted by the City Council on September 22, 2015, amended Resolution No. 8187 by providing: (1) in the absence of the Mayor, the Vice-Mayor shall serve as a member; (2) the Mayor shall name an alternate City Council member for the Council member position; (3) in the event the City Council or City Manager has named an Acting or Interim City Manager, Finance Director or Human Resources Director, such interim or acting employee shall serve as the member until the permanent person is named or returns to his/her position; and

WHEREAS, the City Council recommends that the RBOA modify its By-Laws to be consistent with this Resolution.

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 10167 is hereby rescinded; and

BE IT FURTHER RESOLVED that the City Council of the City of Folsom hereby authorizes the following amendment to Attachment No. 1 to Resolution No. 8187 as follows:

Section 8 – The members of the Retirement Board of Authority shall consist of the Mayor, one Councilmember annually appointed by the Mayor, the City Manager, the Finance Director and the Human Resources Manager. In the absence of the Mayor, the Vice-Mayor shall serve as a member. The Mayor shall name an alternate City Council member for the Councilmember position. In the event the City Council or City Manager has named an Acting or Interim City Manager, Finance Director or Human Resources Manager, such interim or acting employee shall serve as the member until the permanent person is named or returns to their position.

PASSED AND ADOPTED on this 11th day of January, 2022, by the following roll-call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Attachment 2

**Resolution No. 10167 - A Resolution of the City Council of the City of Folsom
Rescinding Resolution No. 9656
and
Amending Attachment No. 1 to Resolution No. 8187 Relating to
Governance of the Retirement Board of Authority**

RESOLUTION NO. 10167

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM
RESCINDING RESOLUTION NO. 9656 AND AMENDING ATTACHMENT NO. 1 TO
RESOLUTION NO. 8187 RELATING TO GOVERNANCE OF THE
RETIREMENT BOARD OF AUTHORITY**

WHEREAS, Resolution No. 8187, adopted by the City Council on January 8, 2008, authorized the creation of a Futuris Public Entity Investment Trust and a Retirement Board of Authority (RBOA) and authorizing the Board of Authority to adopt agreements relating to the trust; and

WHEREAS, Attachment No. 1 to Resolution No. 8187 provides the Powers of Authority, including the membership of the Board. The members of the Board include the Mayor, one Council member annually appointed by the Mayor, the City Manager, the Finance Director and the Human Resources Director; and

WHEREAS, Resolution No. 9656, adopted by the City Council on September 22, 2015, amended Resolution No. 8187 by providing: (1) in the absence of the Mayor, the Vice-Mayor shall serve as a member; (2) the Mayor shall name an alternate City Council member for the Council member position; (3) in the event the City Council or City Manager has named an Acting or Interim City Manager, Finance Director or Human Resources Director, such interim or acting employee shall serve as the member until the permanent person is named or returns to his/her position; and

WHEREAS, since the City’s current Finance Director also serves as the City’s Human Resources Director and Assistant City Manager, in practice the 5-member Board is constituted by 4 persons; and

WHEREAS, the RBOA reviewed the By-Laws and the Powers of Authority at its last meeting on July 24, 2018 and recommended that the Powers of Authority be modified to further allow for alternate members in order to comprise the Board with 5 individuals; and

WHEREAS, the City Council finds that designating alternate members to the RBOA will help assure a representative board constituted with 5 individuals; and

WHEREAS, the City Council recommends that the RBOA modify its By-Laws to be consistent with this Resolution.

THEREFORE, BE IT RESOLVED that Resolution No. 9656 is hereby rescinded.


BE IT FURTHER RESOLVED that the City Council of the City of Folsom hereby authorizes the following amendment to Attachment No. 1 to Resolution No. 8187 as follows:

Section 8 – The members of the Retirement Board of Authority shall consist of the Mayor, one Council member annually appointed by the Mayor, the City Manager, the Finance Director and the Human Resources Director. In the absence

of the Mayor, the Vice-Mayor shall serve as a member. The Mayor shall name an alternate City Council member for the Council member position. In the event the City Council or City Manager has named an Acting or Interim City Manager, Finance Director or Human Resources Director, such interim or acting employee shall serve as the member until the permanent person is named or returns to his/her position. In the event a single person serves as both the Finance Director and the Human Resources Director, the City Manager shall appoint another department head to serve as a Board member until such time the positions of the Finance Director and the Human Resources Director are no longer occupied by a single person.


PASSED AND ADOPTED this 28th day of August 2018, by the following roll-call vote:

- AYES:** Council Member(s): Morin, Sheldon, Gaylord, Howell, Miklos
- NOES:** Council Member(s): None
- ABSENT:** Council Member(s): None
- ABSTAIN:** Council Member(s): None



Stephen E. Miklos, MAYOR

ATTEST:



Christa Freemantle, CITY CLERK

Attachment 3

**Resolution No. 8187 - A Resolution Authorizing the
Creation of a Futuris Public Entity Investment Trust and a
Retirement Board of Authority and
Authorizing the Board of Authority to Adopt Agreements
Relating to the Trust (including Attachment No. 1 - Powers of Authority)**

RESOLUTION NO. 8187**A RESOLUTION AUTHORIZING THE CREATION OF A FUTURIS PUBLIC ENTITY INVESTMENT TRUST AND A RETIREMENT BOARD OF AUTHORITY AND AUTHORIZING THE BOARD OF AUTHORITY TO ADOPT AGREEMENTS RELATING TO THE TRUST**

WHEREAS, the City Council (the "**COUNCIL**") of City of Folsom ("**Employer**") desires to establish a trust to be used for the purposes of: (i) investment and disbursement of funds irrevocably designated by Employer for the payment of its obligations to eligible employees (and former employees) of Employer and their eligible dependents and beneficiaries for life, sick, hospitalization, major medical, accident, disability, dental and other similar benefits (sometimes referred to as "other post-employment benefits," or "**OPEB**"), in compliance with Governmental Accounting Statement Nos. 43 and 45; and (ii) investment and disbursement of excess funds held by Employer for future use in connection with any lawful purpose of Employer, as further described herein; and

WHEREAS, Keenan & Associates ("**Keenan**") has presented the "Futuris Public Entity Investment Trust Program" (the "**Program**") as an alternative for accomplishing the above objectives and the Council desires to engage Keenan and other necessary parties to assist in the process of establishing a trust (the "**Trust**") for these approved objectives; and

WHEREAS, the Council has the authority and desire to establish a five member Retirement Board of Authority for the Trust (the "**Board of Authority**"), which shall serve at the pleasure of the Council, to have the authority to engage other necessary providers of services in connection with the Program, including the adoption of the Trust, the appointment of a fiduciary trustee and custodian, as well as to make any and all other decisions in the name of and on behalf of the Employer with regard to the Trust and other applicable agreements; and

WHEREAS, the Retirement Board of Authority shall be established and have the authority to make decisions regarding the implementation of the Trust; and

WHEREAS, the City Council may designate the title and positions of people to serve on the Retirement Board of Authority; and

WHEREAS, the City Council is authorized to establish powers, rights and responsibilities vested in the Board of Authority for purposes of implementing and operating the Trust; and

WHEREAS, the Futuris Public Entity Trust is created by a vote of the Board of Authority and execution of an Adoption Agreement; and

WHEREAS, Keenan and Associates participated in a Request for Proposal process and was selected by staff based on experience and qualifications to assist with the presentation of options for a trust and to assist the City in administering the Futuris Trust; and

WHEREAS, the Futuris Trust requires an initial trustee be designated to perform a number of duties on behalf of the trust, including the maintenance of the trust, investing of funds consistent with the investment policy set by the Board of Authority and other duties as provided by agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom as follows:


1. The powers, authority and membership of the Board of Authority are attached in Attachment 1 to this Resolution.
2. The Retirement Board of Authority is authorized to approve the Futuris Trust Administrative Services Agreement with Benefit Trust Company in a form substantially similar to that attached as Attachment 2 to this Resolution.
3. The Retirement Board of Authority is authorized to adopt and execute the Futuris Public Entity Investment Trust Adoption Agreement in a form substantially similar to that attached as Attachment 3 to this Resolution
4. A Retirement Board of Authority is hereby created to establish a Futuris Public Entity Investment Trust. The Board of Authority shall be authorized to act and be governed as set forth in Attachment 4 to this Resolution.

PASSED AND ADOPTED on this 8th day of January 2008, by the following roll-call vote:

AYES: Council Member(s): Howell, Miklos, Morin, Starsky, King
 NOES: Council Member(s): None
 ABSENT: Council Member(s): None
 ABSTAIN: Council Member(s): None


 Eric S. King, MAYOR

ATTEST:


 Christa Schmidt, CITY CLERK

Attachment 1 to Resolution No. 8187
Retirement Board of Authority, Powers of Authority

Retirement Board of Authority
Powers of Authority

1. The Retirement Board of Authority shall meet periodically, for regular or special meetings to be held at the time and place which has been designated from time to time by the Retirement Board of Authority. The meetings shall be open to the public, except in those cases where closed sessions are permitted. The meeting shall be publicly noticed and conducted as required by the Brown Act.
2. Decisions of the Retirement Board of Authority shall require an affirmative vote of at least a majority of the members of the Retirement Board of Authority present at the meeting.
3. The members of the Retirement Board of Authority shall receive no compensation for serving as members of the Retirement Board of Authority.
4. The members of the Retirement Board of Authority are authorized to take any and all other actions as they deem necessary and appropriate to carry out the purposes of Resolution No 8187 including the execution of any and all applicable agreements to implement the Trust and to carry out the purposes of the Program as otherwise described therein.
5. The members of the Retirement Board of Authority shall review and approve an Investment Policy Statement developed by the Trustee through consultation with the investment manager selected by the Trustee, which shall provide the guidelines for investment of funds and assets contributed by the Employer to the Trust. The Retirement Board of Authority is further authorized to amend the Investment Policy Statement from time to time as it shall determine appropriate based upon consultation and advice received from the Trustee and the investment manager.
6. The Trustee shall have the authority to cause any or all of the assets of the Trust to be commingled, if the investment and the issuance of such investment thereof would be exempt under the provisions of Sections 2(a)(36), 3(b)(1) or 3(c)(11) of the Investment Company Act of 1940 or Section 3(a)(2) of the Securities Act of 1933, with the assets of trusts created by others, causing such money to be invested as part of a common and/or collective trust fund; and
7. The Retirement Board of Authority shall provide information and copies of investment statements and other similar reports regarding the Trust and its applicable investment performance to the City Council on a not-less-than quarterly basis.
8. The Retirement Board of Authority shall consist of the Mayor, One Council member annually appointed by the Mayor, the City Manager, the Finance Director, and the Human Resource Director.
9. The City Attorney shall serve as legal counsel to the Board of Authority.
10. The City Clerk shall act as the Secretary to the Board of Authority.

**FUTURIS
TRUST ADMINISTRATIVE SERVICES AGREEMENT**

This Trust Administrative Services Agreement ("Agreement"), dated this 6th day of February, 2008, (the "Effective Date") is between Benefit Trust Company ("BTC") and City of Folsom, California ("Employer") with reference to the following:

A. General Purposes. The Employer has duly adopted resolutions authorizing the formation of a Board of Authority (the "Board of Authority") with responsibility for the execution of an adoption agreement (hereinafter the "Adoption Agreement", attached as "Exhibit A"), to establish and maintain a trust, as formally described and entitled on the Adoption Agreement to adopt the Futuris Public Entity Investment Trust (hereinafter the "Trust"), attached as "Exhibit B", to be used by governmental and public entity employers for the funding and payment of their obligations under employee benefit plans (the "Plan") that provide retiree health and other post-employment benefits (referred to as "OPEB Liabilities") to eligible employees and their dependents, and for other purposes determined to be appropriate by the Employers. The Board of Authority is also authorized to appoint BTC, as trustee, and for adequate consideration, BTC otherwise agrees to perform services specified herein.

B. Services Provided By BTC. Upon the signing of this Agreement, BTC will have been deemed to have executed the Trust as attached hereto and during the term of this Agreement, BTC further agrees to serve as a discretionary trustee, with fiduciary oversight and authority over the operations and management of the Trust as specified therein and related to the following:

- 1. **Compliance.** BTC shall administer the Trust document, and any applicable documents and amendments, and contributions received from the Employer in Trust in a manner intended to comply with the requirements of Section 115 of the Internal Revenue Code (the "Code"), as amended, and other applicable legal guidelines, including Governmental Accounting Standards Board Statement Nos. 43 and 45 and such other embodying regulations thereunder, as well as applicable provisions of state law that govern the investment of excess funds for approved governmental purposes.
- 2. **Maintenance of Separate Accounts.** BTC shall establish within the Trust a fund, or funds as applicable: One separate fund, or funds, as applicable (the "Benefit Fund"), shall hold funds irrevocably designated for the payment of retiree health and welfare benefits or other similar OPEB Liabilities, including applicable fees and expenses, as reported and impacted by applicable legal requirements, including Governmental Accounting Standards Board Statement Nos. 43 and 45. A separate fund, or funds, (referred to as the "General Fund"), may be used for any lawful purpose determined by Employer. The disbursement of any monies from either the Benefit Fund or the General Fund (as defined in the Trust Agreement and referred to collectively herein as "Accounts") shall only be made by BTC as provided for and in accordance with the terms of the Trust.

Attachment 2 to Resolution No. 8187
Futuris Trust Administrative Services
Agreement (Draft)

3. **Custodian.** BTC shall serve as the custodian, or shall have the authority to delegate the responsibility for same to a sub-custodian, as applicable, of all assets of the Trusts, to which it shall retain responsibility for the titling and ownership (including registration of assets in nominee name, if required under applicable law) of all contributions, earnings or other assets held in the Trust. In such capacity, BTC shall receive contributions from the Employer and shall further agree to allocate all contributions to one or more Accounts as designated by the Employer, including allocation into one or more Benefit Fund and/or General Fund Accounts within three (3) business day following the later of the date such contributions were received or the date on which the BTC is notified where such funds are to be allocated. In such capacity, BTC shall hold all Trust funds in the designated Accounts and allocate any income earned thereon in the manner set forth by the terms of the Trust. If the Trustee or any sub-custodian receives any contributions or other amounts from the Employer after any applicable trading deadline or receives such contributions without any further designation of the amount or Accounts to which such amounts should be allocated, or the allocation instructions are incorrect, the Trustee shall deposit all such amounts received to the General Fund in a default investment vehicle established by the Trust, until the Employer's investment direction can be properly completed. If, after a period of thirty (30) days the Trustee is unable to obtain revised instructions from the Employer, the Trustee shall return all such previously-deposited amounts to the Employer, including allocated earnings therein.
4. **Investment Management and Monitoring.** BTC shall have oversight and authority to:
- a) Appoint and monitor an investment manager (the "Investment Manager"), who shall be selected by BTC to have discretionary authority and responsibility to manage the Accounts, and shall have full investment authority and discretion, on behalf of the Accounts, to purchase, sell and trade in securities of all types, including cash and cash equivalents, in such amounts, at such prices, and in such manner as it may deem advisable, subject to applicable laws, including applicable provisions of any governing state laws or regulations, as well as this Agreement, the established Investment Policy Statement approved by the Board of Authority, and such other guidelines, policies and restrictions applicable to each Fund Account;
 - b) Assist in the preparation and establishment of a written Trust Investment Policy Statement for Board of Authority approval;
 - c) Maintain authority and access, as well as the ability to delegate the authority of same, to all Accounts and applicable transaction information to monitor the operations of the Trust and investment of the Accounts in accordance with Investment Policy Statement requirements;
 - d) After consultation with the Board of Authority, BTC shall terminate and replace the Investment Manager under circumstances and procedures

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outlined in the Trust and separate investment management agreement between BTC and the Investment Manager.

5. **Accounting and Reporting Transactions.** BTC shall maintain accurate records of all financial transactions in accordance with the written terms and conditions of the Trust. Unless circumstances dictate otherwise for which the Board of Authority would be duly notified, account statements will be mailed or delivered to Board of Authority no more than twenty (20) business days after the valuation period ends.
6. **Customer Service.** BTC shall provide customer service support that shall include:
 - a) **Internet Access to Accounts.** BTC shall provide the Board of Authority with secure, online, 24-hour a day, Internet access to Trust account financial information that shall include daily access to all assets held in each Fund Account, contributions received, current asset valuation information and other transactions and expenditures allocated to each fund
 - b) **Telephone Response Team.** BTC shall be available between the hours of 8 a.m. and 5 p.m. (C.S.T.), Monday through Friday, and shall further provide and maintain adequate staff, to receive telephone inquiries and respond to questions from the Board of Authority or any authorized representative of the Employer. BTC representatives will either make every reasonable effort to respond to any questions or inquiries or shall redirect such questions or inquiries to the appropriate party for further response.
 - c) **Meetings and Teleconferences.** BTC shall make itself available, on an as needed and commercially reasonable basis, to meet with or participate in applicable teleconference communication with the Employer, Board of Authority, or other appropriate representatives for informational meetings or other necessary business requirements. Any face-to-face meetings that are deemed necessary between the parties shall be arranged for a mutually agreeable time, with BTC's costs of travel-related expenditures being paid by the Trust, or the Employer as specified by the Employer's Authorized Representative.
7. **BTC Duty of Care.** In exercising its discretionary duties and responsibilities as Trustee as otherwise set forth herein, BTC shall act in accordance with the Uniform Trust Code, as amended, including the obligation to administer the Trust as a prudent person would, by considering the purposes, terms, distribution requirements, and other circumstances of the Trust, and through exercising reasonable care, skill and caution dictated under the then-existing circumstances.

C. Additional Services. In addition to the services otherwise provided as referenced above, BTC shall perform other services as agreed to in advance and in writing between the parties

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(with such services and applicable fees being determined separately as delineated on the Fee Schedule and any Addendum attached hereto as "Exhibit C"), which may include:

- 1) Administration and processing of benefit claims from the Plan Administrator, as it relates to Benefit Fund assets;
- 2) Preparation of Employer-requested reports, other than those generally provided pursuant to this Agreement;
- 3) Specialized customer service, other than the services to be provided pursuant to this Agreement;
- 4) Maintenance of other specialized Employer records beyond those specified within this Agreement; and
- 5) Such other services agreed to between the parties.

D. Responsibilities of the Board of Authority. During the term of this Agreement, the District and/or the Board of Authority as applicable based on binding resolution or other similar authority as communicated to the Trustee by the applicable party, will be responsible for the following Trust administration activities:

1. Execute and adopt the terms of the Trust, through signing of the Adoption Agreement, as well as adopt the Investment Policy Statement, a sample of which is attached as "Exhibit D", and provide copies of such documents to BTC and Investment Manager.
2. Facilitate any efforts and processes necessary to ensure the Plan Administrator ~~executes applicable written agreements providing any required consent to~~ compliance with the terms of the Trust or any other corresponding documentation.
3. Determine the amount of any annual contributions and deliver contributions and allocation instructions to BTC in a timely manner in accordance with Trust provisions and applicable state or federal regulations.
4. Hold periodic meetings of the Board of Authority, for the purpose of reviewing investment performance and compliance with Investment Policy Statement guidelines, as well as engage in annual review and analysis of any applicable modifications to the Investment Policy Statement through meetings and discussions with the Investment Manager and Trustee, as applicable.
5. Provide on a timely basis any necessary Plan participant information to BTC to include personal identification information (including social security numbers), in formats specified by the BTC, as well as all other information as required for BTC or any delegated Investment Manager to perform services under this Agreement.
6. Provide names of individuals authorized to act on behalf of the Trust in writing, including all applicable Plan Administrators and their Authorized

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Representatives, as well as notify BTC and the Investment Manager in writing of any changes as soon as a successor is designated.

7. BTC and any delegated Investment Manager shall be entitled to rely upon the accuracy and completeness of all information furnished to them by the Board of Authority or by any person designated to act on behalf of the Board of Authority.

Should BTC or any delegated Investment Manager commence work at the direction of Board of Authority prior to receipt of the signed Adoption Agreement, Board of Authority shall accept and ratify all actions taken by BTC or the Investment Manager to the extent such actions are consistent with the direction of the Board of Authority or the District, as applicable. Any errors or noncompliance that arise therefrom shall be corrected as otherwise set forth in this Agreement.

E. Fees for Trust Administration Services. Board of Authority will pay BTC (including applicable fees to be paid to Investment Manager by BTC) the fees and other allowable expenses set forth in the Administrative Fee Schedule Addendum attached to this Agreement as "Exhibit C". Subject to the mutual agreement between the parties, BTC and the Investment Manager retain the right to change fees for service from time to time upon 30 days written notice to Board of Authority. In the event the Board of Authority rejects a fee change by sending written notice to the Trustee prior to the date such fee change is to become effective, either the Trustee or the District may immediately terminate this Agreement without penalty.

F. Responsibility for Errors: Indemnification

1. Board of Authority will promptly notify BTC of any errors or omissions in information supplied by Employer, its agent or other representatives. In such event, BTC's sole obligation, to the exclusion of any other obligation or remedy for damage or loss, including special or consequential damages, shall be to use its reasonable efforts to correct any resulting errors in any information, records or in any reports it has prepared for Board of Authority (including filing amended returns, if required), or any other errors that have been identified by the Employer or its representatives.
2. BTC and its officers, directors, employees and other representatives (collectively referred to as a "BTC Indemnified Person") shall be fully protected and indemnified, defended and held harmless by Employer, in relying upon information, direction or instructions received from an Authorized Representative as provided in the Trust, which instructions or directions BTC reasonably believes to be authentic and issued by an Authorized Representative. Should it become necessary to perform some act hereunder and there is neither direction in the Trust nor information or instructions from the Board of Authority, the Employer on file with BTC relating thereto, and if no such information or instructions can be obtained after reasonable inquiry, BTC shall have full power and authority to act in BTC's discretion, consistent with the purposes of the Trust and its role as trustee. This indemnification will protect a BTC Indemnified Person from all

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losses, claims, damages, liabilities and expenses incurred (including reasonable attorneys fees and applicable court expenditures resulting from BTC's actions as described in this Section F(2)), with such costs being paid by the Employer. In so acting or in following any instructions from an Authorized Representative, BTC or any other BTC Indemnified Person shall not be liable except to the extent that the actions of BTC or any BTC Indemnified Person constitute fraud, bad faith, willful misconduct or gross negligence.

3. BTC, as the case may be, will indemnify defend and hold harmless the Employer, the Board of Authority and their officers, directors, employees and other representatives (anyone of which is hereafter referred to as an "Employer Indemnified Party") to the full extent lawful to protect an Employer Indemnified Party from all losses, claims, damages, liabilities and expenses incurred by an Employer Indemnified Party (including reasonable fees and disbursements of counsel including applicable court expenditures) which are the result of either BTC's fraud, bad faith, willful misconduct or gross negligence.
4. BTC will correct at its own expense any errors in the records and reports prepared and attributable to their errors, but BTC shall not otherwise be responsible for special or consequential damages, nor shall it correct any such errors for which the Board of Authority has knowledge but fails to properly and timely notify BTC in compliance with applicable law.
5. In accordance with applicable legal requirements, Board of Authority will promptly notify Investment Manager after the settlement date of any errors made or allegedly made in any requested trade of which Board of Authority has knowledge. The trade will be assumed to have been effected in accordance with the original request if notification is not given within required timeframes. If a loss occurs as a result of a trade for which the Board of Authority has knowledge but fails to properly and timely notify the Investment Manager of the error, Board of Authority will indemnify Investment Manager with respect to any loss resulting from such trade.
6. Neither BTC nor Investment Manager will be liable for any loss to the Board of Authority, any Plan Administrator or its Plan participants for failure or refusal of any transfer agent or investment sponsor to act upon investment instructions, or for any loss incurred due to the inaccuracy, incompleteness, or lack of timeliness of information received from the transfer agent or investment sponsor, unless such losses are caused by the instructions provided by BTC or Investment Manager as applicable.

G. Term

1. The "Term" of this Agreement shall commence on the Effective Date and shall continue until the date that is thirty-six (36) months from the Initial Funding Date. The "Initial Funding Date" is the first day of the month in which Employer shall

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have funded the Trust.

2. On each anniversary date of the Initial Funding Date, the Term of this Agreement shall automatically be extended for an additional twelve (12) months, unless either party has given the other party at least ninety (90) days prior written notice of its desire to not extend the Term, in which case the Term of this Agreement shall expire as of the date set at the Initial Funding Date or the most recent anniversary date thereof.
3. Either party may terminate this Agreement during the Term of this Agreement upon the occurrence of any of the following events:
 - (a) The material breach of this Agreement by either party if the breach is not cured within 30 days (or such longer period as may reasonably be required to cure the breach, but not to exceed 90 days) of receiving notice of the breach from the non-breaching party;
 - (b) The Initial Funding Date does not occur with twenty-four (24) months of the Effective Date;
 - (c) The dissolution or insolvency of either party;
 - (d) The filing of a bankruptcy petition by or against either party (if the petition is not dismissed within 60 days in the case of an involuntary bankruptcy petition); or
 - (e) If either party reasonably interprets the application of any applicable law, rule, regulation, or court or administrative decision to prohibit the continuation of this Agreement or cause a penalty to either party if the Agreement is continued.
4. Upon the termination of this Agreement and payment of any outstanding fees and after establishment of any necessary reserve requirements as otherwise set forth in the Trust, BTC will relinquish its trustee and custodial relationship as provided for in the Trust, as well as provide Board of Authority with copies of trust accounting records, if so requested in writing by Board of Authority, at any time within seven (7) years of the date of termination of this Agreement. Forms, procedures, software, worksheets, checklists and other processes developed by BTC to perform the services required under this Agreement are the property of BTC and are not considered the records of the Board of Authority. A fee will be charged based on time and cost to perform any work necessary for the new trustee to take over the work performed at the request of the Board of Authority, such fee to be mutually agreed upon by the parties in advance of such work being performed.
5. The above notwithstanding, if the termination of this Agreement is the result of a dispute over fees paid, or to be paid, to the Trustee as set forth under this

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Agreement, in addition to the duties and responsibilities for trustee and custodial transfer as set forth above, BTC shall provide copies of all reports, records or account statements otherwise to the Board of Authority, as requested, as well as shall retain a copy of such records, reports and other information pending the resolution of any ongoing dispute regarding the fees paid, or to be paid hereunder.

H. Maintenance and Confidentiality of Records

1. **Books, Records and Employer Information.** BTC agrees to the following with respect to all Trust information, books and records and information provided by the Board of Authority to BTC:
 - a) **Retention and Security of Documents and Employer Data.** BTC shall maintain copies of all executed Trust related documents, including the Adoption Agreement, written directions of the Employer or Board of Authority with respect to Accounts, Plan Administrator designations authorized signatory information, and the Employer's approved Investment Policy Statement, as well as shall use commercially accepted standards in retaining, backing up, storing and recovery of any and all Employer data and other electronic documentation in a secure environment.
 - b) **Safekeeping of Books and Records.** BTC agrees to maintain facilities and procedures for the safekeeping of all documents, records, books, files and other materials relative to the Trust and transactions facilitated on behalf of the Employers that participate in the Trust (collectively, the "Books and Records"). BTC agrees to maintain such Books and Records for the duration of this Agreement and not to destroy such Books and Records without Employer's prior written consent. Employer and any applicable regulatory body shall have reasonable access during normal business hours to such Books and Records. BTC shall provide all necessary assistance in conjunction with any inspection or audit by any applicable regulatory body for no additional fees, but the reasonable out of pocket expenses incurred in connection with such inspection or audit shall be payable at the expense of the Trust at the time such expenses are incurred in accordance with the terms of this Agreement and the Trust thereunder.
 - c) **Confidentiality of Employer Data.** All data and information submitted by Employer to BTC in connection with this Agreement or the Trust ("Employer Data") is and shall remain the exclusive proprietary information and property of the Employer and shall be considered confidential information. Employer Data shall not be (1) used by BTC other than pursuant to this Agreement or the Trust, (2) disclosed, sold, assigned, leased or otherwise provided to third parties by BTC except in connection with the provision of services to an Employer pursuant to this

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Agreement, unless Employer or the Board of Authority specifically authorize the release or disclosure of such information; or (3) commercially exploited by or on behalf of BTC, its employees or agents. BTC shall take such steps as shall under the circumstances be reasonable, prudent and appropriate to protect and keep confidential the Employer Data and shall inform its employees of the confidential nature of the Employer Data. BTC agrees to cause each person or entity directly or indirectly controlled by BTC and the officers, employees and agents of BTC and each such controlled person or entity to comply with the confidentiality provisions of this Agreement.

2. **Required Disclosure.** In the event that BTC becomes legally compelled to disclose any Employer Data, BTC will provide Employer with prompt written notice thereof in order for Employer to seek a protective order or other restriction on disclosure. If BTC is required to disclose information after Employer has sought such protective order or other restriction on disclosure, BTC will furnish only that portion of the Employer Data that it is legally compelled to disclose and no other. BTC agrees to regard and preserve as confidential all records and other information relative to the Trust and will not, without written authority from Board of Authority, disclose to others during the term of this Agreement or thereafter any such records or other information except as required by applicable law. However, should a court of law, governmental agency, participant/employee whether current or former (or attorney there of) request information that is otherwise legally available, BTC shall be held harmless for inadvertently and ~~without malice disclosing such information requested.~~ Likewise, BTC shall not be responsible for and equally held harmless for any other disclosure for which it is legally compelled to provide based on the action or inaction of the Employer, the Board of Authority or any of its representatives.
3. **Records Inspection.** BTC agrees, during the term of this Agreement, all records maintained for the Trust shall be open to inspection and audit by Board of Authority at reasonable times, and that such records shall be preserved and retained for the greater of three years after the related filing date or such other period as may be required by applicable governing regulations as in effect from time to time. On a periodic basis, or if otherwise required in accordance with any legal requirement, BTC, shall engage an independent certified public accountant whose identity and fees are approved by the Board of Authority with such approval to not be unreasonably withheld, to audit records and information related to the Trust, with the reasonable cost of such audit to be paid for by the Trust. A copy of the report of such audit shall be furnished to the Employer, the Board of Authority and to any other parties authorized to receive such information.

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I. Other Provisions

1. **Entire Agreement, Amendment.** This Agreement, as well as the attached Exhibits, including the Adoption Agreement, Trust, Administrative Fee Schedule and any Addendum, as well as other applicable schedules and exhibits, if any, constitute the entire agreement between the parties with respect to the administration of the Trust and supercedes all prior and contemporaneous agreements, representations and understandings of the parties. This Agreement may be amended and any provision hereof waived, but only in writing signed by the party against whom such amendment or waiver is sought to be enforced. The waiver by either party hereto of a breach of any provision of this Agreement shall not operate or be construed as a waiver of any other subsequent breach. To the extent there is any conflict between the terms of this Agreement and the terms and conditions of the Trust, the Trust shall control any dispute arising therefrom.

2. **Responsibilities of Parties.** In carrying out their responsibilities under this Agreement, BTC and Board of Authority shall at all times be subject to the following requirements:
 - a) BTC and Board of Authority shall act in accordance with applicable laws and shall also act in compliance with the documents and instruments governing the Trust, insofar as such documents and instruments are consistent with the provisions of applicable state law and any regulations promulgated thereunder. ~~The Board of Authority further agrees that it~~ shall ensure it has all necessary authorities to contribute any applicable funds to the Trust and shall have all necessary authorizations to act on behalf of the Employer or the Plans to the extent necessary and in compliance with Section 7.5 of the Trust.

 - b) To the extent applicable as it relates to Benefit Fund, BTC, the Investment Manager, as delegated, and Board of Authority shall act solely in the interest of the participants and their beneficiaries and for the exclusive purpose of providing benefits to participants and their beneficiaries and defraying reasonable expenses of administering the Trust.

 - c) To the extent of all Trust assets held within the Accounts, BTC, the Investment Manager, as delegated, and Board of Authority shall act with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims, but shall also strictly adhere to other applicable state law requirements related to the investment of excess fund assets.

 - d) Board of Authority shall have the responsibility for selecting the investment asset allocation mixes to include in the Trust, after receiving

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assistance from BTC and/or Investment Manager accordingly. The Board of Authority further acknowledges that past performance is no guarantee of future performance of any investments.

3. **Force Majeure.** No party to this Agreement will be deemed to be in default for any performance, or delay, or failure to perform under this Agreement resulting, directly or indirectly, from: (a) any governmental action or inaction, labor disputes, mechanical or electrical breakdown, any failure of communication lines, telephone or other interconnect problems or unauthorized access, provided such failure (i) is not the fault of such party; or (ii) could not be reasonably controlled by such party; or (b) any natural disaster; or (c) other events beyond the reasonable control of the parties; provided, further, that such events shall not be excused to the extent they can be obviated by the implementation of BTC's Business Recovery Plan.
1. **Dispute Resolution.** This Agreement contains a pre-dispute arbitration clause. By signing an arbitration agreement the parties agree as follows:
- a) All parties to this Agreement are giving up the right to sue each other in court, including the right to a trial by jury, except as provided by the rules of the arbitration forum in which a claim is filed.
 - b) Arbitration awards are generally final and binding; a party's ability to have a court reverse or modify an arbitration award is very limited.
 - c) The ability of the parties to obtain documents, witness statements and ~~other discovery is generally more limited in arbitration than in court proceedings.~~
 - d) The arbitrators do not have to explain the reason(s) for their award.
 - e) The panel of arbitrators will typically include a minority of arbitrators who were or are affiliated with the securities industry.
 - f) The rules of some arbitration forums may impose time limits for bringing a claim in arbitration. In some cases, a claim that is ineligible for arbitration may be brought in court.
 - g) The rules of the arbitration forum in which the claim is filed, and any amendments thereto, shall be incorporated into this Agreement.

No person shall bring a putative or certified class action to arbitration, nor seek to enforce any pre-dispute arbitration agreement against any person who has initiated in court a putative class action; or who is a member of a putative class action who has not opted out of the class with respect to any claims encompassed by the putative class action until: (i) the class certification is denied; or (ii) the class is decertified; or (iii) the customer is excluded from the class by the court. Such forbearance to enforce an agreement to arbitrate shall not constitute a waiver of any rights under this Agreement except to the extent stated herein.

With respect to controversies or disputes which may arise between you and us (including our affiliates, as well as the Investment Manager, as a third party

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beneficiary of this Agreement, having the right to enforce any of the parties' obligations herein) under this Agreement concerning matters involving alleged violations of the Advisers Act or applicable state investment advisory laws, it is understood that the Securities and Exchange Commission and various state securities regulatory agencies believe that an agreement to submit disputes to arbitration does not constitute a waiver of any rights provided under the Investment Advisers Act or applicable state investment advisory laws, including the right to choose a forum, whether by arbitration or adjudication, in which to seek the resolution of disputes.

Arbitration Provision:

Notwithstanding the preceding paragraph, you agree that any and all disputes that may arise between you and us (including our affiliates, as well as the Investment Manager, as a third-party beneficiary of this Agreement with rights to enforce any of the parties' obligations herein) concerning any transaction or the construction, performance or breach of this Agreement or any other agreement between us, whether entered into prior to, on, or subsequent to the date of this Agreement, shall first be addressed by good faith negotiations between you and us. In the event either party determines that they are not able to resolve the dispute through negotiation, then the dispute shall be determined by arbitration conducted before, and only before, an arbitration panel set up by the American Arbitration Association ("AAA") in accordance with their arbitration procedures. The parties shall ~~attempt to agree upon one arbitrator to hear the matter. If the parties are~~ unable to so agree, each party shall appoint one arbitrator and the two arbitrators so appointed shall in turn choose a third arbitrator. If the arbitrators chosen by the parties cannot agree on the choice of a third arbitrator within a period of 30 days after their nomination, then the third arbitrator shall be appointed by the President of the AAA. Either you or we may initiate arbitration by filing a written claim with the AAA. Any arbitration under this Agreement shall be conducted pursuant to the Federal Arbitration Act and the Laws of the State of California.

Any arbitration brought under this section shall be before a single arbitrator in Sacramento County, California.

5. **Notice.** Any notice under this Agreement shall be given in writing by certified mail, return receipt requested, to the address listed below.

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6. **Commencement Date.** This Trust Administrative Services Agreement shall commence as of the date first written above.

Employer: City of Folsom
Address of Notice: 50 Natoma Street
Folsom, CA 95630

By: _____

By: _____

By: _____

By: _____

By: _____

~~**BTC:** Benefit Trust Company~~
Address of Notice: 5901 College Boulevard, Suite 100
Overland Park, KS 66211

By: _____
Scott W. Rankin, Senior Vice President

**FUTURIS
PUBLIC ENTITY INVESTMENT TRUST
ADOPTION AGREEMENT**

City of Folsom, California ("Employer"), through its authorized Board of Authority hereby elects to adopt the terms of the Futuris Public Entity Investment Trust, which shall be formally known as the Futuris Public Entity Investment Trust (hereinafter referred to as the "Trust"), attached hereto and incorporated by reference, as of February 6, 2008 (the "Effective Date"). The fiscal year of the Trust shall be the 12-month period beginning July 1 and ending June 30.

Unless provided otherwise in writing by the Employer in any Board Resolution or other similar written designation, the Board of Authority agrees and shall be considered as "Authorized Representatives" to act on behalf of the Employer in compliance with Section 7.5 of the Trust.

The Board of Authority further agrees to establish its applicable Investment Policy Statement, a sample of which has been provided, which shall be adhered to and administered by the Trustee in accordance with the terms of the Trust. Related to the Investment Policy Statement, the Trustee shall have the authority to cause any or all of the assets of the Trust to be commingled, if the investment and the issuance of such investment thereof would be exempt under the provisions of Sections 2(a)(36), 3(b)(1) or 3(c)(11) of the Investment Company Act of 1940 or Section 3(a)(2) of the Securities Act of 1933, with the assets of trusts created by others, causing such money to be invested as part of a common and/or collective trust fund.

IN WITNESS WHEREOF, the Board of Authority, on behalf of the Employer, each person signing this agreement represents and warrants that he or she had the authority to bind such parties and hereby adopts the Trust on the 6th day of February, 2008.

BOARD OF AUTHORITY

By: _____
By: _____
By: _____
By: _____

Attachment 3 to Resolution No. 8187
Futuris Public Entity Investment Trust Adoption
Agreement (Draft)

By: _____

FUTURIS PUBLIC ENTITY INVESTMENT TRUST
TRUST AGREEMENT

THIS AGREEMENT, also referred to as the “Futuris Public Entity Investment Trust” (hereinafter the “Trust” or “Agreement”) is made and hereby executed by and between the organization specified on the Adoption Agreement attached hereto, a governmental or public entity employer (hereinafter “Employer”), and **Benefit Trust Company**, a Kansas Corporation as trustee and asset custodian (“Trustee”). This Agreement shall be effective as of the Effective Date set forth below.

WHEREAS, Employer desires to establish a trust to be used for the purposes of: (i) investment and disbursement of funds irrevocably designated by Employer for the payment of its obligations to eligible employees (and former employees) of Employer and their eligible dependents and beneficiaries for life, sick, hospitalization, major medical, accident, disability, dental and other similar benefits (sometimes referred to as “other post-employment benefits,” or “OPEB”), in compliance with Governmental Accounting Statement Nos. 43 and 45; and (ii) investment and disbursement of excess funds held by Employer for future use in connection with any lawful purpose of Employer, as further described herein; and

WHEREAS, Employer is a public entity, and hereby wishes to establish this Trust as an integral part of Employer’s governmental purposes, pursuant to a trust arrangement that is tax exempt under applicable guidance and procedures under Section 115 of the Code;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants contained herein, Employer and the Trustee agree as follows:

ARTICLE I
DEFINITIONS

1.1 Adoption Agreement. “Adoption Agreement” shall mean the Adoption Agreement entered into by the Board of Authority, who has been authorized by the Employer to adopt this Trust for the purposes specified herein.

1.2 Benefit Fund. “Benefit Fund” shall mean the portion of trust fund assets that are irrevocably designated by Employer for the purpose of funding designated OPEB obligations, and any applicable fees and expenses of Employer under one or more Plans adopted by Employer.

1.3 Board of Authority. “Board of Authority” shall mean the Board of Authority created by resolution of the governing body of Employer, consisting of one or more voting members appointed by Employer and serving at the will of Employer, having the power and authority to make all decisions required to be made for the Trust on behalf of Employer, as described in this Trust, except for any decisions of the Employer as required under this Agreement. The members of the Board of Authority may be appointed, terminated and replaced by Employer using such

Attachment 4 to Resolution No. 8187
Futuris Public Entity Investment Trust, Trust
Agreement

procedures as Employer shall specify by resolution of its governing body, with the initial Board of Authority being designated by the Employer through board resolution or other similar means.

1.4 Code. "Code" shall mean the Internal Revenue Code of 1986, as amended.

1.5 Effective Date. "Effective Date" shall mean the Effective Date specified in the Adoption Agreement executed by Employer.

1.6 General Fund. "General Fund" shall mean that portion of trust fund assets that have been deposited into the Trust for investment of excess funds held by Employer for future use in connection with any lawful governmental purpose of Employer.

1.7 Investment Manager. "Investment Manager" shall mean the independent registered investment adviser appointed by the Trustee pursuant to the authority provided to the Trustee in Section 5.1 of this Agreement.

1.8 Investment Policy Statement. "Investment Policy Statement" shall mean the investment guidelines for the General Fund and the Benefit Fund, as approved by the Board of Authority, and as such Investment Policy Statement may be amended from time to time. The Investment Policy Statement shall establish the investment guidelines and authority related to the investment of Trust assets by the Investment Manager, subject to the terms of the Trust.

1.9 Participant. "Participant" shall mean any employee or former employee of Employer, or any dependent or beneficiary of such an employee or former employee, who is or shall be entitled to OPEB liabilities thereunder.

1.10 Plan. "Plan" or "Plans" shall mean each plan adopted by Employer that includes or provides for the payment of OPEB liabilities to Participants in accordance with the terms of the Plan. Each Plan shall be limited to providing life, sick, hospitalization, major medical, accident, disability, dental and/or other similar benefits to Participants.

1.11 Plan Administrator. "Plan Administrator" shall be the person or entity designated to administer each Plan that pays benefits funded by contributions made to the Benefit Fund, as set forth in each such Plan. The Plan Administrator shall have the sole authority to provide directions for withdrawal or other disbursement of funds held in the Benefit Fund.

1.12 Trust. "Trust" shall mean the trust established by this Agreement.

1.13 Trustee. "Trustee" shall mean the person or entity appointed and acting as Trustee of the Trust in accordance with the terms of this Agreement. The initial Trustee of the Trust is Benefit Trust Company.

ARTICLE II

PURPOSE AND ESTABLISHMENT OF TRUST

2.1 Establishment of Trust. Employer hereby deposits with Trustee, in Trust, a sum of money or other similar consideration, which shall become the principal of the Trust, to be held, administered and disposed of by the Trustee as provided in this Trust Agreement. The principal of the Trust and any earnings thereon shall be held separate and apart from other funds of Employer and shall be used exclusively for the uses and purposes herein set forth.

Attachment 4 to Resolution No. 8187
Futuris Public Entity Investment Trust, Trust Agreement

2.2 Purposes of the Trust. The Trust shall be for the purpose of receiving, holding, investing, reinvesting and disbursing, for the benefit of the Participants in connection with assets held in the Benefit Fund, and for the benefit of Employer with respect to the assets held in the General Fund, the monies or property contributed to or otherwise received by the Trustee, in accordance with the provisions of this Agreement. As set forth in Section 5.1 of this Trust, the Benefit Fund and the General Fund shall be established and maintained at all times as two separate and distinct investment funds. The Trust shall consist of all reserves or monies comprising assets that may include any insurance policy assigned by Employer to the Trust, as well as any and all contributions further described under Article III below, and all cash, securities, property, and assets of whatever kind and nature, owned, held or otherwise acquired by the Trustee pursuant to the Trust, and all earnings thereon. To the extent of any assets held within the Benefit Fund, no part of the principal or income of the Trust held within the Benefit Fund shall be paid, or revert, to Employer, or be used in any manner other than for the exclusive benefit of the Participants in connection with the payment of OPEB obligations, including applicable fees and expenses, of Employer under the terms of the Plan, as determined by the Plan Administrator or unless provided for under Article X below. Accordingly, the Trust holds only bare legal title to the Benefit Fund, and neither the Trust nor Employer own or hold any equitable interest in the Benefit Fund.

ARTICLE III
CONTRIBUTIONS

3.1 Contributions. Employer may from time to time make contributions to the Trust, in such amounts as Employer shall determine are appropriate. Employer shall designate in writing to the Trustee at the time of each contribution whether the amounts so contributed shall be deposited into the Benefit Fund or the General Fund, and the Trustee shall ensure that each contribution is deposited into the fund designated by Employer. To the extent that any Plan permits contributions to be made by Participants to fund OPEB obligations, including the cost of applicable fees and expenses, of Employer, all such contributions shall be designated solely for the Benefit Fund, and such contributions, along with all earnings on such Participant contributions shall be reflected as Participant contributions in all books and records maintained by the Trustee. All contributions shall be made in cash or in the form of such other property as the Trustee may from time to time deem acceptable and which shall have been delivered to the Trustee. The contributions so received, together with the income therefrom and any other increment thereon shall be held, invested, reinvested and administered by the Trustee pursuant to the terms of this Agreement. The Trustee shall not be responsible for or have any obligation related to, the timing or collection of any contribution, the allocation of any contributed amount, or any applicable earnings thereof, between the Benefit Fund or General Fund unless designated by Employer and provided for herein, or the calculation or payment of any benefits under any Plan. For any contributions received after any trading deadline, or if the Employer fails to provide proper instructions for the allocation of any amounts to be contributed to either the Benefit Fund or the General Fund, or such instructions are incomplete or incorrect in a manner that prevents the contributed amounts from being invested in the desired manner, the Trustee, or its designated sub-custodian, if applicable, shall deposit such amounts in the General Fund, to be held in a Short-Term Investment Fund (the "Default Fund"), or such other similar account

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comprised of cash, bank notes, corporate notes, government bills and other various short-term debt instruments that are deemed appropriate by the Trustee and/or the Investment Manager until such time as the Employer's investment direction can be properly completed. If, after a period of thirty (30) days the Trustee is unable to obtain revised instructions from the Employer, the Trustee shall return all such previously-deposited amounts to the Employer, including allocated earnings therein.

3.2 Compliance with Laws. The Trust is established and maintained solely by Employer as an integral part of its governmental purposes. The Trust is therefore intended to satisfy all requirements of the United States Department of Treasury pursuant to Section 115 of the Code. Except to the extent of withdrawals permitted from the General Fund as provided in Article IV below, and corrections made with respect to contributions made in error as permitted in accordance with Article X below, all contributions made to the Trust and the earnings thereon shall be retained in the Trust until the same shall have been fully paid out in accordance with the terms of this Agreement. Under no circumstances shall any amounts held in the Benefit Fund be used for any purpose other than the payment of OPEB obligations of Employer pursuant to the terms of such Plans designated by Employer. Under no circumstances shall any amounts held in the General Fund be used for any purpose other than a lawful governmental purpose as determined by Employer in accordance with applicable law.

ARTICLE IV
WITHDRAWALS

4.1 Withdrawals from Benefit Fund. The Plan Administrator, or its Authorized Representative, as further described in Section 7.5 hereof, of each Plan designated by Employer for funding through the Benefit Fund is the sole party authorized to withdraw or otherwise direct the Trustee to make disbursement of amounts from the Benefit Fund and such amounts shall not be withdrawn except for the purpose of paying OPEB-related liabilities for eligible Plan participants, contributions made by error or mistake in accordance with Article X below, or because the applicable OPEB liability has been fully funded or resolved; any excess Benefit Fund assets that remain shall be returned to the underlying Plan(s) as directed by the Plan Administrator. Under no circumstances shall any Benefit Fund amount be paid to or in any way revert to the Employer directly unless the amounts contributed to the Benefit Fund by the Employer were made by mistake. To the extent that there are separate accounts maintained for each Plan within the Benefit Fund, each Plan Administrator is authorized only to withdraw amounts designated within the Benefit Fund for funding of the Plan administered by that Plan Administrator. The Plan Administrator shall, from time to time and subject to the liquidity requirements and restrictions set forth within the Investment Policy Statement, direct the Trustee to make payments out of the Benefit Fund to the persons or entities to whom such payments are authorized to be made in accordance with the terms of the Plan, in such amounts and for such purposes as are authorized under the terms of the Plan. The Trustee shall not be responsible for determining whether withdrawals made by the authorized Plan Administrator are authorized under the Plan, and shall be entitled to rely upon the determination of the authorized Plan Administrator that such withdrawals are in compliance with the terms of the Plan.

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4.2 Withdrawals from General Fund. Employer is the sole party authorized to withdraw or otherwise direct the Trustee to make disbursement of amounts from the General Fund. Employer shall be authorized, based on the direction of any Authorized Representative, as further described in Section 7.5, to make withdrawals or other disbursements from the General Fund for any lawful governmental purpose, in such amounts as Employer shall determine. Employer may make withdrawals of any amount held in the General Fund at any time upon seven (7) business day's written notice to the Trustee, or such other period as reasonably practicable under the existing circumstances and subject to the liquidity requirements and restrictions set forth within the Investment Policy Statement. The Trustee shall not be responsible for determining whether withdrawals made by Employer are authorized by Employer, and shall be entitled to rely upon the determination of Employer's Authorized Representative such withdrawals or other disbursements are in compliance with applicable law.

4.3 Transfer of Assets from the General Fund to the Benefit Fund. Employer may, within its discretion, authorize the transfer of trust fund assets from the General Fund to the Benefit Fund at any time. Upon receipt of written direction from Employer for the transfer of trust fund assets from the General Fund to the Benefit Fund, the Trustee shall as soon as reasonably practicable, undertake a valuation of the assets contained within the General Fund and, to the extent sufficient assets are contained within the General Fund to execute the request for transfer of funds from the General Fund to the Benefit Fund, assign or otherwise transfer the requested amounts from the General Fund to the Benefit Fund, including the allocation of any amounts to any particular sub-account as directed by the Employer. The Trustee shall not be responsible for determining whether withdrawals made by Employer are authorized by Employer, and shall be entitled to rely upon the determination of Employer's Authorized Representative such withdrawals or other disbursements are in compliance with applicable law. ~~Asset transfers from the General Fund to the Benefit Fund will generally be made in kind, unless the Trustee or delegated Investment Manager determines that assets should be liquidated prior to the transfer. Under no circumstances may assets of the Benefit Fund be transferred to the General Fund.~~

ARTICLE V
INVESTMENT OF TRUST FUNDS

5.1 Separate Investment Funds. The Trust shall consist of two separate and distinct investment fund programs to be known as the Benefit Fund and the General Fund. Each of these Funds shall be separately held, managed, administered, valued, invested, reinvested, distributed, accounted for and otherwise dealt with, in accordance with the provisions in this Agreement. References to the Trust assets shall generally be deemed to refer to both the Benefit Fund and the General Fund.

- (a) The assets belonging to each of the Benefit Fund and the General Fund shall be charged with the liabilities in respect of that Fund and all expenses, costs, charges and reserves to that Fund. Any general liabilities, expenses, costs, charges or reserves of the Trust Fund which are not readily identifiable as pertaining to any particular Fund shall be allocated and charged by the Trustee to and among each of the Funds in such manner and on such basis as the Trustee in its discretion deems fair and equitable, including the proviso that unless the Investment Policy

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Statement specifically provides otherwise, allocable expenses of the Benefit Fund may be paid from assets contained within the General Fund if otherwise prudent and allowable under existing authority. Each allocation of liabilities, expenses, costs, charges and reserves by the Trustee shall be conclusive and binding for all purposes.

- (b) Employer may establish a separate Benefit Fund for the obligations of Employer under each Plan, or may provide a single Benefit Fund for all obligations of Employer under all Plans adopted by Employer. Employer may, by written direction from time to time to the Trustee, add additional separate Benefit Funds or combine two or more separate Benefit Funds, provided that the Plan Administrator for each Plan funded by the Benefit Fund(s) shall provide its written consent to any such direction provided by Employer, with applicable liabilities, expenses, costs, charges or other reserves being allocated in the manner set forth in subsection (a) above.
- (c) A Default Fund shall be established within the General Fund under conditions set forth under Article III above and based on investment guidelines established within the Investment Policy Statement.

5.2 Appointment of Investment Manager. The Trustee shall, in the exercise of its discretion over the investment of Trust funds, appoint a primary Investment Manager, who shall have the authority to invest, reinvest, sell and hold, through a qualified custodian as required by applicable law, all assets of the Benefit Fund and the General Fund in accordance with the guidelines established herein. Specifically, the Investment Manager shall be responsible for assisting the Trustee in developing the Investment Policy Statement for review and approval by the Board of Authority, selecting the investments and/or portfolio managers to be used to implement the investment strategies authorized by the Investment Policy Statement, as well as assisting the Board of Authority in selecting asset allocation models for the Benefit Fund and the General Fund and reporting on the performance of investments held in the Trust. The duties of the Investment Manager shall be further specified in a written agreement to be entered into between the Trustee and the Investment Manager.

5.3 Review and Approval of Investment Policy Statement. The Trustee shall assist in developing an Investment Policy Statement for Employer that is consistent with applicable law, which is primarily to safeguard the principal of the funds held in the Trust, then secondarily to meet the Trust's liquidity needs and thirdly, to achieve a return on the funds held in the Trust. The Investment Policy Statement shall be reviewed and approved by the Board of Authority prior to investment of any contributions received from Employer to fund the Trust, other than temporary investments in short-term obligations of the United States government. The Investment Policy Statement shall remain in effect until amended or superseded in writing by the Board of Authority. The Investment Policy Statement shall provide for the investment of assets of the Benefit Fund in a manner appropriate to satisfy the expected OPEB liabilities and liquidity requirements of each Plan funded by the Benefit Fund, and shall provide for investment of assets of the General Fund in a manner appropriate for the assets held in the General Fund and in compliance with the investment requirements of applicable law.

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5.4 Monitoring of Investment Manager. The Trustee, or its designated agents or other representatives, shall be responsible for monitoring the performance of the Investment Manager to assure that investment decisions are made by the Investment Manager, and that the services provided by the Investment Manager, are in compliance with the terms of the Investment Policy Statement, the investment advisory agreement between the Trustee and the Investment Manager and applicable law. The Trustee shall further be responsible for reviewing the overall performance of the Investment Manager relative to performance goals and objectives specified in the Investment Policy Statement. The Trustee shall promptly notify Employer of any actions taken by the Investment Manager that the Trustee determines to be inconsistent with the Investment Policy Statement, the investment advisory agreement between the Investment Manager and the Trustee, or applicable law, and shall take such actions as are commercially reasonable to correct or recover from such actions as are prudent on behalf of the Trust.

5.5 Termination and Replacement of Investment Manager. In the event that the Trustee determines that the Investment Manager is not performing its duties in accordance with the Investment Policy Statement, the investment advisory agreement with the Trustee or applicable law, or that the Investment Manager is not satisfactorily meeting its performance goals and objectives, the Trustee shall have full discretion to terminate and replace the Investment Manager. Throughout any corresponding transition period prior to or commensurate with the selection and delegation of investment management responsibilities to a successor Investment Manager, the Trustee shall ensure that the assets of the Trust continue to be invested in the manner the Trustee deems prudent and most appropriate under the circumstances then-prevailing, as long as in compliance with the general terms and conditions of the Investment Policy Statement and applicable law.

5.6 General Fiduciary Duties of Trustee. In the performance of its investment related functions under this Agreement, the Trustee acknowledges that, to the extent of its role and responsibilities set forth herein, it is a fiduciary to the Trust and to Employer. The Trustee agrees that it shall act in accordance with the Uniform Trust Code, as amended, and shall act with the care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the Trust and Employer, to the extent known by the Trustee, that a prudent person acting in a like capacity and familiarity with those matters would administer the Trust and use and exercise reasonable care, skill and caution, in the administration of the Trust and performance of investment related functions with respect to funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the Trust and Employer. The Board of Authority shall be entitled to rely upon the actions and decisions of the in the performance of its duties under this Agreement. Subject to the foregoing duty of the Trustee, the Trustee shall not be liable for any investment losses suffered by the Trust.

ARTICLE VI
GENERAL POWERS OF TRUSTEE

In addition to the specific powers and duties of the Trustee set forth in Articles III, IV and V, the Trustee shall have the following powers:

- (a) to hold assets on behalf of the Trust in the name of Trustee for the benefit of the Trust;

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- (b) to direct the Investment Manager or any delegated custodian, as applicable, to sell assets of the Trust to the extent necessary to allow an authorized Plan Administrator to make a withdrawal from the Benefit Fund or to allow Employer to make a withdrawal from the General Fund;
- (c) to arbitrate, defend, enforce, release or settle any claim of or against the Trust;
- (d) to the extent that the duty to vote proxies for securities held by the Trust is not delegated to the Investment Manager, to vote, in person or by proxy, upon all securities held by the Trust;
- (e) to the extent advised by the Investment Manager consistent with the Investment Policy Statement, to exercise, buy or sell subscription and conversion rights and participate on behalf of securities held by the Trust in reorganizations, recapitalizations, consolidations, mergers, exchanges, foreclosures, liquidations and creditors' and bondholders' agreements;
- (f) to do all such acts, take all such proceedings, and exercise all such rights and privileges, although not specifically mentioned herein, as the Trustee may deem necessary to administer the Trust, provided that such actions or proceedings are not inconsistent with the terms of this Trust;
- (g) to employ and pay from the assets of the Trust reasonable compensation to agents, investment counsel and attorneys, accountants, or other similar parties, including any person, partnership, corporation or other entity with which the Trustee may be associated, for purposes that the Trustee determines to be necessary for the administration of the Trust, as well as any other parties the Employer or Board of Authority has engaged to provide related services pursuant to a written agreement;
- (h) to withdraw from the Trust compensation and expenses payable to the Trustee in such amounts as are agreed to between Employer and the Trustee under any written administrative service agreement or other similar arrangement; and
- (i) to execute and deliver all documents and instruments necessary for the administration of the Trust on behalf of the Trust.
- (j) the Trustee may cause any or all of the assets of the Trust to be commingled, to the extent such investment and the issuance thereof would be exempt under the provisions of Sections 2(a)(36), 3(b)(1) or 3(c)(11) of the Investment Company Act of 1940 or Section 3(a)(2) of the Securities Act of 1933, with the assets of trusts created by others, causing such money to be invested as part of a common and/or collective trust fund.

ARTICLE VII

GENERAL DUTIES OF TRUSTEE

In addition to the specific powers and duties of the Trustee set forth in Articles III, IV, V and VI, the Trustee shall have the following duties:

7.1 General. The Trustee shall, in the performance of all of its duties on behalf of the Trust, act solely in the manner directed herein and discharge its duties hereunder with the care, skill, prudence and diligence under the circumstances that a prudent man acting in a like capacity and familiar with such matters would use in such circumstances.

7.2 Records. The Trustee shall keep accurate and detailed accounts and records of all investments, receipts, disbursements, and other transactions, including all separate accounts and assets contained within the Benefit Fund and General Fund accounts. For purposes of accounting and administration, the records of the Trust shall be maintained on a cash basis method. The Employer and/or the Board of Authority shall have the right to review and inspect all such accounts and other records relating thereto at all reasonable times, as well as to request an audit of all Trust fund activities.

7.3 Trustee Reports. The Trustee shall furnish to the Board of Authority quarterly reports, as well as an annual statement of account, to be delivered within thirty (30) days after the end of each quarter and within sixty (60) days after the end of each calendar year, setting forth all contributions made to the Trust, including an account of the specific Fund to which such contributions were made, all withdrawals from each Fund and all transfers from the General Fund to the Benefit Fund. For these purposes, unless otherwise stated on the Employer's Adoption Agreement, the Employer's fiscal year shall be considered as the 12-month period beginning every July 1 to June 30 of the following year.

7.4 Audits. Trustee shall assist Employer with the engagement of an independent certified public accountant to audit the Trust under such time frames and parameters specified by the Employer, with the cost of such audit to be paid for by the Trust or by Employer as determined by the Employer. A copy of the report of such audit shall be furnished to Employer, Trustee and such other persons as Employer or Employer's Authorized Representative shall designate.

7.5 Authorized Representatives. Employer and the Plan Administrator shall inform the Trustee immediately in writing of the appointment of any Authorized Representative to whom Employer or the Plan Administrator has given authorization to direct the Trustee with respect to the Trust, or any other change in circumstances that could affect the Trustee's administration or management of the Trust. Generally, the Plan Administrator shall authorize two or more authorized signatories who may request withdrawals on behalf of the Plan Administrator and Employer shall authorize two or more authorized signatories who may request withdrawals on behalf of Employer. Subject to any requirement of proof required by the Trustee in verifying the identity of any Authorized Representatives, the Trustee may rely on such designations and follow any instructions of such Authorized Representatives, whether verbal, by facsimile or in writing as though they were Employer's, or the Plan Administrator's instructions, as applicable, and the Trustee's business record entry of any directions by any of them shall be conclusive

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proof of the giving of such directions. Unless the Employer or Plan Administrator specifically directs otherwise, in the absence of any formal notification of any other individuals who shall be authorized to act on behalf of the Employer or Plan Administrator, the Trustee may accept direction from any duly appointed member of the Board of Authority. Any transactions initiated by the Trustee before receiving actual notice of any change with respect to (a) such Authorized Representative(s) or their authority, or (b) the termination of the Trust, shall be valid and binding on Employer, the Plan Administrator, or their successors and assigns, and the Trust.

7.6 Fiduciary Bonds. Trustee shall provide to Employer evidence of a bond, surety or security, as maintained by the Trustee, for any employee of the Trustee who works with or on behalf of Trustee in carrying out its duties and responsibilities related to the Trust.

7.7 Compliance with Laws. The Trustee shall administer the Trust and all assets invested hereunder at all times in conformity with all applicable provisions of state and federal law, including specific application of the California Government Code.

ARTICLE VIII

LIABILITIES AND IMMUNITIES

8.1 Immunity of Employer, Trustee or Other Fiduciaries. Except as otherwise provided by controlling law, neither the establishment of the Trust created hereunder nor any modification hereof nor the creation of any fund or account or the payment of any benefits shall be construed as giving to any employee of Employer or any beneficiary hereunder any legal or equitable right against Employer, any officer, director, employee or agent of Employer, or against the Trustee or any fiduciary, except as provided in this Agreement.

8.2 Indemnification of Trustee. The Trustee shall be fully protected and indemnified by Employer and the Plan Administrator, in reliance upon information, direction or instructions received from an authorized party as provided in this Trust, which instructions or directions the Trustee reasonably believes to be authentic and issued by an authorized party. Should it become necessary to perform some act hereunder and there is neither direction in this Trust Agreement nor information nor instructions from Employer or Plan Administrator on file with the Trustee relating thereto, and if no such information or instructions can be obtained after reasonable inquiry, the Trustee shall have full power and authority to act in the Trustee' discretion, consistent with the purposes of this Trust. In so acting or in following any instructions from an authorized party, the Trustee shall not be liable except to the extent that the actions of the Trustee constitute fraud, bad faith, willful misconduct or gross negligence.

ARTICLE IX

RESIGNATION, REMOVAL AND SUCCESSION OF TRUSTEE

The Board of Authority may remove the Trustee, and the Trustee may resign as Trustee of the Trust, with proper notice and under time frames and criteria established through a separate administrative service agreement, or other similar agreement, between the Board of Authority and the Trustee, or absent the signing of such an agreement, at any time in the Board of

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Authority's discretion with or without cause, upon sixty (60) days' prior written notice to the other party. Upon the resignation or removal of the Trustee, the Board of Authority shall appoint a successor Trustee who shall have the same powers and duties as those conferred upon the Trustee hereunder. Upon acceptance of such appointment by the successor Trustee, the Trustee shall assign, transfer, and pay over to such successor Trustee the funds and properties then constituting the assets of the Trust. No successor Trustee shall be subject to any liability or responsibility with respect to any act or omission of any prior Trustee.

ARTICLE X
CORRECTION OF ERRORS

10.1 Mistake. Any mistake in any payment or in any direction, certificate, notice or other document furnished or issued by Employer or by the Trustee in connection herewith may be corrected when the mistake becomes known, and Employer may direct any adjustment or action that it deems practicable under the circumstances to remedy the mistake. The above notwithstanding, the Trustee must be properly notified of any mistakes or other correction requests within prescribed periods and time limitations as prescribed under applicable law.

10.2 Refund of Contribution Made to the Benefit Fund. No contribution made to the Benefit Fund may be refunded to Employer unless a contribution was made:

- (a) Because of a mistake of fact; or
- (b) Conditioned upon a continued favorable Internal Revenue Service ruling and such favorable ruling is revoked or not obtained.

Any refund or other return of contributions under subsection 10.2(a) must be made within one (1) year from the date the contribution was made and, any refund or return of contributions under subsections 10.2(b) must be made within one (1) year from the date of disallowance of tax qualification.

ARTICLE XI
AMENDMENT AND TERMINATION

11.1 Trust Amendments. This Agreement may be amended at any time, in whole or in part, by the Employer, or other designated agent(s) as set forth by the Employer in writing. No such amendment shall have the effect of diverting any portion of the Benefit Fund for purposes other than the funding of OPEB liabilities for which the amounts held in the Benefit Fund has been irrevocably designated for the exclusive benefit of the Participants. Furthermore, no amendment shall be made or approved by the Employer that adds to or increases the Trustee's duties or responsibilities without its prior written approval or consent.

11.2 Termination of Trust. This Agreement may be terminated at any time by the Employer, or other designated agent(s) as set forth by the Employer in writing, and subject to applicable termination provisions of the administrative service agreement with the Trustee or as otherwise required under applicable law. Upon such termination, the assets of the Benefit Fund shall

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continue to be held in the Trust until the authorized Plan Administrator directs the Trustee to pay such amounts in accordance with Section 4.1 of the Trust, less any applicable reserving requirements as specified below. The assets of the General Fund shall continue to be held in the Trust until Employer directs the Trustee to pay such amounts in accordance with Section 4.2 of the Trust, less any applicable reserving requirements as specified below. In making such payments, the Trustee may reserve from the assets in the Trust such amount as it shall reasonably deem necessary to provide for any sums chargeable against the Trust for which the Trustee may be liable, or for payment of expenses in connection with the settlement of its accounts and the termination of this Agreement as may be mutually agreed in writing by the parties.

ARTICLE XII
MISCELLANEOUS

12.1 Protection Against Creditors. No amounts held in the Benefit Fund shall be subject in any way to alienation, sale, transfer, assignment, pledge, attachment, garnishment, execution or encumbrance of any kind on account of creditors of Employer, and any attempt to accomplish the same shall be void. All assets held in the Benefit Fund are held in trust irrevocably for the sole benefit of the eligible beneficiaries of each Plan funded by the Benefit Fund, and neither this Trust nor Employer has any equitable or reversionary interest in the Benefit Fund or the assets held in the Benefit Fund. Employer is not a beneficiary of the portion of the Trust which relates to the Benefit Fund. None of the benefits, payments, proceeds or claims of any eligible beneficiary of a Plan shall be subject to any creditors and, in particular, the same shall not be subject to attachment or garnishment or other legal process by any creditor, nor shall any such beneficiary have the right to alienate, anticipate, commute, pledge, encumber or assign any of the benefits or payments or proceeds which such beneficiary may expect to receive, contingently or otherwise, under this Trust or as otherwise required under applicable law.

12.2 Employment Not Affected. The terms of employment of any employee of Employer shall not be affected in any way by the Trust nor shall this Trust be construed in any way so as to guarantee or extend the employment of any employee of Employer.

12.3 Construction of Trust. This Trust shall be construed and enforced according to the laws of the state of California, including applicable provisions of the California Government Code, and in accordance with applicable provisions of the Code. To the extent the terms of the Trust are in conflict with the provisions of any other agreement between the parties, the terms of the Trust shall control.

12.4 Internal Revenue Service Determination. The Trustee may submit this Agreement to the Internal Revenue Service for a determination of its status as a tax exempt trust under Section 115 of the Code.

12.5 Severable Provisions. If any provision of this Trust shall be held illegal or invalid for any reason, such determination shall not affect the remaining provisions of the Trust.

12.6 Headings. The headings of this Trust are for convenience only and are not substantive terms of the Trust.

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12.7 Singular and Plural. Whenever the singular of any term is used in this Agreement, it shall refer to the plural of such as appropriate under the circumstances.

12.8 Notices. Notices to any party under this Agreement shall be provided to such persons and at such addresses as are specified in the Administrative Services Agreement between Employer and the Trustee.

12.9 Arbitration of Disputes. This Agreement contains a pre-dispute arbitration clause and the parties agree as follows:

- a) All parties to this Agreement are giving up the right to sue each other in court, including the right to a trial by jury, except as provided by the rules of the arbitration forum in which a claim is filed.
- b) Arbitration awards are generally final and binding; a party's ability to have a court reverse or modify an arbitration award is very limited.
- c) The ability of the parties to obtain documents, witness statements and other discovery is generally more limited in arbitration than in court proceedings.
- d) The arbitrators do not have to explain the reason(s) for their award.
- e) The panel of arbitrators will typically include a minority of arbitrators who were or are affiliated with the securities industry.
- f) The rules of some arbitration forums may impose time limits for bringing a claim in arbitration. In some cases, a claim that is ineligible for arbitration may be brought in court.
- g) The rules of the arbitration forum in which the claim is filed, and any amendments thereto, shall be incorporated into this Agreement.

No person shall bring a putative or certified class action to arbitration, nor seek to enforce any pre-dispute arbitration agreement against any person who has initiated in court a putative class action; or who is a member of a putative class action who has not opted out of the class with respect to any claims encompassed by the putative class action until: (i) the class certification is denied; or (ii) the class is decertified; or (iii) the customer is excluded from the class by the court. Such forbearance to enforce an agreement to arbitrate shall not constitute a waiver of any rights under this Agreement except to the extent stated herein.

With respect to controversies or disputes which may arise between each party (including any affiliates, as well as the Investment Manager, as a third party beneficiary of this Agreement, having the right to enforce any of the parties' obligations herein) under this Agreement concerning matters involving alleged violations of the Advisers Act or applicable state investment advisory laws, it is understood that the Securities and Exchange Commission and various state securities regulatory agencies believe that an agreement to submit disputes to arbitration does not constitute a waiver of any rights provided under the Investment Advisers Act or applicable state investment advisory laws, including the right to choose a forum, whether by arbitration or adjudication, in which to seek the resolution of disputes.

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Arbitration Provision:

Notwithstanding the preceding paragraph, all parties agree that any and all disputes that may arise between each party (including any affiliates, as well as the Investment Manager, as a third-party beneficiary of this Agreement with rights to enforce any of the parties' obligations herein) concerning any transaction or the construction, performance or breach of this Agreement or any other agreement between the parties, whether entered into prior to, on, or subsequent to the date of this Agreement, shall first be addressed by good faith negotiations between each party. In the event either party determines that they are not able to resolve the dispute through negotiation, then the dispute shall be determined by arbitration conducted before, and only before, an arbitration panel set up by the American Arbitration Association ("AAA") in accordance with their arbitration procedures. The parties shall attempt to agree upon one arbitrator to hear the matter. If the parties are unable to so agree, each party shall appoint one arbitrator and the two arbitrators so appointed shall in turn choose a third arbitrator. If the arbitrators chosen by the parties cannot agree on the choice of a third arbitrator within a period of 30 days after their nomination, then the third arbitrator shall be appointed by the President of the AAA. Either party may initiate arbitration by filing a written claim with the AAA. Any arbitration under this Agreement shall be conducted pursuant to the Federal Arbitration Act and the Laws of the State of California.

Any arbitration brought under this section shall be before a single arbitrator in Sacramento County, California.

12.10 Binding Effect of Adoption Agreement. This Agreement shall be binding upon Trustee, Employer and the Plan Administrator, as applicable, upon execution and delivery by the Board of Authority to Trustee of a duly signed Adoption Agreement, together with copies of authorizing resolutions of Employer and its governing authority thereof.

Attachment 5 to Resolution No. 8187
Investment Policy Statement (Draft)

INVESTMENT POLICY STATEMENT

The purpose of this Investment Policy Statement is to establish a comprehensive strategy for the acceptance and accumulation of invested assets under the **Futuris Public Entity Investment Trust** (the "Trust"), which has been adopted for use by _____ (the "Employer") for, among other things, to assist the Employer in meeting applicable funding requirements for the payment of future retiree health and welfare obligations and other post-employment benefit obligations (generally referred to as "OPEB Liability"), but may also be used to fund other purposes related to excess funds of the Employer as allowable under applicable law.

This Investment Policy Statement shall be consistent with the governing law, including the Internal Revenue Code of 1986 as amended from time to time (the "Code"), applicable provisions of Governmental Accounting Standards Board Statement Nos. 43 and 45, California laws, including applicable provisions of the California Government Code.

TRUST FUNDING STATEMENT

The purpose of the Trust is to provide a uniform method of investing contributions and earnings of all contributed amounts between funds deposited within the **Benefit Fund** or the **General Fund**, as those terms are defined within the Trust. The Trust shall be funded primarily by contributions made by the Employer, but may also include other contributions made by any Participant as determined necessary and appropriate under applicable circumstances and in compliance with underlying legal requirements. These contributions shall be remitted to the Trust on a discretionary basis, as determined by and through the direction of the Employer, or such delegated Trust.

BOARD OF AUTHORITY

The Board of Authority (the "BOA") is directly responsible for the implementation and oversight of this Investment Policy Statement. This responsibility includes the selection and ongoing evaluation of investments and/or investment managers in accordance with applicable laws and regulations. However, these investment responsibilities may be delegated to an authorized third-party trustee. In this case, the BOA has appointed **Benefit Trust Company ("BTC")** as **Discretionary Trustee** and **Trust asset custodian**, who may further designate and delegate any corresponding **Investment Manager** responsibilities as set forth below. On behalf of the Trust, and as approved by the BOA, BTC shall administer the assets of the Trust in such a manner that the investments are:

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- Prudent; in consideration of the stated purpose of the Trust, any underlying Plan and in accordance with California Government Code Sections 53600.3 and 53622, as applicable;
- Diversified; among a broad range of investment alternatives;
- Permitted; in accordance with the terms of the Trust, any applicable Plan document and in accordance with California Government Code Section 53601 and other applicable requirements;
- Selected; for the exclusive benefit of the Plan participants as it relates to the Benefit Fund, or as otherwise deemed appropriate for the purposes set forth by the Trust.

The above notwithstanding, the BOA retains the responsibility to oversee the management of the Trust, including BTC's, or any successor trustee's, requirement that investments and assets held within the Trust continually adhere to the requirements of California Government Code Section 53600.5, that specifies that trustee's primarily role is to preserve capital, then maintain secondary responsibilities for investment liquidity and thirdly, to investment yield.

**DELEGATION OF INVESTMENT ADVISORY REQUIREMENTS
AND INVESTMENT MANAGER SELECTION CRITERIA**

In compliance with applicable provisions of the Trust, the Trustee may delegate its responsibilities over the investment of Trust fund assets to a primary investment manager, who shall have the authority to invest, reinvest, sell and hold, through BTC or a qualified custodian as required by California Government Code Section 53608, all assets of the Benefit Fund and the General Fund in accordance with the guidelines established herein. In general, subject to further specification herein, the Investment Manager is given full discretion consistent with the investment objective of this portfolio. The asset allocation of the portfolio between fixed income and cash equivalents will vary according to the Investment Manager's recommendations.

The selection of an Investment Manager, as that term is described in the Trust, as well as any other investment managers it shall further select, shall be based on the following criteria:

- clearly defined investment management style;
- disciplined approach to investment selection and adherence to any stated sell discipline;
- long-term performance;
- risk-adjusted performance relative to managers with similar style;
- analysis of investment management expenses with an emphasis on investments with no-loads, no redemption charges, and no transactions fees; and
- ability to provide quality communication material, including periodic performance, investment holdings, and description of investment selection process.

The Investment Manager, or any delegated investment managers, may be terminated and replaced under the procedures established under Section 5.5 of the Trust.

Attachment 5 to Resolution No. 8187
Investment Policy Statement (Draft)**INVESTMENT OBJECTIVES**

The Trust authorizes the use of a broad range of investment choices that have distinctly different risk and return characteristics, with the proviso that all investments must continue to adhere to the underlying requirements of California Government Code Section 53600.5 and, in particular, its emphasis on preservation of capital. More specifically, preservation and protection of the Trust's capital is the guiding requirement of the Investment Manager, or managers that will manage each portfolio to meet the guidelines stated in the California Government Code 53600 and 53601, but that may also have application of Section 53622 as it pertains to the investment of Benefit Fund assets.

To that end, the primary investment objective for all Trust investments is:

Safety of Principal

The safety and risk associated with an investment refers to the potential loss of principal, interest, or a combination of these amounts. The Trust only operates in those investments that are considered very safe.

Preservation of Purchasing Power

Asset growth, exclusive of contributions and withdrawals, should exceed the rate of inflation in order to preserve the purchasing power of the Trust's assets.

The secondary, but also important investment objective is:

Growth of Capital

- A. Asset growth, exclusive of contributions and withdrawals, should also exceed the return of the Local Agency Investment Fund (LAIF) plus fees on a consistent basis. If the investment policies of LAIF should change, this objective will be re-evaluated.
- B. Asset growth, exclusive of contributions and withdrawals, should provide a rate of return competitive with that of an index comprised of the Lehman 1-3 Year Government/Corporate Index and 90 Day Treasury Bills, while incurring similar or less risk than such index. Growth of capital shall be expected to be somewhat less than that of a more aggressively structured discretionary fixed income portfolio over time.
- C. Cash flow and asset/liability matching information will be made readily available to the Investment Manager. Adequate liquid cash should be maintained by the Trust so that a forced sale of longer-term securities at a loss is unnecessary to cover short-term cash needs. The overall program shall be designed and managed with a degree of professionalism worthy of the public trust. Losses are acceptable on a sale before maturity and should be taken only if the reinvested proceeds will earn a total return greater than would have been by the old investment considering any capital loss or foregone interest on the original investment. While active management of the account will be utilized to attain the highest returns with the least amount of risk the Investment

Attachment 5 to Resolution No. 8187
Investment Policy Statement (Draft)

Manager should only buy securities that could be held to maturity without loss to the Trust.

This having been said, the types and alternatives on investments that may be emphasized for asset allocation purposes related to investment of Trust assets may be different, depending on whether the assets are invested in the Benefit Fund (which contains contributed assets that are irrevocably committed for the funding and payment of OPEB Liability to eligible participants of any underlying health plan) or whether they are held the General Fund (which contains contributed assets that have been deposited into the Trust for investment purposes to be used by the Employer for any lawful governmental purpose of the Employer).

In general, assets held in the Benefit Fund will be for the primary purpose of meeting present and future OPEB Liability obligations and may be invested in accordance with California Government Code Sections 53600 through 53622 that subject to applicable legal requirements may provide greater latitude to increase purchasing power and capital growth potential if deemed prudent to do so.

However, with respect to the General Fund, specific adherence must be given to California Government Code Section 53601, and any other provision of the California Government Code and/or the California Education Code which restrict the manner in which such funds shall be invested. In accordance with these investment objectives, assets in the General Fund portfolio will be managed in a more conservative manner.

The above objectives are expected to be achieved over a minimum time horizon of 3-5 Years. Given the cyclical nature of the financial markets, the success of the portfolio manager in achieving these goals should generally not be judged in any shorter time period.

Through the delegated responsibilities of the Investment Manager and, to the extent necessary, the Trustee, the BOA determines the target return that is applicable for this Trust as it relates to those assets held in the Benefit Fund versus those held in the General Fund. The target return may be modified from time to time by amending the Appendix. Related to the investments and the holding of investments themselves, the Trustee may cause any or all of the assets of the Trust to be commingled, to the extent such investment and the issuance thereof would be exempt under the provisions of Sections 2(a)(36), 3(b)(1) or 3(c)(11) of the Investment Company Act of 1940 or Section 3(a)(2) of the Securities Act of 1933, with the assets of trusts created by others, causing such money to be invested as part of a common and/or collective trust fund.

Moreover, for any investments received after any trading deadline, or to the extent the Employer fails to provide proper instructions for the allocation of any amounts to be contributed to either the Benefit Fund or the General Fund, or such instructions are incomplete or incorrect in a manner that prevents the contributed amounts from being invested in the desired manner, the Trustee, or its designated sub-custodian, if applicable, shall deposit such amounts in the General Fund, to be held in a Short-Term Investment Fund (the "Default Fund"), or such other similar account comprised of cash, bank notes, corporate notes, government bills and other various short-term debt instruments as dictated herein or that are deemed appropriate by the Trustee and/or the Investment Manager until such time as the Employer's investment direction can be properly completed. If, after a period of thirty (30) days and after reasonable attempts are made

Attachment 5 to Resolution No. 8187
Investment Policy Statement (Draft)

by the Trustee to ascertain from the Employer the correct Accounts to receive such contributions, the Trustee shall return all such previously-deposited amounts to the Employer, including allocated earnings therein.

PERIODIC ANALYSIS AND EVALUATION

The BOA and/or its designees shall periodically review investment performance reports that analyze the performance of the managers selected in each market sector that take into consideration:

- adherence to applicable legal constraints on capital preservation and investment prudence;
- consistency and adherence to stated investment management style and discipline;
- risk adjusted performance relative to managers with similar style;
- long-term investment performance relative to appropriate benchmarks; and
- changes in investment personnel managing the portfolio

ETHICS AND CONFLICT OF INTEREST

Officers, employees, and agents involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions. Officers, employees, and agents involved in the investment process shall abide by the California Government Code Section 1090 et seq. and the California Political Reform Act (California Government Code Section 81000 et seq.)

AMENDMENT

The BOA shall have the right to amend this Policy, in whole or in part, at any time and from time to time.

ADOPTION

The BOA hereby adopts the provisions of this Investment Policy Statement as of this _____ day of _____, 2008.

(Representative of the Board of Authority)

(Date)

(Representative of the Board of Authority)

(Date)

Attachment 5 to Resolution No. 8187
Investment Policy Statement (Draft)

(Representative of the Board of Authority)

(Date)

Attachment 5 to Resolution No. 8187
Investment Policy Statement (Draft)**APPENDIX A: Target Return**

In accordance with the Investment Policy Statement for the **Futuris Public Entity Investment Trust** (the "Trust"), the Benefit Fund shall seek to achieve a long-range target net return of _____%.

As stated in the Investment Policy Statement, the investment options will be established to meet the diverse needs of the Trust and its applicable purposes. Applicable provisions and requirements of, in particular, the California Government Code (specifically provisions under Sections 53600 through 53622, as applicable) shall be examined before selecting the investment options.

The Board of Authority may, from time to time, discuss with BTC the need to change investment options as conditions or characteristics of the Trust, or applicable Fund requirements change. In the event a change is made, a new Appendix will be executed to reflect the change.

Attachment 6 to Resolution No. 8187
Fee Schedule and Addendum (Draft)

Fee Schedule and Service Addendum

Trustee, Custodial and Communication Services – Benefit Trust Company shall be compensated for assumption of fiduciary responsibility, custodial services and for performing communication and other non-investment related services, as specified in the Service Agreement, as follows:

Base Annual Fee	\$750
Asset Based Trustee Fee	0.20% (20 basis points) per annum on the value of the assets held in trust. Asset based fees will be assessed monthly. At the discretion of the Board of Authority, fees will be billed or collected from the Trust.
Relationship Based Discount	Based upon the value of the accounts held in the Trust, a reduction in the asset based fee will be available to reduce the trustee fee and applied as follows (with such fee assessments to beginning in the immediately following month in which such asset volumes are accumulated):

<u>Total Assets in Trust</u>	<u>Asset Based Fee</u>
>\$10,000,000	0.18% (18 basis points)
>\$25,000,000	0.16% (16 basis points)
>\$50,000,000	0.12% (12 basis points)
>\$75,000,000	As negotiated, but in no event greater than 0.12%

Additional trustee and/or custodial services may be provided as further specified below:

<u>Services</u>	<u>Applicable Fee</u>
N/A	

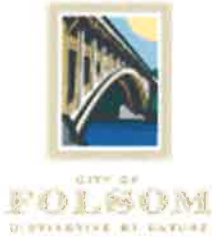
<u>Investment Management Fee:</u>	0.175% (17.5 basis points) per annum on the value of the assets held in trust. Asset based fees will be assessed monthly. At the discretion of the Board of Authority, fees will be billed or collected from the trust.
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Attachment 6 to Resolution No. 8187
Fee Schedule and Addendum (Draft)

Common and/or Collective Funds:

0.03% (3 basis points) per annum on the value of the assets held in trust to cover the costs of unitizing and administering the funds, plus a variable accounting fee not expected to exceed 0.01% (1 basis point) per annum on the value of the assets held in trust.

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Folsom City Council Staff Report



MEETING DATE:	1/11/2022
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10781 – A Resolution Authorizing the Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the Amount of \$149,820 and Appropriation of Funds
FROM:	Police Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 10781 – A Resolution Authorizing the Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the Amount of \$149,820 and Appropriation of Funds.

BACKGROUND / ISSUE

Since 2016, the number of terrorist incidents involving vehicles driven into crowds has increased. Many terrorist organizations have advised followers to use whatever means possible to inflict damage including driving vehicles into crowded areas. The civil unrest and protests during 2020 and 2021 also gave rise to vehicle born attacks. To help curb the ability for vehicles to enter closed areas where pedestrians are gathered, concrete and water-filled barriers have been utilized. These barriers are cumbersome to put in place and are unable to completely stop vehicles.

The Sacramento Regional Office of Homeland Security for Domestic Preparedness receives federal funding for Urban Area Security Initiative (UASI) groups. The Sacramento UASI group has been allocated funding to purchase portable anti-vehicle barriers which will be deployed throughout the region to be used during events to limit the ability for vehicles to enter closed areas. The local UASI group has identified the City of Folsom to receive 16 of these barriers and a trailer to transport them. These barriers are more efficient than concrete and water-filled barricades.

The barriers offered through the Homeland Security grant could be utilized during any event where streets will be closed and pedestrians will be present (including but not limited to the California International Marathon, Folsom Live, and Christmas Tree Lighting events). The Sacramento Police Department has identified Better Barriers as the sole source vendor for the Meridian Defense Group Archer 1200 Anti-Vehicle Barrier System.

POLICY / RULE

In accordance with Chapter 2.36 of the Folsom Municipal Code, supplies, equipment, services, and construction with a value of \$62,657 or greater shall be awarded by City Council.

ANALYSIS

Having access to this type of vehicle barrier system allows regional public safety agencies the ability to rapidly deploy and set up safety areas during special events and road closures. Once on scene, this platform provides the ability to reduce vehicular assaults in a manner of minutes. The City of Folsom currently utilizes Type II and Type III barricades, and water-filled barriers during special events. These items do not have the stopping power of the Archer 1200 Anti-Vehicle Barriers.

The City of Folsom would save \$150,000 by acquiring these barriers through this grant instead of purchasing them with our own funding. The Folsom Police Department continually seeks funding opportunities to keep the citizens of our community and region safe. We have sought funding opportunities in the past to acquire these barriers but have thus far not been successful.

There are numerous potential terrorist targets both within and surrounding the City of Folsom. Working with our regional partners, the Folsom Police Department would be able to deploy the 16 barriers to help prevent loss of life and property during both large- and small-scale events.

FINANCIAL IMPACT

There is no negative fiscal impact to the city as the Sacramento Regional Office of Homeland Security is granting the full \$149,820 to the City of Folsom for the barriers and transport trailer. An additional appropriation will be required in the Police Department Operating Budget in the General Fund (Fund 010) for these improvements and the grant revenue in the amount of \$149,820.

ENVIRONMENTAL REVIEW

N/A.

ATTACHMENTS

1. Resolution No. 10781 – A Resolution Authorizing the City Manager to execute a grant agreement with the Sacramento Regional Office of Homeland Security for \$149,820 to purchase sixteen (16) Archer 1200 Barriers, an Archer Field Tow Bar, 2 Archer Haulers, and an eight (8) Barrier Drop Deck Trailer
2. Meridian Rapid Defense Group Quote

Submitted,

Richard D. Hillman, Chief of Police

ATTACHMENT 1

RESOLUTION NO. 10781

A RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO ACCEPT A SACRAMENTO REGIONAL OFFICE OF HOMELAND SECURITY GRANT IN THE AMOUNT OF \$149,820 AND APPROPRIATION OF FUNDS

WHEREAS, the Sacramento Regional Office of Homeland Security has funds available to help local agencies upgrade infrastructure in response to terrorist and national security events; and

WHEREAS, since 2016 there has been an increase in attacks utilizing vehicles as weapons; and

WHEREAS, vehicle barriers deployed prior to special events and road closures can help slow/stop vehicles and significantly reduce the number of injured persons; and

WHEREAS, the Meridian Archer 1200 Anti-Vehicle Barrier System has been approved as part of the 2002 Support Anti-terrorism by Fostering Effective Technologies Act (SAFETY Act); and

WHEREAS, the Archer 1200 Anti-Vehicle Barrier System can be quickly and easily deployed to manage risks associated with an act of terrorism; and

WHEREAS, staff is requesting an additional appropriation to be added to the Fiscal Year 2021-22 Police Department in the General Fund (Fund 010) in the amount of \$149,820 for this grant; 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 Police Department to Accept a Sacramento Regional Office of Homeland Security Grant in the amount of \$149,820; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Finance Director is authorized to appropriate an additional \$149,820 to the Fiscal Year 2021-22 Budget in the General Fund (Fund 010) in the Police Department as expense and grant revenue.

PASSED AND ADOPTED this 11th day of January 2022, by the following roll-call vote:

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

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

177 E. Colorado Blvd, Suite 200
 Pasadena, CA 91105
 +1 8186414431
 BFields@meridian-barrier.com

Quote



ADDRESS
 Lieut Chris Emery
 Folsom Police Department
 46 Natoma St
 Folsom, CA 95630

SHIP TO
 Lieut Chris Emery
 Folsom Police Department
 46 Natoma St
 Folsom, CA 95630

QUOTE #	DATE
12102021-FPD	12/10/2021

PRODUCT	DESCRIPTION	QTY	RATE	AMOUNT
8 Barrier Trailer Kit	8 Barrier Trailer Kit	1	76,988.00	76,988.00
Archer 1200 Barrier	Archer 1200 Anti-Vehicle Barrier	8	6,750.00	
Archer Hauler	Archer Hauler™	1	1,995.00	
Archer 8-Barrier Drop Deck Trailer	Archer 8-Barrier Drop Deck Trailer	1	19,995.00	
Archer Field Tow Bar	Archer Field Tow Bar	2	499.00	
Archer 1200 Barrier	Archer 1200 Anti-Vehicle Barrier	8	6,750.00	54,000.00T
Archer Hauler	Archer Hauler™	1	1,995.00	1,995.00T
In-Field Installation & Certified Training	In-Field Installation & Certified Training	1	795.00	795.00T
Freight/Shipping	Freight/Shipping to customers location	1	5,265.00	5,265.00T

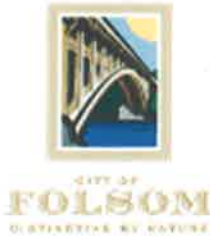
PAYMENT TERMS:
 Due to high demand levels, your delivery date will be guaranteed with your 50% deposit so that your protection starts when you need it.

SUBTOTAL	139,043.00
TAX	10,775.83
TOTAL	USD 149,818.83

Accepted By

Accepted Date

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Folsom City Council Staff Report



MEETING DATE:	1/11/2022
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10782 – A Resolution Approving the Name of Prospector Park, Formerly Known as Neighborhood Park #3 in the Folsom Plan Area
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council approve Resolution No. 10782 – A Resolution Approving the Name of Prospector Park, Formerly Known as Neighborhood Park #3 in the Folsom Plan Area.

BACKGROUND / ISSUE

Neighborhood Park #3 (NP3) is in the Folsom Plan Area (FPA) south of Hwy 50 on Mangini Parkway. It is located adjacent to Mangini Ranch Elementary School, which was recently completed. NP3 will be the first park designed and built in the FPA. Through a planning process that included input from the public, and approval by the Parks & Recreation Commission, a Preferred NP3 Park Master Plan was developed and subsequently approved by the Parks and Recreation Commission on September 22, 2021, and City Council on October 12, 2021.

Design development is currently underway for NP3 and it is the intent of the Parks and Recreation Department, Parks and Recreation Commission, and City Council, to establish a name for the park at this time.

The City of Folsom City Council approved a new park naming policy established by Resolution No. 10696, on September 14, 2021 (Attachment 2). Resolution No. 10696 is a Resolution that rescinds and replaces the prior park naming Resolutions No. 5177 and No. 3951, by creating a new park and facility naming policy. The new policy provides more clarity and specific guidelines around name selection.

A call for names was issued in September 2020 and 16 names were submitted. (Attachment 3) The Parks and Recreation Commission created an Ad-Hoc Park Naming Committee to evaluate the names with the intent to return to the full Commission with a recommendation. The Ad-Hoc Committee met twice in October 2020 and had concerns with the existing guidelines as outlined in Resolution No. 3951 and Resolution No. 5177. Through many meetings with the Ad-Hoc Committee, the full Parks and Recreation Commission, and ultimately the City Council, the new Resolution No. 10696 was approved.

More recently, a call for names was issued in October 2021 and 12 names were received (Attachment 3). The names from the September 2020 solicitation and the October 2021 were considered in the evaluation. In addition, staff submitted an additional 9 names that reflected the park theming, “gold rush/mining”, which was approved by the City Council during the approval of the NP3 Preferred Park Master Plan.

POLICY / RULE

The Park Naming Policy, as adopted by Resolution No. 10696 – A Resolution to Rescind and Replace Resolution No. 5177 and Resolution No. 3951 to Create a New Park and Facility Naming Policy (Attachment 2).

ANALYSIS

The Ad-Hoc Subcommittee met on November 23, 2021, to review the eligible list of names and arrived at a suggested name for NP3 with two options they felt appropriate for additional consideration by the full Parks & Recreation Commission. The preferred name presented to the full Parks & Recreation Commission was **Tailings Park**. The other names for consideration are **Prospector Park** and **Diggings Park**.

Tailings Park was submitted by a member of the community during the October 2021 call for names with the premise that this name had local historic significance. Prospector Park was a name that Commissioner Morales suggested during the Ad-Hoc Subcommittee meeting on November 23, 2021. Prospector Park was meant as an homage to the gold prospectors who traveled to the area during the Gold Rush. Diggings Park was also a name provided by staff and is a shortened version of “Rhoades’s Diggings Mining District”, which was an area in the Folsom Plan Area where many miners found rich gold deposits. While Rhoades’ Diggings was named after John Pierce Rhoades, a Missouri farmer who traveled to the Sacramento area in 1846, the Ad-Hoc Committee felt that this neighborhood park shouldn’t be named after an individual in keeping with the new park naming policy. The name Diggings Park, however, is considered appropriate since the general area was claimed by many miners.

Staff presented the 3 park names at the December 7, 2021 Parks and Recreation Commission meeting with Tailings Park identified as the preferred name. After some discussion, Tailings Park was not the preferred name as expressed by several on the Commission. Ultimately, the Parks and Recreation Commission voted and chose Prospector Park as the preferred name for NP3.

FINANCIAL IMPACT

There is no financial impact to this decision.

ENVIRONMENTAL REVIEW

This action does not constitute a project requiring review under the California Environmental Quality Act (CEQA).

ATTACHMENTS

1. Resolution No. 10782 – A Resolution Approving the Name of Prospector Park, Formerly Known as Neighborhood Park #3 in the Folsom Plan Area.
2. Resolution No. 10696 – A Resolution to Rescind and Replace Resolution No. 5177 and Resolution No. 3951 to Create a New Park and Facility Naming Policy
3. Park Name Submittals

Submitted,

Lorraine Poggione, Parks and Recreation Director

ATTACHMENT NO. 1

RESOLUTION NO. 10782

A RESOLUTION APPROVING THE NAME OF PROSPECTOR PARK, FORMERLY KNOWN AS NEIGHBORHOOD PARK #3 IN THE FOLSOM PLAN AREA

WHEREAS, Resolution No. 10696 created a new policy for how parks and facilities are to be named; and

WHEREAS, the Parks & Recreation Department solicited for potential park names in October 2020 and September 2021; and

WHEREAS, 28 names were submitted and an additional 9 were suggested by city staff; and

WHEREAS, the Parks & Recreation Commission, at its meeting on December 7, 2021, approved and forwarded a recommendation to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby approves the naming of Neighborhood Park #3 as Prospector Park; and

PASSED AND ADOPTED this 11th day of January, 2022, by the following roll-call vote:

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

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT NO. 2

RESOLUTION NO. 10696
A RESOLUTION TO RESCIND AND REPLACE
RESOLUTION NO. 5177 AND RESOLUTION NO. 3951 TO CREATE
A NEW PARK AND FACILITY NAMING POLICY

WHEREAS, Resolution No. 3951, a park-naming policy was adopted by City Council on February 9, 1993; and

WHEREAS, Resolution No. 5177, City Council adopted a modification to the park-naming policy on August 27, 1996; and

WHEREAS, Parks and Recreation Commission has forwarded their recommendation to the City Council to rescind and replace the existing park naming policy included in Resolution No. 3951 and 5177 to reflect desired changes expressed by the Community to expand naming options; clarify naming conventions; specifically include language for the naming of facilities, and allow for funding and sponsorship opportunities for entire parks and facilities and/or assets within them;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Folsom hereby rescinds and replaces Resolution No. 3951 and No. 5177 and adopts the following new policy:

PARK NAMING CRITERIA

1. Community Parks/Fields/Facilities should be named after (Community Parks are typically 20-50 acres in size):
 - a. Individuals/Families (*see below*)
2. Neighborhood Parks (typically 7 to 10 acres in size) should be named after:
 - a. Individual who donated land or large financial contribution to a specific facility or park; or
 - b. Site-Specific Names
 - i. Geographical location
 - ii. Outstanding feature, design, or theme of the park, whether natural geographical or manmade
 - iii. Native plants & wildlife
 - iv. Historical significance, such as event, group, culture, or place
3. Local Parks (typically 1-3 acres in size) should be named after:
 - a. Adjacent streets or subdivision in which they are located; or
 - b. Individuals who donated land or large financial contribution to a specific facility or park

If Naming after Individuals or Families:

1. Preference is for an individual to be deceased
2. Only the last name to be used for the formal name
3. Preference is for individual to have left public service for a minimum of 6 years
4. Considerations:
 - a. Donation of land or large financial contribution to a specific facility
 - b. Died or disabled in the line of duty as part of City service
 - c. Contributed substantially and improved the quality of life in Folsom

- i. 10+ years of accomplishment
 - ii. Voluntary work (*beyond the normal course of employment*)
 - iii. Resume can include: service clubs, civic organizations, school community, elected/appointed positions, non-profit groups, youth sports
5. If named after a family, 1-4 above should apply to 2+ people

Sponsorships for Existing and Future Parks/Facilities

This policy allows for sponsorship opportunities to fund amenities within a park or facility as well as fund a portion of a park or facility. Recognition would be commensurate with said donations or funding. Such recognition could be plaques, signage, and/or other name recognition opportunities within the park or facility.

Process for Naming of Parks and Facilities:

1. Staff opens up the nomination period - this is done on an as-needed basis
- 2a. Nomination of an individual/family name
 - a. A public nomination must be submitted in writing with justification. The request should include the proposed name, naming justification, letters of support, requestor contact information, and any other relevant items of support.
 - b. Staff and P&R Commission may submit names
 - c. Letters of support should be from non-related individuals
 - d. Names will remain on the list for a period of 5 years, at which point they will need to be resubmitted to be considered
- 2b. Nomination of site-specific name
 - e. Nominations may be submitted in writing with justification
 - f. Staff will provide site-specific relevant information about each park including but not limited to information about history, groups/individuals, botany/wildlife. These names may be recycled if not chosen.
 - g. Parks & Recreation Commission may submit names
3. If not already active, a new Ad-Hoc Park Naming Subcommittee will be formed to review and recommend a primary name to the Parks & Recreation Commission, with two alternate names or choices
4. Parks & Recreation Commission recommends a name to the Folsom City Council
5. Folsom City Council formally adopts a name

PASSED AND ADOPTED this 14th day of September 2021, by the following roll-call vote:

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



Michael D. Kozlowski, MAYOR

ATTEST:



Christa Freemantle, CITY CLERK

ATTACHMENT NO. 3

Naming of Neighborhood Park #3	
SUGGESTED NAME	SUGGESTED BY

SUGGESTED NAME	SUGGESTED BY
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September 2020 - Call for Names	
---------------------------------	--

1 Jack Fallon Neighborhood Park	Robert Fratini
2 Folsom State Prison Recreational Park	Steve Getz
3 Folsom Prison Blues Recreational Park	Steve Getz
4 Ferrier Family	Joe Ferrier
5 Joseph G. O'Neill	Kathleen
6 Stan Gisler	Barbara Gisler
7 Dr. Richard Cantor	Laura Cantor & Brady Cantor
8 Miguel Delgado Park	Christine, Erica, Nathan and Adam
9 Gail Furness De Pardo	Loretta Hettinger
10 Lynn LePage Park	Leann Schummer
11 Nancy Atchley Park	Ruth Anderson
12 Leidesdorff Park	Srinidhi Nagunuri
13 Goodell Family Park	James Goodell
14 Kerri Howell Park	
15 Will Kempton Park	
16 Paul Romero Park	

October 2021 - Call for Names	
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1 Tyler Andrews Park	The Morales team
2 Prosperity Park Alan Farebrother Park/ Farebrother Field/	Michelle Gallegos
3 Farebrother Park	Zachary Zamarripa
4 Drury Butler	Roberta Long
5 Jacks Park	Spencer
6 Kelsey Park	Elicia Maszta
7 World Peace Park	Patricia Wood
8 Tailings Park	Mark Vaccaro
9 RG Smith Park	Pam Smith Jarvis Phei Saw
10 Yuan Park	Linus Maxino
11 Alder Mine Park	Darrell Singleton
12 Goodell Family Park	Bernett and Lindsay Goodell



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

**Park Name Suggestions from Staff/Ad-Hoc Subcommittee
October 19, 2021**

Bucket Line Park (type of dredge used in Folsom)
Miners Park
Diggings Park
Gold Panning Park
AU Park (Periodic symbol for gold)
Golden Era Park
Artifact Park
Pony Express Park
Pioneer Village Park

**Additional thoughts and ideas generated at Ad-Hoc Subcommittee Meeting
11.22.21**

Tailings Park
Goodell Park
Rhoades Diggings

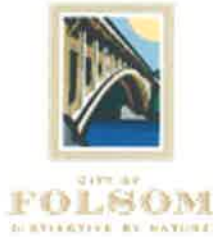
Miners Park
Diggings Park
Prospector Park
Tailings Park

November 22, 2021

Park Naming Ad-Hoc Subcommittee Mtg.

NP3 Naming Final List (prioritized)

- 1. Tailings Park**
- 2. Prospector Park**
- 3. Diggings Park**



Folsom City Council Staff Report



MEETING DATE:	1/11/2022
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10783 - A Resolution of the City Council of the City of Folsom Appointing a Director and an Alternate Director to the Northern California Cities Self Insurance Fund Board of Directors
FROM:	City Clerk's Department

RECOMMENDATION / CITY COUNCIL ACTION

It is recommended that the City Council approve Resolution No. 10783 - A Resolution of the City Council of the City of Folsom Appointing a Director and an Alternate Director to the Northern California Cities Self Insurance Fund Board of Directors.

BACKGROUND / ISSUE

The City of Folsom is a party to the Joint Exercise of Powers Agreement for the Northern California Cities Self Insurance Fund (NCCSIF). NCCSIF, is an association of municipalities formed to protect member resources by stabilizing risk costs in a reliable and economical manner while providing members with broad coverage and quality services in risk and claims management. The JPA provides medium-sized northern California cities with a mechanism to self-fund a layer of workers' compensation insurance, as well as to obtain the advantages of group purchase for excess insurance. Formed in 1979, NCCSIF was one of the first pooled municipal insurance programs in California.

Pursuant to the Joint Exercise of Powers Agreement, each member agency of NCCSIF is required to appoint a Director and an Alternate Director to represent the member agency on the NCCSIF Board of Directors. Representatives to the Board of Directors are also authorized to serve on the NCCSIF Executive Committee.

The City of Folsom was previously represented on the NCCSIF Board of Directors by Human Resources Director Susan Walter as the Primary Director and City Attorney Steve Wang as the Alternate Director. Human Resource Director Susan Walter has recently retired and has been replaced by Human Resources Manager Allison Garcia as the department head for the Human Resources Department.

Staff is requesting that Human Resources Manager Allison Garcia be appointed to serve as Folsom's Primary Director on the NCCSIF Board of Directors.

Staff is also requesting that City Attorney Steve Wang continue to serve as the Alternate Director.

ATTACHMENT

Resolution No. 10783 - A Resolution of the City Council of the City of Folsom Appointing a Primary Director to the Northern California Cities Self Insurance Fund Board of Directors

Submitted,

Christa Freemantle, CMC
City Clerk

RESOLUTION NO. 10783

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM
APPOINTING A DIRECTOR AND AN ALTERNATE DIRECTOR TO THE
NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
BOARD OF DIRECTORS**

WHEREAS, the City of Folsom (the “City”) is a party to the Joint Exercise of Powers Agreement for the Northern California Cities Self Insurance Fund (the “Joint Exercise of Powers Agreement”), and, as such, is a founding Member Agency of the Northern California Cities Self Insurance Fund (“NCCSIF”), as that term is defined in the Joint Exercise of Powers Agreement, and

WHEREAS, pursuant to the Joint Exercise of Powers Agreement, each Member Agency of NCCSIF is required to appoint a Director and an Alternate Director to act in the Director’s absence, to represent the City as if the City itself were present and acting on the NCCSIF Board of Directors for all matters which come before such Board of Directors, and also for the Director to be eligible for serving on the NCCSIF Executive Committee; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby appoints Human Resources Manager Allison Garcia to serve as its Primary Director on the NCCSIF Board of Directors to act on behalf of the City, a Member Agency of NCCSIF, on all matters to come before the Board of Directors, as if the City itself were present and acting at such meeting, and for such Director to be eligible for serving on the NCCSIF Executive Committee; and appoints City Attorney Steve Wang to serve as Alternate Director in the absence of the Director.

BE RESOLVED FURTHER, that the City Clerk shall inform the Secretary of NCCSIF of the above appointment by sending a certified copy of this resolution to NCCSIF’s business office.

PASSED AND ADOPTED this 11th day of January 2022, by the following roll-call vote:

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

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report



MEETING DATE:	1/11/2022
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10784 - A Resolution Authorizing the City Manager to Execute an Agreement with Stantec Consulting Services, Inc. for Engineering Consulting Services for the Folsom Reservoir Raw Water Delivery Reliability Project and Appropriation of Funds and Authorizing the City Manager to Execute a Memorandum of Agreement Regarding Sharing of Costs for the Project
FROM:	Environmental and Water Resources Department

RECOMMENDATION / CITY COUNCIL ACTION

The Environmental and Water Resources Department recommends the City Council pass and adopt Resolution No. 10784 - A Resolution Authorizing the City Manager to Execute an Agreement with Stantec Consulting Services, Inc. for Engineering Consulting Services for the Folsom Reservoir Raw Water Delivery Reliability Project and Appropriation of Funds and Authorizing the City Manager to Execute a Memorandum of Agreement Regarding Sharing of Costs for the Project.

BACKGROUND / ISSUE

Presently, San Juan Water District (SJWD), the City of Roseville (Roseville), and the City of Folsom (Folsom), through an existing 84-inch intake pipeline and associated pumping plant, can take raw water from Folsom Lake near the main concrete dam at Folsom Reservoir. This intake also provides raw water to Folsom State Prison. The existing raw water system has been operated without major interruption or outages. Since there is not a current backup system in place for raw water supply, the three water agencies, the Bureau of Reclamation (Reclamation), and the United States Army Corps of Engineers (USACE) completed a Project Alternatives Solutions Study (PASS) in 2006 to identify potential redundant systems that could bring raw water to the agencies if unplanned outages were to occur again.

The Folsom Pumping Plant and existing 84-inch raw water pipeline are auxiliary features of the Folsom Dam Project and are operated and maintained by Reclamation. The PASS Team developed 14 alternatives and narrowed the list to four conceptual projects to further evaluate. Each of the four alternatives were further evaluated on cost, reliability, and benefit. One of the four alternatives, the *River Pump Station*, could be built downstream of Folsom Dam and not rely on a fixed water surface elevation in Folsom Reservoir for raw water deliveries and could be operated in any water year type. A second of the four alternatives, the *South Side Pump Station with New Intake in New Auxiliary Spillway*, could be built near the Auxiliary Spillway built by USACE. This facility would be built upstream of the Auxiliary Spillway and would be limited by the surface water elevation in Folsom Reservoir and could only be operated in certain water year types.

This resolution will authorize the City Manager to execute an agreement with Stantec Consulting Services, Inc. for Engineering Consulting Services for the Folsom Reservoir Raw Water Reliability Project and Appropriation of Funds for a not-to-exceed amount of \$269,710 and Authorizing the City Manager to Execute a Memorandum of Agreement Regarding Sharing of Costs for the Project.

POLICY / RULE

In accordance with Chapter 2.36 of the Folsom Municipal Code, supplies, equipment, services, and construction with a value of \$62,657 or greater shall be awarded by City Council.

ANALYSIS

In order to accomplish the goals described above and determine the best course of action, the Cities of Folsom and Roseville and the San Juan Water District wish to conduct a planning and feasibility study to identify the following:

- Working with each agency to determine the relative demands for sizing the facility
- Review of historic storage and hydrologic conditions to evaluate how often each facility under the different alternatives can be used
- Identify pros and cons of each alternative, including operations and maintenance requirements if the facility is Reclamation owned and operated or agency owned and operated
- Identify power supply options for each alternative
- Identify the environmental requirements for each option (CEQA and/or NEPA)
- Develop a schedule for any environmental requirements for each option
- Include drawings (profile not needed) of the layout/alignment and probable construction costs for each alternative
- Include probable engineering design and specification development costs for each alternative

- Work with each agency and Reclamation to determine if the agencies need to include a new point of diversion in their contracts with Reclamation for the use of new diversion facilities
- Identify any regulatory requirements and include a description of what the requirements might be for each alternative
- Discussions with Reclamation and the agencies about operations and maintenance /ownership of the facility
- Include an overall project schedule for each alternative that includes design, environmental and construction
- Identify other potential alternatives to be further discussed

On September 7, 2021, the Environmental and Water Resources Department issued a Request for Proposals for engineering consulting services for the Folsom Reservoir Raw Water Delivery Reliability Project with proposals due to the City of Folsom on November 5, 2021. The Cities of Folsom and Roseville, San Juan Water District, and the Reclamation staff, together the Technical Committee, evaluated the consultant submittal based on relevant project experience, the consultant's understanding of the background and requirements of the project, qualifications and experience of the consultant's design team, previous work with public water agencies and Reclamation, and proposal costs.

Stantec Consulting Services, Inc. was the only team to submit a proposal. Five other consulting firms contacted the City and indicated that they would not be submitting a proposal due to current workload or not having specific experience in one of the areas outlined above. Stantec's proposal meets all of the necessary qualifications and experience requested by the three agencies and the three agencies agree the proposal is responsive. Stantec Consulting Services, Inc. also has several projects and studies they completed with the Bureau of Reclamation and the three agencies. The estimated cost of the study was \$250,000.

This resolution will authorize the City Manager to execute an agreement with Stantec Consulting Services, Inc. for Engineering Consulting Services for the Folsom Reservoir Raw Water Reliability Project and Appropriation of Funds for a not-to-exceed amount of \$269,710 and Authorizing the City Manager to Execute a Memorandum of Agreement Regarding Sharing of Costs for the Project.

FISCAL IMPACT

The Folsom Reservoir Raw Water Delivery Reliability Project was not included in the FY 2021-22 budget. Therefore, an appropriation will be needed for the evaluation and review costs, and staff is requesting an appropriation of \$269,710. The appropriation will be in the Water Operating Fund (Fund 520) for \$134,855 and Water Impact Fee Fund (Fund 456) for \$134,855, and funds are currently available for this appropriation. The Cities of Folsom and Roseville and San Juan Water District will enter into a Memorandum of Agreement (MOA) regarding the sharing of costs for the study. Each agency will pay for one-third the costs of the study. The City of Folsom will be responsible for administering the contract for the services

of Stantec Consulting Services, Inc. and the City of Roseville and San Juan Water District will reimburse the City for their one-third share of the total contract costs.

ENVIRONMENTAL REVIEW

This project is a study 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, Section 15301 – Existing Facilities.

ATTACHMENTS

1. Resolution No. 10784 - A Resolution Authorizing the City Manager to Execute an Agreement with Stantec Consulting Services, Inc. for Engineering Consulting Services for the Folsom Reservoir Raw Water Delivery Reliability Project and Appropriation of Funds and Authorizing the City Manager to Execute a Memorandum of Agreement Regarding Sharing of Costs for the Project
2. Memorandum of Agreement Regarding the Sharing of Costs for the Folsom Reservoir Raw Water Delivery Reliability Project

Submitted,

Marcus Yasutake, Director
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

ATTACHMENT 1

RESOLUTION NO. 10784

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH STANTEC CONSULTING SERVICES, INC. FOR ENGINEERING CONSULTING SERVICES FOR THE FOLSOM RESERVOIR RAW WATER DELIVERY RELIABILITY PROJECT AND APPROPRIATION OF FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT REGARDING SHARING OF COSTS FOR THE PROJECT

WHEREAS, the Cities of Folsom and Roseville and San Juan Water District identified that the planning and feasibility study for this project is critical to ensuring raw water delivery to our agencies for treatment and delivery to all water customers; and

WHEREAS, a Technical Committee made up of the Cities of Folsom, San Juan Water District, and the Bureau of Reclamation evaluated the proposals based on relevant project experience, the consultant's understanding of the background and requirements of the project, qualifications and experience of the consultant's design team, previous work with public water agencies and Reclamation, and proposal costs; and

WHEREAS, Stantec Consulting Services, Inc., by reason of their past experience and abilities for performing these types of services, are qualified to perform the required engineering consulting services for the project; and

WHEREAS, The City of Folsom will be responsible for administering the contract for the services of Stantec Consulting Services, Inc. and the City of Roseville and San Juan Water District will reimburse the City for their one-third share of the total contract costs; and

WHEREAS, sufficient funds are available in the Water Operating Fund (Fund 520) and the Water Impact Fee Fund (Fund 456), however an appropriation in the amount of \$269,710 is needed for the analysis and review; 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 Stantec Consulting Services, Inc. for Engineering Consulting Services for the Folsom Reservoir Raw Water Reliability Project and Appropriation of Funds for a not-to-exceed amount of \$269,710.

BE IT FURTHER RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute a Memorandum of Agreement Regarding the Sharing of Costs for the Folsom Reservoir Raw Water Delivery Reliability Project.

BE IT FURTHER RESOLVED that the Finance Director is directed to appropriate \$269,710 for this agreement. The appropriation will be from the Water Operating Fund balance in the amount of \$134,855 and the Water Impact Fee Fund (Fund 456) in the amount of \$134,855, both of which are currently available.

PASSED AND ADOPTED this 11th day of January 2022, by the following roll-call vote:

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

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

MEMORANDUM OF AGREEMENT REGARDING SHARING OF COSTS FOR THE
FOLSOM RESERVOIR RAW WATER DELIVERY RELIABILITY PROJECT

THIS MEMORANDUM OF AGREEMENT (“MOA”) is entered into, effective _____, 2022 by and among San Juan Water District (“SJWD”), the City of Roseville (“Roseville”), the City of Folsom (“Folsom”).

RECITALS

WHEREAS, the above-named agencies (hereinafter referred to collectively as the “parties,” or each individually as a “party”) have been working together to identify potential raw water supply reliability alternatives;

WHEREAS, the objective of the Folsom Reservoir Raw Water Supply Reliability planning and feasibility study is to evaluate potential raw water supply alternatives to the parties from the United States Department of Interior, Bureau of Reclamation (hereinafter “Bureau”);

WHEREAS, the parties believe it in their best interest, as well as the public’s best interest, to enter into a contract with a Consultant(s) to develop a planning and feasibility study for the Folsom Reservoir Raw Water Delivery Reliability Project.

NOW THEREFORE, in consideration of the mutual obligations set forth herein, the parties agree as follows:

1. Technical Committee. The Parties hereby form a Technical Committee consisting of one representative of each of the Parties. A representative may, from time to time or permanently, designate an individual to act on the representative’s behalf. A representative from the Bureau will also be included on the Technical Committee. Meetings of the Technical Committee may be attended by anyone authorized by any representative. The purpose of the

Technical Committee will be to review and comment on the attached scope of services (Exhibit A). The Technical Committee shall meet as necessary at locations agreed upon by the Technical Committee, including remote meeting platforms.

2. Decisions of the Technical Committee. The Parties expect and intend that decisions of the Technical Committee will be made by consensus. In the event of disagreement over any decision, the representatives will vote to resolve the disagreement, with each representative having one vote, and the vote of the majority of representatives will be the decision of the committee. Should such voting not result in a majority, then the voting will proceed on a weighted basis with each agency representative being assigned a number of votes equal to their costs sharing percentage as defined in number “4” below, and the vote of the majority of the total number of votes so assigned shall be the decision of the committee.

3. Coordination with Consultant. The City of Folsom will act as the lead agency in contracting with the Consultant to complete the Project.

4. Cost-Sharing. The City of Folsom will be responsible for administering the contract for the services of the Consultant. It is understood and agreed the Parties shall each pay a percentage of the total contract as follows:

City of Roseville – 33.33%

San Juan Water District – 33.33%

City of Folsom – 33.34%

Upon receipt of an invoice from Consultant, the City of Folsom will forward a copy of the invoice to the other Parties, who within forty-five (45) days of the date of said invoice shall remit their percentage share of said invoice, as shown above to the City of Folsom for payment to the Consultant. In the event one or more parties believes an invoice should not be paid n

whole or in part, the dispute shall be resolved by the Technical Committee as set forth herein. The Parties agree to exercise good faith and diligence in the resolution of any disputed invoice amounts; provided however, that notwithstanding any provision respective contained herein, the City of Folsom shall be reimbursed by each of the other Parties for their respective percentage share of any and all money ultimately paid to the Consultant by the City of Folsom.

5. Price Ceiling. In no case shall the total value of goods and services procured pursuant to this MOA exceed \$269,710, except by Amendment to this MOA.

6. Cooperation and Further Documents. The Parties shall cooperate in executing any further documents that are reasonably necessary to implement this MOA's terms.

8. Term of MOA. This MOA shall be effective as of the date first written above and shall remain in full force until all services and contracts covered by this MOA have been completed and performed, and all payments required under this MOA have been made.

9. Notices. Any invoice, payment, notice or written communication where required or permitted by this MOA will be provided by U.S. Mail, or by electronic mail transmission, with confirmation of receipt, as follows:

SAN JUAN WATER DISTRICT

Paul Helliker
General Manager
9935 Auburn Folsom Road
Granite Bay, CA 95746
phelliker@sjwd.org

CITY OF ROSEVILLE

Richard Plecker
Environmental Utilities Director
2005 Hilltop Circle
Roseville, CA 95747
rplecker@roseville.ca.us

CITY OF FOLSOM

Marcus Yasutake
Environmental and Water Resources Director
50 Natoma Street
Folsom, CA 95630
myasutake@folsom.ca.us

10. Amendments. Any amendments to this MOA must be in writing and executed by all parties.

11. Counterparts. This MOA may be executed by the parties in separate counterparts; each of which when so executed and delivered to Folsom shall constitute an original. All such counterparts shall together constitute one and the same instrument.

12. General Provisions. There is no agency relationship between the parties. Furthermore, notwithstanding anything contained herein, the employees of each party shall continue to be entirely and exclusively under the direction, supervision and control of the employing party.

Any internal, in-house or administrative costs or expenses incurred by any party related to such party's obligations under this MOA shall be the sole responsibility of such party incurring said costs and expenses.

This instrument and any attachments hereto constitute the entire agreement among the parties concerning the subject matter hereof.

WHEREFORE, the parties execute this Memorandum of Agreement effective the first date written above.

IN WITNESS WHEREOF, the City of Folsom, a municipal corporation, has authorized the execution of this Agreement in duplicate b its City Manager and attested to by its City Clerk under the authority of Resolution No. _____, adopted by the City Council of the City of Folsom on the 11th day of January 2022, and SJWD and Roseville has caused this Agreement to be executed.

SAN JUAN WATER DISTRICT, a Community Services District

Date Paul Helliker, General Manager

ATTEST: ORIGINAL APPROVED AS TO FORM:

Teri Grant, Board Secretary Date , District Attorney Date

CITY OF ROSEVILLE, a Municipal Corporation

Date Dominick Casey, City Manager

ATTEST: FUNDING AVAILABLE:

Sonia Orozco, City Clerk Date Dennis Kauffman, CFO Date

ORIGINAL APPROVED AS TO CONTENT: ORIGINAL APPROVED AS TO FORM:

Richard Plecker, Date Michelle Sheidenberger, City Attorney Date
Environmental Utilities Director

CITY OF FOLSOM, A Municipal Corporation:

Date

Elaine Andersen, City Manager

ATTEST:

FUNDING AVAILABLE:

Christa Freemantle, City Clerk Date

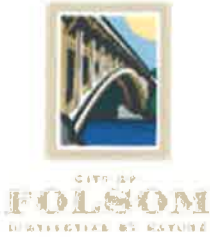
Stacey Tamagni, Finance Director Date

ORIGINAL APPROVED AS TO CONTENT:

ORIGINAL APPROVED AS TO FORM:

Marcus Yasutake, Date
Environmental & Water Resources Director

Steven Wang, City Attorney Date



Folsom City Council Staff Report



MEETING DATE:	1/11/2022
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution 10785– A Resolution Authorizing the City Manager to Execute an Agreement with McGuire and Hester for the Design-Assist and Construction of the Natoma Alley Sewer Rehabilitation Project and Appropriation of Funds
FROM:	Environmental and Water Resources Department

RECOMMENDATION / CITY COUNCIL ACTION

The Environmental and Water Resources Department recommends the City Council pass and adopt Resolution 10785 - A Resolution Authorizing the City Manager to Execute an Agreement with McGuire and Hester for the Design-Assist and Construction of the Natoma Alley Sewer Rehabilitation Project and Appropriation of Funds.

BACKGROUND / ISSUE

The Environmental and Water Resources 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 Environmental and Water Resources Department is required to perform ongoing condition assessments on the wastewater system and correct any defects/deficiencies identified through this process.

Through these efforts, portions of the water and wastewater system in the City have been identified as needing rehabilitation or replacement (R&R). A comprehensive plan has been developed for the R & R of these aging or failing systems, and much of this work has been completed in recent years. The next phase of the R & R program includes the replacement and relocation of sewer lines within the Persifer and Mormon Alleys, between Stafford Street and Coloma Street.

This project will rehabilitate approximately 4,750 feet of sewer infrastructure along the Persifer and Mormon Alleys between Stafford and Coloma as well as relocating private sewer laterals. Through the City's sewer condition assessment program, City staff has had to perform continual maintenance in this area in order to sustain operations of these systems. These pipes are beyond their serviceable life and require rehabilitation and replacement.

This resolution will authorize the City Manager to execute an agreement with McGuire and Hester for the Design-Assist and Construction of the Natoma Alley Sewer Rehabilitation Project 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 \$62,657 or greater shall be awarded by City Council.

ANALYSIS

The Natoma Alley Sewer Rehabilitation Project includes finalizing the project plans through a Design-Assist process followed by construction to replace and rehabilitate portions of the sewer systems in the older areas of the City that are encountering ongoing maintenance problems. The Natoma Alley Sewer Rehabilitation Project consists of installing approximately 28 sanitary sewer laterals, 33 property line cleanouts, and reconnecting 42 existing sanitary sewer laterals all located on private property. Due to the complexity and unknown elevations of the existing private sanitary sewer services involved without significant pre-construction work and access to private property, the design-assist delivery method was selected for this project. The design-assist method will allow the selected Contractor and design engineer, Bennett Engineering, to collaborate with the City on the design and construction ideas to advance the existing 70 percent plans to constructable, 100 percent plans utilizing field investigations and existing utility potholing information gathered during the design-assist portion of the project.

The Design-Assist portion of the Natoma Alley Sewer Rehabilitation Project will include field investigation including potholing, obtaining right-of-entry (ROE) forms, and evaluating project constraints in order to develop sewer alignment alternatives. The contractor will assist the designer and City staff to advance the plans from 70 percent to 100 percent and after selecting a preferred alternative, construction services will commence.

The Request for Proposals (RFP) for the Design-Assist and Construction of the Natoma Alley Sewer Project consisted of two, separate parts. Part 1 of the RFP was the Technical Proposal which required each proposer to establish minimum qualifications, project understanding, references, and individual contractor staff experience. Part 2 of the RFP was the Sealed Proposal which was to be sealed and included in a separate envelope. In Part 2 the contractor was to include a statement of total proposed construction costs and proprietary bid documents. Part 1 of the proposals was evaluated and scored for all proposals prior to Part 2 being reviewed and scored.

The City issued the RFP on September 14, 2021, for the Design-Assist and Construction of Natoma Alley Sewer Rehabilitation Project. The City received a total of three proposals submitted from C&D Contractors, Inc., BRCO Constructors, Inc., and McGuire and Hester.

C&D Contractors, Inc. did not include the required forms, which were outlined and included in the RFP, in the Part 1 – Technical Proposal. Therefore, their proposals were considered to be materially non-responsive. Due to Part 1 of C&D Contractors, Inc. proposal being materially non-responsive, any evaluation of C&D Contractors, Inc. proposal is not included in this staff report for consideration by the City Council.

BRCO Constructors, Inc. and McGuire and Hester provided responsive proposals. Below is a ranking of the proposals prior to reviewing costs.

Company	Part 1 Score (out of 75)
BRCO Constructors, Inc.	55
McGuire and Hester	63

Table 1. Contractor ranking for Part 1 – Technical Proposal without costs.

After reviewing the proposals based on the contractor’s project understanding, project approach, the contractor’s qualifications, the project manager’s qualifications, EWR staff reviewed total project costs. Proposal costs from each consultant were required to be submitted under a separate sealed envelope. A table showing BRCO Constructors, Inc. and McGuire and Hester’s fees is shown below.

Company	Design-Assist Costs	Construction Costs	Total Fee
BRCO Constructors, Inc.	\$185,000	\$3,415,000	\$3,600,000
McGuire and Hester	\$275,000	\$3,502,000	\$3,777,000

Table 2. Contractor project costs associated with the RFP.

Based on the technical scores from the proposal Part 1 and the cost scores from the proposal Part 2, the total proposal scores are shown in Table 3 below.

Company	Part 1 Score (out of 75)	Part 2 Score (out of 25)	Total Score (out of 100)
BRCO Constructors, Inc.	55	25	80
McGuire and Hester	63	24	87

Table 3. Total contractor ranking for the RFP including costs.

City staff evaluated the proposals based on the contractor’s project understanding, project approach, the contractor’s qualifications, the project manager’s qualifications, and the proposed project costs. EWR staff identified McGuire and Hester as being the most qualified, had the most relevant experience, and would provide the best value to the City and proposes to utilize McGuire and Hester for this project.

FINANCIAL IMPACT

The Environmental and Water Resources Department recommends that the contract be awarded to McGuire and Hester for \$3,777,000 with the project budgeted for this agreement in the amount of \$4,154,700 which will include a 10% contingency in the amount of \$377,700.

Approximate project costs to date, which include pre-design, design and construction administration services, total approximately \$240,000. The Natoma Alley Sewer Rehabilitation Project was included in the FY 2021-22 Capital Improvement Plan with a total project budget of \$3,141,457. Staff is now projecting the total project costs to be approximately \$4,930,000. With this new projection of costs an additional appropriation will be needed. Staff is requesting an appropriation of \$1,788,543 for the total project budget of \$4,930,000. This appropriation will be in the Sewer Operating Fund (Fund 530) and funds are available for this 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 10785 - A Resolution Authorizing the City Manager to Execute an Agreement with McGuire and Hester for the Design-Assist and Construction of the Natoma Alley Sewer Rehabilitation Project and Appropriation of Funds

Submitted,

Marcus Yasutake, Director
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

RESOLUTION NO. 10785**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH MCGUIRE HESTER FOR THE DESIGN-ASSIST AND CONSTRUCTION OF THE NATOMA ALLEY SEWER REHABILITATION 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, the Environmental and Water Resources Department issued a Request for Proposals on September 14, 2021 for the Design-Assist and Construction of the Natoma Alley Sewer Rehabilitation Project; and

WHEREAS, McGuire and Hester by reason of their past experience, abilities for performing these types of services, and overall best value for these services, is qualified to perform the required Design-Assist and Construction of the Natoma Alley Sewer Rehabilitation Project; and

WHEREAS, the Design-Assist and Construction of the Natoma Alley Sewer Rehabilitation Project was included FY 2021-22 Capital Improvement Plan with a project budget of \$3,141,457 staff is now projecting the project costs will be \$4,930,000; and

WHEREAS, an additional appropriation of funds in the amount of \$1,778,543 is needed for a revised project budget of \$4,930,000 and sufficient funds are available in the Sewer Operating Fund (Fund 530); 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 Design-Assist and Construction of the Natoma Alley Sewer Rehabilitation Project for a not-to-exceed amount of \$3,777,000 with the budgeted amount to include a 10% contingency for a total of \$4,154,700.

BE IT FURTHER RESOLVED that the Finance Director is directed to appropriate \$1,778,543 for this agreement. The appropriation will be from the Sewer Operating Fund (Fund 530) balance in the amount of \$1,778,543, for a total project budget of \$4,930,000.

PASSED AND ADOPTED this 11th day of January 2022, by the following roll-call vote:

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

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK



CITY OF
FOLSOM
DISTINGUISHED BY NATURE

Folsom City Council Staff Report



MEETING DATE:	1/11/2022
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10786 - A Resolution Amending Resolution No. 10296 to Enact the Annual Inflationary Adjustment for the Housing Trust Fund Fee
FROM:	Finance Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff requests that the City Council adopt Resolution No. 10786 – A Resolution Amending Resolution No. 10296 to Enact the Annual Inflationary Adjustment for the Housing Trust Fund Fee

BACKGROUND / ISSUE

In May 2006, the City council adopted Resolution No. 7812 which established new city impact and connection fees for law enforcement, fire suppression, general facilities, vehicles and equipment, park improvement, Humbug-Willow Creek, housing trust, water, sanitary sewer, transportation improvement, drainage, and light rail. Resolution No. 7812 also approved an annual inflationary adjustment.

POLICY / RULE

Folsom Municipal Code

The Folsom Municipal Code sets impact fees in code section 03.690.010 for the Housing Trust Fee.

ANALYSIS

In accordance with Resolution No. 7812, adopted May 23, 2006, Staff has calculated proposed fee schedule to be effective February 1, 2022 for the Housing Trust Fund Fee. The annual inflationary adjustment to be applied is 1.64%. This percentage adjustment is based on the *Engineering News Record Construction Cost Index* for January through December 2020. The proposed fee schedule was derived by applying the annual inflationary adjustment to the current fee.

The proposed February 1, 2022, fee schedule is included in Attachment 1 and the Construction Cost Index obtained from the Engineering News Record is included in Attachment 2.

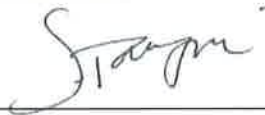
FINANCIAL IMPACT

The financial impact to the Housing Trust Fund will be minimal. The fee is only applied to new commercial development in the City which has been down since the pandemic started.

ATTACHMENTS

1. Resolution No. 10786 – A Resolution Amending Resolution No. 10296 and Enacting the Annual Inflationary Adjustment for the Housing Trust Fund Fee
2. Engineering News Record Construction Cost Index

Submitted,



Stacey Tamagni, Finance Director

ATTACHMENT 1

RESOLUTION NO. 10786

A RESOLUTION AMENDING RESOLUTION 10296 AND ENACTING THE ANNUAL INFLATIONARY ADJUSTMENT FOR THE CITY HOUSING TRUST FEE

WHEREAS, the Folsom Municipal code set impact fees for the Housing Trust fee in Section 03.90.010; and

WHEREAS, Resolution No. 7812 adopted by the Folsom City Council on May 23, 2006, allowed for an inflationary adjustment to selected City Impact and Connection fees each fiscal year; and

WHEREAS, the annual inflationary adjustment for the Housing Trust fund fee to be effective February 1 2022 is based on the *Engineering News Record Construction Cost Index* for January through December 2020 and the annual adjustment to be applied is 1.64% and attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom amends Resolution No. 10296 and enacts the Annual Inflationary Adjustment for the Housing Trust Fund Fee.

PASSED AND ADOPTED this 11th day of January, 2022, by the following roll-call vote:

- AYES:** Council Member(s):
- NOES:** Council Member(s):
- ABSENT:** Council Member(s):
- ABSTAIN:** Council Member(s):

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

**City of Folsom
Impact and Connection Fee Schedule As of February 1, 2022**

FEE DESCRIPTION	BASIS	FEE 1/01/2021	Annual Inflation Adjustment	FEE 1/01/2022
		Proposed	2019 Annual CPI ¹	Proposed
<u>Housing Trust (FMC 3.90.010)</u>				
Office	Sq. Ft.	\$ 1.73	\$ 0.028	\$ 1.76
Retail	Sq. Ft.	\$ 1.73	\$ 0.028	\$ 1.76
Light Industrial	Sq. Ft.	\$ 1.73	\$ 0.028	\$ 1.76
Heavy Industrial/Manufacturing	Sq. Ft.	\$ 1.73	\$ 0.028	\$ 1.76
Light Industrial/Manufacturing	Sq. Ft.	\$ 1.73	\$ 0.028	\$ 1.76

ATTACHMENT 2

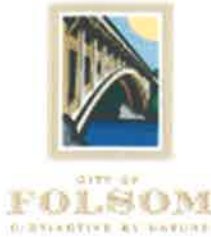
Construction Cost Index History - As of May 2021

HOW ENR BUILDS THE INDEX: 200 hours of common labor at the 20-city average of common labor rates, plus 25 cwt of standard structural steel shapes at the mill price prior to 1996 and the fabricated 20-city price from 1996, plus 1.128 tons of portland cement at the 20-city price, plus 1,088 board ft of 2 x 4 lumber at the 20-city price.

ENR'S CONSTRUCTION COST INDEX HISTORY (1908-2021)

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVG.
2021	11627.94	11698.8	11749.75	11849.31	11989.91								
2020	11392	11396	11397	11412	11418	11436	11439	11455	11499	11539	11579	11626	11465.67
2019	11206	11213	11228	11228	11230	11268	11293	11311	11311	11326	11381	11381	11281
2018	10878	10889	10959	10971	11013	11069	11116	11124	11170	11183	11184	11186	11062
2017	10542	10559	10667	10678	10692	10703	10789	10826	10823	10817	10870	10873	10737
2016	10132	10181	10242	10279	10315	10337	10379	10385	10403	10434	10442	10530	10338
2015	9972	9962	9972	9992	9975	10039	10037	10039	10065	10128	10092	10152	10035
2014	9664	9681	9702	9750	9796	9800	9835	9846	9870	9886	9912	9936	9806
2013	9437	9453	9456	9484	9516	9542	9552	9545	9552	9689	9666	9668	9547
2012	9176	9198	9268	9273	9290	9291	9324	9351	9341	9376	9398	9412	9308
2011	8938	8998	9011	9027	9035	9053	9080	9088	9116	9147	9173	9172	9070
2010	8660	8672	8671	8677	8761	8805	8844	8837	8836	8921	8951	8952	8799
2009	8549	8533	8534	8528	8574	8578	8566	8564	8586	8596	8592	8641	8570
2008	8090	8094	8109	8112	8141	8185	8293	8362	8557	8623	8602	8551	8310
2007	7880	7880	7856	7865	7942	7939	7959	8007	8050	8045	8092	8089	7966
2006	7660	7689	7692	7695	7691	7700	7721	7722	7763	7883	7911	7888	7751
2005	7297	7298	7309	7355	7398	7415	7422	7479	7540	7563	7630	7647	7446
2004	6825	6862	6957	7017	7065	7109	7126	7188	7298	7314	7312	7308	7115
2003	6581	6640	6627	6635	6642	6694	6695	6733	6741	6771	6794	6782	6694
2002	6462	6462	6502	6480	6512	6532	6605	6592	6589	6579	6578	6563	6538
2001	6281	6272	6279	6286	6288	6318	6404	6389	6391	6397	6410	6390	6343
2000	6130	6160	6202	6201	6233	6238	6225	6233	6224	6259	6266	6283	6221
1999	6000	5992	5986	6008	6006	6039	6076	6091	6128	6134	6127	6127	6059
1998	5852	5874	5875	5883	5881	5895	5921	5929	5963	5986	5995	5991	5920
1997	5765	5769	5759	5799	5837	5860	5863	5854	5851	5848	5838	5858	5826
1996	5523	5532	5537	5550	5572	5597	5617	5652	5683	5719	5740	5744	5620
1995	5443	5444	5435	5432	5433	5432	5484	5506	5491	5511	5519	5524	5471
1994	5336	5371	5381	5405	5405	5408	5409	5424	5437	5437	5439	5439	5408
1993	5071	5070	5106	5167	5262	5260	5252	5230	5255	5264	5278	5310	5210

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Folsom City Council Staff Report

MEETING DATE:	1/11/2022
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10787 – A Resolution Authorizing the City Manager to Execute an Agreement with Always Paving, Inc. DBA General Construction for Construction of the Environmental and Water Resources Department On-Call Trench Repair Asphalt Paving Restoration Project and Appropriation of Funds
FROM:	Environmental and Water Resources Department

RECOMMENDATION / CITY COUNCIL ACTION

The Environmental and Water Resources Department recommends that the City Council pass and adopt Resolution No. 10787 - A Resolution Authorizing the City Manager to Execute an Agreement with Always Paving, Inc. DBA General Construction for Construction of the Environmental and Water Resources Department On-Call Trench Repair Asphalt Paving Restoration Project and Appropriation of Funds.

BACKGROUND / ISSUE

The Environmental and Water Resources (EWR) Department maintenance crews routinely repair water and sewer pipelines throughout the city. After repairing the pipelines, the maintenance crews patch the trenches with temporary asphalt pavement. These temporary pavement patches require permanent repairs for restoration of the surfaces removed, damaged, or displaced by the repairs made to the underground utilities. To minimize the unit cost for this work, the EWR Department maintains a database of trench locations that require restoration and bids these locations as a project instead of as individual locations. In addition, this project will also include one year of additional on-call trench repair asphalt paving restoration.

The City currently has approximately 15,000 square feet of paving needs. In addition, the City expects to have approximately a total of 7,000 square feet of paving needs due to water and

sewer pipeline repair over the next two fiscal years. This number is an estimate based on past needs and is subject to change.

This resolution will authorize the City Manager to execute an Agreement with Always Paving, Inc. DBA General Construction for construction of the Environmental and Water Resources Department On-Call Trench Repair Asphalt Paving Restoration Project 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 \$62,657 or greater shall be awarded by City Council.

ANALYSIS

The City completed specifications for this project and publicly advertised for bids on December 7, 2021. In addition, the City provided these documents to several area builders' exchanges and the City's website. The EWR Department received the following bids on December 21, 2021 for construction of the On-Call Trench Repair Asphalt Paving Restoration Project:

Contractor	Bid Amount
Always Paving, Inc. DBA General Construction	\$457,500.00
Doug Veerkamp	\$467,400.00
Central Valley Engineering & Asphalt, Inc.	\$564,000.00
B&M Builders	\$665,000.00

Staff has reviewed the bids submitted and has determined that Always Paving, Inc. DBA General Construction is the lowest responsible and responsive bidder who meets the requirements and specifications set forth in the invitation for bids. The engineer's estimate for this project was \$650,000.

FINANCIAL IMPACT

The EWR Department requests that the contract be awarded to the lowest responsible and responsive bidder, Always Paving, Inc. DBA General Construction for \$457,500, with the project budget for this agreement in the amount of \$503,250 which will include a 10% contingency. Staff is requesting an additional appropriation in the amount of \$47,000 from the Fiscal Year 2021-22 Water Operating Fund (Fund 520) budget for this agreement. There are sufficient funds budgeted and available for the remaining \$456,250 for the agreement. Funds for the agreement will be split between the Water Operating Fund (Fund 520) and the Sewer Operating Fund (Fund 530).

ENVIRONMENTAL REVIEW

This project is a rehabilitation project of existing infrastructure 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, Section 15302 – Replacement or Reconstruction.

ATTACHMENT

Resolution No. 10787 - A Resolution Authorizing the City Manager to Execute an Agreement with Always Paving, Inc. DBA General Construction for Construction of the Environmental and Water Resources Department On-Call Trench Repair Asphalt Paving Restoration Project and Appropriation of Funds.

Submitted,

Marcus Yasutake, Director
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

RESOLUTION NO. 10787**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ALWAYS PAVING, INC. DBA GENERAL CONSTRUCTION FOR CONSTRUCTION OF THE ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT ON-CALL TRENCH REPAIR ASPHALT PAVING RESTORATION PROJECT AND APPROPRIATION OF FUNDS**

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

WHEREAS, specifications have been prepared for this work and publicly advertised for on December 7, 2021; and

WHEREAS, on December 21, 2021, the Environmental and Water Resources Department received bids for construction of the Environmental and Water Resources Department On-Call Trench Repair Asphalt Paving Restoration Project and Appropriation of Funds; and

WHEREAS, Always Paving, Inc. DBA General Construction was the lowest responsible, responsive bidder with a bid of \$457,500; and

WHEREAS, the budgeted amount for this agreement will include a contingency in the amount of 10% or \$45,750; and

WHEREAS, sufficient funds are budgeted and available in the Water Operating Fund (Fund 520) and Sewer Operating Fund (Fund 530) in the amount of \$456,250; and

WHEREAS, an appropriation in the amount of \$47,000 will be required in the FY 2021-22 Water Operating Fund (520) Budget; and

WHEREAS, the project is categorically exempt from environmental review under the California Environmental Quality Act; 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 Always Paving, Inc. DBA General Construction for Construction of the Environmental and Water Resources Department On-Call Trench Repair Asphalt Paving Restoration Project and Appropriation of Funds for a not-to-exceed amount of \$457,500, with the budgeted amount to include a 10% contingency for a total budgeted amount of \$503,250.

BE IT FURTHER RESOLVED that the Finance Director is directed to appropriate \$47,000 for this agreement. The appropriation will be from the FY 2021-22 Water Operating

Fund (Fund 520) balance in the amount of \$47,000, which is currently available.

PASSED AND ADOPTED this 11th day of January 2022, by the following roll-call vote:

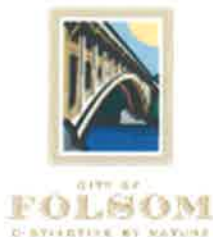
AYES: Councilmember(s):
NOES: Councilmember(s):
ABSENT: Councilmember(s):
ABSTAIN: Councilmember(s):

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report

MEETING DATE:	1/11/2022
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10788 – A Resolution Opposing SB 262 (Hertzberg) Bail
FROM:	Police Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 10788 – A Resolution Opposing SB 262 (Hertzberg) Bail.

BACKGROUND / ISSUE

Current law requires the superior court judges in each county to prepare, adopt, and annually revise a uniform countywide schedule of bail. Superior court judges consider the seriousness of the offense charged and assign an additional amount of required bail for each aggravating or enhancing factor chargeable in the complaint. SB 262 is being proposed as one of the latest in series of bail reform efforts and follows the rejection of Proposition 25 (2020) and SB 10 (2018).

SB 10 (2018)

In 2018, the California State Legislature approved SB 10 to eliminate the (then) current bail system. Democrats (67 out of 81) supported SB 10, while only one of 39 Republican supported the legislation. SB 10 was designed to make California the first state to end the use of cash bail for all detained suspects awaiting trials. SB 10 would have replaced the state's cash bail system with risk assessments to determine whether a detained suspect should be granted pretrial release and under what conditions release would be granted. (Then) California Gov. Jerry Brown signed SB 10 on August 28, 2018. At that time, three ACLU executives expressed disappointment in the signing of SB 10, noting that SB 10 was not the model for pretrial justice and racial equity that California should strive for.

Proposition 25 (2020)

A veto referendum (which is a type of citizen-initiated ballot measure that asks voters whether to uphold or repeal a law that has been passed by the state legislature) to overturn SB 10 was filed the day after SB 10 was signed by the Governor. This veto referendum would later become Proposition 25. In the 2020 General Election, voters rejected Proposition 25 (thereby rejecting SB 10) by over 56%.

SB 262 (2021)

In January 2021, SB 262 was introduced by Senators Hertzberg and Skinner (coauthored by Assembly Member Bonta and Senators Bradford and Wiener) to require bail to be set at \$0 for all offenses except, among others, serious or violent felonies, violations of specified protective orders, battery against a spouse, sex offenses, and driving under the influence. SB 262 would require the Judicial Council to prepare, adopt, and annually revise a bail schedule for the exempt offenses. The bill would state the intent of the Legislature to enact further changes to current law to ensure that a defendant is not detained pending trial simply due to an inability to pay for the amount of bail in the statewide schedule. The bill would prohibit costs relating to conditions of release on bail from being imposed on persons released on bail or on their own recognizance. The bill would require the sheriff, police, and court employees to approve and accept bail in the amount fixed by the bail schedule.

ANALYSIS

SB 262 will make Zero Bail permanent throughout California and will make many crimes eligible for automatic release from jail. In addition, this bill sets strict terms for release on a suspect's ability to pay, meaning many arrested for crimes – including hate crimes, gun crimes and drug dealing – will be out on the streets with Zero Bail. SB 262 would require the court, prior to setting bail, to consider whether nonfinancial conditions will reasonably protect the public and the victim and reasonably assure the arrestee's presence at trial.

California's experiment with "Zero Bail" during the coronavirus pandemic had disastrous results as many defendants were arrested, released back on the streets, committed new crimes within hours, and were then rearrested the same day. Currently, California is experiencing a dangerous crime wave as homicides increased by 31 percent in 2020, resulting in the deadliest year since 2007 according to the California Department of Justice. Furthermore, a University of California study of San Francisco's court system—which utilizes a model similar to SB 262—concluded that 55 percent of individuals released before trial allegedly committed new crimes while free and one-sixth of individuals committed a violent offense. Small businesses are particularly vulnerable to crime because they often lack the resources to prevent criminal activity; the average cost per robbery was more than \$800 in 2019, according to the National Retail Federation.

It is important to note that SB 262 violates the constitutional separation of powers because California's constitution vests the power to set bail exclusively with the county courts and not the Legislature. This bill attempts to overturn the will of the voters by attempting to pass legislation previously defeated via a referendum.

The California Police Chiefs Association opposes SB 262, as does the Association of California Cities Allied with Public Safety. The League of California Cities has currently taken a "watch" position on the bill.

ATTACHMENT

Resolution No. 10788 – A Resolution Opposing SB 262 (Hertzberg) Bail

Submitted,

Richard D. Hillman, Chief of Police

RESOLUTION NO. 10788**A RESOLUTION OPPOSING SB 262 (HERTZBERG) BAIL**

WHEREAS, current law requires the superior court judges in each county to prepare, adopt, and annually revise a uniform countywide schedule of bail. Superior court judges consider the seriousness of the offense charged and assign an additional amount of required bail for each aggravating or enhancing factor chargeable in the complaint; and

WHEREAS, in 2018, the California State Legislature approved SB 10 to eliminate the (then) current bail system. SB 10 was designed to make California the first state to end the use of cash bail for all detained suspects awaiting trials and would have replaced the state's cash bail system with risk assessments to determine whether a detained suspect should be granted pretrial release and under what conditions release would be granted; and

WHEREAS, a veto referendum to overturn SB 10 was filed the day after SB 10 was signed by the Governor. This veto referendum would later become Proposition 25; and

WHEREAS, in the 2020 General Election, voters rejected Proposition 25 by over 56%.

WHEREAS, SB 262 is now being proposed by the California State Legislature as one of the latest in series of bail reform efforts and follows the rejection of Proposition 25 (2020); and

WHEREAS, California's experiment with "Zero Bail" during the coronavirus pandemic had disastrous results as many defendants were arrested, released back on the streets, committed new crimes within hours, and were then rearrested the same day; and

WHEREAS, SB 262 will make Zero Bail permanent throughout California and will make many crimes eligible for automatic release from jail; and

WHEREAS, SB 262 sets strict terms for release on a suspect's ability to pay, meaning many arrested for crimes – including hate crimes, gun crimes and drug dealing – will be out on the streets with Zero Bail; and

WHEREAS, California is experiencing a dangerous crime wave as homicides increased by 31 percent in 2020, resulting in the deadliest year since 2007 according to the California Department of Justice; and

WHEREAS, a University of California study of San Francisco's court system—which utilizes a model similar to SB 262—concluded that 55 percent of individuals released before trial allegedly committed new crimes while free and one-sixth of individuals committed a violent offense; and

WHEREAS, SB 262 violates the constitutional separation of powers because California’s constitution vests the power to set bail exclusively with the county courts and not the Legislature. As such, SB 262 is an unconstitutional attempt to overturn the will of the voters by attempting to pass legislation previously defeated via a referendum; and

NOW, THEREFORE BE IT RESOLVED that the City of Folsom opposes SB 262 (Hertzberg) Bail.

PASSED AND ADOPTED on this 11th day of January 2022, by the following roll-call vote:

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

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report



MEETING DATE:	1/11/2022
AGENDA SECTION:	Consent Calendar
SUBJECT:	<p>City of Folsom Community Facilities District No. 23 (Folsom Ranch) Amended Improvement Area No. 3 and Improvement Area No. 7</p> <p>i. Ordinance No. 1321 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Second Reading and Adoption)</p> <p>ii. Ordinance No. 1322 – An Uncodified Ordinance Levying Special Taxes for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Second Reading and Adoption)</p>
FROM:	Finance Department

RECOMMENDATION / CITY COUNCIL ACTION

It is recommended that the City Council conduct the second reading and move to adopt the following ordinances:

Ordinance No. 1321 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Second Reading and Adoption)

Ordinance No. 1322 – An Uncodified Ordinance Levying Special Taxes for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Second Reading and Adoption)

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”).

Landowners within the FPA previously requested to form the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (“CFD No. 23”), including six separate Improvement Areas, designated as Improvement Area No. 1 through Improvement Area No. 6. The City Council previously approved the Resolution of Formation (Resolution No. 10435) on May 26, 2020 to form CFD No. 23, designate Improvement Area No. 3, 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. 3.

The landowners within Improvement Area No. 3 have requested to amend the boundaries of Improvement Area No. 3 to exclude property expected to be developed into traditional market rate single family residences, to amend the Rate and Method of Apportionment to adjust the maximum special tax rates based on the planned development of remaining property within Improvement Area No. 3, and amend the appropriations limit and maximum bonded indebtedness for Improvement Area No. 3. Further, the landowners have requested to designate a new Improvement Area No. 7 to include the property expected to be developed into traditional market rate single family residences that is being excluded from Improvement Area No. 3.

The proposed development plan for the amended Improvement Area No. 3 includes 919 active adult units zoned as single-family/single-family high density. The proposed development plan for Improvement Area No. 7 includes 211 traditional market rate units all zoned as single-family/single-family high density.

On November 9, 2021 this City Council considered to amend the boundaries, amend the Rate and Method of Apportionment, and amend the appropriations limit and maximum bonded indebtedness within Improvement Area No. 3 by passage of Resolution No. 10747. On that same date, this City Council approved a proposed boundary map, designated Improvement Area No. 7, and authorized the City to levy special taxes within the Improvement Area No. 7 by passage of Resolution No. 10748 and this City Council declared the necessity for incurring bonded indebtedness in and for Improvement Area No. 7 by passage of Resolution No. 10749.

A Public Hearing and landowner election was conducted December 14, 2021. At that time, the following resolutions were approved by the Council:

- Resolution No. 10767 - A Resolution of the City Council of the City of Folsom Calling Special Mailed Ballot Election Related to Change Proceedings for Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)
- Resolution No. 10768 – A Resolution of Change of the City Council of the City of Folsom Relating to Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)
- Resolution No. 10769 - A Resolution of the City Council of the City of Folsom to Designate Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) and to Levy Special Taxes therein
- Resolution No. 10770 - A Resolution of the City Council of the City of Folsom Deeming it Necessary to Incur Bonded Indebtedness within Improvement Area No. 7 of City of Folsom Community Facilities District No. 23 (Folsom Ranch)
- Resolution No. 10771 - A Resolution of the City Council of the City of Folsom Calling Special Mailed Ballot Election in the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7
- Resolution No. 10772 – A Resolution of the City Council of the City of Folsom Declaring Election Results in the City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7

The results of the landowner elections were as follows:

Improvement Area No. 3: 241 votes in favor of the ballot measure and zero opposed
Improvement Area No. 7: 61 votes in favor of the ballot measure and zero opposed

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 approved amendment to Improvement Area No. 3 will exclude property expected to be developed into traditional market rate single family residences, leaving only property that is expected to be developed into active-adult single-family residences. Further, amendments to the Rate and Method of Apportionment for Improvement Area No. 3 will adjust the maximum special tax rates based on the active-adult planned development within the amended Improvement Area No. 3. The special tax revenue generated from taxable parcels within the amended Improvement Area No. 3 will be comprised of a special tax to fund facilities and a special tax to fund services. The amended 2021/22 maximum facilities special tax rates and maximum services special tax rates, for each developed land use category, are provided in the table below:

Land Use Category	Residential Floor Area (square footage)	2021/22 Maximum Facilities Special Tax Rate	2021/22 Maximum Services Special Tax Rate	Per
Single-Family Detached Property - SF/SFHD Zoning	≥ 2,200	\$890	\$100	Unit
Single-Family Detached Property - SF/SFHD Zoning	2,000 – 2,199	790	100	Unit
Single-Family Detached Property - SF/SFHD Zoning	1,800 – 1,999	690	100	Unit
Single-Family Detached Property - SF/SFHD Zoning	≤ 1,799	590	100	Unit
Single-Family Detached Property - MLD Zoning	N/A	490	100	Unit
MMD Multi-Family Attached Property	N/A	30,000	500	Acre
MHD Multi-Family Attached Property	N/A	11,700	1,000	Acre
Non-Residential Property	N/A	11,700	1,000	Acre

The approved Improvement Area No. 7 will include the property excluded from the amended Improvement Area No. 3 and is expected to be developed into traditional market rate single-family residences. The special tax revenue generated from taxable parcels within Improvement Area No. 7 will be comprised of a special tax to fund facilities and a special tax to fund services.

The 2021/22 maximum facilities special tax rates and maximum services special tax rates, for each developed land use category, are provided in the table below:

Land Use Category	Residential Floor Area (square footage)	2021/22 Maximum Facilities Special Tax Rate	2021/22 Maximum Services Special Tax Rate	Per
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	≥ 2,900	\$2,450	\$177	Unit
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	2,700 – 2,899	2,390	177	Unit
Zone 1: Single-Family Detached Property – SF/SFHD Zoning	≤ 2,699	2,350	177	Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	≥ 3,325	3,075	177	Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	3,000 – 3,324	2,950	177	Unit
Zone 2: Single-Family Detached Property – SF/SFHD Zoning	≤ 2,999	2,845	177	Unit
Single-Family Detached Property - MLD Zoning	N/A	2,350	177	Unit
MMD Multi-Family Attached Property	N/A	30,000	500	Acre
MHD Multi-Family Attached Property	N/A	11,700	1,000	Acre
Non-Residential Property	N/A	11,700	1,000	Acre

The facilities special tax can be levied and collected through Fiscal Year 2079/80 for each Improvement Area. Each fiscal year, commencing with 2022/23, the maximum facilities special tax rate will be increased by 2% annually. The services special tax can be levied and collected in perpetuity for each Improvement Area. Each fiscal year, commencing with 2022/23, 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%.

Ordinance No. 1321 authorizes the special tax to be levied on CFD No. 23 Improvement Area No. 3 for the FY2021-22 and all subsequent years. Ordinance No. 1322 authorizes the special tax to be levied on CFD No. 23 Improvement Area No. 7 for the FY2021-22 and all subsequent years. These ordinances were introduced for first reading December 14, 2021. No changes have been made to the ordinance since the first reading.

FINANCIAL IMPACT

There is no direct General Fund impact on the City of Folsom. The Improvement Area No. 3 amendment, designation of a new Improvement Area No. 7 and expenses are solely the responsibility of Improvement Area No. 3 and Improvement Area No. 7. The General Fund is not impacted by the Improvement Area No. 3 Amended Rate and Method of Apportionment and Improvement Area No. 7 Rate and Method of Apportionment.

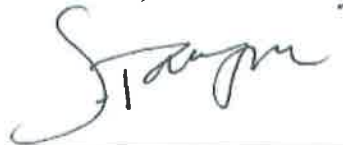
ENVIRONMENTAL REVIEW

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. Ordinance No. 1321 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 3 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Second Reading and Adoption)
2. Ordinance No. 1322 – An Uncodified Ordinance Levying Special Taxes for the Fiscal Year 2021-22 and Following Fiscal Years Solely within and Relating to Improvement Area No. 7 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Second Reading and Adoption)

Submitted,



Stacey Tamagni
Finance Director

ATTACHMENT 1

ORDINANCE NO. 1321**AN UNCODIFIED ORDINANCE LEVYING A SPECIAL TAX FOR THE FISCAL YEAR 2021-2022 AND FOLLOWING FISCAL YEARS SOLELY WITHIN AND RELATING TO IMPROVEMENT AREA NO. 3 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. 3 established therein was approved by an election of the qualified electors within the Community Facilities District on such date; and

4. Pursuant to Resolution No. 10747, adopted by the City Council on November 9, 2021 (the "Resolution of Consideration") and Resolution No. 10768 adopted by the City Council on December 14, 2021 (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. 3 (the "Amended Rate and Method"), which changes were approved by an by an election of the qualified electors within the Community Facilities District on such date; and

5. The Resolutions proposed the establishment of an appropriations limit for the Improvement Area (each an "Appropriations Limit"); and

6. 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. 3 for the 2021-22 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 the Improvement Area 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 District.

Ordinance No. 1305 adopted by the City Council on June 9, 2020, shall be superseded, solely with respect to Improvement Area No. 3, 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 December 14, 2021 and the second reading occurred at the regular meeting of the City Council on January 11, 2022.

On a motion by _____, second by _____, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 11th day of January, 2022 by the following vote, to wit:

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

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2

ORDINANCE NO. 1322

**AN UNCODIFIED ORDINANCE LEVYING SPECIAL TAXES
FOR THE FISCAL YEAR 2021-22 AND FOLLOWING FISCAL YEARS
SOLELY WITHIN AND RELATING TO IMPROVEMENT AREA NO. 7 WITHIN
THE CITY OF FOLSOM
COMMUNITY FACILITIES DISTRICT NO. 23
(FOLSOM RANCH)**

The City Council of the City of Folsom hereby 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. On December 14, 2021, the City Council adopted its Resolution No. 10769 (the "Resolution of Designation") designating Improvement Area No. 7 (the "Improvement Area") within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (the "District") pursuant to the Act; and
4. In accordance with the Rate and Method of Apportionment for City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 7, the Resolution of Designation approved the annual levy, subject to voter approval, of a special tax in connection with the Improvement Area (the "Special Tax"); and
5. The Resolution of Designation proposed the establishment of an appropriations limit for the Improvement Area (the "Appropriations Limit"); and
6. On December 14, 2021, the City Clerk, as elections official, conducted an election of the landowners of the Improvement Area (the "Election"); and
7. On December 14, 2021, the City Council adopted its Resolution No. 10772 certifying that, at the Election, the landowners of the Improvement Area approved the Special Tax and the Appropriations Limit relating to the Improvement Area; and
8. 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 rate and method of apportionment of special tax for the Improvement Area) within Improvement Area No. 7 for the 2021-22 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 Resolution of Designation 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 the Improvement Area 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 Rate and Method of Apportionment for the Improvement Area 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

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 District.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on December 14, 2021, and the second reading is to occur at the regular meeting of the City Council on January 11, 2022.

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 11th day of January, 2022 by the following roll-call vote:

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

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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Folsom City Council Staff Report

MEETING DATE:	1/11/2022
AGENDA SECTION:	Public Hearing
SUBJECT:	<p>Toll Brothers at Folsom Ranch Phase 2 Subdivision – Northwest corner of White Rock Road and East Bidwell Street in the Folsom Plan Area (PN 20-267)</p> <p>i. Resolution No. 10780 - A Resolution to Approve a Small-Lot Vesting Tentative Subdivision Map and Minor Administrative Modification for the Toll Brothers at Folsom Ranch Phase 2 Subdivision Project</p>
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Move to Adopt Resolution No. 10780 - A Resolution to Approve a Small-Lot Vesting Tentative Subdivision Map and Minor Administrative Modification for the Toll Brothers at Folsom Ranch Phase 2 Subdivision Project

BACKGROUND / ISSUE

On March 10, 2020, the City Council approved a General Plan Amendment, Specific Plan Amendment, Small-Lot Vesting Tentative Subdivision Map, Development Agreement Amendments, Planned Development Permit, and Inclusionary Housing Plan for development of a 1,225-unit active adult and traditional single-family residential subdivision (Toll Brothers at Folsom Ranch Subdivision) on a 314-acre site located at the northwest corner of the intersection of East Bidwell Street and White Rock Road within the Folsom Plan Area. The 1,225 approved residential units associated with the Toll Brothers at Folsom Ranch Subdivision included 590 residential units (tentative map approved) within Phase 1 of the active adult community, 421 residential units (no map approved) within Phase 2 of the active adult community, and 214 single-family residential units (tentative map approved) within a traditional subdivision.

All of the entitlements referenced above apply to the entire Toll Brothers at Folsom Ranch Subdivision project (Phase 1 and Phase 2 of active adult community and the traditional subdivision). However, it is important to point out that the Phase 2 portion of the active adult community was not mapped previously, which is why the applicant has submitted the subject Small-Lot Vesting Tentative Subdivision Map application. As described previously, Phase 2 of the Toll Brothers at Folsom Ranch active adult community was approved for development with 421 unmapped residential units. However, based on a number of site constraints (topography, property shape, etc.) associated with the subject property, the applicant is only proposing development of 329 residential units within Phase 2, 92 units less than was originally anticipated.

One of the entitlements approved with the Toll Brothers at Folsom Ranch Subdivision project was a Planned Development Permit. The Planned Development Permit established specific development standards and architectural designs for the active adult portion of the Toll Brothers at Folsom Ranch Subdivision. Approved modifications to the development standards, which were tailored to meet the specific needs of the active adult community, included increasing the maximum allowable lot coverage, reducing the minimum required garage setbacks, and reducing the minimum required rear yard setbacks. In relation to architecture and design, five different product lines with three single-story master plans were approved for the Toll Brothers at Folsom Ranch Subdivision. The approved master plans feature four distinct architectural themes that were chosen from the traditional heritage of California home styles including Italian Villa, Spanish Colonial, Modern Craftsman, and Modern Farmhouse.

On October 7, 2020, the Planning Commission approved a Design Review application for development of an 18,600-square-foot single-story clubhouse building with associated recreational amenities on a 5-acre site located within the Phase 1 portion of the Toll Brothers at Folsom Ranch Subdivision. In terms of recreational amenities, the approved clubhouse facility included an indoor swimming pool, an outdoor swimming pool, a spa, a fitness center, a social hall, multipurpose rooms, pickle ball courts, bocce ball courts, a putting green, and lounge areas.

The applicant, Toll Brothers Inc., is requesting approval of a Small-Lot Vesting Tentative Subdivision Map and Minor Administrative Modification for development of a 329-unit single-family residential subdivision on a 64.7-acre site located at the northwest corner of the intersection of East Bidwell Street and White Rock Road within the Folsom Plan Area.

The proposed Small-Lot Vesting Tentative Subdivision Map will result in the creation of a total of 348 lots including 329 residential lots, 14 landscape lots, 3 open space lots, 1 dog park lot, and 1 private recreation lot. The proposed subdivision includes an attached townhome product with lots that are 43' x 80' (3,440 SF) in size, and a detached single-family product with lots that are 50' x 90' (4,500 SF), 55' x 95' (5,225 SF), and 65' x 95' (6,175 SF) in size respectively. A land use summary and the proposed Small-Lot Vesting Tentative Subdivision Map is shown on the following pages.

TABLE 1: LAND USE SUMMARY

Land Use Summary								
	GP Designation	SP Designation	Ownership/ Maintenance	Land Use	Dwelling Units	Acres Gross	Acres Net	Net Density
65'x95' (Active Adult)	SFHD	SP-SFHD-PD	Homeowner	Single-Family High Density Residential	71	55.7	51.7	5.0
55'x95' (Active Adult)					100			
50'x95' (Active Adult)					86			
43'x80' (Active Adult)	MLD	SP-MLD-PD	Homeowner	Multi-Family Low Density Residential Townhomes	72	8.2	8.2	8.8
Lot A	SFHD	SP-SFHD-PD	HOA	Private Recreation		0.0	1.2	
Lot B	SFHD	SP-SFHD-PD	HOA	Dog Park		0.0	0.5	
Landscape	SFHD	SP-SFHD-PD	HOA	Landscape		0.0	2.3	
OS/Landscape	OS	SP-OS	HOA	Open Space / Landscape (Measure W)		0.3	0.3	
Open Space (Lot S)	SFHD	SP-SFHD-PD	City	Open Space		0.01	0.01	
Mangini Parkway ROW			City	Major Roadways		0.5	0.5	
Total					329	64.7	64.7	

FIGURE 1: SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP



Primary vehicle access to the project site is provided by Regency Parkway, which will connect to East Bidwell Street to the east and Mangini Parkway to the north. Internal vehicle circulation is proposed to be provided by a series of residential streets, all of which directly or indirectly tie into Regency Parkway. Bicycle and pedestrian circulation are provided by a combination of detached sidewalks, attached sidewalks, Class I bicycle trails, Class II bicycle lanes, and connections to nearby future Class I bicycle trails. Parking will be accommodated by two-car off-street garages associated with each of the residential units and on-street parking. Additional site improvements include underground utilities, site lighting, site landscaping, retaining walls, sound walls, fencing, and project identification signs. Off-site improvements include construction of two off-site hydromodification basins (Basins No. 5 and No. 16) located to the west and north of the project site respectively. The Master Plan Exhibit for the Toll Brothers at Folsom Ranch Subdivision and the proposed street sections are shown on the

following pages.

FIGURE 2: TOLL BROTHERS AT FOLSOM RANCH MASTER PLAN EXHIBIT



FIGURE 3: REGENCY PARKWAY STREET SECTION

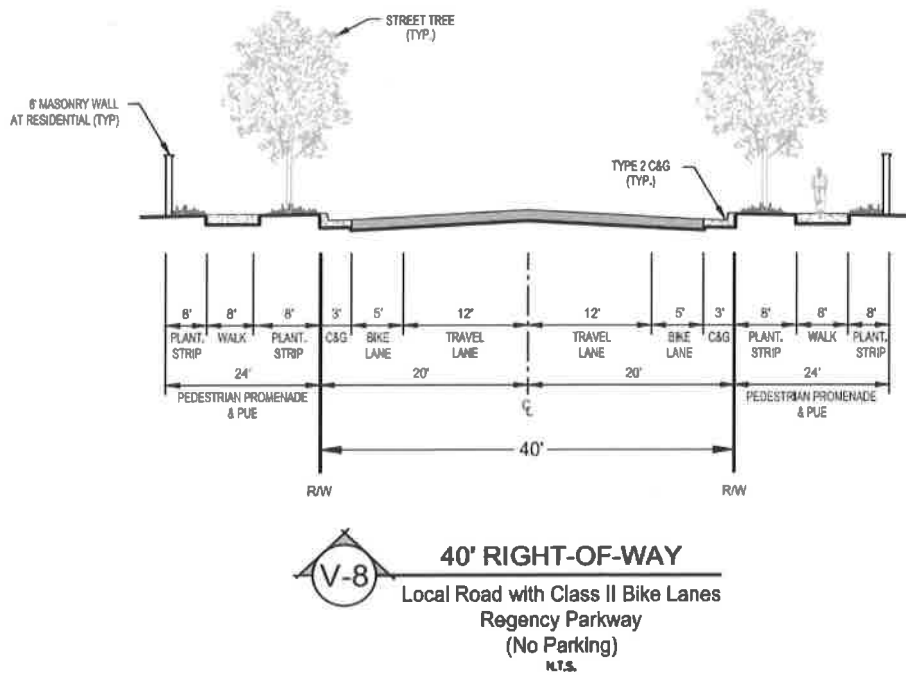
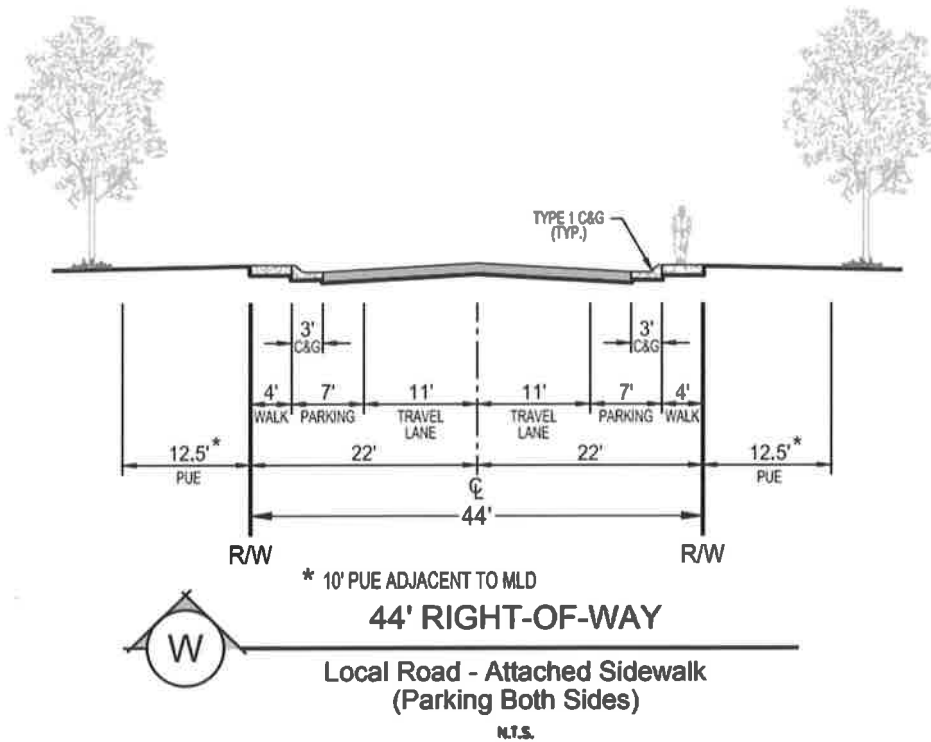
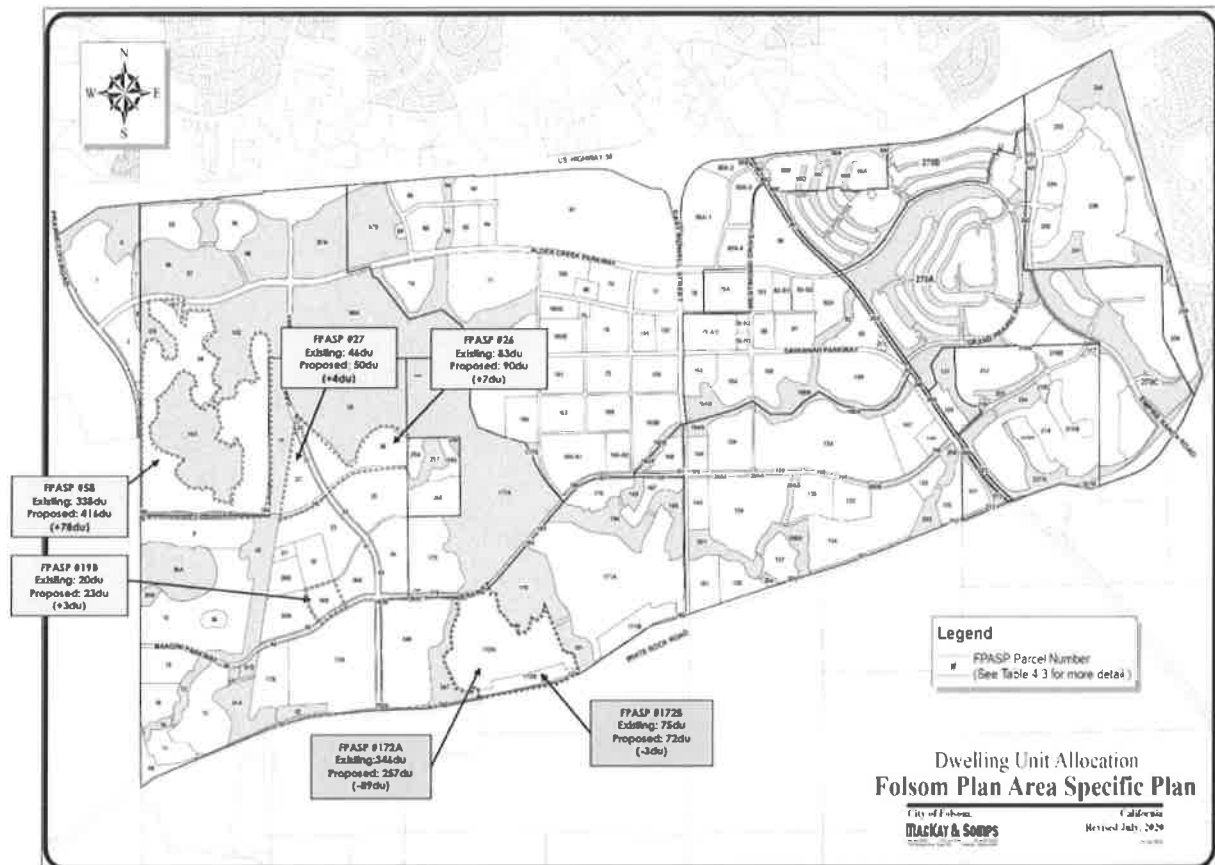


FIGURE 4: LOCAL ROADWAY STREET SECTION



A Minor Administrative Modification is also proposed to transfer 92 allocated dwelling units from the project site to other locations within the Folsom Plan Area Specific Plan. The Minor Administrative Amendment Exhibit is shown in Figure 5 below.

FIGURE 5: MINOR ADMINISTRATIVE AMENDMENT EXHIBIT



The applicant's request for approval of a Small-Lot Vesting Tentative Subdivision Map and Minor Administrative Modification was considered by the Planning Commission at its December 1, 2021 meeting. At this meeting, the Planning Commission discussed a number of issues associated with the proposed project including drought tolerant landscaping, private park amenities and usage, tree preservation, and the transfer of allocated dwelling units. With respect to drought tolerant landscaping, the Commission engaged in a lengthy discussion as to whether turf should be permitted in the front yards of the homes within the subdivision due to current drought conditions and also because of the increased amount of water and maintenance that lawns require as compared to other drought tolerant landscape materials. In response to this concern, the applicant stated that they are already required to comply with all local and state water regulations in relation to water consumption and the installation of front yard landscaping within the subdivision. In addition, the applicant commented that it was important to them to retain the option to plant turf in the front yards of the homes to accommodate future

homeowner requests and market demand. The Commission concluded that restricting the use of turf in the front yards of homes is an important topic, however, the Commission stated that issue has broader public policy implications and should be addressed globally by decision makers rather than on a project-by-project basis.

In relation to private park amenities, the Commission had questions regarding the maintenance responsibilities and operational characteristics of the two proposed private park amenities (0.5-acre dog park and 1.2-acre grass amphitheater) within the subdivision. In response to these questions, the applicant indicated that the homeowners association would be responsible for maintenance of the two private park amenities. In addition, the applicant responded that homeowners association would be in charge of determining the operation characteristics of the two private parks including the ability to rent out all or a portion of the amenities for private functions.

With regard to tree preservation, the Commission expressed gratitude to the applicant for their concerted effort to preserve oak trees within the subdivision. In particular, the Commission was pleased that the applicant is preserving a 35-inch diameter oak tree located at one of the project's main entrances at the intersection of Mangini Parkway and Regency Parkway. The Commission was also supportive of the applicant's decision to pursue planting of oak trees within the subdivision as a means to satisfying their oak tree mitigation requirements associated with removal of oak trees within the subdivision.

Lastly, the Commission had questions regarding transfer of allocated dwelling units from the project site to other locations within the Folsom Plan Area. Specifically, the Commission wanted to verify that the dwelling units were being transferred to other residential-designated properties within the Folsom Plan Area that had the capacity to accommodate the dwelling units. City staff confirmed that the transfer of the 92 allocated dwelling units from the project site to other locations within the Folsom Plan Area was consistent with all of the Minor Administrative Modification requirements established by the Folsom Plan Area Specific Plan including the requirement that the allocated units be transferred to parcels designated for residential land use and that there be no net increase in overall residential units. The Planning Commission expressed their support for the project and adopted a motion (6-1-0-0) to recommend approval of the proposed project to the City Council, subject to the findings included with this report.

POLICY / RULE

The Folsom Municipal Code (FMC) requires that applications for Tentative Subdivision Maps be forwarded to the City Council for final action. City Council actions regarding Tentative Subdivision Maps are covered under Section 16.16.080 of the Folsom Municipal Code.

ANALYSIS

The following sections provide an analysis of the applicant's proposal.

- A. General Plan and Zoning Consistency
- B. Small-Lot Vesting Tentative Subdivision Map
- C. Traffic/Access/Circulation
- D. Parking
- E. Noise Impacts
- F. Walls/Fencing
- G. Measure W and Open Space
- H. Private Park Amenities
- I. Oak Tree Preservation and Removal
- J. Inclusionary Housing Plan
- K. Minor Administrative Modification

This section also includes a discussion of the project's performance with relation to relevant policies in the Folsom General Plan and the Folsom Plan Area Specific Plan:

- L. Conformance with Relevant Folsom General Plan Folsom Plan Area Specific Plan Objectives and Policies

A. General Plan and Zoning Consistency

The 64.7-acre project site has General Plan land use designations of SFHD (Single-Family High Density), MLD (Multi-Family Low Density), and OS (Open Space) and Specific Plan designations of SP-SFHD-PD (Specific Plan-Single-Family High Density-Planned Development Permit District), SP-MLD-PD (Specific Plan-Multi-Family Low Density-Planned Development District), and SP-OS (Specific Plan-Open Space). The project is consistent with both the General Plan and the Specific Plan land use designations, as single-family attached and single-family detached residential units are identified as permitted land uses within the Folsom Plan Area Specific Plan (FPASP, Table A.1). The proposed project, which will be developed with 5.0 (SFHD) and 8.8 (MLD) dwelling units per acre respectively, is also consistent with the allowable density ranges (4 to 7 and 7 to 12 dwelling units per acre) established by the General Plan (Table LU-1: Residential Designations) and the FPASP. In addition, the proposed project is consistent with the development standards established for the Toll Brothers at Folsom Ranch Subdivision.

B. Small-Lot Vesting Tentative Subdivision Map

As described in the project description, the proposed project includes a request for approval of a Small-Lot Vesting Tentative Subdivision Map to create of a total of 348 lots including 329 residential lots, 14 landscape lots, 3 open space lots, 1 dog park lot, and 1 private recreation lot. The proposed residential lots would be of varying dimensions and sizes as described in the table below:

TABLE 2: TOLL BROTHERS PHASE 2 SUBDIVISION LOT DISTRIBUTION TABLE

Toll Brothers at Folsom Ranch Phase 2 Subdivision Lot Distribution					
Product Type	GP Designation	SP Designation	Dwelling Units	Lot Dimensions	Lot Sizes
Single-Family	SFHD	SP-SFHD-PD	89	50' by 95'	4,500 SF
Single-Family	SFHD	SP-SFHD-PD	98	55' by 95'	5,225 SF
Single-Family	SFHD	SP-SFHD-PD	70	65' by 95'	6,175 SF
Townhome	MLD	SP-MLD-PD	72	42' by 80'	3,440 SF

All roadways (streets and courts) within the Toll Brothers at Folsom Ranch Phase 2 Subdivision project are proposed to be private streets and are consistent with the street standards established by the Folsom Plan Area Specific Plan. Staff recommends that public utility easements be provided for all public utilities located within the private streets to the satisfaction of the Community Development Department. Condition No. 6 is included to reflect this requirement.

Staff has determined that the proposed Small-Lot Vesting Tentative Subdivision Map complies with all City requirements, as well as with the requirements of the State Subdivision Map Act.

C. Traffic/Access/Circulation

The Folsom Plan Area Specific Plan established a series of plans and policies for the circulation system within the entire Plan Area. The FPASP circulation system was designed with a sustainable community focus on the movement of people and provides a number of mobility alternatives such as walking, cycling, carpooling, and viable forms of public transportation in addition to vehicular circulation. The circulation plan evaluated regional travel, both in terms of connectivity and capacity as well as local internal connections and access.

The 2011 Folsom Plan Area Specific Plan Environmental Impact Report/Environmental Impact Statement included not only a detailed analysis of traffic-related impacts within the Plan Area, but also an evaluation of traffic-related impacts on the surrounding communities. In total, there are fifty-five (55) traffic-related mitigation measures associated with development of the FPASP which are included as conditions of approval for the Toll Brothers at Folsom Ranch project. Many of these mitigation measures are expected to reduce traffic impacts to East Bidwell Street. Included among the mitigation measures are requirements to; fund and construct roadway improvements within the Plan Area, pay fair-share contribution

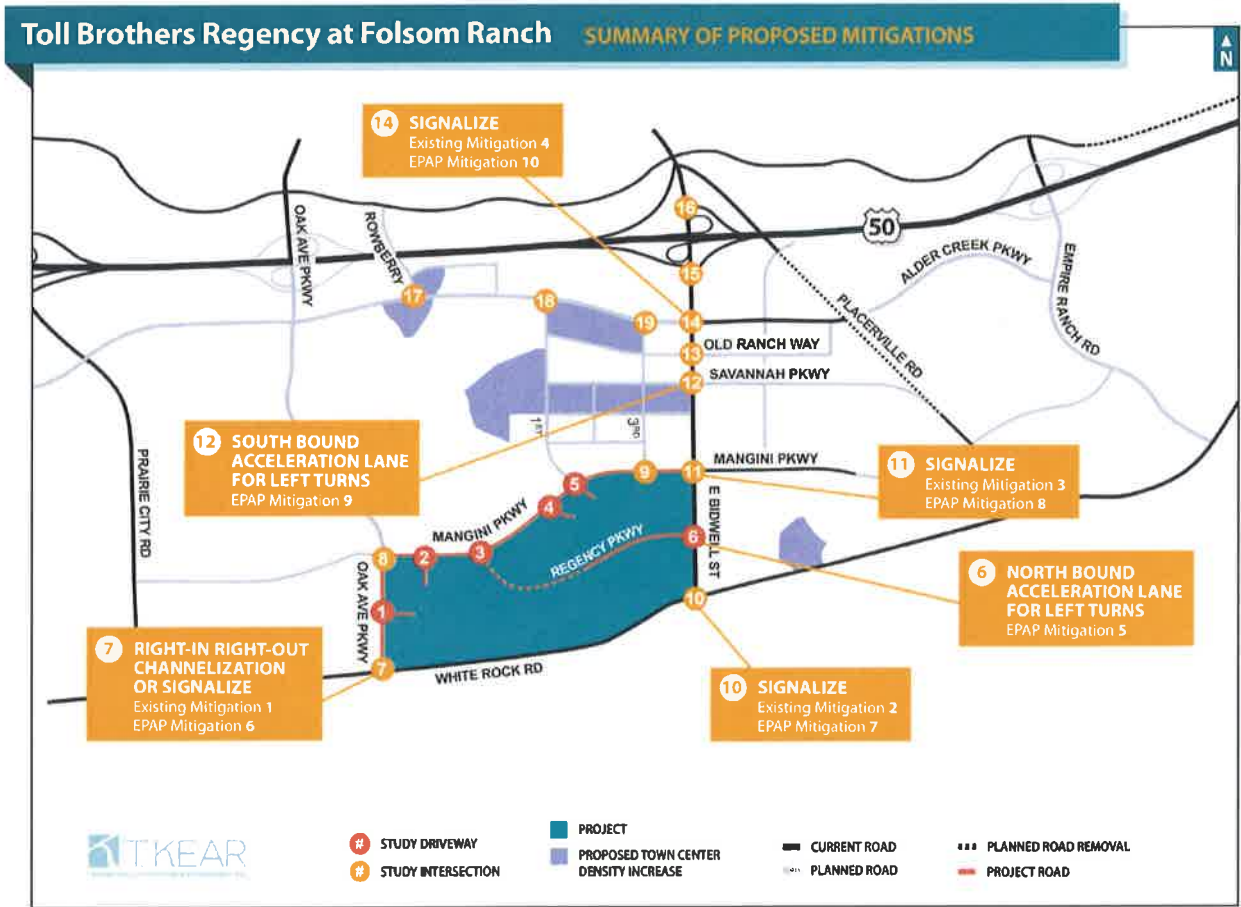
for construction of improvements north of U.S. Highway 50, participate in the City's Transportation System Management Fee Program, and Participate in the U.S. Highway 50 Corridor Transportation Management Association. The Toll Brothers at Folsom Ranch Phase 2 Subdivision project is subject to all traffic-related mitigation measures required by the 2011 FPASP EIR/EIS.

On November 11, 2019, T.KEAR Transportation Planning & Management completed a Transportation Impact Study for the previously approved Toll Brothers at Folsom Ranch Subdivision project to determine whether additional impacts would occur that were not previously identified and addressed by the 2011 FPASP EIR/EIS and the 2015 Westland-Eagle Specific Plan Addendum to the FPASP EIR/EIS. This Study analyzed traffic operations at 19 intersections, three arterial roadway segments, and the U.S. Highway 50 Freeway under four scenarios: Existing Conditions, Existing Plus Project Conditions, Existing Plus Planned and Approved Projects Conditions (EPPAP), Existing Plus Planned and Approved Projects Plus Project Conditions (EPPAP Plus Project). In addition, a cumulative analysis was prepared to evaluate the ultimate lane and geometry requirements at street intersections internal and adjacent to the project site.

The Study determined that the Toll Brothers at Folsom Ranch project (including all 1,225 +/- dwelling units in Regency Phase 1, Regency Phase 2, and Future Traditional Subdivision) would generate approximately 6,716 daily vehicle trips including 439 vehicle trips during the weekday AM peak hour and 557 vehicle trips during the weekday PM peak hour. The Study also determined that, with planned street and intersection improvements, the project would not create any new significant impacts under Existing Plus Project Conditions or EPPAP Plus Project Conditions when compared to the FPASP EIR/EIS and the Westland-Eagle Specific Plan Amendment Addendum. In addition, all arterial and freeway study segments were found to operate at acceptable levels of service both with and without the project under all study scenarios.

The Study also concluded that with the proposed improvements, the project does not create any new significant deficiencies under Existing Plus Project Conditions or EPPAP Plus Project Conditions. Table 5 and Figure 10 summarize required on-site and off-site street intersection improvements and associated timing of those improvements. No new mitigation measures are needed, although the 2019 Study includes recommendations that phase the ultimate improvements originally identified in the traffic analysis for the FPASP. The Figure on the following page includes the locations and a summary of the required roadway improvements associated with the approved Toll Brothers at Folsom Ranch Subdivision project.

FIGURE 6: LOCATIONS AND SUMMARY OF REQUIRED ROADWAY IMPROVEMENTS



As mentioned in the project description section of this staff report, primary vehicle access to the Toll Brothers at Folsom Ranch Phase 2 Subdivision site will be provided by Regency Parkway, which will connect to East Bidwell Street to the east and Mangini Parkway to the north. Internal vehicle circulation is proposed to be provided by a series of residential streets, all of which directly or indirectly tie into Regency Parkway. Bicycle and pedestrian circulation are provided by a combination of detached sidewalks, attached sidewalks, Class I bicycle trails, Class II bicycle lanes, and connections to nearby future Class I bicycle trails.

A majority of the required roadway improvements associated with the overall Toll Brothers at Folsom Ranch Subdivision will be constructed with development of the first phase (Phase 1) of the Toll Brothers at Folsom Ranch Subdivision. However, there are still a number of required roadway improvements that will need to be constructed with the proposed project (Phase 2) including the following:

Regency Parkway (Segment 2)

- Construct Regency Parkway as a two-lane roadway from Street F to the planned bridge over creek at the western edge of the Regency Phase 1 Small-Lot Vesting Tentative Subdivision Map.

Regency Parkway (Segment 3)

- Construct Regency Parkway as a two-lane roadway from the eastern edge of the planned bridge over the creek bisecting the project site to Mangini Parkway.

Mangini Parkway/Regency Parkway (Driveway 3)

- Construct driveway as shown in (Figure 47 of the November 20, 2019 Transportation Impact Study):

East Bidwell Street/Regency Parkway (Driveway 6)

- Modify driveway as shown in (Figure 51 of the November 20, 2019, Transportation Impact Study), unless intersection has been signalized:

Regency Phase 2 Internal Stop Control

- Stop Control shall be installed at any internal Regency Phase 2 intersections with four (or more) legs as directed by the City Engineer. Roundabouts may replace stop control at internal intersections with authorization from the City Engineer.

East Bidwell Street/Mangini Parkway

- Expand the intersection and update signal configuration as follows (Figure 57 of the November 20, 2019 Transportation Impact Study):

East Bidwell St/Alder Creek Parkway

- Reconstruct and modify signal at the East Bidwell Street/Alder Creek Parkway intersection as shown in Figure 59 of the November 20, 2019, Transportation Impact Study:

East Bidwell Street/Savannah Parkway

- Reconstruct the East Bidwell Street/Savannah Pkwy intersection with the following geometry (Figure 61 of the November 20, 2019, Transportation Impact Study):

The aforementioned roadway improvements are included as conditions of approval for development of the proposed project (Condition Nos. 19-26).

D. Parking

The Folsom Plan Area Specific Plan requires that single-family residential units located within a Single-Family High Density (SFHD) designated area provide two covered parking spaces per unit. The FPASP does not require a specific amount of on-street guest parking spaces for single-family residential units within an SFHD designated area. The Folsom Plan Area Specific Plan also requires that single-family residential units (townhome product) located

within a Multi-Family Low Density (MLD) designated area provide two covered parking spaces per unit. The FPASP also requires that single-family residential units located within an MLD designated area provide a minimum of 0.8 guest parking spaces per unit.

Each of the single-family residential units within the SFHD designated areas and each of the single-family units (townhome product) within the MLD designated areas will include an attached two-car garage, thus meeting the covered parking requirement of the FPASP. In addition, the project (includes combination of single-family units and townhome units) provides a minimum of 0.8 on-street guest parking spaces, thus meeting the on-street guest parking requirement established by the FPASP.

E. Noise Impacts

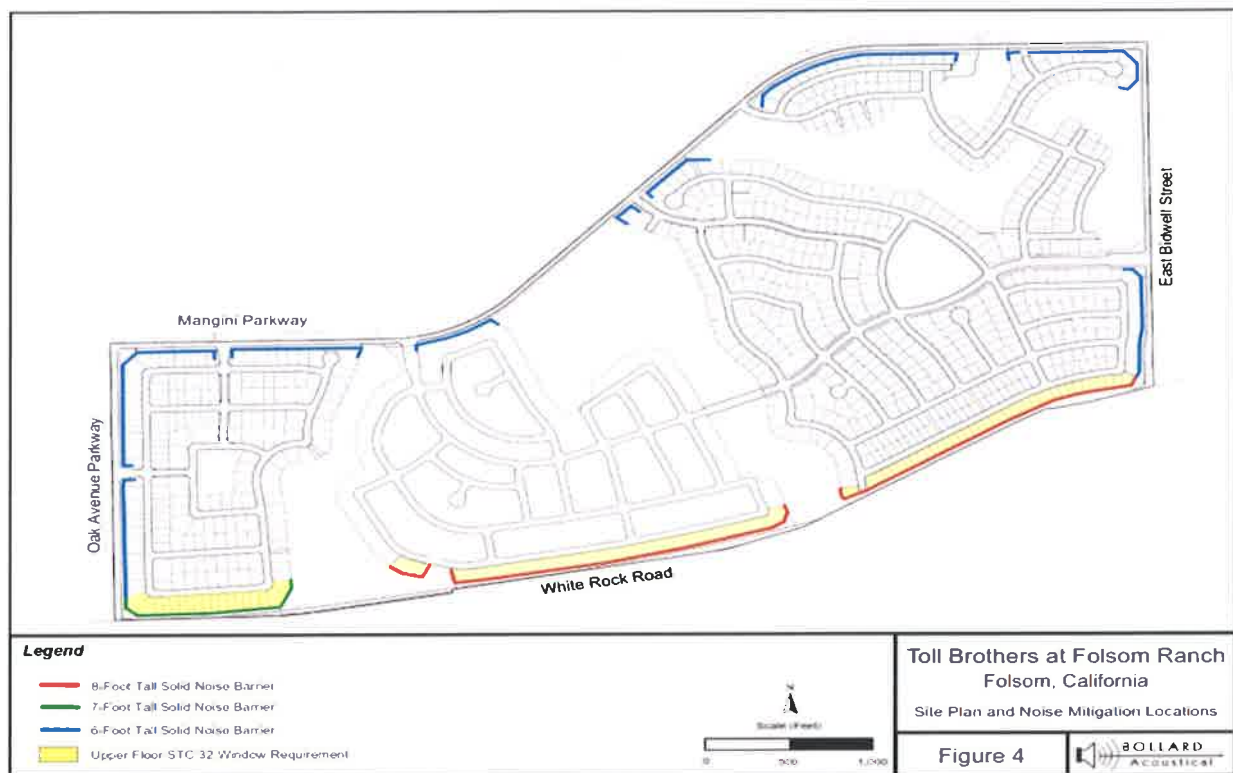
A supplemental Environmental Noise Assessment was previously prepared by Bollard Acoustical in order to verify that there would be no new noise-related impacts associated with the Toll Brothers at Folsom Ranch Subdivision project that were not contemplated and addressed by the 2011 FPASP EIR/EIS and the 2015 Westland-Eagle Specific Plan Amendment Addendum.

The purpose of the supplemental Noise Assessment was to quantify future noise levels at the Toll Brothers at Folsom Ranch project site which would be generated by traffic on nearby existing and proposed roadways and by construction occurring within the Toll Brothers site, and to compare those noise levels against the noise standards established by the Noise Element in the City's General Plan.

In addition, the Assessment evaluated compliance of the proposed project with the FPASP EIR/EIS noise mitigation measures. The Assessment determined that portions of the proposed Toll Brothers project located adjacent to major roadways will be exposed to future traffic noise levels in excess of the City of Folsom exterior (60 Dba) noise level standard. To achieve compliance with the required exterior noise level standard, staff recommends that the following measures be implemented:

- Solid noise barriers or similar natural features (earthen berms, etc.) shall be constructed adjacent to Oak Avenue Parkway, Mangini Parkway, White Rock Road, and East Bidwell Street to reduce future traffic noise levels to below the City of Folsom exterior criteria of 60 dB Ldn at the proposed residential backyards. Barrier heights are specified relative to backyard elevations, and vary from 6 feet to 8 feet in height as shown in Figure 4 of the Noise Assessment (and as shown in Figure 7 on the following page).
- Mechanical ventilation (air conditioning) shall be provided for all residences within the Toll Brothers project to allow the occupants to close doors and windows as desired to achieve compliance with the applicable interior noise level criteria.

FIGURE 7: NOISE MITIGATION LOCATION MAP



The Assessment also determined that the proposed project complies and is consistent with the noise requirements established by the FPASP EIR/EIS and that there would not be an increase in the severity of noise-related impacts compared to the significance determination contained in the FPASP EIR/EIS. In addition to the noise measures recommended above, the proposed project is subject to the noise mitigation measures identified within the 2011 FPASP EIR/EIS and the 2015 Westland-Eagle Specific Plan Amendment Addendum.

F. Walls/Fencing

The applicant is proposing to secure and screen the project site with a combination of walls and fences as shown in Figure 8 on the following page. A split-face block wall is proposed around the perimeter of the project, generally six feet in height but increasing up to 8 feet in height to implement recommended noise reductions measures (see the discussion of Noise, earlier in this report).

Private yard areas for the individual residential lots are proposed to be screened by a combination of wood fencing, open-view fencing, and masonry walls. The wood fencing will be utilized for the interior side yards, street side yards, and rear yards of the residential lots. The open-view fencing will be utilized for the rear yards on residential lots located adjacent to open space areas (where noise mitigation is not required). Masonry walls will be installed at various locations throughout the project site to minimize potential noise and privacy concerns.

FIGURE 8: WALL AND FENCE EXHIBIT



G. Measure W and Open Space

In 2004, the City of Folsom electorate voted in favor of Measure W, which was an amendment to the City Charter regarding local control of the Folsom Plan Area south of U.S. Highway 50. Measure W included seven major components including: water supply, transportation, open space, schools, development plan, public notice, and implementation.

The Folsom Plan Area Specific Plan complied with each of the aforementioned components through the provision of at least 30% open space, adoption of a transportation infrastructure funding and phasing plan, identification and securing of a water source, submission of a funding and construction plan for school facilities to the FCUSD, adoption of a General Plan Amendment for the Plan Area, conducting a comprehensive series of public meetings and hearings, and adoption of the required documents (including CEQA) to approve the FPASP.

The approved Toll Brothers at Folsom Ranch Subdivision project increased the amount of Measure W open space from 83.9 acres to 86.1 acres, and is consistent with the FPASP, and thus is in compliance with the requirements of Measure W. The proposed Toll Brothers at Folsom Ranch Phase 2 Subdivision project will not result in any changes with respect to Measure W open space.

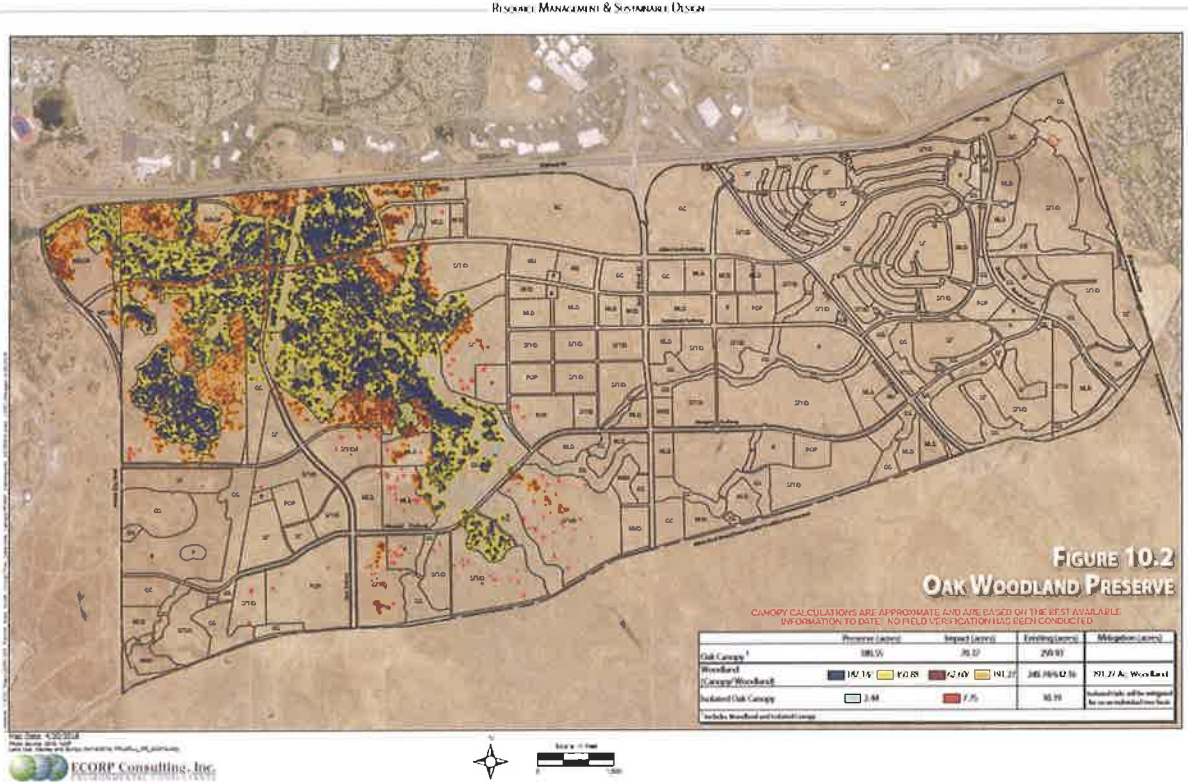
H. Private Park Amenities

As shown on the Small-Lot Vesting Tentative Subdivision Map, the Toll Brothers at Folsom Ranch Phase 2 Subdivision includes two private park amenities. The first private park amenity is a 0.5-acre dog park which is located on the north side of Regency Parkway in the eastern portion of the project site. The second private park amenity, which is a 1.2-acre park area that will feature a large grass amphitheater, is located on the south side of Regency Parkway in the western portion of the project site. The applicant is proposing to construct the dog park prior to issuance of the 640th building permit and the amphitheater park prior to issuance of the 830th building permit for the overall Toll Brothers at Folsom Ranch Subdivision.

I. Oak Tree Preservation and Removal

As required by the City of Folsom Charter, the Folsom Plan Area Specific Plan preserves thirty percent of the Plan Area in perpetual open space that will encompass valuable natural resources such as oak woodlands. The FPASP uses the California Oak Woodland Conservation Act of 2001 definition of oak woodlands as “oak stands with a greater than 10% canopy cover.” The oak woodlands, isolated oak tree canopy, and individual oak trees within the Plan Area are exclusively located in the western section (west of East Bidwell Street) and consist of 642-acres of oak woodland habitat with a canopy cover of 249-acres (approximately 39% canopy cover). Additionally, the Plan Area contains 10-acres of isolated oak tree canopy that is not classified as oak woodlands because it has less than 10% canopy cover. Figure 9 on the following page illustrates the location of the blue oak woodlands and individual oak trees within the Folsom Plan Area and also within the boundaries of the project site.

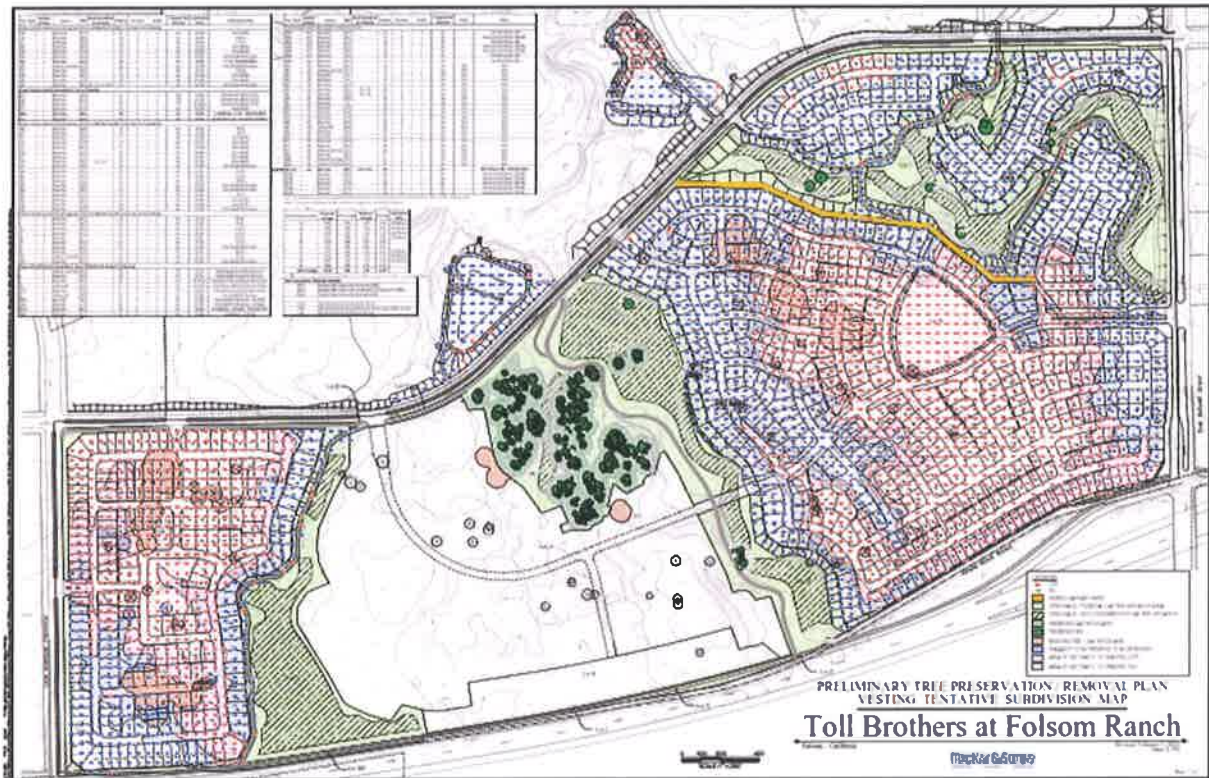
FIGURE 9: FPASP OAK WOODLAND PRESERVE EXHIBIT



The FPASP includes a number of oak woodlands and isolated oak tree mitigation objectives and policies to ensure the preservation of large expanses of oak woodlands within the Folsom Plan Area. However, the FPASP also recognizes that required infrastructure to accommodate development will result in unavoidable impacts to oak woodlands and isolated oak trees. In particular, the FPASP identified approximately 121-acres of unavoidable oak woodland impacts for construction of Plan Area backbone infrastructure. In addition, approximately 114-acres of potential oak woodland impacts were identified by the FPASP in conjunction with construction on residential and non-residential parcels in the Plan Area. Lastly, the FPASP identified approximately 8.41-acres of isolated oak tree canopy that may be impacted by construction of backbone infrastructure as well as development on residential and non-residential parcels in the Plan Area.

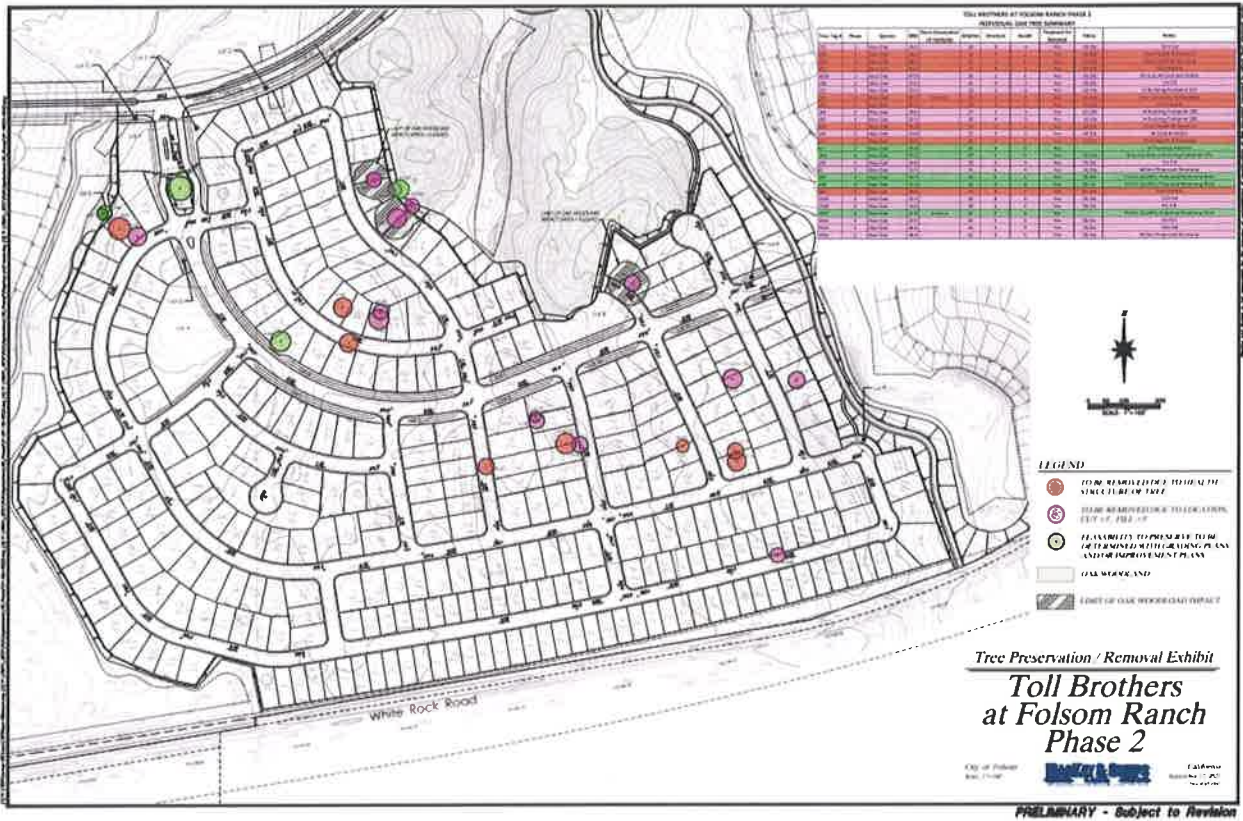
As mentioned previously, the overall Toll Brothers at Folsom Ranch Subdivision includes oak woodland, isolated oak tree canopy, and individual oak trees that are scattered throughout the grassland community. As part of approval of the Toll Brothers at Folsom Ranch Subdivision project, the open space (included oak woodland) boundary in the central portion of the project site was adjusted resulting in an overall increase of open space from 83.9 acres to 86.1 acres. Figure 10 on the following page shows the approved Tree Preservation/Removal Plan for the Toll Brothers at Folsom Ranch Subdivision.

FIGURE 10: TREE PRESERVATION/REMOVAL PLAN



The Toll Brothers at Folsom Ranch Phase 2 Subdivision project site features a total of 27 oak trees including 14 oak trees which are proposed to be removed due to excessive cut and fill conditions (+/- 5 feet), 8 oak trees which are proposed to be removed due to poor health and structure, and 5 trees which are proposed to be preserved. The proposed Tree Preservation/Tree Removal Plan is shown in Figure 11 on the following page.

FIGURE 11: TREE PRESERVATION/REMOVAL PLAN



As described earlier within this report, the topography of the project site is quite varied with slopes varying between 0 percent and 15 percent and elevations ranging from 326 feet to 399 feet above sea level. As a result, a significant amount of grading is required within the development areas with cuts of up to 51 feet and fills up to 34 feet, making it challenging to preserve oak trees throughout many portions of the project site. That being said, City staff worked closely with the applicant in an effort to preserve as many oak trees as possible on the project site. A direct result of this coordination is the preservation of 5 oak trees including a prominent 35-inch diameter oak tree (Tree No. 62) which will be located in a landscape median at the project entrance off of Mangini Parkway. A photograph of this 35-inch diameter oak tree is shown on the following page:

FIGURE 12: PHOTOGRAPH OF OAK TREE AT PROJECT ENTRANCE



As required by the FPASP EIR/EIS (Mitigation Measure 3A.3-5), the applicant is required to submit an Oak Tree Mitigation Plan consistent with the approved Oak Tree Mitigation and Monitoring Plan for the FPASP to mitigate for impacts to the individual oak trees and isolated oak tree canopy areas located on the project site. To mitigate for the impact to the individual or isolated oak trees, staff recommends that the following measure be implemented (Condition No. 49):

- A Tree Permit Application containing an application form, justification statement, site map, preservation program, and arborist's report shall be submitted to the City of Folsom by the owner/applicant for issuance of a Tree Permit prior to commencement of any grading or site improvement activities.
- A Mitigation Plan shall be prepared by the owner/applicant to mitigate for the removal of the protected Isolated Oak Trees within the development site. The Mitigation Plan for the Isolated Oak Trees shall consist of replacement trees and/or payment of "In-Lieu" fees on a diameter inch bases consistent with 10-14, 10-15 of the FPASP. Replacement trees may be located within the boundaries of the development parcel, a natural parkway, landscape corridor or passive or preserve open space zone, preferably within the Folsom Plan Area.

The Mitigation Plan for the Isolated Oak Trees shall be subject to review and approval by the City.

- The Conservation Areas shall be fenced prior to construction. In addition, oak trees to be preserved within the Passive Recreation Open Spaces shall be fenced with high visibility fencing prior to starting construction. The fencing shall be installed outside the tree preservation zone of oak trees, and shall surround the entirety of the tree preservation zone area. 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 an ISA certified project arborist for implementation of the project. The project arborist shall be responsible for overseeing onsite tree removal and tree preservation. Oak trees located adjacent to construction areas that may be indirectly impacted due to work within or near the Tree Protection Zone shall be identified and tagged by the project arborist during construction activities. The indirectly impacted trees shall be monitored by the project arborist for five years in accordance with the Conceptual Oak Plan and FPASP EIR/EIS Mitigation Measure 3A.3-5. Trees that appear to be dead or dying within five years of project implementation will be replaced as per the requirements of this Plan.

J. Inclusionary Housing Plan

As permitted by the City's Inclusionary Housing Ordinance, the applicant is proposing to meet their inclusionary housing requirement by providing an in-lieu fee payment (Attachment 14). The in-lieu fee payment is calculated by multiplying one percent of the lowest priced for-sale residential unit within the proposed subdivision by the total number of for-sale residential units within the proposed subdivision. The in-lieu fee is payable at the time of the building permit on a per-unit basis.

Staff recommends that the Final Inclusionary Housing Plan be approved by the City Council and that subsequently the Inclusionary Housing Agreement be approved by the City Attorney and executed prior to recordation of the Small-Lot Final Subdivision Map. Condition No. 55 is included to reflect these requirements.

K. Minor Administrative Modification

The proposed project includes a request for approval of a Minor Administrative Modification (Attachment 13) for the transfer of development rights to move 92 allocated dwelling units from the project site (Parcels 172A and 172B) to four other parcels (Parcels 19B, 26, 27, and 58) located within the Folsom Plan Area Specific Plan.

The FPASP permits flexibility in making minor adjustments to land use locations and parcel boundaries and also with regard to transferring residential unit allocations to reflect changing

market demand. With respect to transferring residential unit allocations, the FPASP states that “the City shall approve residential dwelling unit allocation transfers or density adjustments between any Plan Area resident land parcel or parcels, provided the following conditions are met”:

- The transferor and transferee parcel or parcels are located in the Plan Area and are designated for residential use.
- The transferor and transferee parcel or parcels conform to all applicable development standards contained in Appendix A – Development Standards.
- The transfer of units does not result in increased impacts beyond those identified in the FPASP EIR/EIS.
- The transfer of units does not adversely impact planned infrastructure, roadways, schools, or other public facilities; affordable housing agreements; or fee programs and assessment districts; unless such impacts are reduced to an acceptable level through project-specific mitigation measures.

Based on staff’s review, the proposed reallocation of 92 residential units from the project site to other parcels within the Folsom Plan Area, meets all of the required criteria mentioned above.

L. Conformance with Relevant General Plan and Folsom Plan Area Specific Plan Objectives and Policies

The following is a summary analysis of the project’s consistency with the City’s General Plan and with key policies of the Folsom Plan Area Specific Plan.

GP and SP OBJECTIVE H-1 (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 and SP POLICY H-1.1

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.

Analysis: The City provides residential lands at a variety of residential densities as specified in the General Plan and in the Folsom Municipal Code. The Folsom Plan Area Specific Plan includes specialized zoning (Specific Plan Designations) that are customized to the Plan Area as adopted in 2011 and as Amended over time. The FPASP provides residential lands at densities ranging from 1-4 dwelling unit per acre (SF), 4-7 dwelling units per acre (SFHD), 7-12 dwelling units per acre (MLD), 12-20 dwelling units per acre (MMD), 20-30 dwelling units per acre (MHD), and 9-30 dwelling units per acre (MU).

The Toll Brothers at Folsom Ranch Phase 2 Subdivision project, which is designated SFHD, MLD, and OS in the General Plan, is proposed to be developed at residential densities of 5.0 units per acre (SFHD) and 8.8 units per acre (MLD) respectively, which is consistent with the allowable density ranges (SFHD: 4-7 DU/Acre, MLD: 7-12 DU/Acre) established by the General Plan (Table LU-1: Residential Designations)

SP POLICY 4.1

Create pedestrian-oriented neighborhoods through the use of a grid system of streets where feasible, sidewalks, bike paths and trails. Residential neighborhoods shall be linked, where appropriate, to encourage pedestrian and bicycle travel.

Analysis: The Toll Brothers at Folsom Ranch Phase 2 Subdivision project is based on a roadway system that provides connectivity between the residential, open space, and private recreation land uses within the project area. Biking and walking within the project area is facilitated by a series of Class I bicycle trails, Class II bicycle lanes, street-separated sidewalks and street-attached sidewalks.

The overall Toll Brothers at Folsom Ranch Subdivision project has an extensive planned trail system that is linked to and consistent with the overall trail system within the Folsom Plan Area Specific Plan. The planned trail system was previously reviewed and approved by the Parks and Recreation Commission and by the City Council. The proposed Toll Brothers at Folsom Ranch Phase 2 Subdivision project is not making any modifications to the previously approved trail system for the subdivision.

SP POLICY 4.3

Residential neighborhoods that are directly adjacent to open space shall provide at least two defined points of pedestrian access into the open space area.

Analysis: The Toll Brothers at Folsom Ranch Phase 2 Subdivision project includes multiple pedestrian access points to the open space areas within the project. In addition, trail connections will be provided to Mangini Parkway, East Bidwell Street, and White Rock Road, as well as to internal roadways within the project.

SP POLICY 4.4

Provide a variety of housing opportunities for residents to participate in the home-ownership market.

Analysis: The Folsom Plan Area Specific Plan provides home ownership opportunities within the SF (Single-Family), SFHD (Single-Family High Density), and MLD (Multi-Family Low Density) land use designated areas. Residential development in the MLD (Multi-Family Low Density), MMD (Multi-Family Medium Density), MHD (Multi-Family High Density) and MU (Mixed-Use) land use categories may provide 'for rent' opportunities; however,

home ownership may also be accommodated in ‘for sale’ condos, townhomes, etc. at the time of development of these particular parcels.

The Toll Brothers at Folsom Ranch Phase 2 Subdivision project is consistent with this policy in that it will provide home ownership opportunities and potential rental opportunities within the SFHD and MLD-zoned parcels.

SP POLICY 4.6

As established by the Folsom Plan Area Specific Plan, the total number of dwelling units for the Plan Area shall not exceed 11,461. The number of units within individual land use parcels may vary, so long as the number of units falls within the allowable density range for a particular land use designation.

Analysis: There have been a number of Specific Plan Amendments approved by the City Council within the Folsom Plan Area, which has generally led to an increase in residentially zoned land and a decrease in commercially zoned land. As a result, the number of residential units within the Plan Area increased from 10,210 to 11,461. The various Specific Plan Amendment EIRs and Addenda analyzed impacts from the conversion of the commercial lands to residential lands; impacts and associated mitigations measures can be found in the individual project-specific environmental documents. The increase in population was analyzed and can be accommodated in the excess capacity of the school sites provided in the Plan Area.

The proposed project does not result in any change in total dwelling units in the FPASP. The reallocation of the 92 dwelling units associated with the proposed Minor Administrative Modification to other parcels within the Folsom Plan Area will not exceed the allowable density for any of the impacted parcels.

SP POLICY 4.9

Subdivisions of 200 dwelling units or more not immediately adjacent to a neighborhood or community park are encouraged to develop one or more local parks as needed to provide convenient resident access to children’s play areas, picnic areas, and unprogrammed turf areas. If provided, these local parks shall be maintained by a landscape and lighting district or homeowners association and shall not receive or provide substitute park land dedication credit for parks required by the FPASP.

Analysis: At the time that the FPASP was adopted in 2011, the City Council directed that there be fewer but larger parks in the FPASP so that it would be more efficient for the City to program and maintain these parks (as opposed to smaller parks dispersed throughout the Plan Area). To that end, the FPASP was approved with two (2) large community parks approximately 20-50 acres in size that have a general service radius of 1.0 mile (Community Park West and Community Park East). Additionally, six (6) neighborhood parks were provided which are approximately 7-10 acres in size and have a service radius of 0.5 miles.

The previously approved Toll Brothers at Folsom Ranch Subdivision project included amendments to the FPASP to shift approximately ten acres of public parkland to other parts of the Specific Plan because the Toll Brothers project is proposed as a gated, private community. A total of 7.5-acres of private park and recreation facilities will be provided within the Toll Brothers project which would be open to residents of the project but would not be available to the general public. (Approximately 86 acres of Measure W open space, traversed by public trails, would also be provided within the Toll Brothers project.). The Toll Brothers at Folsom Ranch Phase 2 Subdivision project includes a 1.5-acre private park amenity and a 0.2-acre dog park amenity, both of which are included in the 7.5-acres of private park amenities referenced above.

SP POLICY 4.15

Thirty percent (30%) of the Plan Area shall be preserved and maintained as natural open space, consistent with Section 7.08C of the Folsom City Charter.

Analysis: The Folsom Plan Area Specific Plan (FPASP) provides one of the largest natural open space areas in the Sacramento Region with over 1,067-acres of open space, which equates to approximately 30.3% of the overall Plan Area. The FPASP open space plan exemplifies the SACOG Smart Growth Principals not only in protecting and preserving natural resources in the Plan Area, but also ensuring that these resources can be used to provide outdoor recreational and educational opportunities for Plan Area residents. The FPASP open space plan preserves wetlands, Alder Creek and its tributaries, oak woodlands, and cultural features for the use and benefit of all Folsom residents. The FPASP includes two distinct open space zoning categories within the open space land use designation. The first zone, Preserve Open Space (SP-OS1), is more restrictive of the two and is intended to preserve and protect wetlands, vernal pools, ponds, and creeks. The second zone, Passive Open Space (SP-OS2), is less restrictive than the first and is intended to provide passive recreational uses including walking, hiking, and bicycling on designated paved and unpaved trails.

The overall Toll Brothers at Folsom Ranch Subdivision project was allocated 83.9 acres of Measure W open space by the FPASP; the approved project resulted in a 2.2-acre increase (83.9-acres to 86.1-acres) in Measure W open space. The proposed Toll Brothers at Folsom Ranch Phase 2 Subdivision project does not result in any changes to the Measure W open space referenced above.

SP OBJECTIVE 7.1 (Circulation)

Consistent with the California Complete Streets Act of 2008 and the Sustainable Communities and Climate Protection Act (SB 375), create a safe and efficient circulation system for all modes of travel.

SP POLICY 7.1

The roadway network in the Plan Area shall be organized in a grid-like pattern of streets and blocks, except where topography and natural features make it infeasible, for the majority of the Plan Area in order to create neighborhoods that encourage walking, biking, public transit, and other alternative modes of transportation.

Analysis: Consistent with the requirements of the California Complete Streets Act, the FPASP identified and planned for hierarchy of connect “complete streets” to ensure that pedestrian, bike, bus, and automobile modes are travel are designed to have direct and continuous connections throughout the Plan Area. Every option, from regional connector roadways to arterial and local streets, has been carefully planned and designed. Recent California legislation to reduce greenhouse gas emissions (AB 32 and SB 375) has resulted in an increased market demand for public transit and housing located closer to service needs and employment centers. In response to these changes, the FPASP includes a regional transit corridor that will provide public transportation links between the major commercial, public, and multi-family residential land uses in the Plan Area.

As shown in the various exhibits attached to this staff report, the Toll Brothers at Folsom Ranch Phase 2 Subdivision project has been designed with multiple modes of transportation options consistent with the approved FPASP circulation plan.

SP OBJECTIVE 10.5 (Oak Woodlands and Isolated Oak Trees)

Preserve oak woodlands and isolated oak trees in residential and non-residential development parcels wherever practical.

SP POLICY 10.15

Oak trees included in residential and non-residential development parcels are encouraged to be preserved wherever practical, provided preservation does not:

- Cause a reduction in the number of lots or a significant reduction in the size of residential lots
- Require mass grading that eliminates level pads or requires specialized foundations
- Require the use of retaining walls or extended earthen slopes greater than 4-feet in height
- Require the preservation of any tree certified by an arborist to be dead or in poor or hazardous or non-correctable condition or trees that pose a safety risk to the public
- Cost more to preserve the tree than to mitigate for its loss

Analysis: As shown on the submitted Tree Preservation/Removal Plan (Attachment 12), a concerted effort was made by the applicant to protect and preserve as many oak trees as possible. Specifically, the applicant is proposing to preserve 5 individual Oak trees on the project site including a notable 35-inch diameter Oak tree which will be prominently featured at the driveway entrance off of Mangini Parkway. As described earlier within this report, the topography of the project site is quite varied with slopes varying between 0 percent and 15 percent and elevations ranging from 326 feet to 399 feet above sea level. As a result, a significant amount of grading is required within the development areas with cuts of up to 51 feet and fills up to 34 feet, making it difficult to preserve additional oak trees throughout many portions of the project site. Based on this information, staff has determined that the applicant has made every effort to preserve oak trees on the project site wherever practical as recommended by this policy. In addition, the applicant is required to mitigate for project-related impacts to oak woodland preserve, isolated oak tree canopy, and isolated oak trees per the requirements of the FPASP.

FINANCIAL IMPACT

No financial impact is anticipated with approval of the Toll Brothers at Folsom Ranch Phase 2 Subdivision project as the project will not result in any change in the total number of residential units within the Folsom Plan Area.

ENVIRONMENTAL REVIEW

An Addendum to the Folsom Plan Area Specific Plan EIR/EIS was previously adopted by the City Council on March 10, 2020 for the Toll Brothers at Folsom Ranch project in accordance with the California Environmental Quality Act (CEQA). The applicant prepared an environmental memorandum (Attachment 16) for the Toll Brothers at Folsom Ranch Phase 2 Subdivision project that demonstrates that no new or substantially more adverse impacts would occur through implementation of the proposed project. As a result, no new environmental document is required, consistent with State CEQA Guidelines Section 15162(b).

ATTACHMENTS

1. Resolution No. 10780 - A Resolution to Approve a Small-Lot Vesting Tentative Subdivision Map and Minor Administrative Modification for the Toll Brothers at Folsom Ranch Phase 2 Subdivision Project
2. Planning Commission Staff Report, dated December 1, 2021
3. Minutes from December 1, 2021 Planning Commission Meeting
4. Vicinity Map
5. Illustrative Master Plan Exhibit, dated August 31, 2020
6. Small-Lot Vesting Tentative Subdivision Map, dated September 17, 2021
7. Preliminary Grading and Drainage Plan, dated September 17, 2021
8. Preliminary Utility Plan, dated September 17, 2021

9. Preliminary Landscape Plan and Details, dated January 24, 2020
10. Preliminary Entry Exhibit, dated April 28, 2021
11. Preliminary Wall and Fence Exhibit, dated April 28, 2021
12. Preliminary Tree Preservation/Removal Exhibit, dated October 13, 2021
13. Minor Administrative Modification Exhibit, dated July, 2020
14. Inclusionary Housing Letter, dated November 16, 2020
15. Project Narrative, dated September 16, 2021
16. Environmental Memorandum, dated September 7, 2021
17. Site Photographs

Submitted,



PAM JOHNS
Community Development Director

Attachment 1

**Resolution No. 10780 – A Resolution to Approve a
Small-Lot Vesting Tentative Subdivision Map and Minor
Administrative Modification for the Toll Brothers at
Folsom Ranch Phase 2 Subdivision Project**

RESOLUTION NO. 10780**A RESOLUTION TO APPROVE A SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND MINOR ADMINISTRATIVE MODIFICATION FOR THE TOLL BROTHERS AT FOLSOM RANCH PHASE 2 SUBDIVISION PROJECT**

WHEREAS, the Planning Commission on December 1, 2021, held a public hearing on the proposed Small-Lot Vesting Tentative Subdivision Map, considered public comment and based on the proposed configuration of the 329 single-family residential lots, determined the proposed subdivision complies with all City requirements, as well as with the requirements of the State Subdivision Map Act; and

WHEREAS, the Planning Commission on December 1, 2021, held a public hearing on the proposed Minor Administrative Modification to transfer 92 allocated dwelling units from the project site to other locations within the Folsom Plan Area Specific Plan, considered public comment and determined that the Minor Administrative Modification is consistent with the goals, policies, and objectives of the City of Folsom General Plan, and the Folsom Plan Area Specific Plan; and

WHEREAS, notice has been given at the time and in the manner required by State Law and City Code; and

WHEREAS, an Addendum to the Folsom Plan Area Specific Plan EIR/EIS was previously adopted by the City Council on March 10, 2020 for the Toll Brothers at Folsom Ranch project in accordance with the California Environmental Quality Act (CEQA) and staff has determined that no new or substantially more adverse impacts would occur through implementation of the proposed project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom hereby Approve a Small-Lot Vesting Tentative Subdivision Map creating 329 single-family residential lots for the Toll Brothers at Folsom Ranch Phase 2 Subdivision Project, as set forth in the conditions of approval attached as Exhibit "A" and the following findings:

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, THE FOLSOM PLAN AREA SPECIFIC PLAN, AND THE FOLSOM RANCH CENTRAL DISTRICT DESIGN GUIDELINES.

CEQA FINDINGS

- C. THE CITY, AS LEAD AGENCY, PREVIOUSLY CERTIFIED AN ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN.
- D. AN ADDENDUM TO THE FOLSOM PLAN AREA SPECIFIC PLAN FINAL ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT WAS CERTIFIED BY THE CITY ON MARCH 10, 2020 FOR THE TOLL BROTHERS AT FOLSOM RANCH SUBDIVISION PROJECT IN ACCORDANCE WITH CEQA.
- E. THE CITY HAS DETERMINED THAT NONE OF THE CIRCUMSTANCES DESCRIBED IN PUBLIC RESOURCES CODE SECTION 21166 OR CEQA GUIDELINES SECTION 15162 GENERALLY REQUIRING THE PREPARATION OF A SUBSEQUENT EIR EXIST IN THIS CASE.
- F. THE CITY HAS PREVIOUSLY ADOPTED AN ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN AND HAS DETERMINED THAT NONE OF THE CHANGES OR REVISIONS PROPOSED BY THE PROJECT WOULD RESULT IN SIGNIFICANT NEW OR SUBSTANTIALLY MORE SEVERE ENVIRONMENTAL IMPACTS AND DOES NOT REQUIRE ANY MITIGATION MEASURES IN ADDITION TO THOSE IN THE FINAL ENVIRONMENTAL IMPACT REPORT AND THE ADDENDUM FOR THE TOLL BROTHERS AT FOLSOM RANCH SUBDIVISION PROJECT.
- G. THE CITY HAS DETERMINED THAT THE IMPACTS OF THE TOLL BROTHERS AT FOLSOM RANCH PHASE 2 SUBDIVISION PROJECT ARE ADEQUATELY ADDRESSED BY THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN AND THE ADDENDUM FOR THE TOLL BROTHERS AT FOLSOM RANCH SUBDIVISION PROJECT.

TENTATIVE SUBDIVISION MAP FINDINGS

- H. THE PROPOSED SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP IS CONSISTENT WITH THE CITY'S SUBDIVISION ORDINANCE AND THE SUBDIVISION MAP ACT IN THAT THE PROJECT IS SUBJECT TO CONDITIONS OF APPROVAL THAT WILL ENSURE THAT THE PROJECT IS DEVELOPED IN COMPLIANCE WITH CITY STANDARDS.
- I. THE PROPOSED SUBDIVISION, TOGETHER WITH THE PROVISIONS FOR ITS DESIGN AND IMPROVEMENT, IS CONSISTENT WITH THE GENERAL PLAN, THE FOLSOM PLAN AREA SPECIFIC PLAN, AND ALL APPLICABLE PROVISIONS OF THE FOLSOM MUNICIPAL CODE.

- J. THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT PROPOSED.
- K. THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF THE DEVELOPMENT.
- L. AS CONDITIONED, THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURY FISH OR WILDLIFE OR THEIR HABITAT.
- M. THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH OR SAFETY PROBLEMS.
- N. THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.
- O. SUBJECT TO SECTION 66474.4 OF THE SUBDIVISION MAP ACT, THE LAND IS NOT SUBJECT TO A CONTRACT ENTERED INTO PURSUANT TO THE CALIFORNIA LAND CONSERVATION ACT OF 1965 (COMMENCING WITH SECTION 51200 OF THE GOVERNMENT CODE).

PASSED AND ADOPTED this 11th day of January, 2022, by the following roll-call vote:

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

Kerri Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Exhibit A

CONDITIONS OF APPROVAL FOR THE TOLL BROTHERS AT FOLSOM RANCH PHASE 2 SUBDIVISION PROJECT (PN 20-267) NORTHWEST CORNER OF EAST BIDWELL STREET AND WHITE ROCK ROAD SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP			
Condition No.	Condition of Approval	When Required	Responsible Department
1.	<p><i>Final Development Plans</i> The owner/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"> 1. Illustrative Master Plan Exhibit, dated August 31, 2020 2. Small-Lot Vesting Tentative Subdivision Map, dated September 17, 2021 3. Preliminary Grading and Drainage Plan, dated September 17, 2021 4. Preliminary Utility Plan, dated September 17, 2021 5. Preliminary Landscape Plan and Details, dated January 24, 2020 6. Preliminary Entry Exhibit, dated April 28, 2021 7. Preliminary Wall and Fence Exhibit, dated April 28, 2021 8. Preliminary Tree Preservation Exhibit, dated October 13, 2021 9. Minor Administrative Modification Exhibit, dated September 17, 2021 10. Inclusionary Housing Letter, dated November 16, 2020 11. Project Narrative <p>The Small-Lot Vesting Tentative Subdivision Map is approved for the development of a 329-unit single-family residential subdivision (Toll Brothers at Folsom Ranch Phase 2). Implementation of the project shall be consistent with the above referenced items and these conditions of approval.</p>	G, I, M, B	CD (P)(E)
2.	<p><i>Plan Submittal</i> All civil engineering, improvement, and landscape and irrigation 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.</p>	G, I	CD (P)(E)

CONDITIONS OF APPROVAL FOR THE TOLL BROTHERS AT FOLSOM RANCH PHASE 2 SUBDIVISION PROJECT (PN 20-267) NORTHWEST CORNER OF EAST BIDWELL STREET AND WHITE ROCK ROAD SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP			
Condition No.	Condition of Approval	When Required	Responsible Department
3.	<p><i>Validity</i> This approval of the Small-Lot Vesting Tentative Subdivision Map shall be valid for a period of twenty four months pursuant to Section 16.16.110A of the Folsom Municipal Code and the Subdivision Map Act. The term of the approved Inclusionary Housing Agreement shall track the term of the Small-Lot Vesting Tentative Subdivision Map, as may be extended from time to time pursuant to Section 16.16.110.A and 16.16.120 of the Folsom Municipal Code and the Subdivision Map Act.</p>	M	CD (P)
4.	<p><i>FMC Compliance</i> The Small-Lot Final Map shall comply with the Folsom Municipal Code and the Subdivision Map Act.</p>	M	CD (E)
5.	<p><i>Development Rights</i> The approval of this Small-Lot Vesting Tentative Subdivision Map conveys the right to develop. As noted in these conditions of approval for the Small-Lot Vesting Tentative Subdivision Map, the City has identified improvements necessary to develop the subject parcels. These improvements include on and off-site roadways, water, sewer, storm drainage, landscaping, sound-walls, and other improvements.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD
6.	<p><i>Public Utility Easements</i> Public utility easements shall be provided for public utilities within private streets to the satisfaction of the Community Development Department.</p>	M	CD (E)(P)

CONDITIONS OF APPROVAL FOR THE TOLL BROTHERS AT FOLSOM RANCH PHASE 2 SUBDIVISION PROJECT (PN 20-267) NORTHWEST CORNER OF EAST BIDWELL STREET AND WHITE ROCK ROAD SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP			
Condition No.	Condition of Approval	When Required	Responsible Department
7.	<p><i>Indemnity for City</i> The owner/applicant shall protect, 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, which claim, action or proceeding is brought within the time period provided therefore in Government Code Section 66499.37 or other applicable statutes of limitation. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. If the City should fail to cooperate fully in the defense, the owner owner/applicant shall not thereafter be responsible to defend, indemnify and hold harmless the City or its agents, officers, and employees, pursuant to this condition. 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"> • The City bears its own attorney’s fees and costs; and • The City defends the claim, action or proceeding in good faith <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. The owner/applicant’s obligations under this condition shall apply regardless of whether a Final Map is ultimately recorded with respect to this project.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD
8.	<p><i>Small-Lot Vesting Tentative Subdivision Map</i> The Small-Lot Vesting Tentative Subdivision map is expressly conditioned upon compliance with all environmental mitigation measures identified in the Folsom Plan Area Specific Plan (FEIR/EIS) as amended by the Toll Brothers at Folsom Ranch CEQA Addendum dated February-2020.</p>	OG	CD

CONDITIONS OF APPROVAL FOR THE TOLL BROTHERS AT FOLSOM RANCH PHASE 2 SUBDIVISION PROJECT (PN 20-267) NORTHWEST CORNER OF EAST BIDWELL STREET AND WHITE ROCK ROAD SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP			
Condition No.	Condition of Approval	When Required	Responsible Department
9.	<p><i>ARDA and Amendments</i> The owner/applicant shall comply with all provisions of Amendments No. 1 and 2 to the First Amended and Restated Tier 1 Development Agreement and any approved amendments thereafter by and between the City and the owner/applicant of the project including but not limited to Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement by and between the City of Folsom and Easton Valley Holdings, LLC, Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement by and between the City of Folsom and West Scott Road, LLC/Toll West Coast, LLC, Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement by and between the City of Folsom and Oak Avenue Holdings, LLC, and Amendment No. 3 to the First Amended and Restated Tier 1 Development Agreement by and between the City of Folsom and Folsom Real Estate South, LLC/Toll West Coast, LLC.</p>	M	CD (E)
10.	<p><i>Mitigation Monitoring</i> The owner/applicant shall 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 Folsom Plan Area Specific Plan FEIR/EIS and the Toll Brothers at Folsom Ranch Addendum to the FPASP EIR/EIS 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 in the mitigation measure column. Applicant shall fund on a Time and Materials basis all mitigation monitoring (e.g., staff and consultant time).</p>	OG	CD (P)

POLICE/SECURITY REQUIREMENT				
11.		<p>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 considered:</p> <ul style="list-style-type: none"> • A security guard on-duty at all times at the site or a six-foot security fence shall be constructed around the perimeter of construction areas. • Security measures for the safety of all construction equipment and unit appliances. • Landscaping shall not cover exterior doors or windows, block line-of-sight at intersections or screen overhead lighting. 	G, I, B	PD
DEVELOPMENT COSTS AND FEE REQUIREMENTS				
12.		<p><i>Taxes and Fees</i> The owner/applicant shall pay all applicable taxes, fees and charges for the project at the rate and amount required by the Public Facilities Financing Plan and Amendment No. 1 to the Amended and Restated Tier 1 Development Agreement.</p>	M	CD (P)(E)
13.		<p><i>Assessments</i> If applicable, the owner/applicant shall pay off any existing assessments against the property, or file necessary segregation request and pay applicable fees.</p>	M	CD (E)

14.	<p><i>FPASP Development Impact Fees</i> The owner/applicant shall be subject to all Folsom Plan Area Specific Plan Area development impact fees in place at the time of approval or subsequently adopted consistent with the Public Facilities Financing Plan (PFFP), Development Agreement and amendments thereto, unless exempt by previous agreement. The owner/applicant shall be subject to all applicable Folsom Plan Area plan-wide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, the Folsom Plan Area Specific Plan Fee, Specific Plan Infrastructure Fee (SPIF), Solid Waste Fee, Corporation Yard Fee, Transportation Management Fee, Transit Fee, Highway 50 Interchange Fee, General Park Equipment Fee, Housing Trust Fee, etc.</p> <p>Any protest to such for all fees, dedications, reservations or other exactions imposed on this project will begin on the date of final approval (January 11, 2022), or otherwise shall be governed by the terms of Amendments No. 1 and 2 to ARDA. The fees shall be calculated at the fee rate set forth in the PFFP and the ARDA.</p>	B	CD (P), PW, PK
15.	<p><i>Legal Counsel</i> 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 City shall provide notice to the owner/applicant of the outside counsel selected, the scope of work and hourly rates, and the owner/applicant shall reimburse the City for all outside legal fees and costs incurred and documented by the City for such services. The owner/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 owner/applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.</p>	OG	CD (P)(E)
16.	<p><i>Consultant Services</i> If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the City shall provide notice to the owner/applicant of the outside consultant selected, the scope of work and hourly rates, and the owner/applicant shall reimburse the City for actual costs incurred and documented in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the Grading Plan, Final Map, improvement plans, or beginning inspection, whichever is applicable.</p>	G, I, M, B	CD (P)(E)

GRADING PERMIT REQUIREMENTS				
17.		<p><i>Walls/Fences/Gates</i> The final location, design, height, materials, and colors of the walls, fences, and gates shall consistent with the submitted Wall and Fence Exhibit and Details, dated April 28, 2021 subject to review and approval by the Community Development Department to ensure consistency with the Folsom Ranch Central District Design Guidelines.</p>	G, I, B	CD (P)(E)
18.		<p>The owner/applicant shall construct, and phase improvements as referenced in the traffic impact report prepared by T. Kear dated November 20, 2019 to the satisfaction of the Community Development Department. The owner/applicant shall implement the following traffic conditions (Conditions of Approval Nos. 19-25) prior to issuance of the 546th Regency Active Adult Community building permit (excluding the 47 model home building permits).</p>	I, B,O	CD (E), PW, FD
19.		<p><i>Regency Parkway (Segment 3)</i> Construct Regency Parkway as a two-lane roadway from the eastern edge of the planned bridge over the creek bisecting the project site to Mangini Parkway.</p>	B	CD (E), PW, FD
20.		<p><i>Mangini Parkway/Regency Parkway (Driveway 3)</i> Construct driveway as shown in (Figure 47 of the November 20, 2019 Transportation Impact Study):</p> <ul style="list-style-type: none"> • Northbound: one shared lane; • Westbound: one through lane and one left turn lane in a 60’ pocket with 60’taper; • Eastbound: one through lane and one right turn lane in a 150’ pocket with 60’taper; • Control: side-street-stop-control. 	B	CD (E), PW, FD
21.		<p><i>East Bidwell Street/Regency Parkway (Driveway 6)</i> Modify driveway as shown in (Figure 51 of the November 20, 2019, Transportation Impact Study), unless intersection has been signalized:</p> <ul style="list-style-type: none"> • Northbound: one through lane and one left turn lane in a 150’ pocket with 60’ taper; • Southbound: one through lane and one right turn lane in a 150’ pocket with 60’taper; • Eastbound: one shared lane, plus a 300’ northbound acceleration lane on East Bidwell Street to receive left-turns from Regency Parkway (a second NB lane on East Bidwell Street starting from Regency Parkway is equivalent to the 300’ acceleration lane); • Westbound departure: two lanes separated by a median for two access gates shall be subject to City Engineers prior approval. • Control: side-street-stop-control. 	B	CD (E), PW, FD

22.	<p>Regency Phase 2 Internal Stop Control Stop Control shall be installed at any internal Regency Phase 2 intersections with four (or more) legs as directed by the City Engineer. Roundabouts may replace stop control at internal intersections with authorization from the City Engineer.</p>	B	CD (E), PW, FD
23.	<p>East Bidwell Street/Mangini Parkway Expand the intersection and update signal configuration as follows (Figure 57 of the November 20, 2019 Transportation Impact Study):</p> <ul style="list-style-type: none"> • NB: One left-turn lane in a 200' pocket with 60' taper, two through lanes, and one right-turn lane in a 150' pocket with a 60' taper (the second through lane should be developed 300' south of the intersection); • SB: One left-turn lane in a 200' pocket with 60' taper, one through lane, and one right-turn lane in a 150' pocket with 60' taper; • EB and WB: One left-turn lane in a 200' pocket with 60' taper, one through lane, and one right-turn lane in a 200' pocket with 60' taper. 	B	CD (E), PW, FD
24.	<p>East Bidwell Street/Alder Creek Parkway Reconstruct and modify signal at the East Bidwell Street/Alder Creek Parkway intersection as shown in Figure 59 of the November 20, 2019, Transportation Impact Study:</p> <ul style="list-style-type: none"> • NB Approach: One U-turn lane in a 150' pocket with a 60' taper, two through lanes, and one right turn lane in a 150' pocket plus 60' taper. • SB Approach: One left turn lane in a 240' pocket plus 60' taper, and two through lanes. The second SB through lane can be dropped south of Old Ranch Way, the estimated taper for merging the two southbound lanes into one should be 660 feet long based on a 55 mph design speed and 12-foot lane width. • WB Approach: One right turn lane, plus one left-turn lane in a 200' pocket plus 60' taper. 	B	CD (E), PW, FD

25.		<p><i>East Bidwell Street/Savannah Parkway</i> Reconstruct the East Bidwell Street/Savannah Pkwy intersection with the following geometry (Figure 61 of the November 20, 2019, Transportation Impact Study):</p> <ul style="list-style-type: none"> • NB Approach: One through lane and one shared through-right lane with a 150' taper; • SB Approach: One left turn lane in a 150' pocket plus 60' taper, and one through lane; • WB Approach: One left turn lane in a 60' pocket plus 60' taper, and one through lane; • SB departure: Construct a southbound receiving and acceleration lane for westbound left turn traffic. The acceleration lane shall be in a 300' pocket plus an appropriate taper. 	B	CD (E), PW, FD
26.		<p><i>Utility Infrastructure</i></p> <ul style="list-style-type: none"> • Utilities shall be constructed concurrent with the roadway phasing, as deemed appropriate and necessary to support the particular phase by the City Engineer. • A particular development phase may be developed into sub-phases in which the roadway and utility phasing may change. If sub-phasing is proposed, the City Engineer shall determine what roadway and utility improvements are appropriate and necessary to serve the sub-phase. 	G, I, M	CD (E), PW, FD
27.		<p><i>Off-site improvements / Rights of Entry</i> For any improvements constructed on private property that are not under the ownership or control of the owner/applicant, all rights-of-entry, and if necessary, a permanent easement shall be obtained and provided to the City. All rights of entry, construction easements, either permanent or temporary and other easements shall be obtained as set forth in Amendments No. 1 and 2 to ARDA, which shall be fully executed by all affected parties and shall be recorded with the Sacramento County Recorder, where applicable, prior to approval of grading and/or improvement plans.</p>	G, I	CD (E)
28.		<p><i>Mine Shaft Remediation</i> The owner/applicant shall locate and remediate all antiquated mine shafts, drifts, open cuts, tunnels, and water conveyance or impoundment structures existing on the project site, with specific recommendations for the sealing, filling, or removal of each that meet all applicable health, safety and engineering standards. Recommendations shall be prepared by an appropriately licensed engineer or geologist. All remedial plans shall be reviewed and approved by the City prior to approval of grading plans.</p>	G	CD (E)

29.		<p>Prepare Traffic Control Plan. Prior to construction, a Traffic Control Plan for roadways and intersections affected by construction shall be prepared by the owner/applicant. The Traffic Control Plan prepared by the owner/applicant shall, at minimum, include the following measures:</p> <ul style="list-style-type: none"> • Maintaining the maximum amount of travel lane capacity during non-construction periods, possible, and advanced notice to drivers through the provision of construction signage. • Maintaining alternate one-way traffic flow past the lay down area and site access when feasible. • Heavy trucks and other construction transport vehicles shall avoid the busiest commute hours (7 a.m. to 8 a.m. and 5 p.m. to 6 p.m. on weekdays). • A minimum 72-hour advance notice of access restrictions for residents, businesses, and local emergency response agencies. This shall include the identification of alternative routes and detours to enable for the avoidance of the immediate construction zone. • A phone number and City contact for inquiries about the schedule of the construction throughout the construction period. This information will be posted in a local newspaper, via the City’s web site, or at City Hall and will be updated on a monthly basis. 	G	CD (E)
30.		<p>State and Federal Permits 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 prior to approval of any grading or improvement plan.</p>	G, I	CD (P)(E)
31.		<p>Water Quality Certification A water quality certification pursuant to Section 401 of the Clean Water Act is required before issuance of the record of decision and before issuance of the Section 404 permit. Before construction in any areas containing wetland features, the owner/applicant shall obtain water quality certification for the project. Any measures required as part of the issuance of water quality certification shall be implemented pursuant to the permit conditions.</p>	G	CD (E)
32.		<p>Landslide /Slope Failure The owner/applicant shall retain an appropriately licensed engineer during the grading activities to identify existing landslides and potential slope failure hazards. The said engineer shall be notified a minimum of two days prior to any site clearing or grading to facilitate meetings with the grading contractor in the field.</p>	G	CD (E) PW

IMPROVEMENT PLAN REQUIREMENTS				
33.		<p><i>Improvement Plans</i> The improvement plans for the required public and private subdivision improvements necessary to serve any and all phases of development shall be reviewed and approved by the Community Development Department prior to approval of a Final Map.</p>	M	CD (E)
34.		<p><i>Standard Construction Specifications and Details</i> 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 latest edition of the City of Folsom <u><i>Standard Construction Specifications and Details</i></u> and the <u><i>Design and Procedures Manual and Improvement Standards</i></u>.</p>	I	CD (P)(E)
35.		<p><i>Water and Sewer Infrastructure</i> All City-owned water and sewer infrastructure shall be placed within the street right of way. In the event that a City-maintained public water or sewer main needs to be placed in an area other than the public right of way, such as through an open space corridor, landscaped area, etc., the following criteria must be met;</p> <ul style="list-style-type: none"> • The owner/applicant shall provide public sewer and water main easements • An access road shall be designed and constructed to allow for the operations, maintenance and replacement of the public water or sewer line by the City along the entire water and/or sewer line alignment. However, no access road is required within the two pedestrian paseos (Lot BI and BJ) as shown on the Small-Lot Vesting Tentative Subdivision Map) • In no case shall a City-maintained public water or public sewer line be placed on private residential property. • The domestic water and irrigation system owned and maintained by the City shall be separately metered per City of Folsom <u><i>Standard Construction Specifications and Details</i></u>. 	I	CD (E)

36.		<p>Lighting Plan The owner/applicant of all project phases shall submit a lighting plan for the project to the Community Development Department. The lighting plan shall be consistent with the Folsom Ranch Central District Design Guidelines:</p> <ul style="list-style-type: none"> • Shield or screen lighting fixtures to direct the light downward and prevent light spill on adjacent properties; • Place and shield or screen flood and area lighting needed for construction activities, nighttime sporting activities, and/or security so as not to disturb adjacent residential areas and passing motorists; • For public lighting in residential neighborhoods, prohibit the use of light fixtures that are of unusually high intensity or that blink or flash; • 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; and • Design exterior on-site lighting as an integral part of the building and landscaping design in the Specific Plan Area. Lighting fixtures shall be architecturally consistent with the overall site design. Lights used on signage should be directed to light only the sign face with no off-site glare. 	I	CD (P)
37.		<p>Utility Coordination The owner/applicant shall coordinate the planning, development and completion of this project with the various utility agencies (i.e., SMUD, PG&E, etc.). The owner/applicant shall provide the City with written confirmation of public utility service prior to approval of all final maps.</p>	M	CD (P)(E)
38.		<p>Replacing Hazardous Facilities The owner/applicant shall be responsible for replacing any and all damaged or hazardous public sidewalk, curb and gutter, and/or bicycle trail facilities along the site frontage and/or boundaries, including pre-existing conditions and construction damage, to the satisfaction of the Community Development Department.</p>	I, OG	CD (E)
39.		<p>Future Utility Lines All future utility lines lower than 69 KV that are to be built within the project shall be placed underground within and along the perimeter of the project at the developer's cost. The owner/applicant shall dedicate to SMUD all necessary underground easements for the electrical facilities that will be necessary to service development of the project.</p>	M	CD (E)

40.		<p>Water Meter Fixed Network System The owner owner/applicant shall pay for, furnish and install all infrastructure associated with the water meter fixed network system for any City-owned and maintained water meter within the project.</p>	I	CD (E), EWR
41.		<p>Vertical Curb All curbs located adjacent to landscaping, whether natural or manicured, and where parking is allowed shall be vertical.</p>	I	CD (P)(B)
42.		<p>Class II Bike Lanes All Class II bike lanes shall be striped, and the legends painted to the satisfaction of the Community Development Department. No parking shall be permitted within the Class II bike lanes.</p>	I	CD (E)(P)
43.	✓	<p>Noise Barriers Based on the Environmental Noise Assessment (the “2019 Noise Assessment”) prepared by Bollard Acoustical Consultants on November 24, 2019, the following measures shall be implemented to the satisfaction of the Community Development Department:</p> <ul style="list-style-type: none"> • 6-foot-tall solid noise barriers, relative to backyard elevations, shall be constructed along all residential property boundaries adjacent to East Bidwell Street, Mangini Parkway, and Oak Avenue Parkway prior to occupancy of any residences adjacent to the aforementioned streets. • For the proposed Regency Phase 1 and Phase 2 portions of the project (which are located at the northwest corner of the intersection of White Rock Road and East Bidwell Street and north of White Rock Road in the central portion of the Toll Brothers at Folsom Ranch project site), an 8-foot-tall solid noise barrier, relative to backyard elevations, shall be constructed along all residential property boundaries adjacent to White Rock Road. • Suitable materials for the traffic noise barriers include masonry and precast concrete panels. The overall barrier height may be achieved by utilizing a barrier and earthen berm combination. Other materials may be acceptable but shall be reviewed by an acoustical consultant and approved by the Community Development Department prior to use. • Mechanical ventilation (air conditioning) shall be provided for all residences in this development to allow the occupants to close doors and windows as desired to achieve compliance with the applicable interior noise level criteria. 	I, O	CD (E)(P)

44.	<p><i>Master Plan Updates</i></p> <p>The City has approved the Folsom Plan Area Storm Drainage Master Plan, Wastewater Master Plan, and Water Master Plan. The owner/applicant shall submit complete updates to the approved master plans, if applicable, for the proposed changes to the master plans as a result of the proposed project. The updates to the master plans for the proposed project shall be reviewed and approved by the City prior to approval of grading and/or improvement plans.</p> <p>The plans shall be accompanied by engineering studies supporting the sizing, location, and timing of the proposed facilities. Improvements shall be constructed in phases as the project develops in accordance with the approved master plans, including any necessary off-site improvements to support development of a particular phase or phases, subject to prior approval by the City. Off-site improvements may include roadways to provide secondary access, water transmission lines or distribution facilities to provide a looped water system, sewer trunk mains and lift stations, water quality facilities, non-potable water pipelines and infrastructure, and drainage facilities including on or off-site detention. No changes in infrastructure from that shown on the approved master plan shall be permitted unless and until the applicable master plan has been revised and approved by the City. Final lot configurations may need to be modified to accommodate the improvements identified in these studies to the satisfaction of the City.</p> <p>The owner/applicant shall provide sanitary sewer, water and storm drainage improvements with corresponding easements, as necessary, in accordance with these studies and the latest edition of the City of Folsom <u><i>Standard Construction Specifications and Details</i></u>, and the <u><i>Design and Procedures Manual and Improvement Standards</i></u>.</p> <p>The storm drainage design shall provide for no net increase in run-off under post-development conditions.</p>	G, I	CD(E), EWR, PW
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<p>45.</p>	<p>Best Management Practices The storm drain 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.</p> <p>In addition to compliance with City ordinances, the owner/applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP), and implement Best Management Practices (BMPs) that comply with the General Construction Stormwater Permit from the Central Valley RWQCB, to reduce water quality effects during construction. Detailed information about the SWPPP and BMPs are provided in Chapter 3A.9, “Hydrology and Water Quality.”</p> <p>Each proposed project development shall result in no net change to peak flows into Alder Creek and associated tributaries, or to Buffalo Creek, Carson Creek, and Coyote Creek. The owner/applicant shall establish a baseline of conditions for drainage on-site. The baseline-flow conditions shall be established for 2-, 5-, and 100-year storm events. These baseline conditions shall be used to develop monitoring standards for the stormwater system on the Specific Plan Area. The baseline conditions, monitoring standards, and a monitoring program shall be submitted to USACE and the City for their approval. Water quality and detention basins shall be designed and constructed to ensure that the performance standards, which are described in Chapter 3A.9, “Hydrology and Water Quality,” are met and shall be designed as off-stream detention basins.</p> <p>Discharge sites into Alder Creek and associated tributaries, as well as tributaries to Carson Creek, Coyote Creek, and Buffalo Creek, shall be monitored to ensure that pre-project conditions are being met. Corrective measures shall be implemented as necessary. The mitigation measures will be satisfied when the monitoring standards are met for 5 consecutive years without undertaking corrective measures to meet the performance standard.</p>	<p>G, I</p>	<p>CD (E)</p>
<p>46.</p>	<p>Litter Control During Construction, 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).</p>	<p>OG</p>	<p>CD (E)</p>

FIRE DEPT REQUIREMENTS				
47.		<p><i>Prepare fuel modification plan (FMP)</i> The owner/applicant shall submit a Fuel Modification Plan consistent with the FPA Open Space Management Plan to the City for review and approval by the City. Final approval of the plan shall occur prior to the issuance of a building permit for any new construction. A Fuel Modification Plan shall consist of a set of scaled plans showing fuel modification zones indicated with applicable assessment notes, a detailed landscape plan and an irrigation plan. A fuel modification plan submitted for approval shall be prepared by one of the following: a California state licensed landscape architect, or state licensed landscape contractor, or a landscape designed, or an individual with expertise acceptable to the Fire Code Official.</p> <p>Notification of fuel modification requirements are to be made upon sale to new property owners. Proposed changes to the approved Fuel Modification Plan shall be submitted to the City for approval prior to implementation.</p> <p>The owner/applicant shall dedicate a 30-foot-wide fuel modification easement(s) for all residential properties located adjacent to open space areas within the development. The owner/applicant shall dedicate easements, if applicable, for the required fuel modification buffer. The fuel modification easement(s) shall be shown on the Final Map. The owner/applicant shall be responsible for the maintenance of the fuel modification areas until such time that the City takes ownership of the open space areas that are to be deeded to the City within the project site.</p>	M, B	CD (P), FD

48.		<p><i>All-Weather Access and Fire Hydrants</i></p> <p>The owner/applicant shall provide all-weather access and fire hydrants before combustible materials are allowed on any project site or other approved alternative method as approved by the Fire Department. All-weather emergency access roads and fire hydrants (tested and flushed) shall be provided before combustible material or vertical construction is allowed on any project site or other approved alternative method as approved by the Fire Department. (All-weather access is defined as six inches of compacted aggregate base from May 1 to September 30 and two inches asphalt concrete over six inches aggregate base from October to April 30). 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 Department.</p> <ul style="list-style-type: none">• Residential Fire-Flow with Automatic Fire Sprinkler System: The required fire-flow for the proposed residential portion of the project is determined to be 875 GPM for one hour.• All public streets shall meet City of Folsom Street Standards.• The maximum length of any dead-end street shall not exceed 500 feet in accordance with the Folsom Fire Code (unless approved by the Fire Department).• All-weather emergency access roads and fire hydrants (tested and flushed) shall be provided before combustible material storage or vertical construction is allowed. 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• The first Fire Station planned for the Folsom Plan Area may be required to be completed and operational at the time that the threshold of 1,500 occupied homes within the Folsom Plan Area is met.	G, I, M, B	CD (P), FD
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LANDSCAPE/TREE PRESERVATION REQUIREMENTS

<p>49.</p>		<p>The owner/applicant shall obtain a tree removal permit, mitigate for removal of protected and heritage trees consistent with the Preliminary Tree Preservation/Removal Exhibit, dated October 13, 2021 and in accordance with Chapter 12.16 of the City of Folsom Municipal Code for Tree Preservation, and minimize indirect impacts to trees to be preserved. This shall include the following:</p> <ul style="list-style-type: none"> • A Tree Permit Application containing an application form, justification statement, site map, preservation program, and arborist’s report shall be submitted to the City of Folsom by the owner/applicant for issuance of a Tree Permit prior to commencement of any grading or site improvement activities. • A Mitigation Plan shall be prepared by the owner/applicant to mitigate for the removal of the protected Canopy Oak Trees and Isolated Oak Trees within the development site. The Mitigation Plan for the Isolated Oak Trees shall consist of replacement trees and/or payment of “In-Lieu” fees on a diameter inch bases consistent with 10-14, 10-15 of the FPASP. Replacement trees may be located within the boundaries of the development parcel, a natural parkway, landscape corridor or passive or preserve open space zone, preferably within the Folsom Plan Area. The Mitigation Plan for the Isolated Oak Trees shall be subject to review and approval by the City. The Mitigation Plan for the Canopy Oak Trees shall be consistent with the mitigation requirements established by the Folsom Plan Area Specific Plan. • The Conservation Areas shall be fenced prior to construction. In addition, oak trees to be preserved within the Passive Recreation Open Spaces shall be fenced with high-visibility fencing prior to starting construction. The fencing shall be installed outside the tree preservation zone of oak trees, and shall surround the entirety of the tree preservation zone area. 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. 	<p>G, I</p>	<p>CD (P)(E)</p>
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50.		<ul style="list-style-type: none"> The owner/applicant shall retain an ISA certified project arborist for implementation of the project. The project arborist shall be responsible for overseeing onsite tree removal and tree preservation. Oak trees located adjacent to construction areas that may be indirectly impacted due to work within or near the Tree Protection Zone shall be identified and tagged by the project arborist during construction activities. The indirectly impacted trees shall be monitored by the project arborist for five years in accordance with the Conceptual Oak Plan and FPASP EIR/EIS Mitigation Measure 3A.3-5. Trees that appear to be dead or dying within five years of project implementation will be replaced as per the requirements of this Plan. 	G	CD (P)(E)
51.		<p>Landscaping Plans 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 shall meet shade requirements as outlined in the Folsom Plan Area Specific Plan where applicable. 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. 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 Toll Brothers project.</p>	B	CD (P)(E)

52.		<p><i>Right of Way Landscaping</i> Landscaping along all road rights of way and in public open space lots shall be installed when the adjoining road or lots are constructed.</p>	I, OG	CD (P)
MAP REQUIREMENTS				
53.		<p><i>Subdivision Improvement Agreement</i> Prior to the approval of any Final Map, the owner/applicant shall enter into a subdivision improvement agreement with the City, identifying all required improvements, if any, to be constructed with each proposed phase of development. The owner/applicant shall provide security acceptable to the City, guaranteeing construction of the improvements.</p>	M	CD (E)
54.		<p><i>The Final Inclusionary Housing Plan</i> The Final Inclusionary Housing Plan shall be approved by the City Council, and the Inclusionary Housing Agreement approved by the City Attorney shall be executed prior to recordation of the first Small-Lot Final Map for the Toll Brothers at Folsom Ranch project.</p>	M	CD (P)(E)

55.	<p>Department of Real Estate Public Report The owner/applicant shall disclose to the homebuyers in the Department of Real Estate Public Report and the CC&R's for the Toll Brothers at Folsom Ranch project the following items:</p> <ol style="list-style-type: none">1) Future public parks and public schools are located in relatively close proximity to the proposed subdivision, and that the public parks may include facilities (basketball courts, a baseball field, softball fields, soccer fields, and playground equipment) that may generate noise impacts during various times, including but not limited to evening and nighttime hours. The owner/applicant shall also disclose that the existing public parks include nighttime sports lighting that may generate lighting impacts during evening and nighttime hours.2) The soil in the subdivision may contain naturally occurring asbestos and naturally occurring arsenic.3) The collecting, digging, or removal of any stone, artifact, or other prehistoric or historic object located in public or open space areas, and the disturbance of any archaeological site or historic property, is prohibited.4) The project site is located within close proximity to the Mather Airport flight path and that overflight noise may be present at various times.5) That all properties located within one mile of an on- or off-site area zoned or used for agricultural use (including livestock grazing) shall be accompanied by written disclosure from the transferor, in a form approved by the City of Folsom, advising any transferee of the potential adverse odor impacts from surrounding agricultural operations which disclosure shall direct the transferee to contact the County of Sacramento concerning any such property within the County zoned for agricultural uses within one mile of the subject property being transferred.6) The project site is located adjacent to the future JPA Connector which may generate noise impacts during various times including but not limited to evening and nighttime hours.	M	CD (P) PK
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56.		<p>Public Utility Easements The owner/applicant shall dedicate public utility easements for underground facilities on properties adjacent to the public and private streets. A minimum of twelve and one-half-foot (12.5') wide Public Utility Easements for underground facilities (i.e., SMUD, Pacific Gas and Electric, cable television, telephone) shall be dedicated adjacent to all public and private street rights-of-way. The owner/applicant shall dedicate additional width to accommodate extraordinary facilities as determined by the City. The width of the public utility easements adjacent to public and private right of way may be reduced with prior approval from public utility companies.</p>	M	CD (E)
57.		<p>Final Map Phasing Should multiple Final Maps be filed by the owner/applicant, the phasing of maps shall be to the satisfaction of the Community Development Department.</p>	M	CD (E)
58.		<p>Backbone Infrastructure As provided for in the ARDA and the Amendment No. 1 thereto, the owner/applicant shall provide fully executed grant deeds, legal descriptions, and plats for all necessary Infrastructure to serve the project, including but not limited to lands, public rights of way, public utility easements, public water main easements, public sewer easements, irrevocable offers of dedication and temporary construction easements. All required easements as listed necessary for the Infrastructure shall be reviewed and approved by the City and recorded with the Sacramento County Recorder pursuant to the timing requirements set forth in Section 3.8 of the ARDA, and any amendments thereto.</p>	M	CD (E)
59.		<p>New Permanent Benchmarks The owner/applicant shall provide and establish new permanent benchmarks on the (NAVD 88) datum in various locations within the subdivision or at any other locations in the vicinity of the project/subdivision as directed by the City Engineer. The type and specifications for the permanent benchmarks shall be provided by the City. The new benchmarks shall be placed by the owner/applicant within 6 months from the date of approval of the vesting tentative subdivision map.</p>	M	CD (E)
60.		<p>Centralized Mail Delivery Units All Final Maps shall show easements or other mapped provisions for the placement of centralized mail delivery units. The owner/applicant shall provide a concrete base for the placement of any centralized mail delivery unit. Specifications and location of such base shall be determined pursuant to the applicable requirements of the U. S. Postal Service and the City of Folsom Community Development Department, with due consideration for street light location, traffic safety, security, and consumer convenience.</p>	M	CD (E)

61.		<i>Recorded Final Map</i> Prior to the issuance of building permits, the owner/applicant shall provide a digital copy of the recorded Final Map (in AutoCAD format) to the Community Development Department. The exception to this requirement are model homes; subject to approval of the Community Development Department, building permits for model homes only may be issued prior to recording of the Final Map.	B	CD (E)
62.		<i>Recorded Final Map</i> Prior to issuance of building permits, the owner/applicant shall provide the Folsom-Cordova Unified School District with a copy of the recorded Final Map.	B	CD (P), FCUSD
63.		<i>Credit Reimbursement Agreement</i> Prior to the recordation of the first Small-Lot Final Map, the owner/applicant and City shall enter into a credit and reimbursement agreement for constructed improvements that are included in the Folsom Plan Area's Public Facilities Financing Plan.	M	CD (E)
PARKS AND RECREATION REQUIREMENTS				
64.		Prior to issuance of the 640th overall Regency Active Adult Community building permit (excluding the 45 model home building permits), the owner/applicant shall construct the 0.5-acre dog park. Prior to issuance of the 830th overall Regency Active Adult Community building permit (excluding the 47 model home building permits), the owner/applicant shall construct the 1.2-acre amphitheater park. The location and size of the aforementioned private parks shall be consistent with the location and size depicted on the Small-Lot Vesting Tentative Subdivision Map dated September 17, 2021.	B, OG	CD (E) (P), PR
65.		Prior to the issuance of the last building permit within Regency Phase 2, the owner/applicant shall complete grading of the public trails on Lots H, I, J, and N, and the Class 1 trail parallel to Mangini Parkway on Lots Q and R, as shown on the Toll Brothers Public Trails System Modification Exhibit and the Phase 1 Small-Lot Vesting Tentative Subdivision Map, dated January 24, 2020 and Phase 2 Small-Lot Vesting Tentative Subdivision Map dated September 17, 2021.	B	CD (E) (P), PR
66.		The owner/applicant shall include the maintenance of all graded subdivision trails within the responsibility of the development Homeowner's Association (HOA) until the Open Space and Mangini Parkway are deeded to the City. The City shall not incur any maintenance responsibility or expense as a result of these trails until the transfer of Open Space ownership to the City is complete.	G, I, OG	CD (E) (P), PR
67.		The owner/applicant shall include the maintenance of all private trail connections within the responsibility of the development Homeowner's Association (HOA) in perpetuity. The City shall not incur any maintenance responsibility or expense as a result of these private trail connections to the public trails within the subdivision.	G, I, OG	CD (E) (P), PR

68.		The owner/applicant shall include the maintenance of all 86.1-acres of Open Space (Measure W Open Space) and fuel modification buffers, in accordance with the Folsom Plan Area Open Space Master Plan, within the responsibility of the development Homeowner's Association (HOA) until the Open Space is deeded to the City. The City shall not incur any maintenance responsibility or expense as a result of this Open Space until the transfer of Open Space ownership to the City is complete. In addition, the Open Space shall not be deeded to the City until development on both sides adjacent to the Open Space are complete and at such a time the City is ready to take ownership.	OG	CD (E) (P), PR
69.		Parkland dedications shall be calculated as net acreage.	G, I	CD (E) (P), PR

Mitigation Measures				
70.	<i>Toll Brothers at Folsom Ranch Project Mitigation Monitoring Reporting Program (MMRP).</i> Table 1 below describes the mitigation measures from the FPASP (May 2011) MMRP, as amended by the Revised Proposed Water Supply Facility Alternative (November 2012), Folsom South of U.S. Highway 50 Backbone Infrastructure Mitigated Negative Declaration (December 2014), the Westland Eagle Specific Plan Amendment (September 2015), and the Toll Brothers at Folsom Ranch Project.			
Condition No.	Mitigation Number (Source)	Mitigation Measures	Timing	Responsible Agency
Aesthetics				
71-1	3A.1-1 (FPASP EIR/EIS)	Construct and Maintain a Landscape Corridor Adjacent to U.S. 50. The project applicant(s) for any particular discretionary development application adjacent to U.S. 50 shall fund, construct, and maintain a landscaped corridor within the SPA, south of U.S. 50. This corridor shall be 50 feet wide, except that the landscaped corridor width shall be reduced to 25 feet adjacent to the proposed regional mall. Landscaping plans and specifications shall be approved by Caltrans and the City of Folsom, and constructed by the project applicant(s) before the start of earthmoving activities associated with residential or commercial units. Landscaped areas would not be required within the preserved oak woodlands. As practicable, landscaping shall primarily contain native and/or drought tolerant plants. Landscaped corridors shall be maintained in perpetuity to the satisfaction of the City of Folsom.	<ol style="list-style-type: none"> 1. Plans and specifications: before approval of grading plans and building permits 2. Construction: before the approval of occupancy permits associated with residential and commercial units 3. Maintenance: in perpetuity 	City of Folsom Community Development Department
71-2	3A.1-4 (FPASP EIR/EIS)	Screen Construction Staging Areas. The project applicant(s) for any particular discretionary development application shall locate staging and material storage areas as far away from sensitive biological resources and sensitive land uses (e.g., residential areas, schools, parks) as feasible. Staging and material storage areas shall be approved by the appropriate agency (identified below) before the approval of grading plans for all project phases and shall be screened from adjacent occupied land uses in earlier development phases to the maximum extent practicable. Screens may include, but are not limited to, the use of such visual barriers such as berms or fences. The screen design shall be approved by the appropriate agency to further reduce visual effects to the extent possible. Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries shall be developed by the project applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, and Caltrans) to reduce to the extent feasible	Before approval of grading plans and during construction for all project phases.	City of Folsom Community Development Department.

		<p>the visual effects of construction activities on adjacent project land uses that have already been developed.</p>		
<p>71-3</p>	<p>3A.1-5 (FPASP EIR/EIS)</p>	<p>Establish and Require Conformance to Lighting Standards and Prepare and Implement a Lighting Plan.</p> <p>To reduce impacts associated with light and glare, the City shall:</p> <ul style="list-style-type: none"> ▶ Establish standards for on-site outdoor lighting to reduce high-intensity nighttime lighting and glare as part of the Folsom Specific Plan design guidelines/standards. Consideration shall be given to design features, namely directional shielding for street lighting, parking lot lighting, and other substantial light sources, that would reduce effects of nighttime lighting. In addition, consideration shall be given to the use of automatic shutoffs or motion sensors for lighting features to further reduce excess nighttime light. ▶ Use shielded or screened public lighting fixtures to prevent the light from shining off of the surface intended to be illuminated. <p>To reduce impacts associated with light and glare, the project applicant(s) of all project phases shall:</p> <ul style="list-style-type: none"> ▶ Shield or screen lighting fixtures to direct the light downward and prevent light spill on adjacent properties. ▶ Flood and area lighting needed for construction activities, nighttime sporting activities, and/or security shall be screened or aimed no higher than 45 degrees above straight down (half-way between straight down and straight to the side) when the source is visible from any off-site residential property or public roadway. ▶ For public 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. ▶ 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. ▶ Design exterior on-site lighting as an integral part of the building and landscape design in the Folsom Specific Plan area. Lighting fixtures shall be architecturally consistent with the overall site design. 	<p>Before approval of building permits.</p>	<p>City of Folsom Community Development Department</p>

		<ul style="list-style-type: none"> ▶ Lighting of off-site facilities within the City of Folsom shall be consistent with the City’s General Plan standards. ▶ Lighting of the off-site detention basin shall be consistent with Sacramento County General Plan standards. ▶ Lighting of the two local roadway connections from Folsom Heights off-site into El Dorado Hills shall be consistent with El Dorado County General Plan standards. <p>A lighting plan for all on- and off-site elements within the each agency’s jurisdictional boundaries (specified below) shall be submitted to the relevant jurisdictional agency for review and approval, which shall include the above elements. The lighting plan may be submitted concurrently with other improvement plans, and shall be submitted before the installation of any lighting or the approval of building permits for each phase. The project applicant(s) for any particular discretionary development application shall implement the approved lighting plan.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties).</p>		
Air Quality				
71-4	3A.2-1a (FPASP EIR/EIS)	<p>Implement Measures to Control Air Pollutant Emissions Generated by Construction of On-Site Elements. To reduce short-term construction emissions, the project applicant(s) for any particular discretionary development application shall require their contractors to implement SMAQMD’s list of Basic Construction Emission Control Practices, Enhanced Fugitive PM Dust Control Practices, and Enhanced Exhaust Control Practices (list below) in effect at the time individual portions of the site undergo construction. In addition to SMAQMD-recommended measures, construction operations shall comply with all applicable SMAQMD rules and regulations.</p> <p>Basic Construction Emission Control Practices</p> <ul style="list-style-type: none"> ▶ 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. 	Before the approval of all grading plans by the City and throughout project construction, where applicable, for all project phases.	City of Folsom Community Development Department

- ▶ 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.
 - ▶ Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site.
 - ▶ 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.
- Enhanced Fugitive PM Dust Control Practices – Soil Disturbance Areas**
- ▶ Water exposed soil with adequate frequency for continued moist soil. However, do not overwater to the extent that sediment flows off the site.
 - ▶ Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 mph.
 - ▶ Plant vegetative ground cover (fast-germinating native grass seed) in disturbed areas as soon as possible. Water appropriately until vegetation is established.
- Enhanced Fugitive PM Dust Control Practices – Unpaved Roads**
- ▶ Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.
 - ▶ Treat site accesses to a distance of 100 feet from the paved road with a 6 to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads.

- ▶ Post a publicly visible sign with the telephone number and person to contact at the construction site regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of SMAQMD and the City contact person shall also be posted to ensure compliance.
- Enhanced Exhaust Control Practices**
- ▶ The project shall provide a plan, for approval by the City of Folsom Community Development Department and SMAQMD, demonstrating that the heavy-duty (50 horsepower [hp] or more) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20% NOX reduction and 45% particulate reduction compared to the most current California Air Resources Board (ARB) fleet average that exists at the time of construction. Acceptable options for reducing emissions may include use of late-model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. The project applicant(s) of each project phase or its representative shall submit to the City of Folsom Community Development Department and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 hp, that would be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. SMAQMD's Construction Mitigation Calculator can be used to identify an equipment fleet that achieves this reduction (SMAQMD 2007a). The project shall ensure that emissions from all off-road diesel powered equipment used on the SPA do not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the City and SMAQMD shall be notified within 48 hours of identification of noncompliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results

		<p>shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. SMAQMD staff and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this mitigation measure shall supersede other SMAQMD or state rules or regulations.</p> <ul style="list-style-type: none"> ▶ If at the time of construction, SMAQMD has adopted a regulation or new guidance applicable to construction emissions, compliance with the regulation or new guidance may completely or partially replace this mitigation if it is equal to or more effective than the mitigation contained herein, and if SMAQMD so permits. 		
71-5	3A.2-1b (FPASP EIR/EIS)	<p>Pay Off-site Mitigation Fee to SMAQMD to Off-Set NO_x Emissions Generated by Construction of On-Site Elements.</p> <p>Implementation of the project or the other four other action alternatives would result in construction-generated NO_x emissions that exceed the SMAQMD threshold of significance, even after implementation of the SMAQMD Enhanced Exhaust Control Practices (listed in Mitigation Measure 3A.2-1a). Additionally, Mitigation Measure 3A.4-1 (Implement Additional Measures to Control Construction-Generated GHG Emissions, pages 3A.4-14 to 15) has the potential to both reduce and increase NO_x emissions, depending on the types of alternative fuels and engine types employed. Therefore, the project applicant(s) shall pay SMAQMD an off-site mitigation fee for implementation of any of the five action alternatives for the purpose of reducing NO_x emissions to a less-than-significant level (i.e., less than 85 lb/day). All NO_x emission reductions and increases associated with GHG mitigation shall be added to or subtracted from the amount above the construction threshold to determine off-site mitigation fees, when possible. The specific fee amounts shall be calculated when the daily construction emissions can be more accurately determined: that is, if the City/USACE select and certify the EIR/EIS and approves the Proposed Project or one of the other four other action alternatives, the City and the applicants must establish the phasing by which development would occur, and the applicants must develop a detailed construction schedule. Calculation of fees associated with each project development phase shall be conducted by the project applicant(s) in consultation with SMAQMD staff before the approval of grading plans by the City. The project applicant(s) for any particular discretionary development application shall pay into SMAQMD's off-site construction mitigation fund to further mitigate</p>	Before the approval of all grading plans by the City and throughout project construction for all project phases.	The City of Folsom Community Development Department shall not grant any grading permits to the respective project applicant(s) until the respective project applicant(s) have paid the appropriate off-site mitigation fee to SMAQMD.

		<p>construction generated emissions of NO_x that exceed SMAQMD’s daily emission threshold of 85 lb/day. The calculation of daily NO_x emissions shall be based on the cost rate established by SMAQMD at the time the calculation and payment are made. At the time of writing this EIR/EIS the cost rate is \$16,000 to reduce 1 ton of NO_x plus a 5% administrative fee (SMAQMD 2008c). The determination of the final mitigation fee shall be conducted in coordination with SMAQMD before any ground disturbance occurs for any project phase. Based on information available at the time of writing this EIR/EIS, and assuming that construction would be performed at a consistent rate over a 19-year period (and averaging of 22 work days per month), it is estimated that the off-site construction mitigation fees would range from \$517,410 to \$824,149, depending on which alternative is selected. Because the fee is based on the mass quantity of emissions that exceed SMAQMD’s daily threshold of significance of 85 lb/day, total fees would be substantially greater if construction activity is more intense during some phases and less intense during other phases of the 19-year build out period, and in any event, based on the actual cost rate applied by SMAQMD. (This fee is used by SMAQMD to purchase off-site emissions reductions. Such purchases are made through SMAQMD’s Heavy Duty Incentive Program, through which select owners of heavy-duty equipment in Sacramento County can repower or retrofit their old engines with cleaner engines or technologies.)</p>		
71-6	<p>3A.2-1c (FPASP EIR/EIS)</p>	<p>Analyze and Disclose Projected PM₁₀ Emission Concentrations at Nearby Sensitive Receptors Resulting from Construction of On-Site Elements. Prior to construction of each discretionary development entitlement of on-site land uses, the project applicant shall perform a project-level CEQA analysis (e.g., supporting documentation for an exemption, negative declaration, or project-specific EIR) that includes detailed dispersion modeling of construction-generated PM₁₀ to disclose what PM₁₀ concentrations would be at nearby sensitive receptors. The dispersion modeling shall be performed in accordance with applicable SMAQMD guidance that is in place at the time the analysis is performed. At the time of writing this EIR/EIS, SMAQMD’s most current and most detailed guidance for addressing construction-generated PM₁₀ emissions is found in its Guide to Air Quality Assessment in Sacramento County (SMAQMD 2009a). The project-level analysis shall incorporate detailed parameters of the construction equipment and activities, including the year during which construction would be performed, as well as the proximity of potentially affected receptors, including receptors proposed by the project that exist at the time the construction activity would occur.</p>	<p>Before the approval of all grading plans by the City.</p>	<p>City of Folsom Community Development Department</p>

71-7	3A.2-2 (FPASP EIR/EIS)	<p>Implement All Measures Prescribed by the Air Quality Mitigation Plan to Reduce Operational Air Pollutant Emissions. To reduce operational emissions, the project applicant(s) for any particular discretionary development application shall implement all measures prescribed in the SMAQMD-approved Folsom Plan Area Specific Plan Air Quality Mitigation Plan (AQMP) (Torrence Planning 2008), a copy of which is included in Appendix C2. The AQMP is intended to improve mobility, reduce vehicle miles traveled, and improve air quality as required by AB 32 and SB 375. The AQMP includes, among others, measures designed to provide bicycle parking at commercial land uses, an integrated pedestrian/bicycle path network, transit stops with shelters, a prohibition against the use the wood-burning fireplaces, energy star roofing materials, electric lawnmowers provided to homeowners at no charge, and on-site transportation alternatives to passenger vehicles (including light rail) that provide connectivity with other local and regional alternative transportation networks.</p>	Before issuance of subdivision maps or improvement plans.	City of Folsom Community Development Department
71-8	3A.2-4a (FPASP EIR/EIS)	<p>Develop and Implement a Plan to Reduce Exposure of Sensitive Receptors to Construction-Generated Toxic Air Contaminant Emissions. The project applicant(s) for any particular discretionary development application shall develop a plan to reduce the exposure of sensitive receptors to TACs generated by project construction activity associated with buildout of the selected alternative. Each plan shall be developed by the project applicant(s) in consultation with SMAQMD. The plan shall be submitted to the City for review and approval before the approval of any grading plans.</p> <p>The plan may include such measures as scheduling activities when the residences are the least likely to be occupied, requiring equipment to be shut off when not in use, and prohibiting heavy trucks from idling. Applicable measures shall be included in all project plans and specifications for all project phases.</p> <p>The implementation and enforcement of all measures identified in each plan shall be funded by the project applicant(s) for the respective phase of development.</p>	Before the approval of all grading plans by the City and throughout project construction, where applicable, for all project phases.	City of Folsom Community Development Department
71-9	3A.2-4b (FPASP EIR/EIS)	<p>Implement Measures to Reduce Exposure of Sensitive Receptors to Operational Emissions of Toxic Air Contaminants. The following measures shall be implemented to reduce exposure of sensitive receptors to Toxic Air Contaminants.</p> <ul style="list-style-type: none"> ▶ Proposed commercial and industrial land uses that have the potential to emit TACs or host TAC-generating activity (e.g., loading docks) shall be located away from existing and proposed on-site sensitive receptors such that they do not expose sensitive receptors to TAC emissions that exceed an incremental 	Before the approval of all grading plans by the SMAQMD and throughout project construction, where applicable, for all project phases.	City of Folsom Community Development Department

		<p>increase of 10 in 1 million for the cancer risk and/or a noncarcinogenic Hazard Index of 1.0.</p> <ul style="list-style-type: none"> ▶ The multi-family residences planned across from the off-site corporation yard near the southwest corner of the SPA shall be set back as far as possible from the boundary of the corporation yard and/or relocated to another area. ▶ Where necessary to reduce exposure of sensitive receptors to an incremental increase of 10 in 1 million for the cancer risk and/or a noncarcinogenic Hazard Index of 1.0, proposed commercial and industrial land uses that would host diesel trucks shall incorporate idle reduction strategies that reduce the main propulsion engine idling time through alternative technologies such as, IdleAire, electrification of truck parking, and alternative energy sources for TRUs, to allow diesel engines to be completely turned off. ▶ Signs shall be posted in at all loading docks and truck loading areas which indicate that diesel-powered delivery trucks must be shut off when not in use for longer than 5 minutes on the premises in order to reduce idling emissions. This measure is consistent with the ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling, which was approved by the California Office of Administrative Law in January 2005. ▶ Implement the following additional guidelines, which are recommended in ARB’s Land Use Handbook: A Community Health Perspective (ARB 2005) and are considered to be advisory and not regulatory: <ul style="list-style-type: none"> ▪ Sensitive receptors, such as residential units and daycare centers, shall not be located in the same building as dry-cleaning operations that use perchloroethylene. Dry-cleaning operations that use perchloroethylene shall not be located within 300 feet of any sensitive receptor. A setback of 500 feet shall be provided for operations with two or more machines. ▪ Large gasoline stations (defined as facilities with a throughput of 3.6 million gallons per year or greater) and sensitive land uses shall not be sited within 300 feet of each other. Small gasoline-dispensing facilities (less than 3.6 million gallons of throughput per year) and sensitive land uses shall not be sited within 50 feet of each other. 		
71-10	3A.2-5 (FPASP EIR/EIS)	<p>Implement A Site Investigation to Determine the Presence of NOA and, if necessary, Prepare and Implement an Asbestos Dust Control Plan. A site investigation shall be performed to determine whether and where NOA is present in the soil and rock on the SPA. The site investigation shall include the collection</p>	Before the approval of all grading plans by the City and throughout project	City of Folsom Community Development Department

		<p>of soil and rock samples by a qualified geologist. If the site investigation determines that NOA is present on the SPA then the project applicant shall prepare an Asbestos Dust Control Plan for approval by SMAQMD as required in Title 17, Section 93105 of the California Code of Regulations, "Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations." The Asbestos Dust Control Plan shall specify measures, such as periodic watering to reduce airborne dust and ceasing construction during high winds. Measures in the Asbestos Dust Control Plan may include but shall not be limited to dust control measures required by Mitigation Measure 3A.2-1a. The project applicant shall submit the plan to the Folsom Community Development Department for review and SMAQMD for review and approval before construction of the first project phase. SMAQMD approval of the plan must be received before any asbestos-containing rock (serpentine) can be disturbed. Upon approval of the Asbestos Dust Control Plan by SMAQMD, the applicant shall ensure that construction contractors implement the terms of the plan throughout the construction period.</p>	<p>construction, where applicable, for all project phases.</p>	
<p>71-11</p>	<p>3A.2-6 (FPASP EIR/EIS)</p>	<p>Implement Measures to Control Exposure of Sensitive Receptors to Operational Odorous Emissions. The project applicant(s) for any particular discretionary development application shall implement the following measures:</p> <ul style="list-style-type: none"> ▶ The odor-producing potential of land uses shall be considered when the exact type of facility that would occupy areas zoned for commercial, industrial, or mixed-use land uses is determined. Facilities that have the potential to emit objectionable odors shall be located as far away as feasible from existing and proposed sensitive receptors. ▶ The multi-family residences planned across from the off-site corporation yard near the southwest corner of the SPA shall be set back as far as possible from the boundary of the corporation yard and/or relocated to another area. (This measure is also required by Mitigation Measure 3A.2-4b to limit exposure to TAC emissions.) ▶ Before the approval of building permits, odor control devices shall be identified to mitigate the exposure of receptors to objectionable odors if a potential odor-producing source is to occupy an area zoned for commercial, industrial, or mixed-use land uses. The identified odor control devices shall be installed before the issuance of certificates of occupancy for the potentially odor-producing use. The odor producing potential of a source and control devices shall be determined in coordination with SMAQMD and 	<p>Before the approval of building permits by the City and throughout project construction, where applicable, for all project phases.</p>	<p>City of Folsom Community Development Department</p>

		<p>based on the number of complaints associated with existing sources of the same nature.</p> <ul style="list-style-type: none"> ▶ The deeds to all properties located within the plan area that are within one mile of an on- or off-site area zoned or used for agricultural use (including livestock grazing) shall be accompanied by a written disclosure from the transferor, in a form approved by the City of Folsom, advising any transferee of the potential adverse odor impacts from surrounding agricultural operations, which disclosure shall direct the transferee to contact the County of Sacramento concerning any such property within the County zoned for agricultural uses within one mile of the subject property being transferred. ▶ Truck loading docks and delivery areas shall be located as far away as feasible from existing and proposed sensitive receptors. ▶ Signs shall be posted at all loading docks and truck loading areas which indicate that diesel-powered delivery trucks must be shut off when not in use for longer than 5 minutes on the premises in order to reduce idling emissions. This measure is consistent with the ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling, which was approved by California’s Office of Administrative Law in January 2005. (This measure is also required by Mitigation Measure 3A.2-4b to limit TAC emissions.) ▶ Proposed commercial and industrial land uses that have the potential to host diesel trucks shall incorporate idle reduction strategies that reduce the main propulsion engine idling time through alternative technologies such as, IdleAire, electrification of truck parking, and alternative energy sources for TRUs, to allow diesel engines to be completely turned off. (This measure is also required by Mitigation Measure 3A.2-4b to limit TAC emissions.) 		
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Biological Resources

71-12	3A.3-1a (FPASP EIR/EIS)	<p>Design Stormwater Drainage Plans and Erosion and Sediment Control Plans to Avoid and Minimize Erosion and Runoff to All Wetlands and Other Waters That Are to Remain on the SPA and Use Low Impact Development Features.</p> <p>To minimize indirect effects on water quality and wetland hydrology, the project applicant(s) for any particular discretionary development application shall include stormwater drainage plans and erosion and sediment control plans in their improvement plans and shall submit these plans to the City Public Works Department for review and approval. For off-site elements within Sacramento</p>	Before approval of improvement and drainage plans, and on an ongoing basis throughout and after project construction, as required for all project phases.	City of Folsom Public Works Department
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County or El Dorado County jurisdiction (e.g., off-site detention basin and off-site roadway connections to El Dorado Hills), plans shall be submitted to the appropriate county planning department. Before approval of these improvement plans, the project applicant(s) for any particular discretionary development application shall obtain a NPDES MS4 Municipal Stormwater Permit and Grading Permit, comply with the City's Grading Ordinance and County drainage and stormwater quality standards, and commit to implementing all measures in their drainage plans and erosion and sediment control plans to avoid and minimize erosion and runoff into Alder Creek and all wetlands and other waters that would remain on-site. Detailed information about stormwater runoff standards and relevant City and County regulation is provided in Chapter 3A.9, "Hydrology and Water Quality."

The project applicant(s) for any particular discretionary development entitlement shall implement stormwater quality treatment controls consistent with the Stormwater Quality Design Manual for Sacramento and South Placer Regions in effect at the time the application is submitted. Appropriate runoff controls such as berms, storm gates, off-stream detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation and the potential discharge of pollutants. Development plans shall incorporate Low Impact Development (LID) features, such as pervious strips, permeable pavements, bioretention ponds, vegetated swales, disconnected rain gutter downspouts, and rain gardens, where appropriate. Use of LID features is recommended by the EPA to minimize impacts on water quality, hydrology, and stream geomorphology and is specified as a method for protecting water quality in the proposed specific plan. In addition, free spanning bridge systems shall be used for all roadway crossings over wetlands and other waters that are retained in the on-site open space. These bridge systems would maintain the natural and restored channels of creeks, including the associated wetlands, and would be designed with sufficient span width and depth to provide for wildlife movement along the creek corridors even during high-flow or flood events, as specified in the 404 permit.

In addition to compliance with City ordinances, the project applicant(s) for any particular discretionary development application shall prepare a Stormwater Pollution Prevention Plan (SWPPP), and implement Best Management Practices (BMPs) that comply with the General Construction Stormwater Permit from the Central Valley RWQCB, to reduce water quality effects during construction. Detailed information about the SWPPP and BMPs are provided in Chapter 3A.9, "Hydrology and Water Quality."

		<p>Each project development shall result in no net change to peak flows into Alder Creek and associated tributaries, or to Buffalo Creek, Carson Creek, and Coyote Creek. The project applicant(s) shall establish a baseline of conditions for drainage on-site. The baseline-flow conditions shall be established for 2-, 5-, and 100-year storm events. These baseline conditions shall be used to develop monitoring standards for the stormwater system on the SPA. The baseline conditions, monitoring standards, and a monitoring program shall be submitted to USACE and the City for their approval. Water quality and detention basins shall be designed and constructed to ensure that the performance standards, which are described in Chapter 3A.9, "Hydrology and Water Quality," are met and shall be designed as off-stream detention basins. Discharge sites into Alder Creek and associated tributaries, as well as tributaries to Carson Creek, Coyote Creek, and Buffalo Creek, shall be monitored to ensure that pre-project conditions are being met. Corrective measures shall be implemented as necessary. The mitigation measures will be satisfied when the monitoring standards are met for 5 consecutive years without undertaking corrective measures to meet the performance standard.</p> <p>See FEIR/FEIS Appendix S showing that the detention basin in the northeast corner of the SPA has been moved off stream.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., El Dorado County for the roadway connections, Sacramento County for the detention basin west of Prairie City Road, and Caltrans for the U.S. 50 interchange improvements) such that the performance standards described in Chapter 3A.9, "Hydrology and Water Quality," are met.</p>		
71-13	3A.3-1b (FPASP EIR/EIS)	<p>Secure Clean Water Act Section 404 Permit and Implement All Permit Conditions; Ensure No Net Loss of Functions and Values of Wetlands, Other Waters of the U.S., and Waters of the State.</p> <p>Before the approval of grading and improvement plans and before any groundbreaking activity associated with each distinct discretionary development entitlement, the project applicant(s) for any particular discretionary development application requiring fill of wetlands or other waters of the U.S. or waters of the state shall obtain all necessary permits under Sections 401 and 404 of the CWA or the state's Porter-Cologne Act for the respective phase. For each respective discretionary development entitlement, all permits, regulatory approvals, and permit conditions for effects on wetland habitats shall be secured before</p>	<p>Before the approval of grading or improvement plans or any ground disturbing activities for any project development phase containing wetland features or other waters of the U.S. The MMP must be approved before any</p>	<p>City of Folsom Community Development Department</p>

	<p>implementation of any grading activities within 250 feet of waters of the U.S. or wetland habitats or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS, including waters of the state, that potentially support Federally listed species. The project applicant(s) shall commit to replace, restore, or enhance on a “no net loss” basis (in accordance with USACE and the Central Valley RWQCB) the acreage of all wetlands and other waters of the U.S. that would be removed, lost, and/or degraded with implementation of project plans for that development increment. Wetland habitat shall be restored, enhanced, and/or replaced at an acreage and location and by methods agreeable to USACE, the Central Valley RWQCB, and the City, as appropriate, depending on agency jurisdiction, and as determined during the Section 401 and Section 404 permitting processes. As part of the Section 404 permitting process, a draft wetland mitigation and monitoring plan (MMP) shall be developed for the project on behalf of the project applicant(s). Before any ground-disturbing activities in an area that would adversely affect wetlands and before engaging in mitigation activities associated with each discretionary development entitlement, the project applicant(s) shall submit the draft wetland MMP to USACE, the Central Valley RWQCB, Sacramento County, El Dorado County, and the City for review and approval of those portions of the plan over which they have jurisdiction. The MMP would have to be finalized prior to impacting any wetlands. Once the final MMP is approved and implemented, mitigation monitoring shall continue for a minimum of 5 years from completion of mitigation, or human intervention (including recontouring and grading), or until the performance standards identified in the approved MMP have been met, whichever is longer.</p> <p>As part of the MMP, the project applicant(s) shall prepare and submit plans for the creation of aquatic habitat in order to adequately offset and replace the aquatic functions and services that would be lost at the SPA, account for the temporal loss of habitat, and contain an adequate margin of safety to reflect anticipated success. Restoration of previously altered and degraded wetlands shall be a priority of the MMP for offsetting losses of aquatic functions on the SPA because it is typically easier to achieve functional success in restored wetlands than in those created from uplands. The MMP must demonstrate how the aquatic functions and values that would be lost through project implementation will be replaced.</p> <p>The habitat MMP for jurisdictional wetland features shall be consistent with USACE’s and EPA’s April 10, 2008 Final Rule for Compensatory Mitigation for Losses of Aquatic Resources (33 CFR Parts 325 and 332 and 40 CFR Part 230) and USACE’s October 26, 2010 Memorandum Re: Minimum Level of</p>	<p>impact on wetlands can occur.</p> <p>Mitigation shall be implemented on an ongoing basis throughout and after construction, as required.</p>	
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Documentation Required for Permit Decisions. According to the Final Rule, mitigation banks should be given preference over other types of mitigation because a lot of the risk and uncertainty regarding mitigation success is alleviated by the fact that mitigation bank wetlands must be established and demonstrating functionality before credits can be sold. The use of mitigation credits also alleviates temporal losses of wetland function while compensatory wetlands are being established. Mitigation banks also tend to be on larger, more ecologically valuable parcels and are subjected to more rigorous scientific study and planning and implementation procedures than typical permittee-responsible mitigation sites (USACE and EPA, 2008). Permittee-responsible on-site mitigation areas can be exposed to long-term negative effects of surrounding development since they tend to be smaller and less buffered than mitigation banks. The Final Rule also establishes a preference for a “watershed approach” in selecting locations for compensatory mitigation project locations, that mitigation selection must be “appropriate and practicable” and that mitigation banks must address watershed needs based on criteria set forth in the Final Rule. The watershed approach accomplishes this objective by expanding the informational and analytic basis of mitigation project site selection decisions and ensuring that both authorized impacts and mitigation are considered on a watershed scale rather than only project by project. This requires a degree of flexibility so that district engineers can authorize mitigation projects that most effectively address the case-specific circumstances and needs of the watershed, while remaining practicable for the permittee. The SPA includes portions of the Alder Creek, Buffalo Creek, Coyote Creek, and Carson Creek Watersheds. The majority of the SPA is within the Alder Creek Watershed. Alder Creek and Buffalo Creek are part of the Lower American River Watershed. Carson Creek and Coyote Creek are part of the Cosumnes River Watershed. Mitigation credits may be available within the Cosumnes Watershed, but not within the American River Watershed and not within the sub-watersheds of the SPA. Therefore, aquatic habitats may need to be restored or created on the SPA and adjacent off-site lands, preferably within the affected watersheds, in order to successfully replace lost functions at the appropriate watershed scale where loss of function would occur. It is not likely feasible to provide compensatory mitigation for all aquatic resource impacts on site.

Therefore, a combination of on-site and off-site permittee-responsible mitigation and mitigation banking would likely be necessary to achieve the no-net-loss standard.

The SPA is located within the service areas of several approved mitigation banks (e.g., Bryte Ranch, Clay Station, Fitzgerald Ranch, and Twin City Mitigation

Bank). The majority of compensatory mitigation for wetland impacts is proposed to be accomplished at an agency approved mitigation bank or banks authorized to sell credits to offset impacts in the SPA. The applicants' biological consultant, ECORP, has identified availability of approximately 31 vernal pool credits and 228 seasonal wetland credits at mitigation banks whose service area includes the SPA. Additional credits may also be available from pending, but not yet approved, mitigation banks. However, availability is subject to change and, as noted above, a combination of mitigation bank credits and permittee-responsible on and off-site mitigation may be necessary to fully offset project impacts on wetlands and other waters of the U.S. If USACE determines that the use of mitigation bank credits is not sufficient mitigation to offset impacts within the SPA, the October 26, 2010 Memorandum Re: Minimum Level of Documentation Required for Permit Decisions requires USACE to specifically demonstrate why the use of bank credits is not acceptable to USACE in accordance with Section 33 CFR 332.3(a)(1).

Compensatory mitigation for losses of stream and intermittent drainage channels shall follow the Final Rule Guidelines, which specify that compensatory mitigation should be achieved through in-kind preservation, restoration, or enhancement within the same watershed, subject to practicability considerations. The wetland MMP shall address how to mitigate impacts on vernal pool, seasonal swale, seasonal wetland, seep, marsh, pond, and intermittent and perennial stream habitat, and shall describe specific method(s) to be implemented to avoid and/or mitigate any off-site project-related impacts. The wetland compensation section of the habitat MMP shall include the following:

- ▶ Compensatory mitigation sites and criteria for selecting these mitigation sites. In General, compensatory mitigation sites should meet the following criteria, based on the Final Rule;
 - located within the same watershed as the wetland or other waters that would be lost, as appropriate and practicable;
 - located in the most likely position to successfully replace wetland functions lost on the impact site considering watershed-scale features such as aquatic habitat diversity, habitat connectivity, available water sources and hydrologic relationships, land use trends, ecological benefits, and compatibility with adjacent land uses, and the likelihood for success and sustainability;

- ▶ A complete assessment of the existing biological resources in both the on-site preservation areas and off-site compensatory mitigation areas, including wetland functional assessment using the California Rapid Assessment Method (CRAM) (Collins et al. 2008), or other appropriate wetland assessment protocol as determined through consultation with USACE and the USFWS, to establish baseline conditions;
- ▶ Specific creation and restoration plans for each mitigation site;
- ▶ Use of CRAM to compare compensatory wetlands to the baseline CRAM scores from wetlands in the SPA. The compensatory wetland CRAM scores shall be compared against the highest quality wetland of each type from the SPA;
- ▶ CRAM scores, or other wetland assessment protocol scores, from the compensatory wetlands shall be compared against the highest quality wetland scores for each wetland type to document success of compensatory wetlands in replacing the functions of the affected wetlands to be replaced;
- ▶ Monitoring protocol, including schedule and annual report requirements, and the following elements:
 - ecological performance standards, based on the best available science, that can be assessed in a practicable manner (e.g., performance standards proposed by Barbour et al. 2007). Performance standards must be based on attributes that are objective and verifiable;
 - assessments conducted annually for 5 years after construction or restoration of compensatory wetlands to determine whether these areas are acquiring wetland functions and to plot the performance trajectory of preserved, restored, or created wetlands over time.
 - assessments results for compensatory wetlands shall also be compared against scores for reference wetlands assessed in the same year;
 - assessments analysis conducted annually for 5 years after any construction adjacent to wetlands preserved on the SPA to determine whether these areas are retaining functions and values. Assessments results for wetlands preserved on site shall also be compared against scores for reference wetlands assessed in the same year;
 - analysis of assessments data, including assessment of potential stressors, to determine whether any remedial activities may be necessary;

- corrective measures if performance standards are not met;
- monitoring of plant communities as performance criteria (annual measure of success, during monitoring period) and success criteria (indicative of achievement of mitigation habitat requirement at end of monitoring period) for hydrologic function have become established and the creation site “matures” over time;
- GIS analysis of compensatory wetlands to demonstrate actual acreage of functioning wetland habitat;
- adaptive management measures to be applied if performance standards and acreage requirements are not being met;
- responsible parties for monitoring and preparing reports; and
- responsible parties for receiving and reviewing reports and for verifying success or prescribing implementation or corrective actions.

A final operations and management plan (OMP) for all on- and off-site permittee-sponsored wetland preservation and mitigation areas shall be prepared and submitted to USACE and USFWS for review, comment and preliminary approval prior to the issuance of any permits under Section 404 of the CWA. The plan shall include detailed information on the habitats present within the preservation and mitigation areas, the long-term management and monitoring of these habitats, legal protection for the preservation and mitigation areas (e.g., conservation easement, declaration of restrictions), and funding mechanism information (e.g., endowment). A final OMP for each discretionary development entitlement affecting wetlands must be approved prior to construction.

USACE has determined that the project will require an individual permit. In its final stage and once approved by USACE, the MMP for the project is expected to detail proposed wetland restoration, enhancement, and/or replacement activities that would ensure no net loss of aquatic functions in the project vicinity. Approval and implementation of the wetland MMP shall aim to fully mitigate all unavoidable impacts on jurisdictional waters of the U.S., including jurisdictional wetlands. In addition to USACE approval, approval by the City, Sacramento County, El Dorado County, and the Central Valley RWQCB, as appropriate depending on agency jurisdiction, and as determined during the Section 401 and Section 404 permitting processes, will also be required. Approvals from Sacramento County and El Dorado County shall be required for impacts resulting from off-site project elements occurring in these counties, such as the off-site detention basin in Sacramento County and the roadway connections into El

		<p>Dorado County. To satisfy the requirements of the City and the Central Valley RWQCB, mitigation of impacts on the nonjurisdictional wetlands beyond the jurisdiction of USACE shall be included in the same MMP. All mitigation requirements determined through this process shall be implemented before grading plans are approved. The MMP shall be submitted to USACE and approved prior to the issuance of any permits under Section 404 of the CWA. Water quality certification pursuant to Section 401 of the CWA will be required before issuance of a Section 404 permit. Before construction in any areas containing wetland features, the project applicant(s) shall obtain water quality certification for the project. Any measures required as part of the issuance of water quality certification shall be implemented.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be developed by the project applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., Caltrans, El Dorado and/or Sacramento Counties).</p>		
71-14	3A.3-2a (FPASP EIR/EIS)	<p>Avoid Direct Loss of Swainson’s Hawk and Other Raptor Nests. To mitigate impacts on Swainson’s hawk and other raptors (including burrowing owl), the project applicant(s) of all project phases shall retain a qualified biologist to conduct preconstruction surveys and to identify active nests on and within 0.5 mile of the SPA and active burrows on the SPA. The surveys shall be conducted before the approval of grading and/or improvement plans (as applicable) and no less than 14 days and no more than 30 days before the beginning of construction for all project phases. To the extent feasible, guidelines provided in Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in the Central Valley (Swainson’s Hawk Technical Advisory Committee 2000) shall be followed for surveys for Swainson’s hawk. If no nests are found, no further mitigation is required.</p> <p>If active nests are found, impacts on nesting Swainson’s hawks and other raptors shall be avoided by establishing appropriate buffers around the nests. No project activity shall commence within the buffer area until the young have fledged, the nest is no longer active, or until a qualified biologist has determined in consultation with DFG that reducing the buffer would not result in nest abandonment. DFG guidelines recommend implementation of 0.25- or 0.5-mile-wide buffers, but the size of the buffer may be adjusted if a qualified biologist and the City, in consultation with DFG, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified</p>	Before the approval of grading and improvement plans, before any ground disturbing activities, and during project construction as applicable for all project phases.	California Department of Fish and Game and City of Folsom Community Development Department.

		<p>biologist during and after construction activities will be required if the activity has potential to adversely affect the nest.</p> <p>If active burrows are found, a mitigation plan shall be submitted to the City for review and approval before any ground-disturbing activities.</p> <p>The City shall consult with DFG. The mitigation plan may consist of installation of one-way doors on all burrows to allow owls to exit, but not reenter, and construction of artificial burrows within the project vicinity, as needed; however, burrow owl exclusions may only be used if a qualified biologist verifies that the burrow does not contain eggs or dependent young. If active burrows contain eggs and/or young, no construction shall occur within 50 feet of the burrow until young have fledged. Once it is confirmed that there are no owls inside burrows, these burrows may be collapsed.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be developed by the project applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans), such that the performance criteria set forth in DFG’s guidelines are determined to be met.</p>		
71-15	<p>3A.3-2b (FPASP EIR/EIS)</p>	<p>Mitigation Measure 3A.3-2b: Prepare and Implement a Swainson’s Hawk Mitigation Plan.</p> <p>To mitigate for the loss of Swainson’s hawk foraging habitat, the project applicant(s) of all project phases shall prepare and implement a Swainson’s hawk mitigation plan including, but not limited to the requirements described below.</p> <p>Before the approval of grading and improvement plans or before any ground-disturbing activities, whichever occurs first, the project applicant(s) shall preserve, to the satisfaction of the City or Sacramento County, as appropriate depending on agency jurisdiction, suitable Swainson’s hawk foraging habitat to ensure 1:1 mitigation of habitat value for Swainson’s hawk foraging habitat lost as a result of the project, as determined by the City, or Sacramento County, after consultation with DFG and a qualified biologist.</p> <p>The 1:1 habitat value shall be based on Swainson’s hawk nesting distribution and an assessment of habitat quality, availability, and use within the City’s planning area, or Sacramento County jurisdiction. The mitigation ratio shall be consistent with the 1994 DFG Swainson’s Hawk Guidelines included in the Staff Report Regarding Mitigation for Impacts to Swainson’s Hawks (<i>Buteo swainsoni</i>) in the Central Valley of California, which call for the following mitigation ratios for loss of foraging habitat in these categories: 1:1 if within 1 mile of an active nest site, 0.75:1 if over 1 mile but less than 5 miles, and 0.5:1 if over 5 miles but less than</p>	<p>Before the approval of grading, improvement, or construction plans and before any ground disturbing activity in any project development phase that would affect Swainson’s hawk foraging habitat.</p>	<p>City of Folsom Community Development Department</p>

10 miles from an active nest site. Such mitigation shall be accomplished through credit purchase from an established mitigation bank approved to sell Swainson's hawk foraging habitat credits to mitigate losses in the SPA, if available, or through the transfer of fee title or perpetual conservation easement. The mitigation land shall be located within the known foraging area and within Sacramento County. The City, or Sacramento County if outside City jurisdiction, after consultation with DFG, will determine the appropriateness of the mitigation land.

Before approval of such proposed mitigation, the City, or Sacramento County for the off-site detention basin, shall consult with DFG regarding the appropriateness of the mitigation. If mitigation is accomplished through conservation easement, then such an easement shall ensure the continued management of the land to maintain Swainson's hawk foraging values, including but not limited to ongoing agricultural uses and the maintenance of all existing water rights associated with the land. The conservation easement shall be recordable and shall prohibit any activity that substantially impairs or diminishes the land's capacity as suitable Swainson's hawk habitat.

The project applicant(s) shall transfer said Swainson's hawk mitigation land, through either conservation easement or fee title, to a third party, nonprofit conservation organization (Conservation Operator), with the City and DFG named as third-party beneficiaries. The Conservation Operator shall be a qualified conservation easement land manager that manages land as its primary function. Additionally, the Conservation Operator shall be a tax-exempt nonprofit conservation organization that meets the criteria of Civil Code Section 815.3(a) and shall be selected or approved by the City or County, after consultation with DFG. The City, or County, after consultation with DFG and the Conservation Operator, shall approve the content and form of the conservation easement. The City, or County, DFG, and the Conservation Operator shall each have the power to enforce the terms of the conservation easement. The Conservation Operator shall monitor the easement in perpetuity to assure compliance with the terms of the easement.

The project applicant(s), after consultation with the City, or County of jurisdiction, DFG, and the Conservation Operator, shall establish an endowment or some other financial mechanism that is sufficient to fund in perpetuity the operation, maintenance, management, and enforcement of the conservation easement. If an endowment is used, either the endowment funds shall be submitted to the City for impacts on lands within the City's jurisdiction or Sacramento County for the off-site detention basin to be distributed to an

		<p>appropriate third-party nonprofit conservation agency, or they shall be submitted directly to the third-party nonprofit conservation agency in exchange for an agreement to manage and maintain the lands in perpetuity. The Conservation Operator shall not sell, lease, or transfer any interest of any conservation easement or mitigation land it acquires without prior written approval of the City and DFG. Mitigation lands established or acquired for impacts incurred at the off-site detention basin shall require approval from Sacramento County prior to sale or transfer of mitigation lands or conservation easement.</p> <p>If the Conservation Operator ceases to exist, the duty to hold, administer, manage, maintain, and enforce the interest shall be transferred to another entity acceptable to the City and DFG, or Sacramento County and DFG depending on jurisdiction of the affected habitat. The City Planning Department shall ensure that mitigation habitat established for impacts on habitat within the City’s planning area is properly established and is functioning as habitat by reviewing regular monitoring reports prepared by the Conservation Operator of the mitigation site(s). Monitoring of the mitigation site(s) shall continue for the first 10 years after establishment of the easement and shall be funded through the endowment, or other appropriate funding mechanism, established by the project applicant(s). Sacramento County shall review the monitoring reports for impacts on habitat at the off-site detention basin.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Sacramento County and Caltrans).</p>		
71-16	3A.3-2c (FPASP EIR/EIS)	<p>Avoid and Minimize Impacts to Tricolored Blackbird Nesting Colonies. To avoid and minimize impacts to tricolored blackbird, the project applicant(s) of all project phases shall conduct a preconstruction survey for any project activity that would occur during the tricolored blackbird’s nesting season (March 1–August 31). The preconstruction survey shall be conducted by a qualified biologist before any activity occurring within 500 feet of suitable nesting habitat, including freshwater marsh and areas of riparian scrub vegetation. The survey shall be conducted within 14 days before project activity begins.</p> <p>If no tricolored blackbird colony is present, no further mitigation is required. If a colony is found, the qualified biologist shall establish a buffer around the nesting colony. No project activity shall commence within the buffer area until a qualified biologist confirms that the colony is no longer active. The size of the buffer shall be determined in consultation with DFG. Buffer size is anticipated to range from</p>	Before the approval of any ground-disturbing activity within 500 feet of suitable nesting habitat as applicable for all project phases.	City of Folsom Community Development Department

		<p>100 to 500 feet, depending on the nature of the project activity, the extent of existing disturbance in the area, and other relevant circumstances.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries (i.e., U.S. 50 interchange improvements) must be developed by the project applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., Caltrans) and must be sufficient to achieve the performance criteria described above.</p>		
71-17	3A.3-2d (FPASP EIR/EIS)	<p>Avoid and Minimize Impacts to Special-Status Bat Roosts. The project applicant of all project phases containing potential bat roosting habitat shall retain a qualified biologist to conduct surveys for roosting bats. Surveys shall be conducted in the fall to determine if the mine shaft is used as a hibernaculum and in spring and/or summer to determine if it is used as a maternity or day roost. Surveys shall consist of evening emergence surveys to note the presence or absence of bats and could consist of visual surveys at the time of emergence. If evidence of bat use is observed, the number and species of bats using the roost shall be determined. Bat detectors may be used to supplement survey efforts. If no bat roosts are found, then no further study shall be required.</p> <p>If roosts of pallid bat or Townsend’s big-eared bats are determined to be present and must be removed, the bats shall be excluded from the roosting site. A mitigation program addressing compensation, exclusion methods, and roost removal procedures shall be developed in consultation with DFG before implementation. Exclusion methods may include use of one-way doors at roost entrances (bats may leave but not reenter), or sealing roost entrances when the site can be confirmed to contain no bats. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). The loss of each roost (if any) will be replaced in consultation with DFG and may include construction and installation of bat boxes suitable to the bat species and colony size excluded from the original roosting site. Roost replacement will be implemented before bats are excluded from the original roost sites. Once the replacement roosts are constructed and it is confirmed that bats are not present in the original roost site, the mine shaft may be removed.</p>	Before the approval of any ground-disturbing activity within 500 feet of suitable nesting habitat as applicable for all project phases.	City of Folsom Community Development Department
71-18	3A.3-2g (FPASP EIR/EIS)	<p>Secure Take Authorization for Federally Listed Vernal Pool Invertebrates and Implement All Permit Conditions. No project construction shall proceed in areas supporting potential habitat for Federally listed vernal pool invertebrates, or within adequate buffer areas (250 feet or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS), until a biological opinion (BO) or Not Likely to Adversely Affect (NLAA) letter has been issued by</p>	Before the approval of any grading or improvement plans, before any ground disturbing activities within 250 feet of	U.S. Army Corps of Engineers, Sacramento District; U.S. Fish and Wildlife Service; and City of Folsom Community Development Department

USFWS and the project applicant(s) for any particular discretionary development entitlements affecting such areas have abided by conditions in the BO (including conservation and minimization measures) intended to be completed before on-site construction. Conservation and minimization measures shall include preparation of supporting documentation describing methods to protect existing vernal pools during and after project construction, a detailed monitoring plan, and reporting requirements.

As described under Mitigation Measure 3A.3-1a, an MMP shall be developed that describes details how loss of vernal pool and other wetland habitats shall be offset, including details on creation of habitat, account for the temporal loss of habitat, contain performance standards to ensure success, and outline remedial actions if performance standards are not met.

The project applicant(s) for any particular discretionary development application potentially affecting vernal pool habitat shall complete and implement a habitat MMP that will result in no net loss of acreage, function, and value of affected vernal pool habitat. The final habitat MMP shall be consistent with guidance provided in Programmatic Formal Endangered Species Act Consultation on Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans within the Jurisdiction of the Sacramento Field Office, California (USFWS 1996) or shall provide an alternative approach that is acceptable to the City, USACE, and USFWS and accomplishes no net loss of habitat acreage, function, and value.

The project applicant(s) for any particular discretionary development application “potentially affecting vernal pool habitat” shall ensure that there is sufficient upland habitat within the target areas for creation and restoration of vernal pools and vernal pool complexes to provide ecosystem health. This standard shall be accomplished by requiring the project applicant(s) for any discretionary development application affecting vernal pool or seasonal wetland habitat to identify the extent of indirectly affected vernal pool and seasonal wetland habitat, either by identifying all such habitat within 250 feet of project construction activities or by providing an alternative technical evaluation. If a lesser distance is pursued, this distance shall be approved by USFWS. The project applicant(s) shall preserve acreage of vernal pool habitat for each wetted acre of any indirectly affected vernal pool habitat at a ratio approved by USFWS at the conclusion of the Section 7 consultation. This mitigation shall occur before the approval of any grading or improvement plans for any project phase that would allow work within 250 feet of such habitat or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS, and before any ground disturbing

said habitat or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS, and on an ongoing basis throughout construction as applicable for all project phases as required by the mitigation plan, BO, and/or BMPs.

		<p>activity within 250 feet of the habitat or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS. The project applicant(s) will not be required to complete this mitigation measure for direct or indirect impacts that have already been mitigated to the satisfaction of USFWS through another BO or mitigation plan (i.e., if impacts on specific habitat acreage are mitigated by one project phase or element, the project applicant(s) will not be required to mitigate for it again in another phase of the project).</p> <p>A standard set of BMPs shall be applied to construction occurring in areas within 250 feet of off-site vernal pool habitat, or within any lesser distance deemed adequate by a qualified biologist (with approval from USFWS) to constitute a sufficient buffer from such habitat. Refer to Section 3A.9, "Hydrology and Water Quality - Land" for the details of BMPs to be implemented.</p> <p>Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be developed by the project applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p>		
71-19	3A.3-4a (FPASP EIR/EIS)	<p>Mitigation Measure 3A.3-4a: Secure and Implement Section 1602 Streambed Alteration Agreement. The project applicant(s) for any particular discretionary development application shall obtain a Section 1602 streambed alteration agreement from DFG for all construction activities that would occur in the bed and bank of Alder Creek and other drainage channels and ponds on the SPA. As a condition of issuance of the streambed alteration agreement, the project applicant(s) for any particular discretionary development application affecting riparian habitat shall hire a qualified restoration ecologist to prepare a riparian habitat MMP. The draft MMP shall describe specific method(s) to be implemented to avoid and/or compensate for impacts on the stream channel of Alder Creek and other drainage channels within DFG jurisdiction, and the bed and banks of the on-site ponds. Mitigation measures may include establishment or restoration of riparian habitat within the project's open space areas along preserved stream corridors, riparian habitat restoration off-site, or preservation and enhancement of existing riparian habitat either on or off the SPA. The compensation habitat shall be similar in composition and structure to the habitat to be removed and shall be at ratios adequate to offset the loss of riparian habitat functions and services at the SPA. The riparian habitat compensation section of the habitat MMP shall include the following:</p> <ul style="list-style-type: none"> ▶ compensatory mitigation sites and criteria for selecting these mitigation sites; 	<p>Before the approval of grading or improvement plans or any construction activities (including clearing and grubbing) that affect the bed and bank or riparian and freshwater marsh habitat associated with Alder Creek and other on-site or off-site drainage channels and ponds.</p>	<p>California Department of Fish and Game and City of Folsom Community Development Department</p>

- ▶ complete assessment of the existing biological resources in both the on-site and off-site preservation and restoration areas;
 - ▶ site-specific management procedures to benefit establishment and maintenance of native riparian plant species, including black willow, arroyo willow, white alder, and Fremont cottonwood;
 - ▶ a planting and irrigation program if needed for establishment of native riparian trees and shrubs at strategic locations within each mitigation site (planting and irrigation may not be necessary if preservation of functioning riparian habitat is chosen as mitigation or if restoration can be accomplished without irrigation or planting);
 - ▶ in kind reference habitats for comparison with compensatory riparian habitats (using performance and success criteria) to document success;
 - ▶ monitoring protocol, including schedule and annual report requirements (compensatory riparian habitats shall be monitored for a minimum period of five years);
 - ▶ ecological performance standards, based on the best available science and including specifications for native riparian plant densities, species composition, amount of dead woody vegetation gaps and bare ground, and survivorship; at a minimum, compensatory mitigation planting sites must achieve 80% survival of planted riparian trees and shrubs by the end of the five-year maintenance and monitoring period or dead and dying trees shall be replaced and monitoring continued until 80% survivorship is achieved;
 - ▶ corrective measures if performance standards are not met;
 - ▶ responsible parties for monitoring and preparing reports; and
 - ▶ responsible parties for receiving and reviewing reports and for verifying success or prescribing implementation or corrective actions.
- Any conditions of issuance of the Streambed Alteration Agreement shall be implemented as part of project construction activities that adversely affect the bed and bank and riparian habitat associated with Alder Creek and other drainage channels and ponds that are within the project area that is subject to DFG jurisdiction. The agreement shall be executed by the project applicant(s) and DFG before the approval of any grading or improvement plans or any construction activities in any project phase that could potentially affect the bed and bank of

		<p>Alder Creek and other on-site or off-site drainage channels under DFG jurisdiction and their associated freshwater marsh and riparian habitat.</p> <p>Mitigation for the U.S. 50 interchange improvements must be coordinated by the project applicant(s) of each applicable project phase with the Caltrans.</p>		
71-20	3A.3-4b (FPASP EIR/EIS)	<p>Conduct Surveys to Identify and Map Valley Needlegrass Grassland; Implement Avoidance and Minimization Measures or Compensatory Mitigation. The project applicant(s) of all project phases shall retain a qualified botanist to conduct preconstruction surveys to determine if valley needlegrass grassland is present on the SPA. This could be done concurrently with any special-status plant surveys conducted on site as special-status plant surveys are floristic in nature, i.e. require that all species encountered be identified, and require preparation of a plant community map. If valley needlegrass grassland is not found on the SPA, the botanist shall document the findings in a letter report to the City of Folsom, and no further mitigation shall be required. Valley needlegrass grassland was not found in any of the off-site project elements.</p> <p>If valley needlegrass grassland is found on the SPA, the location and extent of the community shall be mapped and the acreage of this community type, if any, that would be removed by project implementation shall be calculated. The project applicant(s) for any particular discretionary development application affecting valley needlegrass grassland shall consult with DFG and the City of Folsom to determine appropriate mitigation for removal of valley needlegrass grassland resulting from project implementation. Mitigation measures shall include one or more of the following components sufficient to achieve no net loss of valley needlegrass grassland acreage: establishment of valley needlegrass grassland within project's open space areas currently characterized by annual grassland, establishment of valley needlegrass grassland off-site, or preservation and enhancement of existing valley needlegrass grassland either on or off the SPA. The applicant(s) shall compensate for any loss of valley needlegrass grassland resulting from project implementation at a minimum 1:1 replacement ratio.</p>	Before approval of grading or improvement plans or any ground disturbing activities, including grubbing or clearing, for any project phase.	California Department of Fish and Game, and City of Folsom Community Development Department
71-21	3A.3-5 (FPASP EIR/EIS)	<p>Conduct Tree Survey, Prepare and Implement an Oak Woodland Mitigation Plan, Replace Native Oak Trees Removed, and Implement Measures to Avoid and Minimize Indirect Impacts on Oak Trees Retained On Site. The project applicant(s) shall prepare an oak woodland mitigation and monitoring plan. The project applicant(s) of all on- and off-site project phases containing oak woodland habitat or individual trees shall adhere to the requirements described below, which are consistent with those outlined in California Public Resources Code 21083.4. Pursuant to Sacramento County General Plan policy, the acreage</p>	Before approval of grading or improvement plans or any ground disturbing activities, including grubbing or clearing, for any project phase	City of Folsom Community Development Department

	<p>of oak woodland habitat for determining impacts and mitigation requirements was calculated as the oak tree canopy area within stands of oak trees having greater than 10% cover plus a 30-foot-radius buffer measured from the outer edge of the tree canopy. Oak trees located in areas greater than 30 feet from stands meeting the greater than 10% tree canopy cover criterion were considered isolated trees and not part of the blue oak woodland community. Mitigation for impacts on isolated oak trees is discussed separately below.</p> <ul style="list-style-type: none">▶ Preserve approximately 399 acres of existing oak woodland habitat in the SPA (this acreage is based on the extent of oak woodland habitat as determined from aerial photograph interpretation; however, following completion of ground verification by a qualified arborist, the actual amount of oak woodland present within impact areas could be slightly greater or lesser than the amount calculated from aerial photograph and, therefore, the amount preserved could also be slightly greater or lesser than 399 acres).▶ Create 243 acres of oak woodland habitat in the SPA by planting a combination of blue oak acorns, seedlings, and trees in the following SPA locations:<ul style="list-style-type: none">▪ Non-wooded areas that are adjacent to or contiguous with the existing oak woodland habitat.▪ Preserve and passive open space zones throughout the SPA.▪ Open space areas that are adjacent to existing oak woodlands that will be impacted by project grading (i.e. catch slopes).▪ Other practical locations within the SPA in or adjacent to open space.▪ Oak Woodlands Mitigation Planting Criteria <p>The following oak woodland mitigation planting criteria shall be used to create oak woodland habitat:</p> <ul style="list-style-type: none">▶ A minimum of 55 planting sites per acre (with a total of 70 units, as defined below) will mitigate for one acre of oak woodland impacts. A combination of acorns, seedlings, and various sizes of container trees (#1 container, #5 container, #15 container) or transplanted trees shall be incorporated into the planting design. Mitigation acreage that is planted solely with larger oak trees (no acorns) shall have a minimum of 35 planting sites per acre. The units are defined as follows:	containing protected trees or oak woodland.	
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<ul style="list-style-type: none">▪ One established acorn equals one unit (acorns will be over planted to maximize potential germination).▪ One oak seedling equals one unit.▪ One #1 container oak tree equals two units.▪ One #5 container oak tree equals three units.▪ One #15 container oak tree equals four units.▪ One 24-inch boxed oak tree equals six units.▪ One transplanted oak tree equals four units per trunk diameter inch (dbh).▪ Native non oak species characteristic of oak woodlands shall be included in the mitigation planting plan to augment overall habitat values. Each non oak tree species shall represent unit values described above for oak trees, but non oak species shall comprise no more than 10% of the mitigation plantings.▶ Preserve and protect existing off-site oak woodland habitat. Existing, unprotected oak woodland habitat within Sacramento and El Dorado Counties may be secured and placed under conservation easement in lieu of onsite mitigation measures if necessary. The off-site locations would be managed as oak woodland habitat in perpetuity.▶ Create oak woodlands off site. Plant a combination of blue oak acorns, seedlings, and trees at off-site location(s), if needed to achieve the creation goal of 243 acres of new blue oak woodland habitat. This measure would only be needed if 243 acres of blue oak woodland could not be created in the SPA. Off-site creation shall follow the same guidelines as outlined in the Mitigation Planting Criteria for onsite creation. Off-site tree planting shall occur at sites within Sacramento County that should naturally support blue oak woodland and shall be used to restore former blue oak woodland habitat that has been degraded or removed through human activities. Restoration shall be designed to result in species composition and densities similar to those in the SPA prior to project development. Planted areas shall be placed under conservation easement and managed as oak woodland habitat in perpetuity.▶ The oak woodland mitigation plan prepared by the project applicant(s) shall include a maintenance and monitoring program for any replacement trees. The program shall include monitoring and reporting requirements, schedule, and success criteria. Replacement oak trees shall be maintained and		
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monitored for a minimum of eight years from the date of planting and irrigation shall be provided to planted trees for the first five years after planting. Any replacement trees that die during the monitoring period shall be replaced in sufficient numbers to achieve 80% survival rate for planted trees by the end of the eight-year maintenance and monitoring period. Dead and dying trees shall be replaced and monitoring continued until 80% survivorship is achieved. Security acceptable to the City and sufficient to cover maintenance and monitoring costs for eight years shall be provided to the City Planning Department. The security will be forfeited if the project applicant or designated responsible party fails to provide maintenance and monitoring and meet the success criteria.

Isolated Oak Tree Mitigation

The project applicant(s) of all on-site project phases containing oak woodland habitat or isolated trees and the off-site Prairie City Road and Oak Avenue interchange improvements to U.S. 50; Rowberry Drive Overcrossing; and the underground sewer force main shall develop a map depicting the tree canopy of all oak trees in the survey area and identifying the acreage of tree canopy that would be preserved and the acreage that would be removed. A tree permit for removal of isolated oak trees (those not located within the delineated boundary of oak woodland habitat) shall be obtained from the City Planning Director. As a condition of the tree removal permit, project applicant(s) shall be required to develop a Planting and Maintenance Agreement. The City’s Tree Preservation Code requires compensatory mitigation and the City and the project applicants have developed a plan, as set forth Section 10 of the Folsom Plan Area Specific Plan (attached to this EIR/EIS as Appendix N) specifically to avoid and minimize adverse effects on isolated oak trees from project development and to provide compensatory mitigation for removal of protected trees in the SPA. In addition to the language contained in the Folsom Plan Area Specific Plan, the following elements shall be included in a protected tree mitigation plan to be developed by the project applicants and agreed upon by the City:

- ▶ Project applicant(s) of projects containing isolated oak trees shall retain a certified arborist or registered professional forester to perform a determinate survey of tree species, size (dbh), condition, and location for all areas of the project site proposed for tree removal and encroachment of development. The condition of individual trees shall be assessed according to the American

		<p>Society of Consulting Arborists rating system with the following added explanations:</p> <ul style="list-style-type: none">▪ 5 = Excellent; No problems – tree has no structural problems, branches are properly spaced and tree characteristics are nearly perfect for the species.▪ 4 = Good; No apparent problems – tree is in good condition and no apparent problems from visual inspection. If potential structural or health problems are tended at this stage, future hazard can be reduced and more serious health problems can be averted.▪ 3 = Fair; Minor problems – There are some minor structural or health problems that pose no immediate danger. When the recommended actions in an arborist report are completed correctly the defect(s) can be minimized or eliminated.▪ 2 = Poor; Major problems – the tree is in poor condition, but the condition could be improved with correct arboricultural work including, but not limited to: pruning, cabling, bracing, bolting, guying, spraying, mistletoe removal, vertical mulching, and fertilization. If the recommended actions are completed correctly, hazard can be reduced and the rating can be elevated to a 3. If no action is taken the tree is considered a liability and should be removed.▪ 1 = Hazardous or non correctable condition – the tree is in extremely poor condition and in non-reversible decline. This rating is assigned to a tree that has structural and/or health problems that no amount of tree care work or effort can change. The issues may or may not be considered a dangerous situation. The tree may also be infested with a disease or pest(s) that is non-controllable at this time and is causing an unacceptable risk of spreading the disease or pests(s) to other trees.▪ 0 = Dead – the tree has no significant signs of life (dead or very close to being dead). <p>Isolated Oak Tree Mitigation Planting Criteria</p> <ul style="list-style-type: none">▶ The determination for whether an isolated tree shall be preserved, removed without compensation, or removed with compensatory mitigation shall be based on the condition and size of the tree as follows:<ul style="list-style-type: none">▪ Trees rated 0 or 1 may be removed with no mitigation.		
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- Trees rated 2 may be removed at 50% of the normal Folsom Municipal Code mitigation.
- Trees rated 3, 4, and/or 5 may be removed at the normal Folsom Municipal Code mitigation.
- Native isolated oaks measuring 24 inches or greater dbh for a single trunk or 40 inches or more for a multi-trunked tree and rated a 3 to 5 shall be retained, unless retaining wall(s) higher than 4 feet tall (from bottom of footing to the top of the wall) would be required to protect the tree(s) from mass grading of the SPA properties.
- Native oaks measuring between 12 and 24 inches dbh and rated a 4 or 5 shall not be removed or mitigated unless wall(s) higher than 4 feet tall (from bottom of footing to the top of the wall) would be required to protect the tree(s) from mass grading of the SPA properties. Trees in this size class but rated 2 or 3 shall not be removed unless unreasonable costs to save the tree(s) (greater than the cost of implementing the isolated oak tree mitigation planting criteria described here) would result.
- Native oaks measuring 5 inches or greater dbh but less than 12 inches dbh shall not be removed unless unreasonable costs to save the tree(s) (greater than the cost of implementing the isolated oak tree mitigation planting criteria described here) would result.
- Native oak trees measuring 1 inch or greater dbh but less than 5 inches dbh may be preserved to receive a Small Tree Preservation Credit (STPC). Any tree that is to be considered for preservation credit shall be evaluated, included in the arborist report, and shall have been found to be rated a 3, 4, or a 5. Credits shall only be accepted if the tree protection zone (TPZ) (i.e., the outer edge of the tree canopy drip line) is protected with fencing in the exact manner that 5 inches dbh and greater trees are protected on a construction site, and the spacing is equal to the proper tree spacing dictated by the Folsom Master Tree List. STPC shall not count if they the tree is in a poor growing space due to its position within the TPZ of another protected tree to be preserved. The City shall accept the preservation of native oak trees in this size class as credit towards the total removed inches based on the following STPC criteria:
 - ▶ Folsom Municipal Code requires one of the following be planted as compensation for each diameter inch of protected tree removed:

- half of a 24-inch box tree;
 - one #15 container tree;
 - two #5 container trees; or
 - \$150 in-lieu payment or other fee set by City Council Resolution.
- ▶ The Planting and Maintenance Agreement shall include a planting plan, planting and irrigation design details, and a weaning schedule for the establishment period. The plan shall include a 5-year establishment period for trees and 8 years for planted acorns with an annual monitoring report that includes corrections needed with proposed work plan, and notice of compliance within 90-days of annual monitoring report. Security in an form acceptable to the City and sufficient to cover maintenance and monitoring costs for eight years shall be provided to the City Planning Department. The security will be forfeited if the project applicant or designated responsible party fails to fulfill the Planting and Maintenance Agreement.
- ▶ To avoid and minimize indirect impacts on protected trees to remain on the SPA, the project applicant(s) of all affected project phases shall install high visibility fencing outside the outer edge of the drip lines of all trees to be retained on the SPA during project construction. The fencing may be installed around groups or stands of trees or whole wooded areas but must be installed so that the drip lines of all trees are protected. Grading, trenching, equipment or materials storage, parking, paving, irrigation, and landscaping shall be prohibited within the fenced areas (i.e. drip lines of protected trees). If the activities listed cannot be avoided within the drip line of a particular tree, that tree shall be counted as an affected tree and compensatory mitigation shall be provided, or the tree in question shall be monitored for a period of five years and replaced only if the tree appears to be dead or dying within five years of project implementation.
- Through a combination of the mitigation options presented above along with the proposed on-site preservation of blue oak woodland habitat in the open space areas, the project applicant(s) can satisfy the mitigation requirements for removal of trees protected under the Folsom Municipal Code while also mitigating the impacts on oak woodland habitat, as determined through consultation with the Sacramento County Planning Department (for County off-site impacts only) and/or the City of Folsom.

		Mitigation for the U.S. 50 interchange improvements must be coordinated by the project applicant(s) of each applicable project phase with Caltrans.		
71-22	WS-1 (Addendum)	<p>Conduct Environmental Awareness Training for Construction Employees. Prior to beginning construction activities, the Project Applicant shall employ a qualified biologist to develop and conduct environmental awareness training for construction employees. The training shall describe the importance of onsite biological resources, including special-status wildlife habitats; potential nests of special-status birds; and roosting habitat for special-status bats. The biologist shall also explain the importance of other responsibilities related to the protection of wildlife during construction such as inspecting open trenches and looking under vehicles and machinery prior to moving them to ensure there are no lizards, snakes, small mammals, or other wildlife that could become trapped, injured, or killed in construction areas or under equipment.</p> <p>The environmental awareness program shall be provided to all construction personnel to brief them on the life history of special-status species in or adjacent to the project area, the need to avoid impacts on sensitive biological resources, any terms and conditions required by State and federal agencies, and the penalties for not complying with biological mitigation requirements. If new construction personnel are added to the project, the contractor’s superintendent shall ensure that the personnel receive the mandatory training before starting work. An environmental awareness handout that describes and illustrates sensitive resources to be avoided during project construction and identifies all relevant permit conditions shall be provided to each person.</p>	Before approval of grading or improvement plans or any ground disturbing activities, including grubbing or clearing, for any project phase.	City of Folsom Community Development Department
71-23	WS-2 (Addendum)	<p>Conduct Preconstruction Western Spadefoot Survey. The Project Applicant(s) shall retain a qualified biologist to conduct a preconstruction western spadefoot survey within 48 hours of the initiation of construction activity within suitable tadpole habitat (e.g., vernal pools, seasonal wetlands, and drainages with standing water) for western spadefoot. If no western spadefoot individuals are found during the preconstruction survey, the biologist shall document the findings in a letter report to CDFW and the City, and no further mitigation shall be required. If western spadefoot individuals are found, the qualified biologist shall consult with CDFW to determine appropriate avoidance measures.</p>	Before approval of grading or improvement plans or any ground disturbing activities, including grubbing or clearing, within suitable tadpole habitat.	California Department of Fish and Game, and City of Folsom Community Development Department
71-24	NWPT-1 (Addendum)	<p>Conduct Preconstruction Northwestern Pond Turtle Survey. The Project Applicant(s) shall retain a qualified biologist to conduct a preconstruction northwestern pond turtle survey within 48 hours of the initiation</p>	Before approval of grading or improvement plans or any ground	California Department of Fish and Game, and City of Folsom Community Development Department

		of construction activity within suitable habitat for northwestern pond turtle. If no northwestern pond turtles are found during the preconstruction survey, the biologist shall document the findings in a letter report to CDFW and the City, and no further mitigation shall be required. If northwestern pond turtles are found, the qualified biologist shall capture and relocate the turtles to a suitable preserved location in the vicinity of the project.	disturbing activities, including grubbing or clearing, within suitable northwestern pond turtle habitat.	
71-25	NB-1 (Addendum)	<p>Preconstruction Nesting Bird Survey.</p> <p>The Project Applicant shall conduct a preconstruction nesting bird survey of all areas associated with construction activities on the project site within 14 days prior to commencement of construction during the nesting season (1 February through 31 August).</p> <p>If active nests are found, a no-disturbance buffer around the nest shall be established. The buffer distance shall be established by a qualified biologist in consultation with CDFW. The buffer shall be maintained until the fledglings are capable of flight and become independent of the nest, to be determined by a qualified biologist. Once the young are independent of the nest, no further measures are necessary. Pre-construction nesting surveys are not required for construction activity outside of the nesting season.</p>	Before approval of grading or improvement plans or any ground disturbing activities, including grubbing or clearing, for any project phase.	California Department of Fish and Game, and City of Folsom Community Development Department
Cultural and Tribal Cultural Resources				
71-26	3A.5-1a (Addendum)	<p>Comply with the Programmatic Agreement.</p> <p>The PA for the project is incorporated by reference. The PA provides a management framework for identifying historic properties, determining adverse effects, and resolving those adverse effects as required under Section 106 of the National Historic Preservation Act. This document is incorporated by reference. The PA is available for public inspection and review at the California Office of Historic Preservation 1725 23rd Street Sacramento, CA 95816.</p>	During all construction phases	City of Folsom Community Development Department; U.S. Army Corp of Engineers;
71-27	3A.5-1b (Addendum)	<p>Perform an Inventory and Evaluation of Cultural Resources for the California Register of Historic Places, Minimize or Avoid Damage or Destruction, and Perform Treatment Where Damage or Destruction Cannot be Avoided.</p> <p>These steps may be combined with deliverables and management steps performed for Section 106 provided that management documents prepared for the PA also clearly reference the California Register of Historical Resources (CRHR) listing criteria and significance thresholds that apply under CEQA. Prior to ground disturbing work for each individual development phase or off-site element, the applicable oversight agency (City of Folsom, El Dorado County, Sacramento</p>	Before approval of grading or improvement plans or any ground disturbing activities, including grubbing or clearing, for any project phase.	City of Folsom Community Development Department

County, or Caltrans), or the project applicant(s) of all project phases, with applicable oversight agency, shall perform the following actions:

- ▶ The project applicant shall retain the services of a qualified archaeologist to perform an inventory of cultural resources within each individual development phase or off-site element subject to approval under CEQA. Identified resources shall be evaluated for listing on the CRHR. The inventory report shall also identify locations that are sensitive for undiscovered cultural resources based upon the location of known resources, geomorphology, and topography. The inventory report shall specify the location of monitoring of ground-disturbing work in these areas by a qualified archaeologist and monitoring in the vicinity of identified resources that may be damaged by construction, if appropriate.
- ▶ The identification of any sensitive locations subject to monitoring during construction of each individual development phase shall be performed in concert with monitoring activities performed under the PA to minimize the potential for conflicting requirements.
- ▶ For each resource that is determined eligible for the CRHR, the applicable agency or the project applicant(s) for any particular discretionary development (under the agency’s direction) shall obtain the services of a qualified archaeologist who shall determine if implementation of the individual project development would result in damage or destruction of “significant” (under CEQA) cultural resources. These findings shall be reviewed by the applicable agency for consistency with the significance thresholds and treatment measures provided in this EIR/EIS.
- ▶ Where possible, the project shall be configured or redesigned to avoid impacts on eligible or listed resources. Alternatively, these resources may be preserved in place if possible, as suggested under California Public Resources Code Section 21083.2. Avoidance of historic properties is required under certain circumstances under the Public Resource Code and 36 CFR Part 800.
- ▶ Where impacts cannot be avoided, the applicable agency or the project applicant(s) of all project phases (under the applicable agency’s direction) shall prepare and implement treatment measures that are determined to be necessary by a qualified archaeologist. These measures may consist of data recovery excavations for resources that are eligible for listing because of the data they contain (which may contribute to research). Alternatively, for

		<p>historical architectural, engineered, or landscape features, treatment measures may consist of a preparation of interpretive, narrative, or photographic documentation. These measures shall be reviewed by the applicable oversight agency for consistency with the significance thresholds and standards provided in this EIR/EIS.</p> <ul style="list-style-type: none"> ▶ To support the evaluation and treatment required under this Mitigation Measure, the archaeologist retained by either the applicable oversight agency or the project applicant(s) of all project phases shall prepare an appropriate prehistoric and historic context that identifies relevant prehistoric, ethnographic, and historic themes and research questions against which to determine the significance of identified resources and appropriate treatment. ▶ These steps and documents may be combined with the phasing of management and documents prepared pursuant to the FAPA to minimize the potential for inconsistency and duplicative management efforts. <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries shall be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p>		
71-28	3A.5-2 (Addendum)	<p>Conduct Construction Personnel Education, 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>To reduce potential impacts to previously undiscovered cultural resources, the project applicant(s) of all project phases shall do the following:</p> <ul style="list-style-type: none"> ▶ Before the start of ground-disturbing activities, the project applicant(s) of all project phases shall retain a qualified archaeologist to conduct training for construction workers as necessary based upon the sensitivity of the project APE, to educate them about the possibility of encountering buried cultural resources and inform them of the proper procedures should cultural resources be encountered. ▶ As a result of the work conducted for Mitigation Measures 3A.5-1a and 3A.5-1b, if the archaeologist determines that any portion of the SPA or the off-site elements should be monitored for potential discovery of as-yet-unknown cultural resources, the project applicant(s) of all project phases shall implement such monitoring in the locations specified by the archaeologist. 	Before approval of grading or improvement plans or any ground disturbing activities, including grubbing or clearing, for any project phase.	City of Folsom Community Development Department; U.S. Army Corp of Engineers

		<p>USACE should review and approve any recommendations by archaeologists with respect to monitoring.</p> <ul style="list-style-type: none">▶ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, or architectural remains be encountered during any construction activities, work shall be suspended in the vicinity of the find and the appropriate oversight agency(ies) (identified below) shall be notified immediately. The appropriate oversight agency(ies) shall retain a qualified archaeologist who shall conduct a field investigation of the specific site and shall assess the significance of the find by evaluating the resource for eligibility for listing on the CRHR and the NRHP. If the resource is eligible for listing on the CRHR or NRHP and it would be subject to disturbance or destruction, the actions required in Mitigation Measures 3A.5-1a and 3A.5-1b shall be implemented. The oversight agency shall be responsible for approval of recommended mitigation if it is determined to be feasible in light of the approved land uses and shall implement the approved mitigation before resuming construction activities at the archaeological site. <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>The project applicant, in coordination with USACE, shall ensure that an archaeological sensitivity training program is developed and implemented during a pre-construction meeting for construction supervisors. The sensitivity training program shall provide information about notification procedures when potential archaeological material is discovered, procedures for coordination between construction personnel and monitoring personnel, and information about other treatment or issues that may arise if cultural resources (including human remains) are discovered during project construction. This protocol shall be communicated to all new construction personnel during orientation and on a poster that is placed in a visible location inside the construction job trailer. The phone number of the USACE cultural resources staff member shall also be included.</p> <p>The on-site sensitivity training shall be carried out each time a new contractor will begin work in the APE and at the beginning of each construction season by each contractor.</p>		
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		<p>If unanticipated discoveries of additional historic properties, defined in 36 CFR 800.16 (l), are made during the construction of the project, the USACE shall ensure that they will be protected by implementing the following measures:</p> <ul style="list-style-type: none"> ▶ The Construction Manager, or archaeological monitor, if given the authority to halt construction activities, shall ensure that work in that area is immediately halted within a 100-foot radius of the unanticipated discovery until the find is examined by a person meeting the professional qualifications standards specified in Section 2.2 of Attachment G of the HPMP. The Construction Manager, or archaeological monitor, if present, shall notify the USACE within 24 hours of the discovery. ▶ The USACE shall notify the State Historic Preservation Officer (SHPO) within one working day of an unanticipated discovery and may initiate interim treatment measures in accordance with this HPTP. Once the USACE makes a formal determination of eligibility for the resource, the USACE will notify the SHPO within 48 hours of the determination and afford the SHPO an opportunity to comment on appropriate treatment. The SHPO shall respond within 72 hours of the request to consult. Failure of the SHPO to respond within 72 hours shall not prohibit the USACE from implementing the treatment measures. <p>The project applicants shall be required to submit to the City proof of compliance in the form of a completed training roster and copy of training materials.</p>		
71-29	3A.5-3 (Addendum)	<p>Suspend Ground-Disturbing Activities if Human Remains are Encountered and Comply with California Health and Safety Code Procedures.</p> <p>In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, including those associated with off-site elements, the project applicant(s) of all project phases shall immediately halt all ground-disturbing activities in the area of the find and notify the Sacramento County Coroner and a professional archaeologist skilled in osteological analysis to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or public lands (California Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the NAHC by phone within 24 hours of making that determination (California Health and Safety Code Section 7050[c]).</p>	During all ground disturbing activities, for any project phase.	Sacramento County Coroner; Native American Heritage Commission; City of Folsom Community Development Department

After the coroner’s findings are complete, the project applicant(s), an archaeologist, and the NAHC-designated Most Likely Descendant shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The responsibilities for acting on notification of a discovery of Native American human remains are identified in Section 5097.9 of the California Public Resources Code.

Upon the discovery of Native American remains, the procedures above regarding involvement of the applicable county coroner, notification of the NAHC, and identification of an Most Likely Descendant shall be followed. The project applicant(s) of all project phases shall ensure that the immediate vicinity (according to generally accepted cultural or archaeological standards and practices) is not damaged or disturbed by further development activity until consultation with the Most Likely Descendant has taken place. The Most Likely Descendant shall have 48 hours after being granted access to the site to inspect the site and make recommendations. A range of possible treatments for the remains may be discussed: nondestructive removal and analysis, preservation in place, relinquishment of the remains and associated items to the descendants, or other culturally appropriate treatment. As suggested by AB 2641 (Chapter 863, Statutes of 2006), the concerned parties may extend discussions beyond the initial 48 hours to allow for the discovery of additional remains. AB 2641(e) includes a list of site protection measures and states that the project applicant(s) shall comply with one or more of the following requirements:

- ▶ record the site with the NAHC or the appropriate Information Center,
- ▶ use an open-space or conservation zoning designation or easement, or
- ▶ record a reinternment document with the county.

The project applicant(s) or its authorized representative of all project phases shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance if the NAHC is unable to identify an Most Likely Descendant or if the Most Likely Descendant fails to make a recommendation within 48 hours after being granted access to the site. The project applicant(s) or its authorized representative may also reinter the remains in a location not subject to further disturbance if it rejects the recommendation of the Most Likely Descendant and mediation by the NAHC fails to provide measures acceptable to the landowner. Ground disturbance in the zone of suspended activity shall not recommence without authorization from the archaeologist.

		<p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>The project applicants shall be required to submit to the City proof of compliance in the form of a completed training roster and copy of training materials.</p>		
Geology and Soils				
71-30	3A.7-1a (FPASP EIR/EIS)	<p>Prepare Site-Specific Geotechnical Report per CBC Requirements and Implement Appropriate Recommendations. Before building permits are issued and construction activities begin any project development phase, the project applicant(s) of each project phase shall hire a licensed geotechnical engineer to prepare a final geotechnical subsurface investigation report for the on- and off-site facilities, which shall be submitted for review and approval to the appropriate City or county department (identified below). The final geotechnical engineering report shall address and make recommendations on the following:</p> <ul style="list-style-type: none"> ▶ site preparation; ▶ soil bearing capacity; ▶ appropriate sources and types of fill; ▶ potential need for soil amendments; ▶ road, pavement, and parking areas; ▶ structural foundations, including retaining-wall design; ▶ grading practices; ▶ soil corrosion of concrete and steel; ▶ erosion/winterization; ▶ seismic ground shaking; ▶ liquefaction; and ▶ expansive/unstable soils. <p>In addition to the recommendations for the conditions listed above, the geotechnical investigation shall include subsurface testing of soil and groundwater conditions, and shall determine appropriate foundation designs that are consistent with the version of the CBC that is applicable at the time building and grading permits are applied for. All recommendations contained in the final geotechnical engineering report shall be implemented by the project applicant(s) of each project phase. Special recommendations contained in the geotechnical</p>	Before issuance of building permits and ground-disturbing activities.	City of Folsom Community Development Department

		<p>engineering report shall be noted on the grading plans and implemented as appropriate before construction begins. Design and construction of all new project development shall be in accordance with the CBC. The project applicant(s) shall provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the geotechnical report.</p>		
71-31	<p>3A.7-1b (FPASP EIR/EIS)</p>	<p>Monitor Earthwork during Earthmoving Activities. All earthwork shall be monitored by a qualified geotechnical or soils engineer retained by the project applicant(s) of each project phase. The geotechnical or soils engineer shall provide oversight during all excavation, placement of fill, and disposal of materials removed from and deposited on both on- and off-site construction areas. Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p>	<p>Before issuance of building permits and ground-disturbing activities.</p>	<p>City of Folsom Community Development Department</p>
71-32	<p>3A.7-3 (FPASP EIR/EIS)</p>	<p>Prepare and Implement the Appropriate Grading and Erosion Control Plan. Before grading permits are issued, the project applicant(s) of each project phase that would be located within the City of Folsom shall retain a California Registered Civil Engineer to prepare a grading and erosion control plan. The grading and erosion control plan shall be submitted to the City Public Works Department before issuance of grading permits for all new development. The plan shall be consistent with the City’s Grading Ordinance, the City’s Hillside Development Guidelines, and the state’s NPDES permit, and shall include the site-specific grading associated with development for all project phases.</p> <p>For the two off-site roadways into El Dorado Hills, the project applicant(s) of that phase shall retain a California Registered Civil Engineer to prepare a grading and erosion control plan. The grading and erosion control plan shall be submitted to the El Dorado County Public Works Department and the El Dorado Hills Community Service District before issuance of grading permits for roadway construction in El Dorado Hills. The plan shall be consistent with El Dorado County’s Grading, Erosion, and Sediment Control Ordinance and the state’s NPDES permit, and shall include the site-specific grading associated with roadway development.</p> <p>For the off-site detention basin west of Prairie City Road, the project applicant(s) of that phase shall retain a California Registered Civil Engineer to prepare a grading and erosion control plan. The grading and erosion control plan shall be submitted to the Sacramento County Public Works Department before issuance of</p>	<p>Before the start of construction activities.</p>	<p>City of Folsom Community Development Department</p>

		<p>a grading permit. The plan shall be consistent with Sacramento County’s Grading, Erosion, and Sediment Control Ordinance and the state’s NPDES permit, and shall include the site-specific grading associated with construction of the detention basin.</p> <p>The plans referenced above shall include the location, implementation schedule, and maintenance schedule of all erosion and sediment control measures, a description of measures designed to control dust and stabilize the construction-site road and entrance, and a description of the location and methods of storage and disposal of construction materials. Erosion and sediment control measures could include the use of detention basins, berms, swales, wattles, and silt fencing, and covering or watering of stockpiled soils to reduce wind erosion. Stabilization on steep slopes could include construction of retaining walls and reseeding with vegetation after construction. Stabilization of construction entrances to minimize trackout (control dust) is commonly achieved by installing filter fabric and crushed rock to a depth of approximately 1 foot. The project applicant(s) shall ensure that the construction contractor is responsible for securing a source of transportation and deposition of excavated materials.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties).</p> <p>Implementation of Mitigation Measure 3A.9-1 (discussed in Section 3A.9, “Hydrology and Water Quality – Land”) would also help reduce erosion-related impacts.</p>		
71-33	3A.7-5 (FPASP EIR/EIS)	<p>Divert Seasonal Water Flows Away from Building Foundations. The project applicant(s) of all project phases shall either install subdrains (which typically consist of perforated pipe and gravel, surrounded by nonwoven geotextile fabric), or take such other actions as recommended by the geotechnical or civil engineer for the project that would serve to divert seasonal flows caused by surface infiltration, water seepage, and perched water during the winter months away from building foundations.</p>	Before and during earthmoving activities.	City of Folsom Community Development Department
71-34	3A.7-10 (FPASP EIR/EIS)	<p>Conduct Construction Personnel Education, Stop Work if Paleontological Resources are Discovered, Assess the Significance of the Find, and Prepare and Implement a Recovery Plan as Required.</p> <p>To minimize potential adverse impacts on previously unknown potentially unique, scientifically important paleontological resources, the project applicant(s) of all</p>	During earthmoving activities in the Ione and Mehrten Formations.	City of Folsom Community Development Department

		<p>project phases where construction would occur in the Ione and Mehrten Formations shall do the following:</p> <ul style="list-style-type: none"> ▶ Before the start of any earthmoving activities for any project phase in the Ione or Mehrten Formations, the project applicant(s) shall retain a qualified paleontologist or archaeologist to train all construction personnel involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered. ▶ If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify the appropriate lead agency (identified below). The project applicant(s) shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered. <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Sacramento County).</p>		
Greenhouse Gas Emissions and Climate Change				
71-35	3A.4-1 (FPASP EIR/EIS)	<p>Implement Additional Measures to Control Construction-Generated GHG Emissions.</p> <p>To further reduce construction-generated GHG emissions, the project applicant(s) any particular discretionary development application shall implement all feasible measures for reducing GHG emissions associated with construction that are recommended by SMAQMD at the time individual portions of the site undergo construction. Such measures may reduce GHG exhaust emissions from the use of on-site equipment, worker commute trips, and truck trips carrying materials and equipment to and from the SPA, as well as GHG emissions embodied in the materials selected for construction (e.g., concrete). Other measures may pertain to the materials used in construction. Prior to releasing each request for bid to</p>	Before approval of small-lot final maps and building permits for all discretionary development project, including all on- and off-site elements and implementation throughout project construction.	City of Folsom Community Development Department

contractors for the construction of each discretionary development entitlement, the project applicant(s) shall obtain the most current list of GHG reduction measures that are recommended by SMAQMD and stipulate that these measures be implemented in the respective request for bid as well as the subsequent construction contract with the selected primary contractor. The project applicant(s) for any particular discretionary development application may submit to the City and SMAQMD a report that substantiates why specific measures are considered infeasible for construction of that particular development phase and/or at that point in time. The report, including the substantiation for not implementing particular GHG reduction measures, shall be approved by the City, in consultation with SMAQMD prior to the release of a request for bid by the project applicant(s) for seeking a primary contractor to manage the construction of each development project. By requiring that the list of feasible measures be established prior to the selection of a primary contractor, this measure requires that the ability of a contractor to effectively implement the selected GHG reduction measures be inherent to the selection process.

SMAQMD’s recommended measures for reducing construction-related GHG emissions at the time of writing this EIR/EIS are listed below and the project applicant(s) shall, at a minimum, be required to implement the following:

- ▶ Improve fuel efficiency from construction equipment:
 - reduce unnecessary idling (modify work practices, install auxiliary power for driver comfort);
 - perform equipment maintenance (inspections, detect failures early, corrections);
 - train equipment operators in proper use of equipment;
 - use the proper size of equipment for the job; and
 - use equipment with new technologies (repowered engines, electric drive trains).
- ▶ Use alternative fuels for electricity generators and welders at construction sites such as propane or solar, or use electrical power.
- ▶ Use an ARB-approved low-carbon fuel, such as biodiesel or renewable diesel for construction equipment. (Emissions of oxides of nitrogen [NO_x] emissions from the use of low carbon fuel must be reviewed and increases mitigated.) Additional information about low carbon fuels is available from ARB’s Low Carbon Fuel Standard Program (ARB 2009b).

		<ul style="list-style-type: none"> ▶ Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes. ▶ Reduce electricity use in the construction office by using compact fluorescent bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones. ▶ Recycle or salvage non-hazardous construction and demolition debris (goal of at least 75% by weight). ▶ Use locally sourced or recycled materials for construction materials (goal of at least 20% based on costs for building materials, and based on volume for roadway, parking lot, sidewalk and curb materials). ▶ Minimize the amount of concrete used for paved surfaces or use a low carbon concrete option. ▶ Produce concrete on-site if determined to be less emissive than transporting ready mix. ▶ Use EPA-certified SmartWay trucks for deliveries and equipment transport. Additional information about the SmartWay Transport Partnership Program is available from ARB’s Heavy-Duty Vehicle Greenhouse Gas Measure (ARB 2009c) and EPA (EPA 2009). ▶ Develop a plan in consultation with SMAQMD to efficiently use water for adequate dust control. This may consist of the use of nonpotable water from a local source. <p>In addition to SMAQMD-recommended measures, construction activity shall comply with all applicable rules and regulations established by SMAQMD and ARB.</p>		
71-36	3A.4-2b (FPASP EIR/EIS)	<p>Participate in and Implement an Urban and Community Forestry Program and/or Off-Site Tree Program to Off-Set Loss of On-Site Trees. The trees on the project site contain sequestered carbon and would continue to provide future carbon sequestration during their growing life. For all harvestable trees that are subject to removal, the project applicant(s) for any particular discretionary development application shall participate in and provide necessary funding for urban and community forestry program (such as the Urban Wood program managed by the Urban Forest Ecosystems Institute [Urban Forest Ecosystems Institute 2009]) to ensure that wood with an equivalent carbon sequestration value to that of all harvestable removed trees is harvested for an end-use that would retain its carbon sequestration (e.g., furniture building, cabinet making). For all nonharvestable trees that are subject to removal, the</p>	Before approval of final maps and/or building permits for all project phases requiring discretionary approval, including all on- and off-site elements.	City of Folsom Community Development Department

		<p>project applicant(s) shall develop and fund an off-site tree program that includes a level of tree planting that, at a minimum, increases carbon sequestration by an amount equivalent to what would have been sequestered by the blue oak woodland during its lifetime. This program shall be funded by the project applicant(s) of each development phase and reviewed for comment by an independent Certified Arborist unaffiliated with the project applicant(s) and shall be coordinated with the requirements of Mitigation Measure 3.3-5, as stated in Section 3A.3, "Biological Resources - Land." Final approval of the program shall be provided by the City. Components of the program may include, but not be limited to, providing urban tree canopy in the City of Folsom, or reforestation in suitable areas outside the City. Reforestation in natural habitat areas outside the City of Folsom would simultaneously mitigate the loss of oak woodland habitat while planting trees within the urban forest canopy would not. The California Urban Forestry Greenhouse Gas Reporting Protocol shall be used to assess this mitigation program (CCAR 2008). All unused vegetation and tree material shall be mulched for use in landscaping on the project site, shipped to the nearest composting facility, or shipped to a landfill that is equipped with a methane collection system, or combusted in a biomass power plant. Tree and vegetative material should not be burned on- or off-site unless used as fuel in a biomass power plant.</p>		
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Hazards and Hazardous Materials

71-37	3A.8-2 (FPASP EIR/EIS)	<p>Complete Investigations Related to the Extent to Which Soil and/or Groundwater May Have Been Contaminated in Areas Not Covered by the Phase I and II Environmental Site Assessments and Implement Required Measures. The project applicant(s) for any discretionary development application shall conduct Phase I Environmental Site Assessments (where an Phase I has not been conducted), and if necessary, Phase II Environmental Site Assessments, and/or other appropriate testing for all areas of the SPA and include, as necessary, analysis of soil and/or groundwater samples for the potential contamination sites that have not yet been covered by previous investigations (as shown in Exhibit 3A.8-1) before construction activities begin in those areas. Recommendations in the Phase I and II Environmental Site Assessments to address any contamination that is found shall be implemented before initiating ground-disturbing activities in these areas.</p> <p>The project applicant(s) shall implement the following measures before ground-disturbing activities to reduce health hazards associated with potential exposure to hazardous substances:</p>	Before and during earth moving activities	City of Folsom Community Development Department
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		<ul style="list-style-type: none"> ▶ Prepare a plan that identifies any necessary remediation activities appropriate for proposed on- and off-site uses, including excavation and removal of on-site contaminated soils, redistribution of clean fill material in the SPA, and closure of any abandoned mine shafts. The plan shall include measures that ensure the safe transport, use, and disposal of contaminated soil and building debris removed from the site. In the event that contaminated groundwater is encountered during site excavation activities, the contractor shall report the contamination to the appropriate regulatory agencies, dewater the excavated area, and treat the contaminated groundwater to remove contaminants before discharge into the sanitary sewer system. The project applicant(s) shall be required to comply with the plan and applicable Federal, state, and local laws. The plan shall outline measures for specific handling and reporting procedures for hazardous materials and disposal of hazardous materials removed from the site at an appropriate off-site disposal facility. ▶ Notify the appropriate Federal, state, and local agencies if evidence of previously undiscovered soil or groundwater contamination (e.g., stained soil, odorous groundwater) is encountered during construction activities. Any contaminated areas shall be remediated in accordance with recommendations made by the Sacramento County Environmental Management Department, Central Valley RWQCB, DTSC, and/or other appropriate Federal, state, or local regulatory agencies. ▶ Obtain an assessment conducted by PG&E and SMUD pertaining to the contents of any existing pole-mounted transformers located in the SPA. The assessment shall determine whether existing on-site electrical transformers contain PCBs and whether there are any records of spills from such equipment. If equipment containing PCB is identified, the maintenance and/or disposal of the transformer shall be subject to the regulations of the Toxic Substances Control Act under the authority of the Sacramento County Environmental Health Department. <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Sacramento County).</p>		
71-38	3A.8-6 (FPASP EIR/EIS)	<p>Prudent Avoidance and Notification of EMF Exposure. Potential purchasers of residential properties near the transmission lines shall be made aware of the controversy surrounding EMF exposure. The California Department of Real Estate shall be requested to insert an appropriate notification into the applicant’s</p>	At the submission of tentative map applications.	City of Folsom Community Development Department

		<p>final Subdivision Public Report application, which shall be provided to purchasers of properties within 100 feet from the 100-115kV power line , or within 150 feet from the 220-230 kV power line . The notification would include a discussion of the scientific studies and conclusions reached to date, acknowledge that the notification distance is not based on specific biological evidence, but rather, the distance where background levels may increase, and provide that, given some uncertainty in the data, this notification is merely provided to allow purchasers to make an informed decision.</p>		
<p>71-39</p>	<p>3A.8-7 (FPASP EIR/EIS)</p>	<p>Prepare and Implement a Vector Control Plan in Consultation with the Sacramento-Yolo Mosquito and Vector Control District. To ensure that operation and design of the stormwater system, including multiple planned detention basins, is consistent with the recommendations of the Sacramento-Yolo Mosquito and Vector Control District regarding mosquito control, the project applicant(s) of all project phases shall prepare and implement a Vector Control Plan. This plan shall be prepared in coordination with the Sacramento-Yolo Mosquito and Vector Control District and shall be submitted to the City for approval before issuance of the grading permit for the detention basins under the City’s jurisdiction. For the off-site detention basin, the plan shall be submitted to Sacramento County for approval before issuance of the grading permit for the off-site detention basin. The plan shall incorporate specific measures deemed sufficient by the City to minimize public health risks from mosquitoes, and as contained within the Sacramento-Yolo Mosquito and Vector Control District BMP Manual (Sacramento-Yolo Mosquito and Vector Control District 2008). The plan shall include, but is not limited to, the following components:</p> <ul style="list-style-type: none"> ▶ Description of the project. ▶ Description of detention basins and all water features and facilities that would control on-site water levels. ▶ Goals of the plan. ▶ Description of the water management elements and features that would be implemented, including: <ul style="list-style-type: none"> ▪ BMPs that would implemented on-site; ▪ public education and awareness; ▪ sanitary methods used (e.g., disposal of garbage); ▪ mosquito control methods used (e.g., fluctuating water levels, biological agents, pesticides, larvacides, circulating water); and 	<p>Before issuance of grading permits for the project water features.</p>	<p>City of Folsom Community Development Department</p>

- stormwater management (consistent with Stormwater Management Plan).
- ▶ Long-term maintenance of the detention basins and all related facilities (e.g., specific ongoing enforceable conditions or maintenance by a homeowner’s association).

To reduce the potential for mosquitoes to reproduce in the detention basins, the project applicant(s) shall coordinate with the Sacramento-Yolo Mosquito and Vector Control District to identify and implement BMPs based on their potential effectiveness for SPA conditions. Potential BMPs could include, but are not limited to, the following:

- ▶ build shoreline perimeters as steep and uniform as practicable to discourage dense plant growth;
- ▶ perform routine maintenance to reduce emergent plant densities to facilitate the ability of mosquito predators (i.e., fish) to move throughout vegetated area;
- ▶ design distribution piping and containment basins with adequate slopes to drain fully and prevent standing water. The design slope should take into consideration buildup of sediment between maintenance periods. Compaction during grading may also be needed to avoid slumping and settling;
- ▶ coordinate cleaning of catch basins, drop inlets, or storm drains with mosquito treatment operations;
- ▶ enforce the prompt removal of silt screens installed during construction when no longer needed to protect water quality;
- ▶ if the sump, vault, or basin is sealed against mosquitoes, with the exception of the inlet and outlet, submerge the inlet and outlet completely to reduce the available surface area of water for mosquito egg-laying (female mosquitoes can fly through pipes); and
- ▶ design structures with the appropriate pumping, piping, valves, or other necessary equipment to allow for easy dewatering of the unit if necessary (Sacramento Yolo Mosquito and Vector Control District 2008).

The project applicant(s) of the project phase containing the off-site detention basin shall coordinate mitigation for the off-site with the affected oversight agency (i.e., Sacramento County).

Hydrology and Water Quality

<p>71-40</p>	<p>3A.9-1 (FPASP EIR/EIS)</p>	<p>Acquire Appropriate Regulatory Permits and Prepare and Implement SWPPP and BMPs. Prior to the issuance of grading permits, the project applicant(s) of all projects disturbing one or more acres (including phased construction of smaller areas which are part of a larger project) shall obtain coverage under the SWRCB's NPDES stormwater permit for general construction activity (Order 2009-0009-DWQ), including preparation and submittal of a project-specific SWPPP at the time the NOI is filed. The project applicant(s) shall also prepare and submit any other necessary erosion and sediment control and engineering plans and specifications for pollution prevention and control to Sacramento County, City of Folsom, El Dorado County (for the off-site roadways into El Dorado Hills under the Proposed Project Alternative). The SWPPP and other appropriate plans shall identify and specify:</p> <ul style="list-style-type: none"> ▶ the use of an effective combination of robust erosion and sediment control BMPs and construction techniques accepted by the local jurisdictions for use in the project area at the time of construction, that shall reduce the potential for runoff and the release, mobilization, and exposure of pollutants, including legacy sources of mercury from project-related construction sites. These may include but would not be limited to temporary erosion control and soil stabilization measures, sedimentation ponds, inlet protection, perforated riser pipes, check dams, and silt fences ▶ the implementation of approved local plans, non-stormwater management controls, permanent post-construction BMPs, and inspection and maintenance responsibilities; ▶ the pollutants that are likely to be used during construction that could be present in stormwater drainage and nonstormwater discharges, including fuels, lubricants, and other types of materials used for equipment operation; ▶ spill prevention and contingency measures, including measures to prevent or clean up spills of hazardous waste and of hazardous materials used for equipment operation, and emergency procedures for responding to spills; ▶ personnel training requirements and procedures that shall be used to ensure that workers are aware of permit requirements and proper installation methods for BMPs specified in the SWPPP; and ▶ the appropriate personnel responsible for supervisory duties related to implementation of the SWPPP. 	<p>Submittal of the State Construction General Permit NOI and SWPPP (where applicable) and development and submittal of any other locally required plans and specifications before the issuance of grading permits for all on-site project phases and off-site elements and implementation throughout project construction.</p>	<p>City of Folsom Community Development Department</p>
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		<ul style="list-style-type: none"> ▶ Where applicable, BMPs identified in the SWPPP shall be in place throughout all site work and construction/demolition activities and shall be used in all subsequent site development activities. BMPs may include, but are not limited to, such measures as those listed below. ▶ Implementing temporary erosion and sediment control measures in disturbed areas to minimize discharge of sediment into nearby drainage conveyances, in compliance with state and local standards in effect at the time of construction. These measures may include silt fences, staked straw bales or wattles, sediment/silt basins and traps, geofabric, sandbag dikes, and temporary vegetation. ▶ Establishing permanent vegetative cover to reduce erosion in areas disturbed by construction by slowing runoff velocities, trapping sediment, and enhancing filtration and transpiration. ▶ Using drainage swales, ditches, and earth dikes to control erosion and runoff by conveying surface runoff down sloping land, intercepting and diverting runoff to a watercourse or channel, preventing sheet flow over sloped surfaces, preventing runoff accumulation at the base of a grade, and avoiding flood damage along roadways and facility infrastructure. <p>A copy of the approved SWPPP shall be maintained and available at all times on the construction site.</p> <p>For those areas that would be disturbed as part of the U.S. 50 interchange improvements, Caltrans shall coordinate with the development and implementation of the overall project SWPPP, or develop and implement its own SWPPP specific to the interchange improvements, to ensure that water quality degradation would be avoided or minimized to the maximum extent practicable.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p>		
71-41	3A.9-2 (FPASP EIR/EIS)	<p>Prepare and Submit Final Drainage Plans and Implement Requirements Contained in Those Plans.</p> <p>Before the approval of grading plans and building permits, the project applicant(s) of all project phases shall submit final drainage plans to the City, and to El Dorado County for the off-site roadway connections into El Dorado Hills, demonstrating that off-site upstream runoff would be appropriately conveyed</p>	Before approval of grading plans and building permits of all project phases.	City of Folsom Public Works Department

through the SPA, and that project-related on-site runoff would be appropriately contained in detention basins or managed with through other improvements (e.g., source controls, biotechnical stream stabilization) to reduce flooding and hydromodification impacts.

The plans shall include, but not be limited to, the following items:

- ▶ an accurate calculation of pre-project and post-project runoff scenarios, obtained using appropriate engineering methods, that accurately evaluates potential changes to runoff, including increased surface runoff;
- ▶ runoff calculations for the 10-year and 100-year (0.01 AEP) storm events (and other, smaller storm events as required) shall be performed and the trunk drainage pipeline sizes confirmed based on alignments and detention facility locations finalized in the design phase;
- ▶ a description of the proposed maintenance program for the on-site drainage system;
- ▶ project-specific standards for installing drainage systems;
- ▶ City and El Dorado County flood control design requirements and measures designed to comply with them;

Implementation of stormwater management BMPs that avoid increases in the erosive force of flows beyond a specific range of conditions needed to limit hydromodification and maintain current stream geomorphology. These BMPs will be designed and constructed in accordance with the forthcoming SSQP Hydromodification Management Plan (to be adopted by the RWQCB) and may include, but are not limited to, the following:

- ▶ use of Low Impact Development (LID) techniques to limit increases in stormwater runoff at the point of origination (these may include, but are not limited to: surface swales; replacement of conventional impervious surfaces with pervious surfaces [e.g., porous pavement]; impervious surfaces disconnection; and trees planted to intercept stormwater);
- ▶ enlarged detention basins to minimize flow changes and changes to flow duration characteristics;
- ▶ bioengineered stream stabilization to minimize bank erosion, utilizing vegetative and rock stabilization, and inset floodplain restoration features that provide for enhancement of riparian habitat and maintenance of natural hydrologic and channel to floodplain interactions;

		<ul style="list-style-type: none"> ▶ minimize slope differences between any stormwater or detention facility outfall channel with the existing receiving channel gradient to reduce flow velocity; and ▶ minimize to the extent possible detention basin, bridge embankment, and other encroachments into the channel and floodplain corridor, and utilize open bottom box culverts to allow sediment passage on smaller drainage courses. <p>The final drainage plan shall demonstrate to the satisfaction of the City of Folsom Community Development and Public Works Departments and El Dorado County Department of Transportation that 100-year (0.01 AEP) flood flows would be appropriately channeled and contained, such that the risk to people or damage to structures within or down gradient of the SPA would not occur, and that hydromodification would not be increased from pre-development levels such that existing stream geomorphology would be changed (the range of conditions should be calculated for each receiving water if feasible, or a conservative estimate should be used, e.g., an Ep of 1 ±10% or other as approved by the Sacramento Stormwater Quality Partnership and/or City of Folsom Public Works Department).</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with El Dorado County.</p>		
71-42	3A.9-3 (FPASP EIR/EIS)	<p>Develop and Implement a BMP and Water Quality Maintenance Plan. Before approval of the grading permits for any development project requiring a subdivision map, a detailed BMP and water quality maintenance plan shall be prepared by a qualified engineer retained by the project applicant(s) the development project. Drafts of the plan shall be submitted to the City of Folsom and El Dorado County for the off-site roadway connections into El Dorado Hills, for review and approval concurrently with development of tentative subdivision maps for all project phases. The plan shall finalize the water quality improvements and further detail the structural and nonstructural BMPs proposed for the project. The plan shall include the elements described below.</p> <ul style="list-style-type: none"> ▶ A quantitative hydrologic and water quality analysis of proposed conditions incorporating the proposed drainage design features. ▶ Predevelopment and post development calculations demonstrating that the proposed water quality BMPs meet or exceed requirements established by the City of Folsom and including details regarding the size, geometry, and 	Prepare plans before the issuance of grading permits for all project phases and off-site elements and implementation throughout project construction.	City of Folsom Community Development Department and Public Works Department

functional timing of storage and release pursuant to the “Stormwater Quality Design Manual for Sacramento and South Placer Regions” ([SSQP 2007b] per NPDES Permit No. CAS082597 WDR Order No. R5-2008-0142, page 46) and El Dorado County’s NPDES SWMP (County of El Dorado 2004).

- ▶ Source control programs to control water quality pollutants on the SPA, which may include but are limited to recycling, street sweeping, storm drain cleaning, household hazardous waste collection, waste minimization, prevention of spills and illegal dumping, and effective management of public trash collection areas.
- ▶ A pond management component for the proposed basins that shall include management and maintenance requirements for the design features and BMPs, and responsible parties for maintenance and funding.
- ▶ LID control measures shall be integrated into the BMP and water quality maintenance plan. These may include, but are not limited to:
 - surface swales;
 - replacement of conventional impervious surfaces with pervious surfaces (e.g., porous pavement);
 - impervious surfaces disconnection; and
 - trees planted to intercept stormwater.

New stormwater facilities shall be placed along the natural drainage courses within the SPA to the extent practicable so as to mimic the natural drainage patterns. The reduction in runoff as a result of the LID configurations shall be quantified based on the runoff reduction credit system methodology described in “Stormwater Quality Design Manual for the Sacramento and South Placer Regions, Chapter 5 and Appendix D4” (SSQP 2007b) and proposed detention basins and other water quality BMPs shall be sized to handle these runoff volumes.

For those areas that would be disturbed as part of the U.S. 50 interchange improvements, it is anticipated that Caltrans would coordinate with the development and implementation of the overall project SWPPP, or develop and implement its own SWPPP specific to the interchange improvements, to ensure that water quality degradation would be avoided or minimized to the maximum extent practicable.

		Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with El Dorado County and Caltrans.		
71-43	3A.9-4 (FPASP EIR/EIS)	Inspect and Evaluate Existing Dams Within and Upstream of the Project Site and Make Improvements if Necessary. Prior to submittal to the City of tentative maps or improvement plans the project applicant(s) of all project phases shall perform conduct studies to determine the extent of inundation in the case of dam failure. If the studies determine potential exposure of people or structures to a significant risk of flooding as a result of the failure of a dam, the applicants(s) shall implement of any feasible recommendations provided in that study, potentially through drainage improvements, subject to the approval of the City of Folsom Public Works Department.	Prior to submittal to the City of tentative maps or improvement plans.	City of Folsom Public Works Department
Noise and Vibration				
71-44	3A.11-1 (FPASP EIR/EIS)	Implement Noise-Reducing Construction Practices, Prepare and Implement a Noise Control Plan, and Monitor and Record Construction Noise near Sensitive Receptors. To reduce impacts associated with noise generated during project related construction activities, the project applicant(s) and their primary contractors for engineering design and construction of all project phases shall ensure that the following requirements are implemented at each work site in any year of project construction to avoid and minimize construction noise effects on sensitive receptors. The project applicant(s) and primary construction contractor(s) shall employ noise-reducing construction practices. Measures that shall be used to limit noise shall include the measures listed below: <ul style="list-style-type: none"> ▶ Noise-generating construction operations shall be limited to the hours between 7 a.m. and 7 p.m. Monday through Friday, and between 8 a.m. and 6 p.m. on Saturdays and Sundays. ▶ All construction equipment and equipment staging areas shall be located as far as possible from nearby noise-sensitive land uses. ▶ All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers’ recommendations. Equipment engine shrouds shall be closed during equipment operation. ▶ All motorized construction equipment shall be shut down when not in use to prevent idling. 	Before and during construction activities on the SPA and within El Dorado Hills.	City of Folsom Community Development Department

- ▶ Individual operations and techniques shall be replaced with quieter procedures (e.g., using welding instead of riveting, mixing concrete offsite instead of on-site).
- ▶ Noise-reducing enclosures shall be used around stationary noise-generating equipment (e.g., compressors and generators) as planned phases are built out and future noise sensitive receptors are located within close proximity to future construction activities.
- ▶ Written notification of construction activities shall be provided to all noise-sensitive receptors located within 850 feet of construction activities. Notification shall include anticipated dates and hours during which construction activities are anticipated to occur and contact information, including a daytime telephone number, for the project representative to be contacted in the event that noise levels are deemed excessive. Recommendations to assist noise-sensitive land uses in reducing interior noise levels (e.g., closing windows and doors) shall also be included in the notification.
- ▶ To the extent feasible, acoustic barriers (e.g., lead curtains, sound barriers) shall be constructed to reduce construction-generated noise levels at affected noise-sensitive land uses. The barriers shall be designed to obstruct the line of sight between the noise-sensitive land use and on-site construction equipment. When installed properly, acoustic barriers can reduce construction noise levels by approximately 8–10 dB (EPA 1971).
- ▶ When future noise sensitive uses are within close proximity to prolonged construction noise, noise-attenuating buffers such as structures, truck trailers, or soil piles shall be located between noise sources and future residences to shield sensitive receptors from construction noise.
- ▶ The primary contractor shall prepare and implement a construction noise management plan. This plan shall identify specific measures to ensure compliance with the noise control measures specified above. The noise control plan shall be submitted to the City of Folsom before any noise-generating construction activity begins. Construction shall not commence until the construction noise management plan is approved by the City of Folsom. Mitigation for the two off-site roadway connections into El Dorado County must be coordinated by the project applicant(s) of the applicable

		project phase with El Dorado County, since the roadway extensions are outside of the City of Folsom’s jurisdictional boundaries.		
71-45	3A.11-3 (FPASP EIR/EIS)	<p>Implement Measures to Prevent Exposure of Sensitive Receptors to Groundborne Noise or Vibration from Project Generated Construction Activities.</p> <ul style="list-style-type: none"> ▶ To the extent feasible, blasting activities shall not be conducted within 275 feet of existing or future sensitive receptors. ▶ To the extent feasible, bulldozing activities shall not be conducted within 50 feet of existing or future sensitive receptors. ▶ All blasting shall be performed by a blast contractor and blasting personnel licensed to operate in the State of California. ▶ A blasting plan, including estimates of vibration levels at the residence closest to the blast, shall be submitted to the enforcement agency for review and approval prior to the commencement of the first blast. ▶ Each blast shall be monitored and documented for groundbourne noise and vibration levels at the nearest sensitive land use and associated recorded submitted to the enforcement agency. 	Before and during bulldozing and blasting activities on the SPA and within El Dorado Hills and the County of Sacramento	City of Folsom Community Development Department
71-46	3A.11-5 (FPASP EIR/EIS)	<p>Implement Measures to Reduce Noise from Project-Generated Stationary Sources.</p> <p>The project applicant(s) for any particular discretionary development project shall implement the following measures to reduce the effect of noise levels generated by on-site stationary noise sources that would be located within 600 feet of any noise-sensitive receptor:</p> <ul style="list-style-type: none"> ▶ Routine testing and preventive maintenance of emergency electrical generators shall be conducted during the less sensitive daytime hours (i.e., 7:00 a.m. to 6:00 p.m.). All electrical generators shall be equipped with noise control (e.g., muffler) devices in accordance with manufacturers’ specifications. ▶ External mechanical equipment associated with buildings shall incorporate features designed to reduce noise emissions below the stationary noise source criteria. These features may include, but are not limited to, locating generators within equipment rooms or enclosures that incorporate noise-reduction features, such as acoustical louvers, and exhaust and intake silencers. Equipment enclosures shall be oriented so that major openings (i.e., 	Before submittal of improvement plans for each project phase, and during project operations for testing of emergency generators.	City of Folsom Community Development Department

		<p>intake louvers, exhaust) are directed away from nearby noise-sensitive receptors.</p> <ul style="list-style-type: none"> ▶ Parking lots shall be located and designed so that noise emissions do not exceed the stationary noise source criteria established in this analysis (i.e., 50 dB for 30 minutes in every hour during the daytime [7 a.m. to 10 p.m.] and less than 45 dB for 30 minutes of every hour during the night time [10 p.m. to 7 a.m.]). Reduction of parking lot noise can be achieved by locating parking lots as far away as feasible from noise sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise-sensitive land uses. ▶ Loading docks shall be located and designed so that noise emissions do not exceed the stationary noise source criteria established in this analysis (i.e., 50 dB for 30 minutes in every hour during the daytime [7 a.m. to 10 p.m.] and less than 45 dB for 30 minutes of every hour during the night time [10 p.m. to 7 a.m.]). Reduction of loading dock noise can be achieved by locating loading docks as far away as possible from noise sensitive land uses, constructing noise barriers between loading docks and noise-sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise-sensitive land uses. 		
71-47	4.13-1 (Addendum)	<p>Exterior Traffic Noise Reduction Measures</p> <p>Prior to building occupancy, the project applicant shall design and construct noise barriers, as detailed below, to reduce traffic noise levels below the City of Folsom exterior criteria of 60 dB Ldn.</p> <ul style="list-style-type: none"> ▶ 6-foot tall solid noise barriers, relative to backyard elevations, shall be constructed along all property boundaries adjacent to East Bidwell Street, Mangini Parkway, and Oak Avenue Parkway. ▶ For the proposed Traditional Subdivisions portion of the project, a 7-foot tall solid noise barrier, relative to backyard elevations, shall be constructed along all property boundaries adjacent to White Rock Road. ▶ For the proposed Regency at Folsom Ranch Phase 1 and Phase 2 portions of the project, an 8-foot tall solid noise barrier, relative to backyard elevations, shall be constructed along all property boundaries adjacent to White Rock Road. <p>Suitable materials for the traffic noise barriers include masonry and precast concrete panels. The overall barrier height may be achieved by utilizing a barrier</p>	Prior to building occupancy	City of Folsom Community Development Department

		<p>and earthen berm combination. Other materials may be acceptable but shall be reviewed by an acoustical consultant prior to use.</p> <p>Barrier height requirements are based on a property boundary setback of 117-122 feet from the ultimate alignment of White Rock Road under the approved Capital Southeast Connector project. If 90 days prior to pulling building permits for the Toll Brothers site, it is determined that there is no evidence that the White Rock Road improvements are funded and moving forward, as described under the approved Capital Southeast Connector project, the project applicant shall obtain the services of a noise consultant to reconduct a site-specific acoustical analysis based on the actual property boundary setback to determine the appropriate noise reduction measures to reduce traffic noise levels in accordance with adopted City of Folsom noise standards.</p>		
71-48	4.13-2 (Addendum)	<p>Interior Traffic Noise Reduction Measures</p> <p>Prior to building occupancy, the project applicant shall ensure the following construction design features have been implemented.</p> <ul style="list-style-type: none"> ▶ For the first-row of homes located along White Rock Road, the west-, south-, and east-facing upper-floor building facades shall maintain minimum window assembly STC ratings of 34. ▶ Mechanical ventilation (air conditioning) shall be provided for all residences in this development to allow the occupants to close doors and windows as desired to achieve compliance with the applicable interior noise level criteria. 	Prior to building occupancy	City of Folsom Community Development Department
Public Services				
71-49	3A.14-1 (FPASP EIR/EIS)	<p>Prepare and Implement a Construction Traffic Control Plan. The project applicant(s) of all project phases shall prepare and implement traffic control plans for construction activities that may affect road rights-of-way. The traffic control plans must follow any applicable standards of the agency responsible for the affected roadway and must be approved and signed by a professional engineer. Measures typically used in traffic control plans include advertising of planned lane closures, warning signage, a flag person to direct traffic flows when needed, and methods to ensure continued access by emergency vehicles. During project construction, access to existing land uses shall be maintained at all times, with detours used as necessary during road closures. Traffic control plans shall be submitted to the appropriate City or County department or the California Department of Transportation (Caltrans) for review and approval before the</p>	Before the approval of all relevant plans and/or permits and during construction of all project phases.	City of Folsom Public Works Department

		<p>approval of all project plans or permits, for all project phases where implementation may cause impacts on traffic.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties and Caltrans).</p>		
<p>71-50</p>	<p>3A.14-2 (FPASP EIR/EIS)</p>	<p>Incorporate California Fire Code; City of Folsom Fire Code Requirements; and EDHFD Requirements, if Necessary, into Project Design and Submit Project Design to the City of Folsom Fire Department for Review and Approval. To reduce impacts related to the provision of new fire services, the project applicant(s) of all project phases shall do the following, as described below.</p> <p>1. Incorporate into project designs fire flow requirements based on the California Fire Code, Folsom Fire Code (City of Folsom Municipal Code Title 8, Chapter 8.36), and other applicable requirements based on the City of Folsom Fire Department fire prevention standards.</p> <p>Improvement plans showing the incorporation automatic sprinkler systems, the availability of adequate fire flow, and the locations of hydrants shall be submitted to the City of Folsom Fire Department for review and approval. In addition, approved plans showing access design shall be provided to the City of Folsom Fire Department as described by Zoning Code Section 17.57.080 (“Vehicular Access Requirements”). These plans shall describe access-road length, dimensions, and finished surfaces for firefighting equipment. The installation of security gates across a fire apparatus access road shall be approved by the City of Folsom Fire Department. The design and operation of gates and barricades shall be in accordance with the Sacramento County Emergency Access Gates and Barriers Standard, as required by the City of Folsom Fire Code.</p> <p>2. Submit a Fire Systems New Buildings, Additions, and Alterations Document Submittal List to the City of Folsom Community Development Department Building Division for review and approval before the issuance of building permits.</p> <p>In addition to the above measures, the project applicant(s) of all project phases shall incorporate the provisions described below for the portion of the SPA within the EDHFD service area, if it is determined through City/El Dorado County negotiations that EDHFD would serve the 178-acre portion of the SPA.</p> <p>3. Incorporate into project designs applicable requirements based on the EDHFD fire prevention standards. For commercial development, improvement plans</p>	<p>Before issuance of building permits and issuance of occupancy permits or final inspections for all project phases.</p>	<p>City of Folsom Fire Department, City of Folsom Community Development Department</p>

		<p>showing roadways, land splits, buildings, fire sprinkler systems, fire alarm systems, and other commercial building improvements shall be submitted to the EDHFD for review and approval. For residential development, improvement plans showing property lines and adjacent streets or roads; total acreage or square footage of the parcel; the footprint of all structures; driveway plan views describing width, length, turnouts, turnarounds, radiuses, and surfaces; and driveway profile views showing the percent grade from the access road to the structure and vertical clearance shall be submitted to the EDHFD for review and approval.</p> <p>4. Submit a Fire Prevention Plan Checklist to the EDHFD for review and approval before the issuance of building permits. In addition, residential development requiring automation fire sprinklers shall submit sprinkler design sheet(s) and hydraulic calculations from a California State Licensed C-16 Contractor.</p> <p>The City shall not authorize the occupancy of any structures until the project applicant(s) have obtained a Certificate of Occupancy from the City of Folsom Community Development Department verifying that all fire prevention items have been addressed on-site to the satisfaction of the City of Folsom Fire Department and/or the EDHFD for the 178-acre area of the SPA within the EDHFD service area.</p>		
71-51	3A.14-3 (FPASP EIR/EIS)	<p>Incorporate Fire Flow Requirements into Project Designs. The project applicant(s) of all project phases shall incorporate into their project designs fire flow requirements based on the California Fire Code, Folsom Fire Code, and/or EDHFD for those areas of the SPA within the EDHFD service area and shall verify to City of Folsom Fire Department that adequate water flow is available, prior to approval of improvement plans and issuance of occupancy permits or final inspections for all project phases.</p>	Before issuance of building permits and issuance of occupancy permits or final inspections for all project phases.	City of Folsom Fire Department, City of Folsom Community Development Department
Traffic and Transportation				
71-52	3A.15-1a (FPASP EIR/EIS)	<p>The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Folsom Boulevard/Blue Ravine Road Intersection (Intersection 1). To ensure that the Folsom Boulevard/Blue Ravine Road intersection operates at an acceptable LOS, the eastbound approach must be reconfigured to consist of two left-turn lanes, one through lane, and one right-turn lane. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the Folsom Boulevard/Blue Ravine Road intersection (Intersection 1).</p>	A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented and when fair share	City of Folsom Public Works Department

			funding should be paid.	
71-53	3A.15-1b (FPASP EIR/EIS)	The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements at the Sibley Street/Blue Ravine Road Intersection (Intersection 2). To ensure that the Sibley Street/Blue Ravine Road intersection operates at an acceptable LOS, the northbound approach must be reconfigured to consist of two left-turn lanes, two through lanes, and one right-turn lane. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the Sibley Street/Blue Ravine Road intersection (Intersection 2).	A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented and when fair share funding should be paid.	City of Folsom Public Works Department
71-54	3A.15-1c (FPASP EIR/EIS)	The Applicant Shall Fund and Construct Improvements to the Scott Road (West)/White Rock Road Intersection (Intersection 28). To ensure that the Scott Road (West)/White Rock Road intersection operates at an acceptable LOS, a traffic signal must be installed.	A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented.	City of Folsom Public Works Department
71-55	3A.15-1e (FPASP EIR/EIS)	Fund and Construct Improvements to the Hillside Drive/Easton Valley Parkway Intersection (Intersection 41). To ensure that the Hillside Drive/Easton Valley Parkway intersection operates at an acceptable LOS, the eastbound approach must be reconfigured to consist of one dedicated left turn lane and two through lanes, and the westbound approach must be reconfigured to consist of two through lanes and one dedicated right-turn lane. The applicant shall fund and construct these improvements.	A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented.	City of Folsom Public Works Department
71-56	3A.15-1f (FPASP EIR/EIS)	Fund and Construct Improvements to the Oak Avenue Parkway/Middle Road Intersection (Intersection 44). To ensure that the Oak Avenue Parkway/Middle Road intersection operates at an acceptable LOS, control all movements with a stop sign. The applicant shall fund and construct these improvements.	A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented.	City of Folsom Public Works Department

71-57	3A.15-1h (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts to the Hazel Avenue/Folsom Boulevard Intersection (Sacramento County Intersection 2). To ensure that the Hazel Avenue/Folsom Boulevard intersection operates at an acceptable LOS, this intersection must be grade separated including “jug handle” ramps. No at grade improvement is feasible. Grade separating and extended (south) Hazel Avenue with improvements to the U.S. 50/Hazel Avenue interchange is a mitigation measure for the approved Easton-Glenbrough Specific Plan development project. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Hazel Avenue/Folsom Boulevard intersection (Sacramento County Intersection 2).	A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented.	Sacramento County Public Works Department and Caltrans
71-58	3A.15-1i (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on the Grant Line Road/White Rock Road Intersection and to White Rock Road widening between the Rancho Cordova City limit to Prairie City Road (Sacramento County Intersection 3). Improvements must be made to ensure that the Grant Line Road/White Rock Road intersection operates at an acceptable LOS. The currently County proposed White Rock Road widening project will widen and realign White Rock Road from the Rancho Cordova City limit to the El Dorado County line (this analysis assumes that the Proposed Project and build alternatives will widen White Rock Road to five lanes from Prairie City road to the El Dorado County Line). This widening includes improvements to the Grant Line Road intersection and realigning White Rock Road to be the through movement. The improvements include two eastbound through lanes, one eastbound right turn lane, two northbound left turn lanes, two northbound right turn lanes, two westbound left turn lanes and two westbound through lanes. This improvement also includes the signalization of the White Rock Road and Grant Line Road intersection. With implementation of this improvement, the intersection would operate at an acceptable LOS A. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/White Rock Road intersection (Sacramento County Intersection 3).	Before project build out. Design of the White Rock Road widening to four lanes, from Grant Line Road to Prairie City Road, with Intersection improvements has begun, and because this widening project is environmentally cleared and fully funded, it’s construction is expected to be complete before the first phase of the Proposed Project or alternative is built.	Sacramento County Public Works Department
71-59	3A.15-1j (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on Hazel Avenue between Madison Avenue and Curragh Downs Drive (Roadway Segment 10). To ensure that Hazel Avenue operates at an acceptable LOS between Curragh Downs Drive and Gold Country Boulevard, Hazel Avenue must be widened to six lanes. This improvement is part of the County adopted Hazel Avenue widening project.	Before project build out. Construction of phase two of the Hazel Avenue widening, from Madison Avenue to	Sacramento County Public Works Department

			<p>Curragh Downs Drive, is expected to be completed by year 2013, before the first phase of the Proposed Project or alternative is complete. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Hazel Avenue between Madison Avenue and Curragh Downs Drive (Sacramento County Roadway Segment 10).</p>	
71-60	3A.15-11 (FPASP EIR/EIS)	<p>Participate in Fair Share Funding of Improvements to Reduce Impacts on the White Rock Road/Windfield Way Intersection (El Dorado County Intersection 3). To ensure that the White Rock Road/Windfield Way intersection operates at an acceptable LOS, the intersection must be signalized and separate northbound left and right turn lanes must be striped. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the White Rock Road/Windfield Way intersection (El Dorado County Intersection 3).</p>	<p>Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p>	<p>El Dorado County Department of Transportation</p>
71-61	3A.15-10 (FPASP EIR/EIS)	<p>Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 as an alternative to improvements at the Folsom Boulevard/U.S. 50 Eastbound Ramps Intersection (Caltrans Intersection 4). Congestion on eastbound U.S. 50 is causing vehicles to use Folsom Boulevard as</p>	<p>Before project build out. A phasing analysis should be performed prior to</p>	<p>City of Folsom Public Works Department and Sacramento County Department of Transportation</p>

		<p>an alternate parallel route until they reach U.S. 50, where they must get back on the freeway due to the lack of a parallel route. It is preferred to alleviate the congestion on U.S. 50 than to upgrade the intersection at the end of this reliever route. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Folsom Boulevard/U.S. 50 Eastbound Ramps intersection (Caltrans Intersection 4). To ensure that the Folsom Boulevard/U.S. 50 eastbound ramps intersection operates at an acceptable LOS, auxiliary lanes should be added to eastbound U.S. 50 from Hazel Avenue to east of Folsom Boulevard. This was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project.</p>	<p>approval of the first subdivision map to determine during which project phase the improvement should be built.</p>	
71-62	3A.15-1p (FPASP EIR/EIS)	<p>Participate in Fair Share Funding of Improvements to Reduce Impacts on the Grant Line Road/ State Route 16 Intersection (Caltrans Intersection 12). To ensure that the Grant Line Road/State Route 16 intersection operates at an acceptable LOS, the northbound and southbound approaches must be reconfigured to consist of one left-turn lane and one shared through/right-turn lane. Protected left-turn signal phasing must be provided on the northbound and southbound approaches. Improvements to the Grant Line Road/State Route 16 intersection are contained within the County Development Fee Program, and are scheduled for Measure A funding.</p> <p>Improvements to this intersection must be implemented by Caltrans, Sacramento County, and the City of Rancho Cordova.</p> <p>The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/State Route 16 intersection (Caltrans Intersection 12).</p>	<p>Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p>	<p>Sacramento County Department of Transportation and the City of Rancho Cordova Department of Public Works</p>
71-63	3A.15-1q (FPASP EIR/EIS)	<p>Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1). To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Zinfandel Drive and Sunrise Boulevard, a bus-carpool (HOV) lane must be constructed. This improvement is currently planned as part of the Sacramento 50 Bus-Carpool Lane and Community Enhancements Project. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1).</p>	<p>Before project build out. Construction of the Sacramento 50 Bus-Carpool Lane and Community Enhancements Project is expected to be completed by year 2013, before the first phase of the Proposed Project or</p>	<p>Caltrans</p>

			alternative is complete. Construction of the Sacramento 50 Bus-Carpool Lane and Community Enhancements Project has started since the writing of the Draft EIS/EIR.	
71-64	3A.15-1r (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard (Freeway Segment 3). To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Hazel Avenue and Folsom Boulevard, an auxiliary lane must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard (Freeway Segment 3).	Before project build out. A phasing analysis should be performed to determine during which project phase the improvement should be built.	City of Folsom Public Works Department and Sacramento County Department of Transportation
71-65	3A.15-1s (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 4). To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Folsom Boulevard and Prairie City Road, an auxiliary lane must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 4).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department and Sacramento County Department of Transportation
71-66	3A.15-1u (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on Westbound U.S. 50 between Prairie City Road and Folsom Boulevard (Freeway Segment 16). To ensure that Westbound U.S. 50 operates at an acceptable LOS between Prairie City Road and Folsom Boulevard, an auxiliary	Before project build out. A phasing analysis should be performed prior to	City of Folsom Public Works Department and Sacramento County Department of Transportation

		lane must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to Westbound U.S. 50 between Prairie City Road and Folsom Boulevard (Freeway Segment 16).	approval of the first subdivision map to determine during which project phase the improvement should be built.	
71-67	3A.15-1v (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard (Freeway Segment 18). To ensure that Westbound U.S. 50 operates at an acceptable LOS between Hazel Avenue and Sunrise Boulevard, an auxiliary lane must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project, and included in the proposed Rancho Cordova Parkway interchange project. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard (Freeway Segment 18).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Rancho Cordova Department of Public Works and Sacramento County Department of Transportation
71-68	3A.15-1w (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Folsom Boulevard Ramp Merge (Freeway Merge 4). To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Folsom Boulevard merge, an auxiliary lane from the Folsom Boulevard merge to the Prairie City Road diverge must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the U.S. 50 Eastbound/Folsom Boulevard Ramp Merge (Freeway Merge 4).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department and Sacramento County Department of Transportation
71-69	3A.15-1x (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Prairie City Road Diverge (Freeway Diverge 5). To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road off-ramp diverge, an auxiliary lane from the Folsom Boulevard merge must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during	City of Folsom Public Works Department and Sacramento County Department of Transportation

		applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound/Prairie City Road diverge (Freeway Diverge 5).	which project phase the improvement should be built.	
71-70	3A.15-1y (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Prairie City Road Direct Merge (Freeway Merge 6). To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road onramp direct merge, an auxiliary lane to the East Bidwell Street – Scott Road diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound/Prairie City Road direct merge (Freeway Merge 6).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department
71-71	3A.15-1z (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Prairie City Road Flyover On-Ramp to Oak Avenue Parkway Off-Ramp Weave (Freeway Weave 8). To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road flyover on-ramp to Oak Avenue Parkway off-ramp weave, an improvement acceptable to Caltrans should be implemented to eliminate the unacceptable weaving conditions. Such an improvement may involve a “braided ramp”. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road flyover on-ramp to Oak Avenue Parkway off-ramp weave (Freeway Weave 8).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department
71-72	3A.15-1aa (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Oak Avenue Parkway Loop Merge (Freeway Merge 9). To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Oak Avenue Parkway loop merge, an auxiliary lane to the East Bidwell Street – Scott Road diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound/ Oak Avenue Parkway loop merge (Freeway Merge 9).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department

71-73	3A.15-1dd (FPASP EIR/EIS)	<p>Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Empire Ranch Road Loop Ramp Merge (Freeway Merge 23). To ensure that Westbound U.S. 50 operates at an acceptable LOS, the northbound Empire Ranch Road loop on ramp should start the westbound auxiliary lane that ends at the East Bidwell Street – Scott Road off ramp. The slip on ramp from southbound Empire Ranch Road would merge into this extended auxiliary lane. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound/Empire Ranch Road loop ramp merge (Freeway Merge 23).</p>	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department
71-74	3A.15-1ee (FPASP EIR/EIS)	<p>Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 29). To ensure that Westbound U.S. 50 operates at an acceptable LOS, the northbound Oak Avenue Parkway loop on ramp should start the westbound auxiliary lane that ends at the Prairie City Road off ramp. The slip on ramp from southbound Oak Avenue Parkway would merge into this extended auxiliary lane. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound/Oak Avenue Parkway loop ramp merge (Freeway Merge 29).</p>	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department
71-75	3A.15-1ff (FPASP EIR/EIS)	<p>Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Prairie City Road Loop Ramp Merge (Freeway Merge 32). To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Prairie City Road loop ramp merge, an auxiliary lane to the Folsom Boulevard off ramp diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound/Prairie City Road Loop Ramp Merge (Freeway Merge 32).</p>	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department and Sacramento County Department of Transportation
71-76	3A.15-1gg (FPASP EIR/EIS)	<p>Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Prairie City Road Direct Ramp Merge (Freeway Merge 33). To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Prairie City Road direct ramp merge, an auxiliary lane to the Folsom Boulevard off ramp</p>	Before project build out. A phasing analysis should be performed prior to	City of Folsom Public Works Department and Sacramento County Department of Transportation

		diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound/Prairie City Road direct ramp merge (Freeway Merge 33).	approval of the first subdivision map to determine during which project phase the improvement should be built.	
71-77	3A.15-1hh (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Folsom Boulevard Diverge (Freeway Diverge 34). To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Folsom Boulevard Diverge, an auxiliary lane from the Prairie City Road loop ramp merge must be constructed. Improvements to this freeway segment must be implemented by Caltrans. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound / Folsom Boulevard diverge (Freeway Diverge 34).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department and Sacramento County Department of Transportation
71-78	3A.15-1ii (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Hazel Avenue Direct Ramp Merge (Freeway Merge 38). To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Hazel Avenue direct ramp merge, an auxiliary lane to the Sunrise Boulevard off ramp diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the U.S. 50 Westbound/Hazel Avenue direct ramp merge (Freeway Merge 38).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	Sacramento County Department of Transportation and City of Rancho Cordova Department of Public Works
71-79	3A.15-2a (FPASP EIR/EIS)	Develop Commercial Support Services and Mixed-use Development Concurrent with Housing Development, and Develop and Provide Options for Alternative Transportation Modes. The project applicant(s) for any particular discretionary development application including commercial or mixed-use development along with residential uses shall develop commercial and mixed-use development concurrent with housing development, to the extent feasible in light of market realities and other considerations, to internalize vehicle trips. Pedestrian and bicycle facilities shall be implemented to the satisfaction of the City Public Works Department. To further minimize impacts from the increased demand on area roadways and intersections, the project applicant(s) for any particular discretionary development application involving schools or commercial centers	Before approval of improvement plans for all project phases any particular discretionary development application that includes residential and commercial or mixed-use development. As a	City of Folsom Public Works Department

		shall develop and implement safe and secure bicycle parking to promote alternative transportation uses and reduce the volume of single-occupancy vehicles using area roadways and intersections. The project applicant(s) for any particular discretionary development application shall participate in capital improvements and operating funds for transit service to increase the percent of travel by transit. The project's fair-share participation and the associated timing of the improvements and service shall be identified in the project conditions of approval and/or the project's development agreement. Improvements and service shall be coordinated, as necessary, with Folsom Stage Lines and Sacramento RT.	condition of project approval and/or as a condition of the development agreement for all project phases.	
71-80	3A.15-2b (FPASP EIR/EIS)	Participate in the City's Transportation System Management Fee Program. The project applicant(s) for any particular discretionary development application shall pay an appropriate amount into the City's existing Transportation System Management Fee Program to reduce the number of single-occupant automobile travel on area roadways and intersections.	Concurrent with construction for all project phases.	City of Folsom Public Works Department
71-81	3A.15-2c (FPASP EIR/EIS)	Participate with the 50 Corridor Transportation Management Association. The project applicant(s) for any particular discretionary development application shall join and participate with the 50 Corridor Transportation Management Association to reduce the number of single-occupant automobile travel on area roadways and intersections.	Concurrent with construction for all project phases.	City of Folsom Public Works Department
71-82	3A.15-3 (FPASP EIR/EIS)	Pay Full Cost of Identified Improvements that Are Not Funded by the City's Fee Program. In accordance with Measure W, the project applicant(s) for any particular discretionary development application shall provide fair-share contributions to the City's transportation impact fee program to fully fund improvements only required because of the Specific Plan.	As a condition of project approval and/or as a condition of the development agreement for all project phases.	City of Folsom Public Works Department
71-83	3A.15-4a (FPASP EIR/EIS)	The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Sibley Street/Blue Ravine Road Intersection (Folsom Intersection 2). To ensure that the Sibley Street/Blue Ravine Road intersection operates at a LOS D with less than the Cumulative No Project delay, the northbound approach must be reconfigured to consist of two left-turn lane, two through lanes, and one dedicated right-turn lane. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the Sibley Street/Blue Ravine Road intersection (Folsom Intersection 2).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department

71-84	3A.15-4b (FPASP EIR/EIS)	The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Oak Avenue Parkway/East Bidwell Street Intersection (Folsom Intersection 6). To ensure that the Oak Avenue Parkway/East Bidwell Street intersection operates at an acceptable LOS, the eastbound (East Bidwell Street) approach must be reconfigured to consist of two left-turn lanes, four through lanes and a right-turn lane, and the westbound (East Bidwell Street) approach must be reconfigured to consist of two left turn lanes, four through lanes, and a right-turn lane. It is against the City of Folsom policy to have eight lane roads because of the impacts to non motorized traffic and adjacent development; therefore, this improvement is infeasible.	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department
71-85	3A.15-4c (FPASP EIR/EIS)	The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the East Bidwell Street/College Street Intersection (Folsom Intersection 7). To ensure that the East Bidwell Street/College Street intersection operates at acceptable LOS C or better, the westbound approach must be reconfigured to consist of one left-turn lane, one left-through lane, and two dedicated right-turn lanes. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the East Bidwell Street/Nesmith Court intersection (Folsom Intersection 7).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department
71-86	3A.15-4d (FPASP EIR/EIS)	The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the East Bidwell Street/Iron Point Road Intersection (Folsom Intersection 21). To ensure that the East Bidwell Street /Iron Point Road intersection operates at an acceptable LOS, the northbound approach must be reconfigured to consist of two left-turn lanes, four through lanes and a right-turn lane, and the southbound approach must be reconfigured to consist of two left-turn lanes, four through lanes and a right-turn lane. It is against the City of Folsom policy to have eight lane roads because of the impacts to non motorized traffic and adjacent development; therefore, this improvement is infeasible.	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department
71-87	3A.15-4e (FPASP EIR/EIS)	The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Serpa Way/ Iron Point Road Intersection (Folsom Intersection 23). To improve LOS at the Serpa Way/ Iron Point Road intersection, the northbound approaches must be restriped to consist of one left-turn lane, one shared left-through lanes, and one right-turn lane. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during	City of Folsom Public Works Department

		by applicant, to reduce the impacts to the Serpa Way/Iron Point Road Intersection (Folsom Intersection 23).	which project phase the improvement should be built.	
71-88	3A.15-4f (FPASP EIR/EIS)	The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Empire Ranch Road/Iron Point Road Intersection (Folsom Intersection 24). To ensure that the Empire Ranch Road / Iron Point Road intersection operates at a LOS D or better, all of the following improvements are required: The eastbound approach must be reconfigured to consist of one left-turn lane, two through lanes, and a right-turn lane. The westbound approach must be reconfigured to consist of two left-turn lanes, one through lane, and a through-right lane. The northbound approach must be reconfigured to consist of two left-turn lanes, three through lanes, and a right-turn lane. The southbound approach must be reconfigured to consist of two left-turn lanes, three through lanes, and a right-turn lane. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the Empire Ranch Road / Iron Point Road Intersection Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built. (Folsom Intersection 24).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department
71-89	3A.15-4g (FPASP EIR/EIS)	The Applicant Shall Fund and Construct Improvements to the Oak Avenue Parkway/Easton Valley Parkway Intersection (Folsom Intersection 33). To ensure that the Oak Avenue Parkway/Easton Valley Parkway intersection operates at an acceptable LOS the southbound approach must be reconfigured to consist of two left-turn lanes, two through lanes, and two right-turn lanes. The applicant shall fund and construct these improvements.	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	City of Folsom Public Works Department
71-90	3A.15-4i (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on the Grant Line Road/White Rock Road Intersection (Sacramento County Intersection 3). To ensure that the Grant Line Road/White Rock Road intersection operates at an acceptable LOS E or better this intersection should be replaced by some type of grade separated intersection or interchange. Improvements to this intersection are identified in the Sacramento County's Proposed General Plan. Implementation of these improvements would assist in	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during	Sacramento County Department of Transportation.

		reducing traffic impacts on this intersection by providing acceptable operation. Intersection improvements must be implemented by Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/White Rock Road Intersection (Sacramento County Intersection 3).	which project phase the improvement should be built.	
71-91	3A.15-4j (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on Grant Line Road between White Rock Road and Kiefer Boulevard (Sacramento County Roadway Segments 5-7). To improve operation on Grant Line Road between White Rock Road and Kiefer Boulevard, this roadway segment must be widened to six lanes. This improvement is proposed in the Sacramento County and the City of Rancho Cordova General Plans; however, it is not in the 2035 MTP. Improvements to this roadway segment must be implemented by Sacramento County and the City of Rancho Cordova. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Grant Line Road between White Rock Road and Kiefer Boulevard (Sacramento County Roadway Segments 5-7). The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment.	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	Sacramento County Department of Transportation.
71-92	3A.15-4k (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on Grant Line Road between Kiefer Boulevard and Jackson Highway (Sacramento County Roadway Segment 8). To improve operation on Grant Line Road between Kiefer Boulevard Jackson Highway, this roadway segment could be widened to six lanes. This improvement is proposed in the Sacramento County and the City of Rancho Cordova General Plans; however, it is not in the 2035 MTP. Improvements to this roadway segment must be implemented by Sacramento County and the City of Rancho Cordova. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Grant Line Road between Kiefer Boulevard and Jackson Highway (Sacramento County Roadway Segment 8). The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment.	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	Sacramento County Department of Transportation.
71-93	3A.15-4l (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps (Sacramento County Roadway Segments 12-13). To improve operation on	Before project build out. A phasing analysis should be	Sacramento County Department of Transportation.

		Hazel Avenue between Curragh Downs Drive and the U.S. 50 westbound ramps, this roadway segment could be widened to eight lanes. This improvement is inconsistent with Sacramento County’s general plan because the county’s policy requires a maximum roadway cross section of six lanes. Analysis shown later indicates that improvements at the impacted intersection in this segment can be mitigated (see Mitigation Measure 3A.15-4q). Improvements to impacted intersections on this segment will improve operations on this roadway segment and, therefore; mitigate this segment impact. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps (Sacramento County Roadway Segments 12-13).	performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	
71-94	3A.15-4m (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on White Rock Road between Grant Line Road and Prairie City Road (Sacramento County Roadway Segment 22). To improve operation on White Rock Road between Grant Line Road and Prairie City Road, this roadway segment must be widened to six lanes. This improvement is included in the 2035 MTP but is not included in the Sacramento County General Plan. Improvements to this roadway segment must be implemented by Sacramento County. The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment. However, because of other development in the region that would substantially increase traffic levels, this roadway segment would continue to operate at an unacceptable LOS F even with the capacity improvements identified to mitigate Folsom South of U.S. 50 impacts. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to White Rock Road between Grant Line Road and Prairie City Road (Sacramento County Roadway Segment 22).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	Sacramento County Department of Transportation.
71-95	3A.15-4n (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on White Rock Road between Empire Ranch Road and Carson Crossing Road (Sacramento County Roadway Segment 28). To improve operation on White Rock Road between Empire Ranch Road and Carson Crossing Road, this roadway segment must be widened to six lanes. Improvements to this roadway segment must be implemented by Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase	Sacramento County Department of Transportation.

		impacts to White Rock Road between Empire Ranch Road and Carson Crossing Road (Sacramento County Roadway Segment 28).	the improvement should be built.	
71-96	3A.15-4o (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on the White Rock Road/Carson Crossing Road Intersection (El Dorado County 1). To ensure that the White Rock Road/Carson Crossing Road intersection operates at an acceptable LOS, the eastbound right turn lane must be converted into a separate free right turn lane, or double right. Improvements to this intersection must be implemented by El Dorado County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the White Rock Road/Carson Crossing Road Intersection (El Dorado County 1).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	Sacramento County Department of Transportation.
71-97	3A.15-4p (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on the Hazel Avenue/U.S. 50 Westbound Ramps Intersection (Caltrans Intersection 1). To ensure that the Hazel Avenue/U.S. 50 westbound ramps intersection operates at an acceptable LOS, the westbound approach must be reconfigured to consist of one dedicated left turn lane, one shared left through lane and three dedicated right-turn lanes. Improvements to this intersection must be implemented by Caltrans and Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Hazel Avenue/U.S. 50 Westbound Ramps Intersection (Caltrans Intersection 1).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	Sacramento County Department of Transportation.
71-98	3A.15-4q (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound US 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1). To ensure that Eastbound US 50 operates at an acceptable LOS between Zinfandel Drive and Sunrise Boulevard, an additional eastbound lane could be constructed. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030. Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic from U.S. 50 and partially mitigate the project's impact. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	Sacramento County Department of Transportation.

71-99	3A.15-4r (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound US 50 between Rancho Cordova Parkway and Hazel Avenue (Freeway Segment 3). To ensure that Eastbound US 50 operates at an acceptable LOS between Rancho Cordova Parkway and Hazel Avenue, an additional eastbound lane could be constructed. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030. Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic off of U.S. 50 and partially mitigate the project’s impact. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Rancho Cordova Parkway and Hazel Avenue (Freeway Segment 3).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	Sacramento County Department of Transportation.
71-100	3A.15-4s (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound US 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 5). To ensure that Eastbound US 50 operates at an acceptable LOS between Folsom Boulevard and Prairie City Road, the eastbound auxiliary lane should be converted to a mixed flow lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4t). Improvements to this freeway segment must be implemented by Caltrans. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030. Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic off of U.S. 50 and partially mitigate the project’s impact. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 5).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	Sacramento County Department of Transportation.
71-101	3A.15-4t (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound US 50 between Prairie City Road and Oak Avenue Parkway (Freeway Segment 6). To ensure that Eastbound US 50 operates at an acceptable LOS between Prairie City Road and Oak Avenue Parkway, the northbound Prairie City Road slip on ramp should merge with the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see Mitigation Measures 3A.15-4u, v and w), and the southbound Prairie City Road flyover on ramp should be braided over the Oak Avenue Parkway off ramp and start an	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase	Sacramento County Department of Transportation.

		extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to Eastbound U.S. 50 between Prairie City Road and Oak Avenue Parkway (Freeway Segment 6).	the improvement should be built.	
71-102	3A.15-4u (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on the U.S. 50 Eastbound / Prairie City Road Slip Ramp Merge (Freeway Merge 6). To ensure that Eastbound US 50 operates at an acceptable LOS, the northbound Prairie City Road slip on ramp should start the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4u, w and x), and the southbound Prairie City Road flyover on ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road slip ramp merge (Freeway Merge 6).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	Sacramento County Department of Transportation.
71-103	3A.15-4v (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on the U.S. 50 Eastbound / Prairie City Road Flyover On Ramp to Oak Avenue Parkway Off Ramp Weave (Freeway Weave 7). To ensure that Eastbound US 50 operates at an acceptable LOS, the northbound Prairie City Road slip on ramp should start the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4u, v and x), and the southbound Prairie City Road flyover on ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road Flyover On Ramp to Oak Avenue Parkway Off Ramp Weave (Freeway Weave 7).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	Sacramento County Department of Transportation.
71-104	3A.15-4w (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 8). To ensure that Eastbound US 50 operates at an acceptable LOS, the southbound Oak Avenue Parkway loop on ramp should merge with the eastbound	Before project build out. A phasing analysis should be performed prior to	Sacramento County Department of Transportation.

		auxiliary lane that starts at the southbound Prairie City Road braided flyover on ramp and ends at the East Bidwell Street – Scott Road off ramp (see mitigation measure 3A.15-4u, v and w). Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 8).	approval of the first subdivision map to determine during which project phase the improvement should be built.	
71-105	3A.15-4x (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound / Empire Ranch Road Loop Ramp Merge (Freeway Merge 27). To ensure that Westbound US 50 operates at an acceptable LOS, the northbound Empire Ranch Road loop on ramp should start the westbound auxiliary lane that ends at the East Bidwell Street – Scott Road off ramp. The slip on ramp from southbound Empire Ranch Road slip ramp would merge into this extended auxiliary lane. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound / Empire Ranch Road loop ramp merge (Freeway Merge 27).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	Sacramento County Department of Transportation.
71-106	3A.15-4y (FPASP EIR/EIS)	Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound / Prairie City Road Loop Ramp Merge (Freeway Merge 35). To ensure that Westbound US 50 operates at an acceptable LOS, the northbound Prairie City Road loop on ramp should start the westbound auxiliary lane that continues beyond the Folsom Boulevard off ramp. The slip on ramp from southbound Prairie City Road slip ramp would merge into this extended auxiliary lane. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound / Prairie City Road Loop Ramp Merge (Freeway Merge 35).	Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.	Sacramento County Department of Transportation.
71-107	4.17-1 (Addendum)	East Bidwell Street/Regency Parkway (Driveway #6). Prior to buildout of the Toll Brothers Site, the project applicant shall construct the intersection as shown in Figure 4-2 of the Addendum: <ul style="list-style-type: none"> ▶ Northbound: one thru lane and one left turn lane in a 150-foot pocket with 60-foot taper; 	Prior to issuance of phase 3 building permits.	City of Folsom Public Works Department

		<ul style="list-style-type: none"> ▶ Southbound: one thru lane and one right turn lane in a 150-foot pocket with 60-foot taper; ▶ Westbound: one shared lane, plus a 300-foot northbound acceleration lane on East Bidwell Street to receive left-turns from Regency Parkway (a second northbound lane on East Bidwell Street starting from Regency Parkway is equivalent to the 300-foot acceleration lane); and ▶ Control: side-street-stop-control; <p>Note that unsignalized left turns to East Bidwell Street are against City policy. The northbound acceleration lane on East Bidwell Street is an interim configuration until the intersection warrants signalization. Signalization will be triggered as part of the entitlement process on neighboring parcels. A future signal at this location is included in Folsom Plan Area Specific Plan, and plan area fees paid by the Project contribute towards its construction in the future.</p>		
71-108	4.17-2 (Addendum)	<p>East Bidwell Street/White Rock Road. Prior to buildout of the Toll Brothers Site, the project applicant shall implement either (A) or (B) below:</p> <p>(A) The Capital Southeast Connector Joint Powers Authority project has programmed to relocate and signalize the East Bidwell Street/White Rock Road intersection as shown in the October 2017 geometric conceptual drawing, or equivalent improvements (i.e., three southbound approach lanes, four eastbound approach lanes, and three westbound approach lanes). Figure 4-3 of the Addendum provides a conceptual intersection layout for this mitigation. Under this scenario, fair share is defined as the project’s responsibility to the Sacramento County Transportation Development Fee. The project applicant is required to pay the Sacramento County Transportation Development Fee. Option A can be considered to be implemented once the JPA has let contracts for construction of the new intersection. This will insure that the mitigation is constructed before project traffic adds five or more seconds of delay to the intersection.</p> <p>(B) Signalize the existing East Bidwell Street/White Rock Road intersection with the existing geometry. Figure 4-4 of the Addendum provides a conceptual intersection layout for this mitigation.</p>	Prior to issuance of phase 1 building permits.	City of Folsom Public Works Department
71-109	4.17-3 (Addendum)	<p>East Bidwell Street/Mangini Parkway. Prior to buildout of the Toll Brothers Site, the project applicant shall signalize the intersection with the following geometry (Figure 4-5 of the Addendum):</p>	Signalize the intersection and conduct all geometric improvements, with	City of Folsom Public Works Department

		<ul style="list-style-type: none"> ▶ Northbound: One left-turn lane in a 200-foot pocket with a 60-foot taper, two thru lanes, and one right-turn lane in a 150-foot pocket with a 60-foot taper (the second thru lane shall be developed 300 feet south of the intersection); ▶ Southbound: One left-turn lane in a 200-foot pocket with a 60-foot taper, one thru lane, and one right-turn lane in a 150-foot pocket with a 60-foot taper; ▶ Eastbound and westbound: One left-turn lane in a 200-foot pocket with a 60-foot taper, one thru lane, and one right-turn lane in a 200-foot pocket with a 60-foot taper. <p>Note that northbound East Bidwell street will remain at two lanes from Mangini Parkway to US 50.</p>	the exception of the second northbound thru lane prior to issuance of phase 1 building permits. Construct the second northbound thru lane prior to issuance of phase 2 building permits.	
71-110	4.17-4 (Addendum)	<p>East Bidwell Street/Savannah Parkway. Prior to buildout of the Toll Brothers site, the project applicant shall reconstruct the intersection with the following geometry (Figure 4-6 of the Addendum):</p> <ul style="list-style-type: none"> ▶ Northbound approach: One thru lane and one shared through-right lane with a 150-foot taper; ▶ Southbound approach: One left turn lane in a 150-foot pocket plus 60-foot taper, and one through lane; ▶ Westbound approach: One left turn lane in a 60-foot pocket plus 60-foot taper, and one through lane; ▶ Southbound departure: Construct a southbound receiving and acceleration lane for westbound left turn traffic. The acceleration lane should be in a 300-foot pocket plus an appropriate taper. <p>Note that unsignalized left turns to East Bidwell Street are against City policy. The southbound acceleration lane on East Bidwell Street is an interim configuration until the intersection warrants signalization. Signalization will be triggered as part of the entitlement process on neighboring parcels. A future signal at this location is included in FPASP, and plan area fees paid by the project applicant contribute towards its construction in the future.</p>	Construct all geometric improvements with the exception of one thru northbound lane prior to issuance of phase 1 building permits. Construct the second thru northbound lane prior to issuance of phase 3 building permits.	City of Folsom Public Works Department
71-111	4.17-5 (Addendum)	<p>East Bidwell Street/Alder Creek Parkway. Prior to buildout of the Toll Brothers Site, the project applicant shall reconstruct and signalize the intersection as shown in Figure 4-7 of the Addendum:</p> <ul style="list-style-type: none"> ▶ Northbound approach: One U-turn lane in a 150-foot pocket with a 60-foot taper, two through lanes, and one right turn lane in a 150-foot pocket plus 60-foot taper. 	Construct all geometric improvements with the exception of one thru northbound lane and one thru southbound lane	City of Folsom Public Works Department

		<ul style="list-style-type: none"> ▶ Southbound approach: One left turn lane in a 240-foot pocket plus 60-foot taper, and two through lanes. The second southbound through lane can be dropped south of Old Ranch Way. ▶ Westbound approach: One right turn lane, plus one left-turn lane in a 200-foot pocket plus 60-foot taper. <p>The above mitigations are consistent with the ultimate geometry for East Bidwell near Alder Creek Pkwy and builds on conditions of approval from neighboring projects.</p>	prior to issuance of phase 1 building permits. Construct the second thru northbound lane and the second thru southbound lane prior to issuance of phase 3 building permits.	
71-112	4.17-6 (Addendum)	<p>White Rock Road/Oak Avenue Parkway. Prior to project buildout, the project applicant shall implement either (A) or (B) below:</p> <p>(A) The Capital Southeast Connector Joint Powers Authority (JPA) project has programmed to realign this portion of White Rock Road and build a partial signal to accommodate anticipated U-Turns. Expand or construct a signalized intersection as follows:</p> <ul style="list-style-type: none"> ▶ Southbound: A single shared lane for left and right turns. ▶ Eastbound: A thru lane and a left/U-turn in 300-foot pocket plus taper. ▶ Westbound: A thru lane and a right-turn in 300-foot pocket plus taper. ▶ Signalize with protected phasing for left-turns and U-turns. ▶ Geometric design shall be consistent with Capital Southeast Connector Joint Powers Authority adopted standards. <p>(B) Channelize the White Rock Road/Oak Avenue Pkwy intersection on the existing White Rock Road alignment to restrict turning movements to westbound right turns and southbound right turns. The westbound right turn requires a 365-foot deceleration lane, and the southbound right turn requires a 960-foot acceleration lane. Figure 4-8 of the Addendum provides a conceptual layout for the mitigated intersection.</p>	Prior to issuance of phase 3 building permits	City of Folsom Public Works Department
Utilities and Service Systems				
71-113	3A.16-1 (FPASP EIR/EIS)	<p>Submit Proof of Adequate On- and Off-Site Wastewater Conveyance Facilities and Implement On- and Off-Site Infrastructure Service Systems or Ensure That Adequate Financing Is Secured. Before the approval of the final map and issuance of building permits for all project phases, the project applicant(s) of all project phases shall submit proof to the City of Folsom that an adequate wastewater conveyance system either has been constructed or is ensured</p>	Before approval of final maps and issuance of building permits for any project phases.	City of Folsom Community Development Department and City of Folsom Public Works Department

		through payment of the City’s facilities augmentation fee as described under the Folsom Municipal Code Title 3, Chapter 3.40, “Facilities Augmentation Fee – Folsom South Area Facilities Plan,” or other sureties to the City’s satisfaction. Both on-site wastewater conveyance infrastructure and off-site force main sufficient to provide adequate service to the project shall be in place for the amount of development identified in the tentative map before approval of the final map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City.		
71-114	3A.16-3 (FPASP EIR/EIS)	Demonstrate Adequate SRWTP Wastewater Treatment Capacity. The project applicant(s) of all project phases shall demonstrate adequate capacity at the SRWTP for new wastewater flows generated by the project. This shall involve preparing a tentative map–level study and paying connection and capacity fees as identified by SRCSD. Approval of the final map and issuance of building permits for all project phases shall not be granted until the City verifies adequate SRWTP capacity is available for the amount of development identified in the tentative map.	Before approval of final maps and issuance of building permits for any project phases.	City of Folsom Community Development Department and City of Folsom Public Works Department
71-115	3A.18-1 (FPASP EIR/EIS)	Submit Proof of Surface Water Supply Availability. a. Prior to approval of any small-lot tentative subdivision map subject to Government Code Section 66473.7 (SB 221), the City shall comply with that statute. Prior to approval of any small-lot tentative subdivision map for a proposed residential project not subject to that statute, the City need not comply with Section 66473.7, or formally consult with any public water system that would provide water to the affected area; nevertheless, the City shall make a factual showing or impose conditions similar to those required by Section 66473.7 to ensure an adequate water supply for development authorized by the map. b. Prior to recordation of each final subdivision map, or prior to City approval of any similar project-specific discretionary approval or entitlement required for nonresidential uses, the project applicant(s) of that project phase or activity shall demonstrate the availability of a reliable and sufficient water supply from a public water system for the amount of development that would be authorized by the final subdivision map or project-specific discretionary nonresidential approval or entitlement. Such a demonstration shall consist of information showing that both existing sources are available or needed supplies and improvements will be in place prior to occupancy.	Before approval of final maps and issuance of building permits for any project phases.	City of Folsom Community Development Department and City of Folsom Public Works Department
71-116	3A.18-2a (FPASP EIR/EIS)	Submit Proof of Adequate Off-Site Water Conveyance Facilities and Implement Off-Site Infrastructure Service System or Ensure That Adequate Financing Is Secured. Before the approval of the final subdivision map and	Before approval of final maps and issuance of building	City of Folsom Community Development Department and City of Folsom Public Works Department

		issuance of building permits for all project phases, the project applicant(s) of any particular discretionary development application shall submit proof to the City of Folsom that an adequate off-site water conveyance system either has been constructed or is ensured or other sureties to the City's satisfaction. The off-site water conveyance infrastructure sufficient to provide adequate service to the project shall be in place for the amount of development identified in the tentative map before approval of the final subdivision map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City. A certificate of occupancy shall not be issued for any building within the SPA until the water conveyance infrastructure sufficient to serve such building has been constructed and is in place.	permits for any project phases.	
71-117	3A.18-2b (FPASP EIR/EIS)	Demonstrate Adequate Off-Site Water Treatment Capacity (if the Off-Site Water Treatment Plant Option is Selected). If an off-site water treatment plant (WTP) alternative is selected (as opposed to the on-site WTP alternative), the project applicant(s) for any particular discretionary development application shall demonstrate adequate capacity at the off-site WTP. This shall involve preparing a tentative map-level study and paying connection and capacity fees as determined by the City. Approval of the final project map shall not be granted until the City verifies adequate water treatment capacity either is available or is certain to be available when needed for the amount of development identified in the tentative map before approval of the final map and issuance of building permits for all project phases. A certificate of occupancy shall not be issued for any building within the SPA until the water treatment capacity sufficient to serve such building has been constructed and is in place.	Before approval of final maps and issuance of building permits for any project phases.	City of Folsom Community Development Department and City of Folsom Public Works Department
Additional Measures				
71-118	Cumulative Mitigation Measure AIR-1-Land (FPASP EIR/EIS)	Implement East Sacramento Regional Aggregate Mining Truck Management Plan or Other Measures to Reduce Exposure of Sensitive Receptors to Operational Emissions of Toxic Air Contaminants from Quarry Truck Traffic. The City of Folsom is a participant in the development of an East Sacramento Regional Aggregate Mining Truck Management Plan (TMP), a cooperative effort led by the County of Sacramento, with the input of the City of Folsom, the City of Rancho Cordova and other interested parties, including representatives of quarry project applicants. When the County Board of Supervisors approved entitlements for the Teichert quarry project in November 2010, it also adopted conditions of approval and a development agreement that requires Teichert's participation in, and fair share funding of, a TMP to implement roadway capacity and safety improvements required to improve the	Prior to approval of first tentative map or discretionary approval within SPA that would place sensitive receptors along roadways that quarry trucks would reasonably use to access U.S. Highway 50.	City of Folsom Community Development Department

compatibility of truck traffic from the quarries with the future urban development in the Folsom Specific Plan area and other jurisdictions that will be affected by quarry truck traffic. The development agreement adopted by the County for the Teichert project imposes limits on the amounts of annual aggregate sales from Teichert’s facility until a TMP is adopted. The City of Folsom does not have direct jurisdiction over the Teichert, DeSilva Gates, or Walltown quarry project applicants as these projects are located within the unincorporated portion of the County. The County, as the agency with the primary authority over the quarries, has indicated that it intends to prepare an environmental analysis in accordance with CEQA prior to adoption of a TMP. The City’s authority to control the activities of the quarry trucks includes restrictions or other actions, such as the approval and implementation of specialized road improvements to accommodate quarry truck traffic, that would be applicable within the City’s jurisdictional boundaries. For the foregoing reasons, the City of Folsom considers itself a “responsible agency” (as that term is defined at State CEQA Guidelines, CCR Section 15381), in that it has some discretionary power over some elements of a future TMP, if such TMP calls for improvements or other activities on roadways within the jurisdiction of the City. In a responsible agency role, the City would follow the process specified in the CEQA Guidelines for consideration and approval of the environmental analysis prepared by the County for a TMP after such documentation is prepared and adopted by the County. (State CEQA Guidelines, CCR Section 15096.)

Because no final project description for a TMP has been developed as of the completion of this FEIR/FEIS, the City would have to speculate as to those portions of a TMP that might be proposed for implementation within its jurisdiction, or the impacts that could arise from the implementation of as-yet uncertain components. Accordingly, formulation of the precise means of mitigating the potential cumulative air quality impacts pursuant to the TMP is not currently feasible or practical. However, as the preferred, feasible, and intended mitigation strategy to address the cumulative impacts of quarry truck traffic through the SPA, the City shall implement, or cause to be implemented those portions of the TMP (as described above) that are within its authority to control. In implementing the TMP, the City shall ensure that the TMP or traffic measures imposed by the City within the SPA reduce the risk of cancer to sensitive receptors along routes within the SPA from toxic air contaminant emissions to no more than 296 in one million (SMAQMD 2009. March. Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways, Version 2.2:7), or such different threshold of significance mandated by

SMAQMD or ARB at the time, if any. With this mitigation, the cumulative air quality impacts from truck toxic air contaminants would be less than significant. As an alternative (or in addition) to implementing the TMP within the SPA, the following measures could (and should) be voluntarily implemented by the quarry project applicant(s) (Teichert, DeSilva Gates, and Granite [Walltown]) to help ensure exposure of sensitive receptors to TACs generated by quarry truck traffic to the 296-in-one-million threshold of significance identified above. The City encourages implementation of the following measures:

- ▶ The quarry project applicant(s) should meet with the City of Folsom to discuss mitigation strategies, implementation, and cost.
- ▶ A site-specific, project-level screening analysis and/or Health Risk Assessment (HRA) should be conducted by the City of Folsom and funded by the truck applicant(s) for all proposed sensitive receptors (e.g., residences, schools) in the SPA that would be located along the sides of roadway segments that are identified in Table 4-4 as being potentially significant under any of the analyzed scenarios. Each project-level analysis shall be performed according to the standards set forth by SMAQMD for the purpose of disclosure to the public and decision makers. The project-level analysis shall account for the location of the receptors relative to the roadway, their distance from the roadway, the projected future traffic volume for the year 2030 (including the proportion of diesel trucks), and emission rates representative of the vehicle fleet for the year when the sensitive land uses would first become operational and/or occupied. If the incremental increase in cancer risk determined by in the HRA exceeds 296 in one million (or a different threshold of significance recommended by SMAQMD or ARB at the time, if any), then project design mitigation should be employed, which may include the following:
 - Increase the setback distance between the roadway and affected receptor. If this mitigation measure is determined by the City of Folsom to be necessary, based on the results of the HRA, the quarry truck applicant(s) should pay the Folsom South of U.S. 50 Specific Plan project applicant(s) and the City of Folsom a fee that shall serve as compensation for lost development profit and lost City tax revenues, all as determined by the parties. Said mitigation fee shall be determined in consultation with the quarry project applicant(s), the Folsom South of U.S. 50 Specific Plan project applicant(s), and the City of Folsom. No quarry trucks shall be allowed to pass on any roadway

segment immediately adjacent to or within the SPA until said mitigation fees are paid.

- Implement tiered tree planting of fine-needle species, such as redwood, along the near side of the roadway segments and, if feasible, along the roadway 500 feet in both directions of the initial planting (e.g., 500 feet north and south of a roadway that runs east-west) to enhance the dispersion and filtration of mobile-source TACs associated with the adjacent roadway. These trees should be planted at a density such that a solid visual buffer is achieved after the trees reach maturity, which breaks the line of sight between U.S. 50 and the proposed homes. These trees should be planted before occupation of any affected sensitive land uses. This measure encourages the planting of these trees in advance of the construction of potentially affected receptors to allow the trees to become established and progress toward maturity. The life of these trees should be maintained through the duration of the quarry projects. The planting, cost, and ongoing maintenance of these trees should be funded by the quarry project applicant(s).
- To improve the indoor air quality at affected receptors, implement the following measures before the occupancy of the affected residences and schools:
 - equip all affected residences and school buildings developed in the SPA with High Efficiency Particle Arresting (HEPA) filter systems at all mechanical air intake points to the interior rooms;
 - use the heating, ventilation, and air conditioning (HVAC) systems to maintain all residential units under positive pressure at all times;
 - locate air intake systems for HVAC as far away from roadway air pollution sources as possible; and
 - develop and implement an ongoing education and maintenance plan about the filtration systems associated with HVAC for residences and schools.

To the extent this indoor air quality mitigation would not already be implemented as part of the Folsom South of U.S. 50 Specific Plan project development, this mitigation should be paid for by the quarry project applicant(s) before any quarry trucks are allowed to pass on any roadway that is within 400 feet of any residence or school within the SPA.

<p>71-119</p>	<p>Cumulative Mitigation Measure NOISE-1-Land (FPASP EIR/EIS)</p>	<p>Implement East Sacramento Regional Aggregate Mining Truck Management Plan or Other Measures to Reduce Exposure of Sensitive Receptors to Operational Noise from Quarry Truck Traffic. The City of Folsom is a participant in the development of an East Sacramento Regional Aggregate Mining Truck Management Plan (TMP), a cooperative effort led by the County of Sacramento, with the input of the City of Folsom, the City of Rancho Cordova and other interested parties, including representatives of quarry project applicants. When the County Board of Supervisors approved entitlements for the Teichert quarry project in November 2010, it also adopted conditions of approval and a development agreement that requires Teichert’s participation in, and fair share funding of, a TMP to implement roadway capacity and safety improvements required to improve the compatibility of truck traffic from the quarries with the future urban development in the SPA and other jurisdictions that will be affected by quarry truck traffic. The development agreement adopted by the County for the Teichert project imposes limits on the amounts of annual aggregate sales from Teichert’s facility until a TMP is adopted. The City of Folsom does not have direct jurisdiction over the Teichert, DeSilva Gates, or Walltown quarry project applicants as these projects are located within the unincorporated portion of the County. The County, as the agency with the primary authority over the quarries, has indicated that it intends to prepare an environmental analysis in accordance with CEQA prior to adoption of a TMP. The City’s authority to control the activities of the quarry trucks includes restrictions or other actions, such as the approval and implementation of specialized road improvements to accommodate quarry truck traffic, that would be applicable within the City’s jurisdictional boundaries. For the foregoing reasons, the City of Folsom considers itself a “responsible agency” (as that term is defined at State CEQA Guidelines, CCR Section 15381), in that it has some discretionary power over some elements of a future TMP, if such TMP calls for improvements or other activities on roadways within the jurisdiction of the City. In a responsible agency role, the City would follow the process specified in the CEQA Guidelines for consideration and approval of the environmental analysis prepared by the County for a TMP after such documentation is prepared and adopted by the County. (State CEQA Guidelines, CCR Section 15096.)</p> <p>Because no final project description for a TMP has been developed as of the completion of this FEIR/FEIS, the City would have to speculate as to those portions of a TMP that might be proposed for implementation within its jurisdiction, or the impacts that could arise from the of as yet uncertain components. Accordingly, formulation of the precise means of mitigating the</p>	<p>Prior to approval of first tentative map or discretionary approval within SPA that would place sensitive receptors along roadways that quarry trucks would reasonably use to access U.S. 50.</p>	<p>City of Folsom Community Development Department</p>
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potential cumulative noise impacts pursuant to the TMP is not currently feasible or practical. However, as the preferred, feasible, and intended mitigation strategy to address the cumulative impacts of quarry truck traffic through the SPA, the City shall implement, or cause to be implemented those portions of the TMP (as described above) that are within its authority to control. In implementing the TMP, the City shall ensure that the TMP or traffic measures imposed by the City within the SPA reduce the traffic noise exposure to sensitive receptors along routes within the SPA so as to ensure that sensitive receptors are not exposed to interior noise levels in excess of 45 dBA, or increases in interior noise levels of 3 dBA or more, whichever is more restrictive. With this mitigation, the cumulative noise impacts from truck traffic would be less than significant.

As an alternative (or in addition) to implementing the TMP within the SPA, the following measures could (and should) be voluntarily implemented by the quarry project applicant(s) (Teichert, DeSilva Gates, and Granite [Walltown]) to help ensure interior noise levels for sensitive receptors to noise generated by quarry truck traffic would not exceed 45 dBA or increase of 3 dBA over existing conditions, as identified above. The City encourages implementation of the following measures:

- ▶ The quarry project applicant(s) should meet with the City of Folsom to discuss mitigation strategies, implementation, and cost.
- ▶ A site-specific, project-level screening analysis should be conducted by the City of Folsom and funded by the quarry truck applicant(s) for all proposed sensitive receptors (e.g., residences, schools) in the SPA that would be located along the sides of roadway segments that are identified in Table 4-8 as being potentially significant under any of the analyzed scenarios. The analysis should be conducted using an approved three dimensional traffic noise modeling program (i.e., TNM or SoundPlan). Each project-level analysis should be performed according to the standards set forth by the City of Folsom for the purpose of disclosure to the public and decision makers. The project-level analysis should account for the location of the receptors relative to the roadway, their distance from the roadway, and the projected future traffic volume for the year 2030 (including the percentage of heavy trucks). If the incremental increase in traffic noise levels are determined to exceed the threshold of significance recommended by the City of Folsom, then design mitigation should be employed, which may include the following:

- ▶ Model the benefits of soundwalls (berm/wall combination) along the quarry truck hauling roadways and affected receptors not to exceed a total height of eight feet (two-foot berm and six-foot concrete mason wall). If this mitigation measure is determined by the City of Folsom to be inadequate, additional three dimensional traffic noise modeling should be conducted with the inclusion of rubberized asphalt at the expense of the quarry truck applicant(s). No quarry trucks should be allowed to pass on any roadway segment immediately adjacent to or within the SPA until said mitigation has been agreed upon by the City of Folsom and fees for construction of said mitigation are paid by the quarry truck applicant(s).
- ▶ Implement the installation of rubberized asphalt (quiet pavement) on roadway segments adjacent to sensitive receptors that carry quarry trucks if soundwalls do not provide adequate reduction of traffic noise levels. The inclusion of rubberized asphalt would provide an additional 3 to 5 dB of traffic noise reduction. The cost of construction using rubberized asphalt should be borne by the quarry truck applicant(s). Said mitigation fee should be determined in consultation with the quarry project applicant(s), the Folsom South of U.W. 50 Specific Plan project applicant(s), and the City of Folsom. No quarry trucks should be allowed to pass on any roadway segment immediately adjacent to or within the SPA until said mitigation fees are paid.
- ▶ To improve the indoor noise levels at affected receptors, implement the following measures before the occupancy of the affected residences and schools:
 - Conduct an interior noise analysis once detailed construction plans of residences adjacent to affected roadways are available to determine the required window package at second and third floor receptors to achieve the interior noise level standard of 45 dB Ldn without quarry trucks.
 - Determine the interior quarry truck traffic noise level increases at second and third floor receptors adjacent to affected roadways compared to no quarry truck conditions. Window package upgrades are expected to be necessary due to the traffic noise level increases caused by quarry trucks along affected roadways. Quarry truck applicant(s) should pay for the cost of window package upgrades (increased sound transmission class rated windows) required to achieve the interior noise level standard of 45 dB Ldn with the inclusion of quarry truck traffic.

		<p>To the extent this noise mitigation would not already be implemented as part of the Folsom South of U.W. 50 Specific Plan project development, this mitigation should be paid for by the quarry project applicant(s) before any quarry trucks are allowed to pass on any roadway that is within 400 feet of any residence or school within the SPA.</p>		
<p>71-120</p>	<p>N/A</p>	<p>Coordinate and Fund the Backbone Infrastructure and Off-Site Water Facility Alternative. The project applicant shall participate in the FPASP owners’ group and shall fund and contribute their fair share to the backbone infrastructure and off-site water facility alternative improvements. The project applicant shall coordinate with owners’ group to implement the following measures detailed in the <i>Folsom South of U.S. Highway 50 Backbone Infrastructure Mitigated Negative Declaration</i> (December 2014):</p> <ul style="list-style-type: none"> ▶ Backbone MND Mitigation Measure I-1: Design above ground pump station and storage tank facilities to reduce visual impacts. ▶ Backbone MND Mitigation Measure I-2: Develop and implement a landscaping plan for pump station and storage tank facilities to reduce visual impacts. ▶ Backbone MND Mitigation Measure III-1: Prepare and Implement NOX Reduction Plan ▶ Backbone MND Mitigation Measure III-2: Pay Off-site Mitigation Fee to SMAQMD to off-set NOX Emissions Generated by Construction. ▶ Backbone MND Mitigation Measure III-4: Implement A Site Investigation to Determine the Presence of NOA and, if necessary, Prepare and Implement an Asbestos Dust Control Plan. ▶ Backbone MND Mitigation Measure IV-1: Conduct Special-Status Plant Surveys; Implement Avoidance and Mitigation Measures or Compensatory Mitigation ▶ Backbone MND Mitigation Measure IV-2: Implement Conditions of the Biological Opinion (BO) for Federally Listed Vernal Pool Invertebrates. ▶ Backbone MND Mitigation Measure IV-3: Implement Conditions of the Biological Opinion for Impacts on Valley Elderberry Longhorn Beetle. ▶ Backbone MND Mitigation Measure IV-4: Western Spadefoot Toad ▶ Backbone MND Mitigation Measure IV-5: Western Pond Turtle 	<p>Before approval of final maps and issuance of building permits for any project phase, the project applicant shall demonstrate to the City’s satisfaction the fair share contribution towards implementation of Backbone Infrastructure and Off-Site Water Facility improvements and associated required mitigation as identified in the <i>Folsom South of U.S. Highway 50 Backbone Infrastructure Mitigated Negative Declaration</i> (December 2014) or the <i>Revised Proposed Off-Site Water Facility Alternative Addendum to the FPASP EIR/EIS</i></p>	<p>City of Folsom Community Development Department and City of Folsom Public Works Department</p>

	<ul style="list-style-type: none">▶ Backbone MND Mitigation Measure IV-6(a): Swainson’s Hawk Nesting Habitat▶ Backbone MND Mitigation Measure IV-6(b): Swainson’s Hawk Foraging Habitat▶ Backbone MND Mitigation Measure IV-7: Tricolored Blackbird▶ Backbone MND Mitigation Measure IV-8: Nesting Raptors▶ Backbone MND Mitigation Measure IV-9: Nesting Special Status Birds and Migratory Birds▶ Backbone MND Mitigation Measure IV-10: Special-Status Bats▶ Backbone MND Mitigation Measure IV-12: Implement Section 1602 Master Streambed Alteration Agreement▶ Backbone MND Mitigation Measure IV-13: Conduct Surveys to Identify and Map Valley Needlegrass Grassland; Implement Avoidance and Minimization Measures or Compensatory Mitigation, if necessary▶ Backbone MND Mitigation Measure IV-14: Secure Amended Clean Water Act Section 404 Permit and Section 401 Permit and Implement All Permit Conditions; Ensure No Net Loss of Functions of Wetlands, Other Waters of the U.S., and Waters of the State▶ Backbone MND Mitigation Measure IV-15: Conduct Tree Survey, Prepare and Implement an Oak Woodland Mitigation Plan, Replace Native Oak Trees Removed, and Implement Measures to Avoid and Minimize Indirect Impacts on Oak Trees and Oak Woodland Habitat Retained On-Site.▶ Backbone MND Mitigation Measure IV-11: American Badger▶ Backbone MND Mitigation Measure V-1: Comply with the applicable procedures in the FAPA and implementation of applicable historic property treatment plans▶ Backbone MND Mitigation Measure V-2: Conduct Construction Personnel Education, 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.▶ Backbone MND Mitigation Measure V-3: Suspend Ground-Disturbing Activities if Human Remains are Encountered and Comply with California Health and Safety Code Procedures.	<p>(approved December 2012); as applicable.</p>	
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- ▶ Backbone MND Mitigation Measure VI-1: Prepare Site-Specific Geotechnical Report per CBC Requirements and Implement Appropriate Recommendations.
 - ▶ Backbone MND Mitigation Measure VI-3: Monitor Earthwork during Earthmoving Activities.
 - ▶ Backbone MND Mitigation Measure VI-5(a): Prepare and Implement the Appropriate Grading and Erosion Control Plan.
 - ▶ Backbone MND Mitigation Measure VI-5(b): Prepare and Implement the appropriate Grading and Erosion Control Plan for the detention basin West of Prairie City Road.
 - ▶ Backbone MND Mitigation Measure IX-1: Acquire Appropriate Regulatory Permits and Prepare and Implement SWPPP and BMPs.
 - ▶ Backbone MND Mitigation Measure VII-1: Greenhouse Gas Emissions
 - ▶ Backbone MND Mitigation Measure XVI-1: Prepare and Implement a Construction Traffic Control Plan.
 - ▶ Backbone MND Mitigation Measure III-3: North of U.S. Highway 50 Water Improvements
 - ▶ Backbone MND Mitigation Measure V-4 North of U.S. Highway 50 Water Improvements
 - ▶ Backbone MND Mitigation Measure VI-2 North of U.S. Highway 50 Water Improvements
 - ▶ Backbone MND Mitigation Measure VI-4 North of U.S. Highway 50 Water Improvements
 - ▶ Backbone MND Mitigation Measure XII-1 North of U.S. Highway 50 Water Improvements
- In addition, the project applicant shall coordinate with owners' group to implement the following measures detailed in the *Revised Proposed Off-Site Water Facility Alternative Addendum to the FPASP EIR/EIS* (approved December 11, 2012):
- ▶ 3B.1-2a: Enhance Exterior Appearance of Structural Facilities.
 - ▶ 3B.1-2b: Prepare Landscaping Plan.
 - ▶ 3B.1-3a: Conformance to Construction Lighting Standards.
 - ▶ 3B.1-3b: Prepare and Submit a Lighting Master Plan.

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| | | <ul style="list-style-type: none"> ▶ 3B.2-1a: Develop and Implement a Construction NOX Reduction Plan. ▶ 3B.2-1c: Implement Fugitive Dust Control Measures and a Particulate Matter Monitoring Program during Construction. ▶ 3B.2-3a: Cite Pump Siting Buffers Away from Sensitive Receptors. ▶ 3B.2-3b: Conduct Project-Level DPM Screening and Implement Measures to Reduce Annual DPM to Acceptable Concentrations. ▶ 3B.4-1a: Implement GHG Reduction Measures during Construction. ▶ 3B.4-1b Prepare and Implement an Off-site Water Facilities Climate Action Plan. ▶ 3A.5-1a: Comply with the Programmatic Agreement. ▶ 3A.5-1b: Perform an Inventory and Evaluation of Cultural Resources for the California Register of Historic Places, Minimize or Avoid Damage or Destruction, and Perform Treatment Where Damage or Destruction Cannot be Avoided. ▶ 3A.5-2: Conduct Construction Personnel Education, 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. ▶ 3A.5-3: Suspend Ground-Disturbing Activities if Human Remains are Encountered and Comply with California Health and Safety Code Procedures. ▶ 3B.7-1a: Prepare Geotechnical Report(s) for the Revised Proposed Off-site Water Facilities and Implement Required Measures. ▶ 3B.7-1b: Incorporate Pipeline Failure Contingency Measures Into Final Pipeline Design. ▶ 3B.7-4: Implement Corrosion Protection Measures. ▶ 3B.7-5: Conduct Construction Personnel Education, Stop Work if Paleontological Resources are Discovered, Assess the Significance of the Find, and Prepare and Implement a Recovery Plan as Required. ▶ 3B.8-1a: Transport, Store, and Handle Construction-Related Hazardous Materials in Compliance with Relevant Regulations and Guidelines. ▶ 3B.8-1b: Prepare and Implement a Hazardous Materials Management Plan. | | |
|--|--|---|--|--|

- ▶ 3B.8-5a: Conduct Phase 1 Environmental Site Assessment for Selected Alignment.
- ▶ 3B.8-5b: Develop and Implement a Remediation Plan.
- ▶ 3B.8-7a: Keep Construction Area Clear of Combustible Materials.
- ▶ 3B.8-7b: Provide Accessible Fire Suppression Equipment.
- ▶ 3B.9-1a: Acquire Appropriate Regulatory Permits and Prepare and Implement SWPPP and BMPs.
- ▶ 3B.9-1b: Properly Dispose of Hydrostatic Test Water and Construction Dewatering in Accordance with the Central Valley Regional Water Quality Control Board.
- ▶ 3B.9-3a: Prepare and Implement Drainage Plan(s) for Structural Facilities.
- ▶ 3B.9-3b: Ensure the Provision of Sufficient Outlet Protection and On-site Containment.
- ▶ 3B.11-1a: Limit Construction Hours.
- ▶ 3B.11-1b: Minimize Noise from Construction Equipment and Staging.
- ▶ 3B.11-1c: Maximize the Use of Noise Barriers.
- ▶ 3B.11-1d: Prohibit Non-Essential Noise Sources During Construction.
- ▶ 3B.11-1e: Monitor Construction Noise and Provide a Mechanism for Filing Noise Complaints.
- ▶ 3B.11-3: Implement Operational Noise Minimization Measures.
- ▶ 3B.12-1: Provide for Continued Recreational Access as Identified in Mitigation Measure 3.14-1a.
- ▶ 3B.15-1a: Prepare Traffic Control Plan.
- ▶ 3B.15-1b: Assess Pre-Off-site Water Facilities Roadway Conditions.
- ▶ 3B.16-3a: Minimize Utility Conflicts by Implementing an Underground Services Alert.
- ▶ 3B.16-3b: Coordinate with Utility Providers and Implement Appropriate Installation Methods to Minimize Potential Utility Service Disruptions.
- ▶ 3B.17-1a: Implement Construction Dewatering Best Management Practices.
- ▶ 3B.17-1b: Implement a Dewatering Discharge Monitoring Program.
- ▶ 3A.18-1: Submit Proof of Surface Water Supply Availability.

		<p>▶ 3A.18-2a: Submit Proof of Adequate Off-Site Water Conveyance Facilities and Implement Off-Site Infrastructure Service System or Ensure That Adequate Financing Is Secured.</p>		
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Attachment 2

Planning Commission Staff Report Dated December 1, 2021



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 1
Type: Public Hearing
Date: December 1, 2021

Planning Commission Staff Report

50 Natoma Street, Council Chambers
Folsom, CA 95630

Project: Toll Brothers at Folsom Ranch Phase 2 Subdivision

File #: PN-20-267

Requests: Small-Lot Vesting Tentative Subdivision Map
Minor Administrative Modification

Location/APN: Northwest corner of the intersection of East Bidwell Street and White Rock Road within the Folsom Plan Area/APN: 072-0060-079, 072-0060-099, and 072-0060-103

Staff Contact: Steve Banks, Principal Planner, 916-461-6207
sbanks@folsom.ca.us

Property Owner/Applicant

Name: Toll Brothers West Inc./Toll Brothers Inc
Address: 2330 East Bidwell Street, Suite 201
Folsom, CA 95630

Recommendation: Conduct a public hearing and upon conclusion recommend approval of a Small-Lot Vesting Tentative Subdivision Map and Minor Administrative Modification for the Toll Brothers at Folsom Ranch Phase 2 Subdivision project to the City Council as illustrated on Attachments 6-16, subject to the findings (Findings A-O) and conditions of approval (Conditions 1-71) attached to this report.

Project Summary: The proposed project includes a request for approval of a Small-Lot Vesting Tentative Subdivision Map for development of a 329-unit single-family residential subdivision (Toll Brothers at Folsom Ranch Phase 2 Subdivision) on a 64.7-acre site located at the northwest corner of the intersection of White Rock Road and East Bidwell Street within the Folsom Plan Area. A Minor Administrative Modification is also proposed to transfer 92 allocated dwelling units from the project site to other locations within the Folsom Plan Area Specific Plan.



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 1
Type: Public Hearing
Date: December 1, 2021

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 - Illustrative Master Plan Exhibit, dated August 31, 2020
- Attachment 7 - Small-Lot Vesting Tentative Subdivision Map, dated September 17, 2021
- Attachment 8 - Preliminary Grading and Drainage Plan, dated September 17, 2021
- Attachment 9 - Preliminary Utility Plan, dated September 17, 2021
- Attachment 10 - Preliminary Landscape Plan and Details, dated January 24, 2020
- Attachment 11 - Preliminary Entry Exhibit, dated April 28, 2021
- Attachment 12 - Preliminary Wall and Fence Exhibit, dated April 28, 2021
- Attachment 13 - Preliminary Tree Preservation/Removal Exhibit, dated October 13, 2021
- Attachment 14 - Minor Administrative Modification Exhibit, dated July, 2020
- Attachment 15 - Inclusionary Housing Letter, dated November 16, 2020
- Attachment 16 - Project Narrative, dated September 16, 2021
- Attachment 17 - Environmental Memorandum, dated September 7, 2021
- Attachment 18 - Approved Development Standards and Building Elevations for the Toll Brothers at Folsom Ranch Subdivision (Phase 1 and Phase 2)
- Attachment 19 - Site Photographs
- Attachment 20 - Toll Brothers Booklet (Separate Bound Document)

Submitted,

PAM JOHNS
Community Development Director

ATTACHMENT 1 BACKGROUND AND SETTING

BACKGROUND

On March 10, 2020, the City Council approved a General Plan Amendment, Specific Plan Amendment, Small-Lot Vesting Tentative Subdivision Map, Development Agreement Amendments, Planned Development Permit, and Inclusionary Housing Plan for development of a 1,225-unit active adult and traditional single-family residential subdivision (Toll Brothers at Folsom Ranch Subdivision) on a 314-acre site located at the northwest corner of the intersection of East Bidwell Street and White Rock Road within the Folsom Plan Area. The 1,225 approved residential units associated with the Toll Brothers at Folsom Ranch Subdivision included 590 residential units (tentative map approved) within Phase 1 of the active adult community, 421 residential units (no map approved) within Phase 2 of the active adult community, and 214 single-family residential units (tentative map approved) within a traditional subdivision.

All of the entitlements referenced above apply to the entire Toll Brothers at Folsom Ranch Subdivision project (Phase 1 and Phase 2 of active adult community and the traditional subdivision). However, it is important to point out that the Phase 2 portion of the active adult community was not mapped previously, which is why the applicant has submitted the subject Small-Lot Vesting Tentative Subdivision Map application. As described previously, Phase 2 of the Toll Brothers at Folsom Ranch active adult community was approved for development with 421 unmapped residential units. However, based on a number of site constraints (topography, property shape, etc.) associated with the subject property, the applicant is only proposing development of 329 residential units within Phase 2, 92 units less than was originally anticipated.

One of the entitlements approved with the Toll Brothers at Folsom Ranch Subdivision project was a Planned Development Permit. The Planned Development Permit established specific development standards and architectural designs for the active adult portion of the Toll Brothers at Folsom Ranch Subdivision. Approved modifications to the development standards, which were tailored to meet the specific needs of the active adult community, included increasing the maximum allowable lot coverage, reducing the minimum required garage setbacks, and reducing the minimum required rear yard setbacks. In relation to architecture and design, five different product lines with three single-story master plans were approved for the Toll Brothers at Folsom Ranch Subdivision. The approved master plans feature four distinct architectural themes that were chosen from the traditional heritage of California home styles including Italian Villa, Spanish Colonial, Modern Craftsman, and Modern Farmhouse. The approved development standards, building renderings, and building elevations for the Toll Brothers at Folsom Ranch Subdivision are included as Attachment 18 to this staff report.

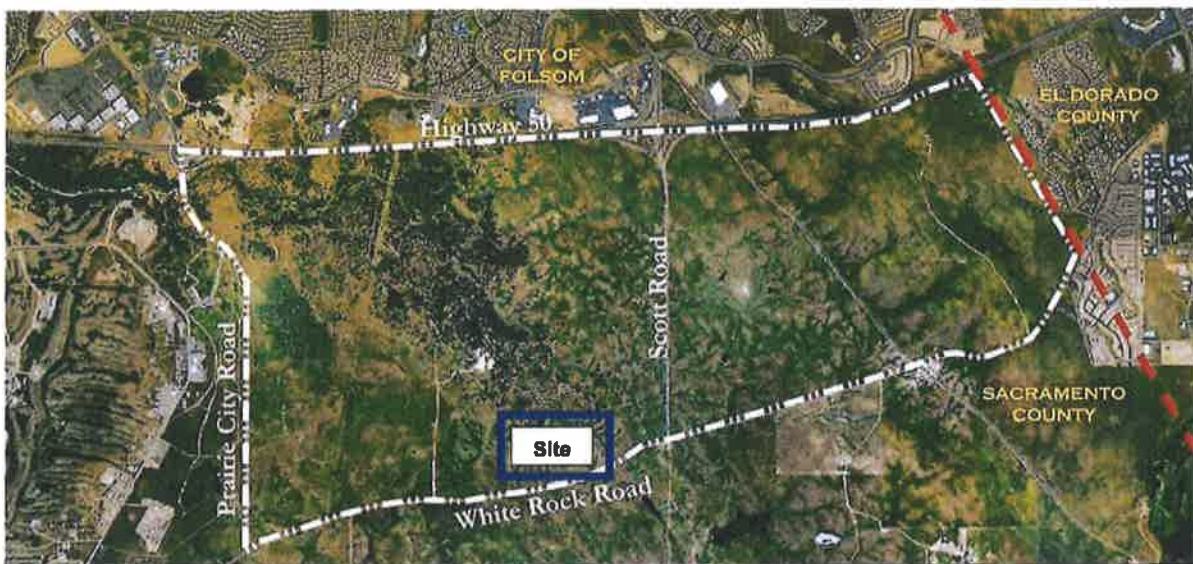
Planning Commission
 Toll Brothers at Folsom Ranch Phase 2 Subdivision (PN 20-267)
 December 1, 2021

On October 7, 2020, the Planning Commission approved a Design Review application for development of an 18,600-square-foot single-story clubhouse building with associated recreational amenities on a 5-acre site located within the Phase 1 portion of the Toll Brothers at Folsom Ranch Subdivision. In terms of recreational amenities, the approved clubhouse facility included an indoor swimming pool, an outdoor swimming pool, a spa, a fitness center, a social hall, multipurpose rooms, pickle ball courts, bocce ball courts, a putting green, and lounge areas.

SETTING

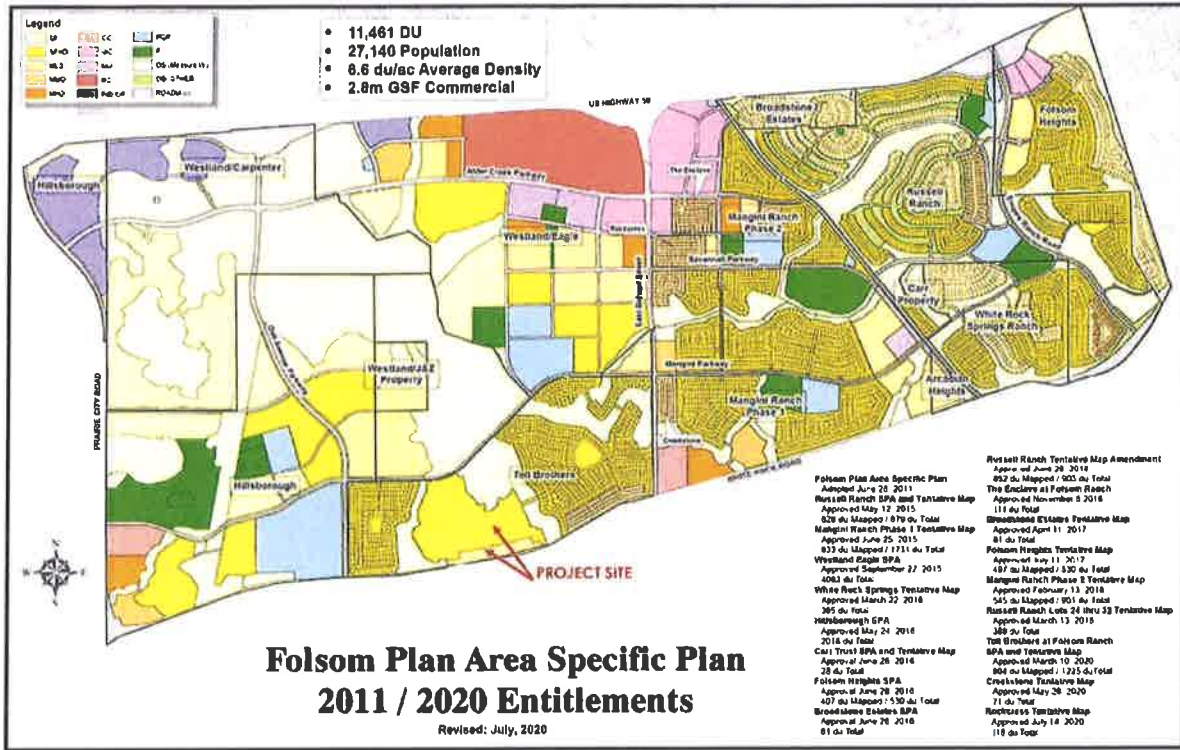
The Toll Brothers at Folsom Ranch Subdivision is located at the northwest corner of the intersection of East Bidwell Street and White Rock Road within the Folsom Plan Area. The proposed project is located on a 64.7-acre site situated within the central portion of the previously approved Toll Brothers at Folsom Ranch Subdivision. The project site is largely undeveloped with the exception of a small area that is being utilized to stockpile materials associated with development of the Phase 1 portion of the Toll Brothers at Folsom Ranch Subdivision project. Figures 1 and 2 below and on the following page show an aerial photograph of the location of the project within the Folsom Plan Area and the location of the project on the approved Folsom Plan Area Specific Plan.

FIGURE 1: FOLSOM PLAN AREA AERIAL PHOTOGRAPH EXHIBIT



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FIGURE 2: FOLSOM PLAN AREA SPECIFIC PLAN EXHIBIT



ATTACHMENT 2 PROJECT DESCRIPTION

APPLICANT'S PROPOSAL

The applicant, Toll Brothers Inc., is requesting approval of a Small-Lot Vesting Tentative Subdivision Map and Minor Administrative Modification for development of a 329-unit single-family residential subdivision on a 64.7-acre site located at the northwest corner of the intersection of East Bidwell Street and White Rock Road within the Folsom Plan Area.

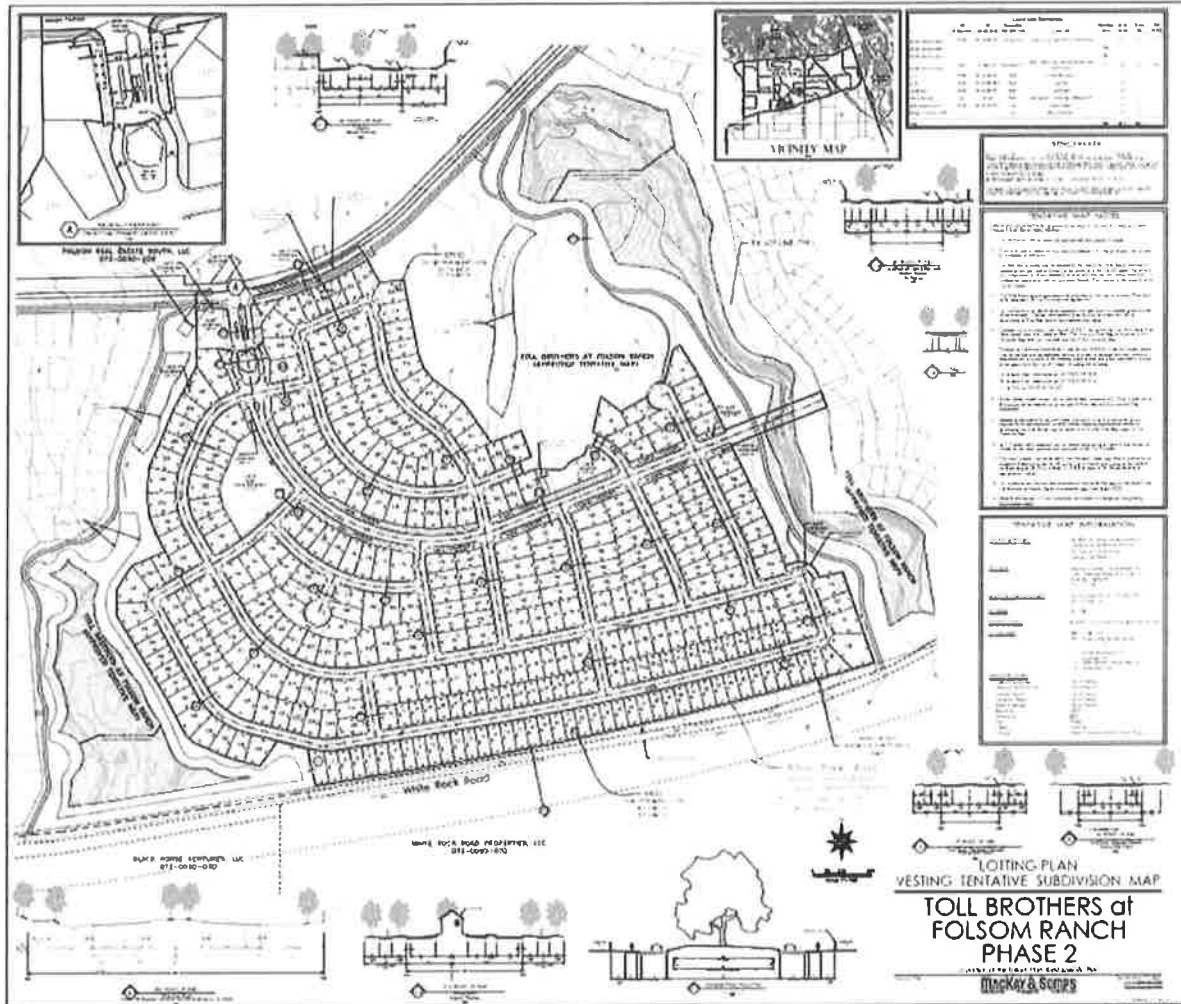
The proposed Small-Lot Vesting Tentative Subdivision Map will result in the creation of a total of 348 lots including 329 residential lots, 14 landscape lots, 3 open space lots, 1 dog park lot, and 1 private recreation lot. The proposed subdivision includes an attached townhome product with lots that are 43' x 80' (3,440 SF) in size, and a detached single-family product with lots that are 50' x 90' (4,500 SF), 55' x 95' (5,225 SF), and 65' x 95' (6,175 SF) in size respectively. A land use summary is shown below and the proposed Small-Lot Vesting Tentative Subdivision Map is shown on the following page.

TABLE 1: LAND USE SUMMARY

Land Use Summary								
	GP Designation	SP Designation	Ownership/Maintenance	Land Use	Dwelling Units	Acres Gross	Acres Net	Net Density
65x95' (Active Adult)	SFHD	SP-SFHD-PD	Homeowner	Single-Family High Density Residential	71	55.7	51.7	5.0
55x95' (Active Adult)					100			
50x95' (Active Adult)					86			
43x80' (Active Adult)	MLD	SP-MLD-PD	Homeowner	Multi-Family Low Density Residential Townhomes	72	8.2	8.2	8.8
Lot A	SFHD	SP-SFHD-PD	HOA	Private Recreation		0.0	1.2	
Lot B	SFHD	SP-SFHD-PD	HOA	Dog Park		0.0	0.5	
Landscape	SFHD	SP-SFHD-PD	HOA	Landscape		0.0	2.3	
OS/Landscape	OS	SP-OS	HOA	Open Space / Landscape (Measure W)		0.3	0.3	
Open Space (Lot S)	SFHD	SP-SFHD-PD	City	Open Space		0.01	0.01	
Mangini Parkway ROW			City	Major Roadways		0.5	0.5	
Total					329	64.7	64.7	

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FIGURE 3: SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP



Primary vehicle access to the project site is provided by Regency Parkway, which will connect to East Bidwell Street to the east and Mangini Parkway to the north. Internal vehicle circulation is proposed to be provided by a series of residential streets, all of which directly or indirectly tie into Regency Parkway. Bicycle and pedestrian circulation is provided by a combination of detached sidewalks, attached sidewalks, Class I bicycle trails, Class II bicycle lanes, and connections to nearby future Class I bicycle trails. Parking will be accommodated by two-car off-street garages associated with each of the residential units and on-street parking. Additional site improvements include underground utilities, site lighting, site landscaping, retaining walls, sound walls, fencing, and project identification signs. Off-site improvements include construction of two off-site hydromodification basins (Basins No. 5 and No. 16) located to the west and north of the project site respectively. The Master Plan Exhibit for the Toll Brothers at Folsom Ranch

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Subdivision and the proposed street sections are shown below and on the following pages.

FIGURE 4: TOLL BROTHERS AT FOLSOM RANCH MASTER PLAN EXHIBIT

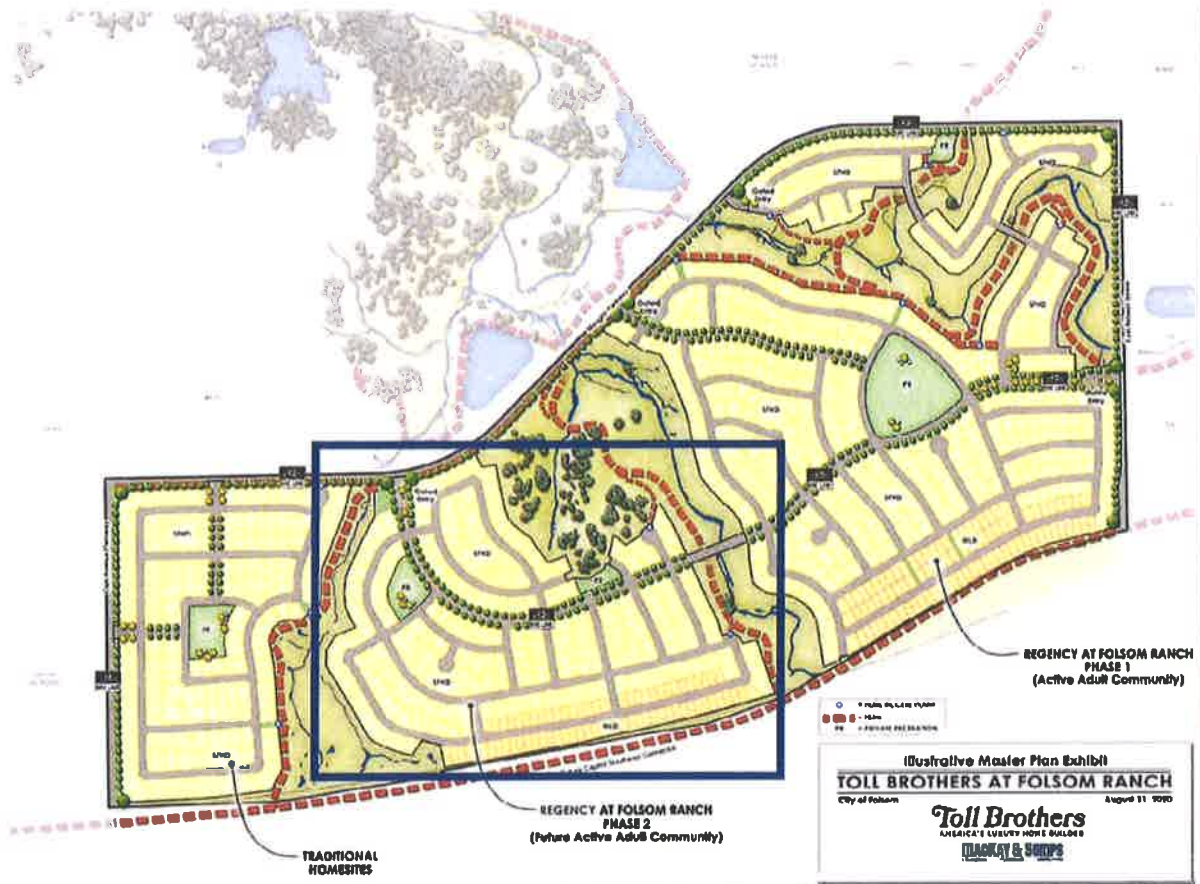


FIGURE 5: REGENCY PARKWAY STREET SECTION

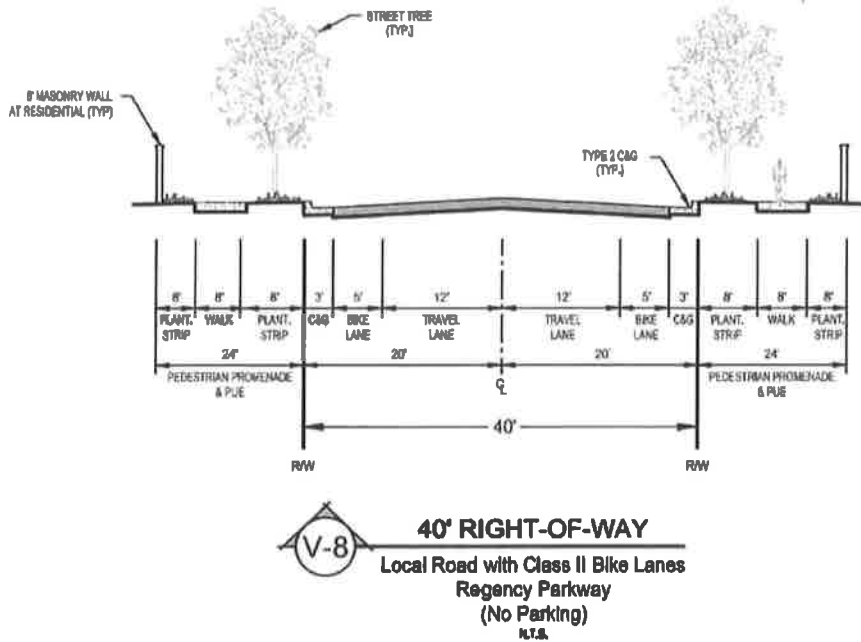
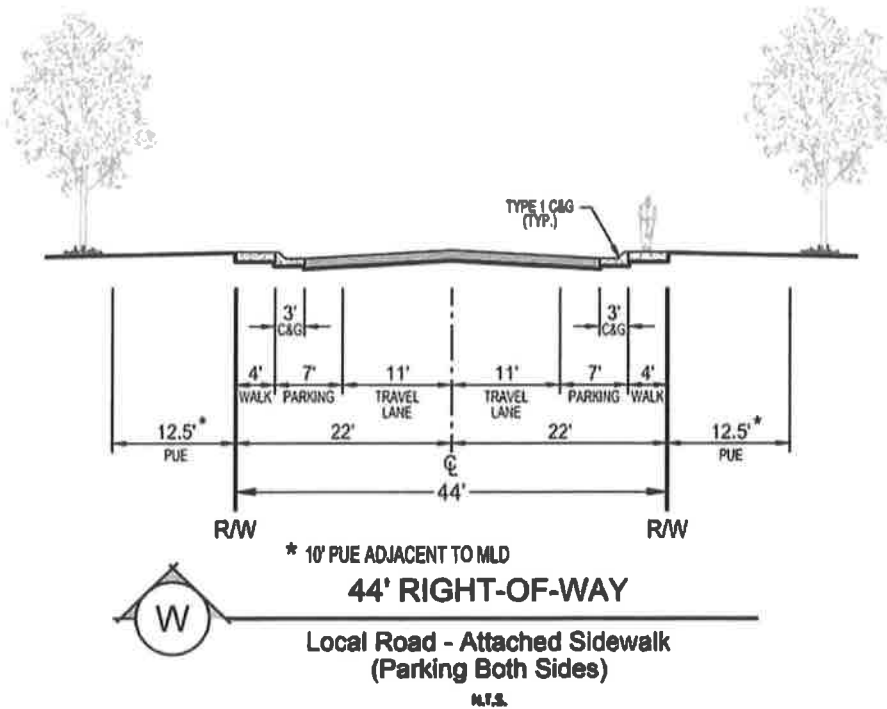


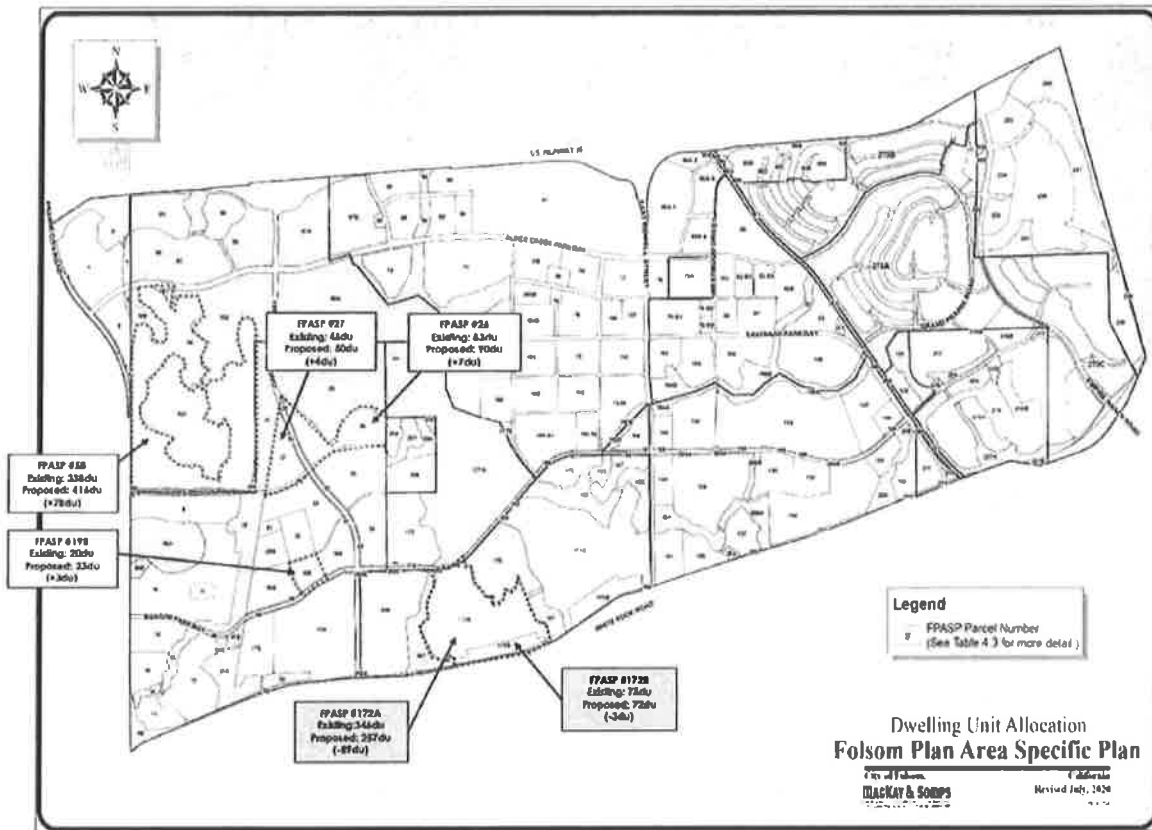
FIGURE 6: LOCAL ROADWAY STREET SECTION



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A Minor Administrative Modification is also proposed to transfer 92 allocated dwelling units from the project site to other locations within the Folsom Plan Area Specific Plan. The Minor Administrative Amendment Exhibit is shown in Figure 7 below.

FIGURE 7: MINOR ADMINISTRATIVE AMENDMENT EXHIBIT



ATTACHMENT 3 ANALYSIS

The following sections provide an analysis of the applicant's proposal.

- A. General Plan and Zoning Consistency
- B. Small-Lot Vesting Tentative Subdivision Map
- C. Traffic/Access/Circulation
- D. Parking
- E. Noise Impacts
- F. Walls/Fencing
- G. Measure W and Open Space
- H. Private Park Amenities
- I. Oak Tree Preservation and Removal
- J. Inclusionary Housing Plan
- K. Minor Administrative Modification

This section also includes a discussion of the project's performance with relation to relevant policies in the Folsom General Plan and the Folsom Plan Area Specific Plan:

- L. Conformance with Relevant Folsom General Plan Folsom Plan Area Specific Plan Objectives and Policies

A. General Plan and Zoning Consistency

The 64.7-acre project site has General Plan land use designations of SFHD (Single-Family High Density), MLD (Multi-Family Low Density), and OS (Open Space) and Specific Plan designations of SP-SFHD-PD (Specific Plan-Single-Family High Density-Planned Development Permit District), SP-MLD-PD (Specific Plan-Multi-Family Low Density-Planned Development District), and SP-OS (Specific Plan-Open Space). The project is consistent with both the General Plan and the Specific Plan land use designations, as single-family attached and single-family detached residential units are identified as permitted land uses within the Folsom Plan Area Specific Plan (FPASP, Table A.1). The proposed project, which will be developed with 5.0 (SFHD) and 8.8 (MLD) dwelling units per acre respectively, is also consistent with the allowable density ranges (4 to 7 and 7 to 12 dwelling units per acre) established by the General Plan (Table LU-1: Residential Designations) and the FPASP. In addition, the proposed project is consistent with the development standards established for the Toll Brothers at Folsom Ranch Subdivision.

B. Small-Lot Vesting Tentative Subdivision Map

As described in the project description, the proposed project includes a request for approval of a Small-Lot Vesting Tentative Subdivision Map to create of a total of 348 lots including 329 residential lots, 14 landscape lots, 3 open space lots, 1 dog park lot, and 1 private recreation lot. The proposed residential lots would be of varying dimensions and sizes as described in the table below:

TABLE 2: TOLL BROTHERS PHASE 2 SUBDIVISION LOT DISTRIBUTION TABLE

Toll Brothers at Folsom Ranch Phase 2 Subdivision Lot Distribution					
Product Type	GP Designation	SP Designation	Dwelling Units	Lot Dimensions	Lot Sizes
Single-Family	SFHD	SP-SFHD-PD	89	50' by 95'	4,500 SF
Single-Family	SFHD	SP-SFHD-PD	98	55' by 95'	5,225 SF
Single-Family	SFHD	SP-SFHD-PD	70	65' by 95'	6,175 SF
Townhome	MLD	SP-MLD-PD	72	42' by 80'	3,440 SF

All roadways (streets and courts) within the Toll Brothers at Folsom Ranch Phase 2 Subdivision project are proposed to be private streets and are consistent with the street standards established by the Folsom Plan Area Specific Plan. Staff recommends that public utility easements be provided for all public utilities located within the private streets to the satisfaction of the Community Development Department. Condition No. 6 is included to reflect this requirement.

Staff has determined that the proposed Small-Lot Vesting Tentative Subdivision Map complies with all City requirements, as well as with the requirements of the State Subdivision Map Act.

C. Traffic/Access/Circulation

The Folsom Plan Area Specific Plan established a series of plans and policies for the circulation system within the entire Plan Area. The FPASP circulation system was designed with a sustainable community focus on the movement of people and provides a number of mobility alternatives such as walking, cycling, carpooling, and viable forms of public transportation in addition to vehicular circulation. The circulation plan evaluated regional travel, both in terms of connectivity and capacity as well as local internal connections and access.

The 2011 Folsom Plan Area Specific Plan Environmental Impact Report/Environmental Impact Statement included not only a detailed analysis of traffic-related impacts within the Plan Area, but also an evaluation of traffic-related impacts on the surrounding communities. In total, there are fifty-five (55) traffic-related mitigation measures associated with development of the FPASP which are included as conditions of approval

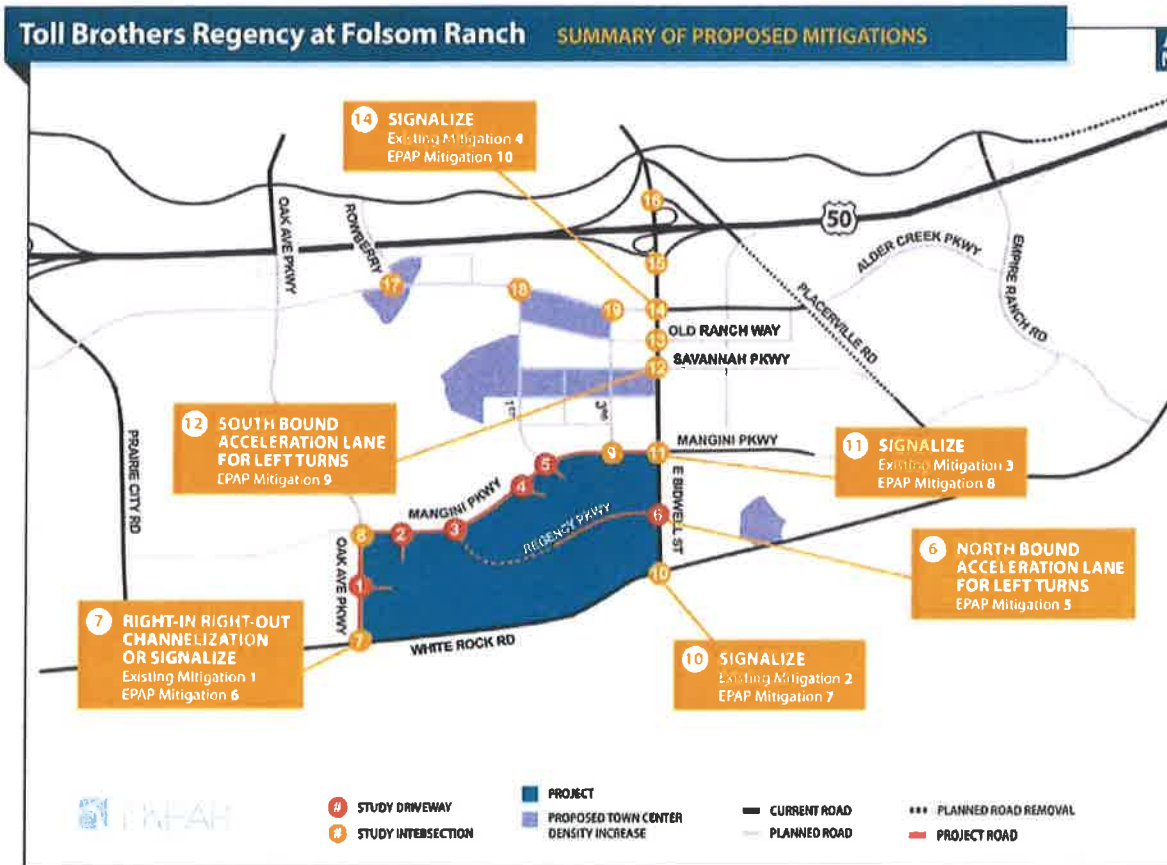
for the Toll Brothers at Folsom Ranch project. Many of these mitigation measures are expected to reduce traffic impacts to East Bidwell Street. Included among the mitigation measures are requirements to; fund and construct roadway improvements within the Plan Area, pay fair-share contribution for construction of improvements north of U.S. Highway 50, participate in the City's Transportation System Management Fee Program, and Participate in the U.S. Highway 50 Corridor Transportation Management Association. The Toll Brothers at Folsom Ranch Phase 2 Subdivision project is subject to all traffic-related mitigation measures required by the 2011 FPASP EIR/EIS.

On November 11, 2019, T.KEAR Transportation Planning & Management completed a Transportation Impact Study for the previously approved Toll Brothers at Folsom Ranch Subdivision project to determine whether additional impacts would occur that were not previously identified and addressed by the 2011 FPASP EIR/EIS and the 2015 Westland-Eagle Specific Plan Addendum to the FPASP EIR/EIS. This Study analyzed traffic operations at 19 intersections, three arterial roadway segments, and the U.S. Highway 50 Freeway under four scenarios: Existing Conditions, Existing Plus Project Conditions, Existing Plus Planned and Approved Projects Conditions (EPPAP), Existing Plus Planned and Approved Projects Plus Project Conditions (EPPAP Plus Project). In addition, a cumulative analysis was prepared to evaluate the ultimate lane and geometry requirements at street intersections internal and adjacent to the project site.

The Study determined that the Toll Brothers at Folsom Ranch project (including all 1,225 +/- dwelling units in Regency Phase 1, Regency Phase 2, and Future Traditional Subdivision) would generate approximately 6,716 daily vehicle trips including 439 vehicle trips during the weekday AM peak hour and 557 vehicle trips during the weekday PM peak hour. The Study also determined that, with planned street and intersection improvements, the project would not create any new significant impacts under Existing Plus Project Conditions or EPPAP Plus Project Conditions when compared to the FPASP EIR/EIS and the Westland-Eagle Specific Plan Amendment Addendum. In addition, all arterial and freeway study segments were found to operate at acceptable levels of service both with and without the project under all study scenarios.

The Study also concluded that with the proposed improvements, the project does not create any new significant deficiencies under Existing Plus Project Conditions or EPPAP Plus Project Conditions. Table 5 and Figure 10 summarize required on-site and off-site street intersection improvements and associated timing of those improvements. No new mitigation measures are needed, although the 2019 Study includes recommendations that phase the ultimate improvements originally identified in the traffic analysis for the FPASP. The Figure on the following page includes the locations and a summary of the required roadway improvements associated with the approved Toll Brothers at Folsom Ranch Subdivision project.

FIGURE 7: LOCATIONS AND SUMMARY OF REQUIRED ROADWAY IMPROVEMENTS



As mentioned in the project description section of this staff report, primary vehicle access to the Toll Brothers at Folsom Ranch Phase 2 Subdivision site will be provided by Regency Parkway, which will connect to East Bidwell Street to the east and Mangini Parkway to the north. Internal vehicle circulation is proposed to be provided by a series of residential streets, all of which directly or indirectly tie into Regency Parkway. Bicycle and pedestrian circulation are provided by a combination of detached sidewalks, attached sidewalks, Class I bicycle trails, Class II bicycle lanes, and connections to nearby future Class I bicycle trails.

A majority of the required roadway improvements associated with the overall Toll Brothers at Folsom Ranch Subdivision will be constructed with development of the first phase (Phase 1) of the Toll Brothers at Folsom Ranch Subdivision. However, there are still a number of required roadway improvements that will need to be constructed with the proposed project (Phase 2) including the following:

Regency Parkway (Segment 2)

- Construct Regency Parkway as a two-lane roadway from Street F to the planned bridge over creek at the western edge of the Regency Phase 1 Small-Lot Vesting Tentative Subdivision Map.

Regency Parkway (Segment 3)

- Construct Regency Parkway as a two-lane roadway from the eastern edge of the planned bridge over the creek bisecting the project site to Mangini Parkway.

Mangini Parkway/Regency Parkway (Driveway 3)

- Construct driveway as shown in (Figure 47 of the November 20, 2019 Transportation Impact Study):

East Bidwell Street/Regency Parkway (Driveway 6)

- Modify driveway as shown in (Figure 51 of the November 20, 2019, Transportation Impact Study), unless intersection has been signalized:

Regency Phase 2 Internal Stop Control

- Stop Control shall be installed at any internal Regency Phase 2 intersections with four (or more) legs as directed by the City Engineer. Roundabouts may replace stop control at internal intersections with authorization from the City Engineer.

East Bidwell Street/Mangini Parkway

- Expand the intersection and update signal configuration as follows (Figure 57 of the November 20, 2019 Transportation Impact Study):

East Bidwell St/Alder Creek Parkway

- Reconstruct and modify signal at the East Bidwell Street/Alder Creek Parkway intersection as shown in Figure 59 of the November 20, 2019, Transportation Impact Study:

East Bidwell Street/Savannah Parkway

- Reconstruct the East Bidwell Street/Savannah Pkwy intersection with the following geometry (Figure 61 of the November 20, 2019, Transportation Impact Study):

The aforementioned roadway improvements are included as conditions of approval for development of the proposed project (Condition Nos. 19-26).

D. Parking

The Folsom Plan Area Specific Plan requires that single-family residential units located within a Single-Family High Density (SFHD) designated area provide two covered parking spaces per unit. The FPASP does not require a specific amount of on-street guest parking spaces for single-family residential units within an SFHD designated area. The Folsom Plan Area Specific Plan also requires that single-family residential units (townhome product) located within a Multi-Family Low Density (MLD) designated area provide two covered parking spaces per unit. The FPASP also requires that single-family residential units located within an MLD designated area provide a minimum of 0.8 guest parking spaces per unit.

Each of the single-family residential units within the SFHD designated areas and each of the single-family units (townhome product) within the MLD designated areas will include an attached two-car attached garage, thus meeting the covered parking requirement of the FPASP. In addition, the project (includes combination of single-family units and townhome units) provides a minimum of 0.8 on-street guest parking spaces, thus meeting the on-street guest parking requirement established by the FPASP.

E. Noise Impacts

A supplemental Environmental Noise Assessment was previously prepared by Bollard Acoustical in order to verify that there would be no new noise-related impacts associated with the Toll Brothers at Folsom Ranch Subdivision project that were not contemplated and addressed by the 2011 FPASP EIR/EIS and the 2015 Westland-Eagle Specific Plan Amendment Addendum.

The purpose of the supplemental Noise Assessment was to quantify future noise levels at the Toll Brothers at Folsom Ranch project site which would be generated by traffic on nearby existing and proposed roadways and by construction occurring within the Toll Brothers site, and to compare those noise levels against the noise standards established by the Noise Element in the City's General Plan.

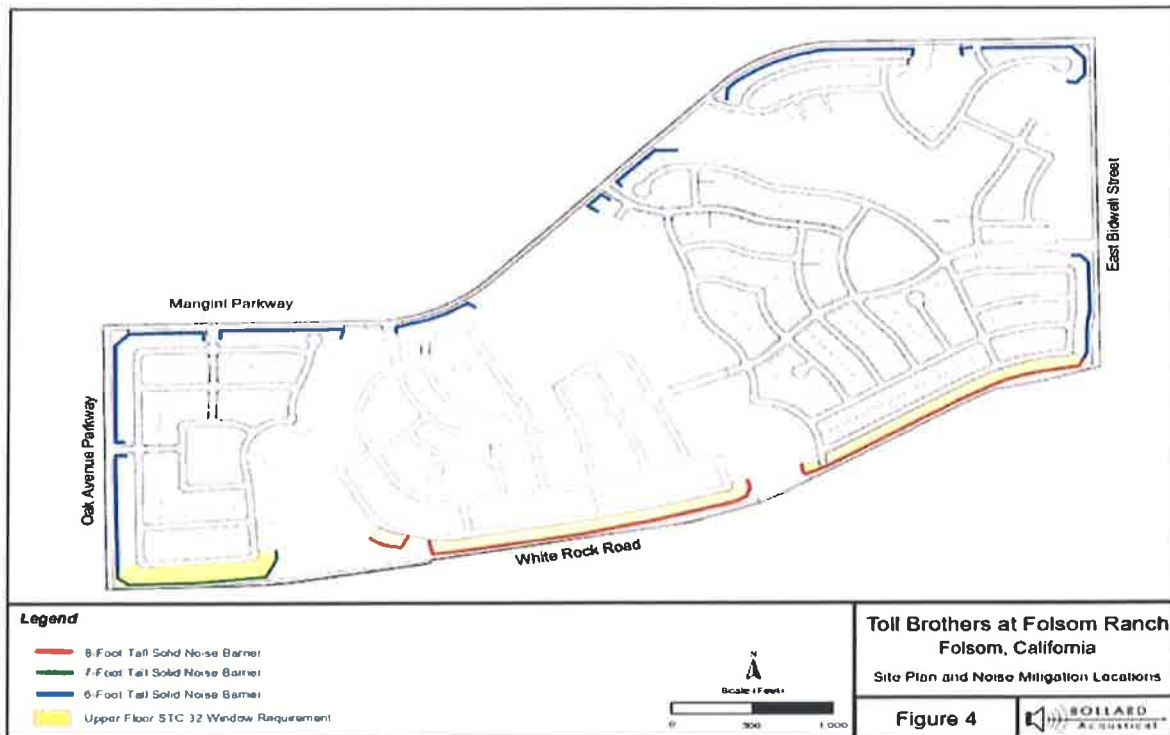
In addition, the Assessment evaluated compliance of the proposed project with the FPASP EIR/EIS noise mitigation measures. The Assessment determined that portions of the proposed Toll Brothers project located adjacent to major roadways will be exposed to future traffic noise levels in excess of the City of Folsom exterior (60 Dba) noise level standard. To achieve compliance with the required exterior noise level standard, staff recommends that the following measures be implemented:

- Solid noise barriers or similar natural features (earthen berms, etc.) shall be constructed adjacent to Oak Avenue Parkway, Mangini Parkway, White Rock Road, and East Bidwell Street to reduce future traffic noise levels to below the City of Folsom exterior criteria of 60 dB Ldn at the proposed residential backyards. Barrier heights are specified relative to backyard elevations, and vary from 6 feet

to 8 feet in height as shown in Figure 4 of the Noise Assessment (and as shown in Figure 11 on the following page).

- Mechanical ventilation (air conditioning) shall be provided for all residences within the Toll Brothers project to allow the occupants to close doors and windows as desired to achieve compliance with the applicable interior noise level criteria.

FIGURE 8: NOISE MITIGATION LOCATION MAP



The Assessment also determined that the proposed project complies and is consistent with the noise requirements established by the FPASP EIR/EIS and that there would not be an increase in the severity of noise-related impacts compared to the significance determination contained in the FPASP EIR/EIS. In addition to the noise measures recommended above, the proposed project is subject to the noise mitigation measures identified within the 2011 FPASP EIR/EIS and the 2015 Westland-Eagle Specific Plan Amendment Addendum.

F. Walls/Fencing

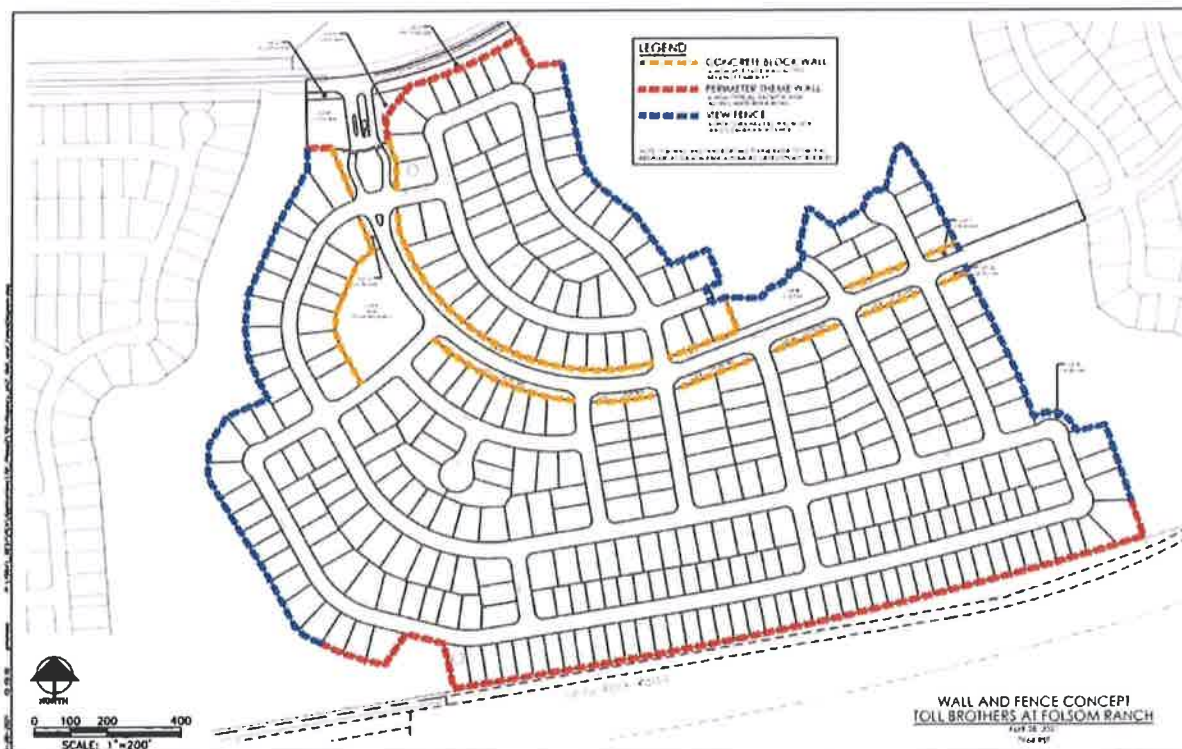
The applicant is proposing to secure and screen the project site with a combination of walls and fences as shown in Figure 9 on the following page. A split-face block wall is proposed around the perimeter of the project, generally six feet in height but increasing

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up to 8 feet in height to implement recommended noise reductions measures (see the discussion of Noise, earlier in this report).

Private yard areas for the individual residential lots are proposed to be screened by a combination of wood fencing, open-view fencing, and masonry walls. The wood fencing will be utilized for the interior side yards, street side yards, and rear yards of the residential lots. The open-view fencing will be utilized for the rear yards on residential lots located adjacent to open space areas (where noise mitigation is not required). Masonry walls will be installed at various locations throughout the project site to minimize potential noise and privacy concerns.

Figure 9: WALL AND FENCE EXHIBIT



G. Measure W and Open Space

In 2004, the City of Folsom electorate voted in favor of Measure W, which was an amendment to the City Charter regarding local control of the Folsom Plan Area south of U.S. Highway 50. Measure W included seven major components including: water supply, transportation, open space, schools, development plan, public notice, and implementation.

The Folsom Plan Area Specific Plan complied with each of the aforementioned components through the provision of at least 30% open space, adoption of a transportation infrastructure funding and phasing plan, identification and securing of a water source, submission of a funding and construction plan for school facilities to the FCUSD, adoption of a General Plan Amendment for the Plan Area, conducting a comprehensive series of public meetings and hearings, and adoption of the required documents (including CEQA) to approve the FPASP.

The approved Toll Brothers at Folsom Ranch Subdivision project increased the amount of Measure W open space from 83.9 acres to 86.1 acres, and is consistent with the FPASP, and thus is in compliance with the requirements of Measure W. The proposed Toll Brothers at Folsom Ranch Phase 2 Subdivision project will not result in any changes with respect to Measure W open space.

H. Private Park Amenities

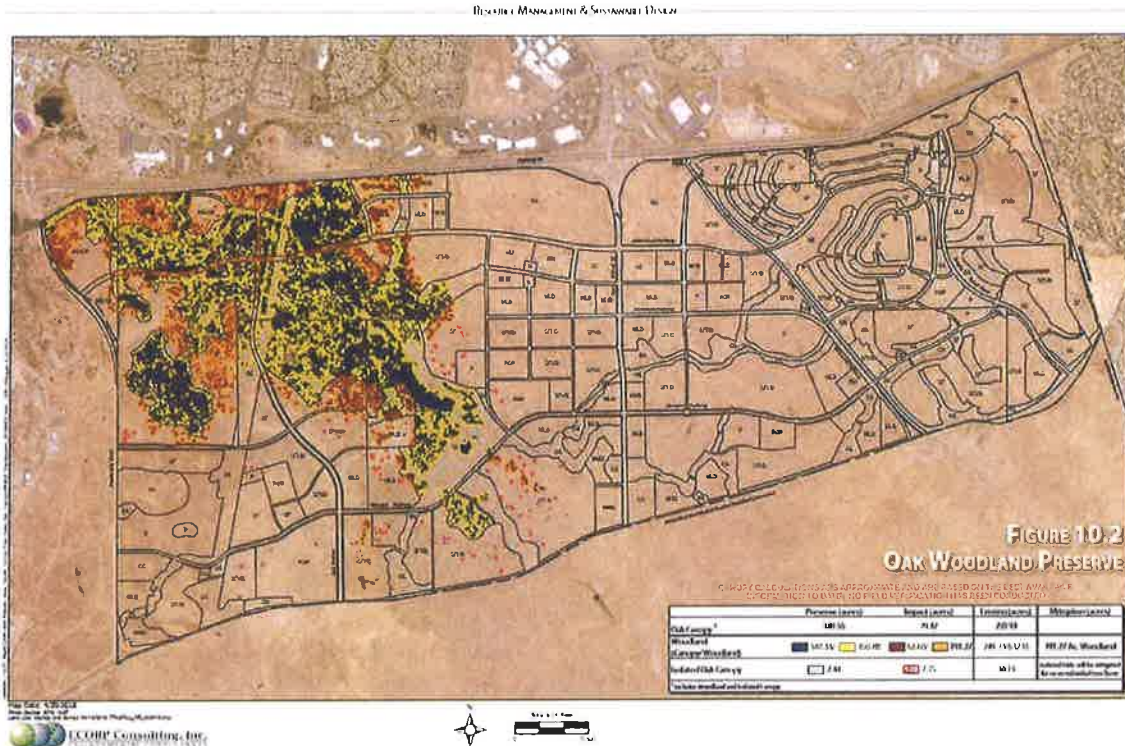
As shown on the Small-Lot Vesting Tentative Subdivision Map, the Toll Brothers at Folsom Ranch Phase 2 Subdivision includes two private park amenities. The first private park amenity is a 0.5-acre dog park which is located on the north side of Regency Parkway in the eastern portion of the project site. The second private park amenity, which is a 1.2-acre park area that will feature a large grass amphitheater, is located on the south side of Regency Parkway in the western portion of the project site. The applicant is proposing to construct the dog park prior to issuance of the 640th building permit and the amphitheater park prior to issuance of the 830th building permit for the overall Toll Brothers at Folsom Ranch Subdivision.

I. Oak Tree Preservation and Removal

As required by the City of Folsom Charter, the Folsom Plan Area Specific Plan preserves thirty percent of the Plan Area in perpetual open space that will encompass valuable natural resources such as oak woodlands. The FPASP uses the California Oak Woodland Conservation Act of 2001 definition of oak woodlands as "oak stands with a greater than 10% canopy cover." The oak woodlands, isolated oak tree canopy, and individual oak trees within the Plan Area are exclusively located in the western section (west of East Bidwell Street) and consist of 642-acres of oak woodland habitat with a canopy cover of 249-acres (approximately 39% canopy cover). Additionally, the Plan Area contains 10-acres of isolated oak tree canopy that is not classified as oak woodlands because it has less than 10% canopy cover. Figure 10 on the following page illustrates the location of the blue oak woodlands and individual oak trees within the Folsom Plan Area and also within the boundaries of the project site.

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FIGURE 10: FPASP OAK WOODLAND PRESERVE EXHIBIT

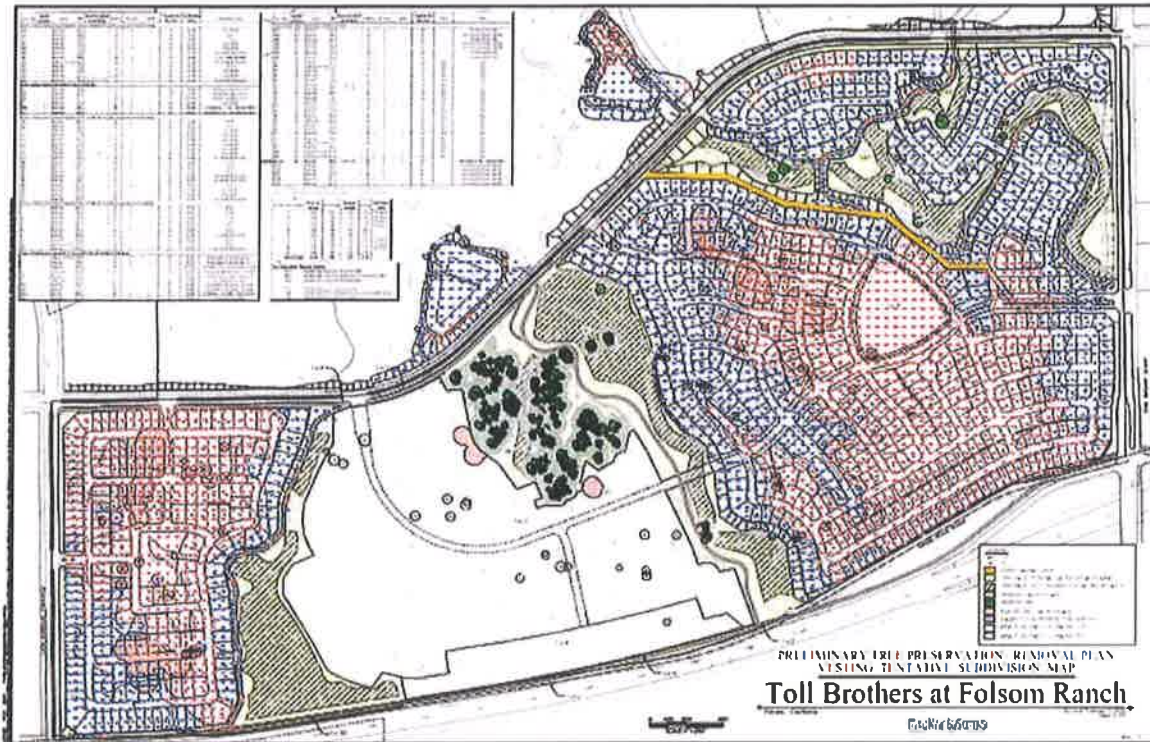


The FPASP includes a number of oak woodlands and isolated oak tree mitigation objectives and policies to ensure the preservation of large expanses of oak woodlands within the Folsom Plan Area. However, the FPASP also recognizes that required infrastructure to accommodate development will result in unavoidable impacts to oak woodlands and isolated oak trees. In particular, the FPASP identified approximately 121-acres of unavoidable oak woodland impacts for construction of Plan Area backbone infrastructure. In addition, approximately 114-acres of potential oak woodland impacts were identified by the FPASP in conjunction with construction on residential and non-residential parcels in the Plan Area. Lastly, the FPASP identified approximately 8.41-acres of isolated oak tree canopy that may be impacted by construction of backbone infrastructure as well as development on residential and non-residential parcels in the Plan Area.

As mentioned previously, the overall Toll Brothers at Folsom Ranch Subdivision includes oak woodland, isolated oak tree canopy, and individual oak trees that are scattered throughout the grassland community. As part of approval of the Toll Brothers at Folsom Ranch Subdivision project, the open space (included oak woodland) boundary in the central portion of the project site was adjusted resulting in an overall increase of open space from 83.9 acres to 86.1 acres. Figure 11 on the following page shows the approved Tree Preservation/Removal Plan for the Toll Brothers at Folsom Ranch Subdivision.

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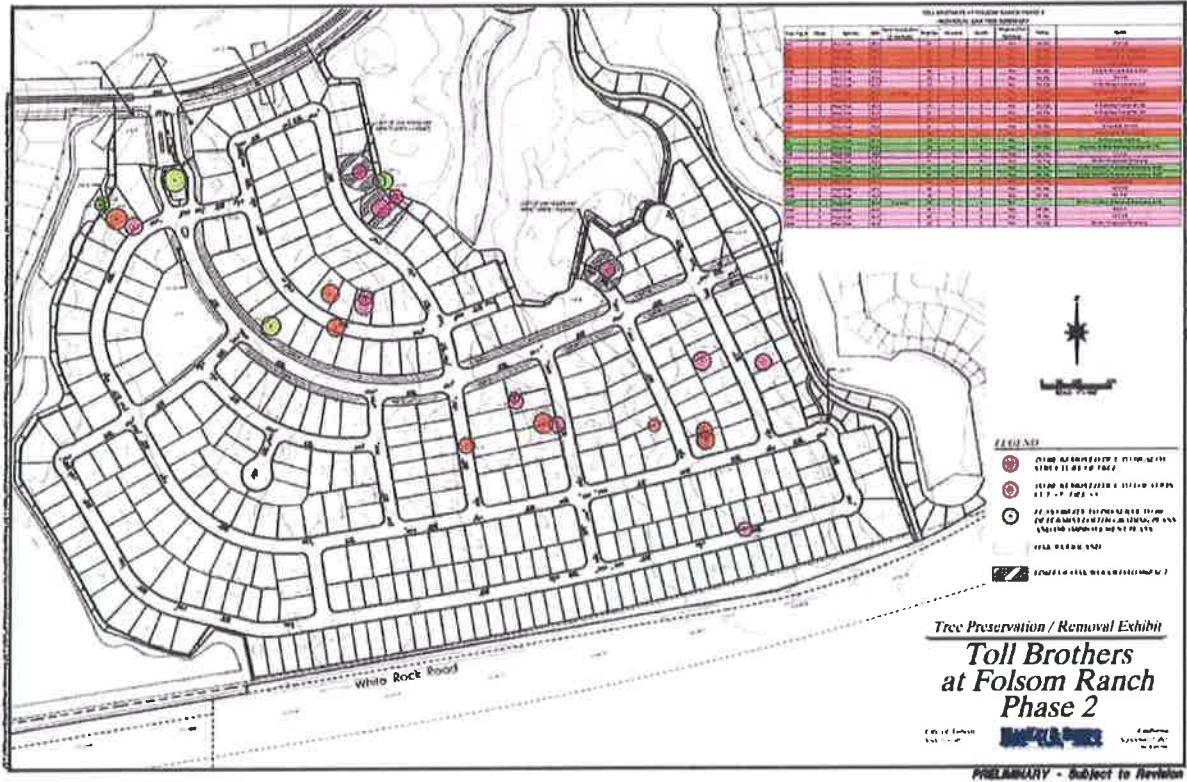
Figure 11: TREE PRESERVATION/REMOVAL PLAN



The Toll Brothers at Folsom Ranch Phase 2 Subdivision project site features a total of 27 oak trees including 14 oak trees which are proposed to be removed due to excessive cut and fill conditions (+/- 5 feet), 8 oak trees which are proposed to be removed due to poor health and structure, and 5 trees which are proposed to be preserved. The proposed Tree Preservation/Tree Removal Plan is shown in Figure 12 on the following page and in the larger scale Toll Brothers Booklet (Attachment 20).

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Figure 12: TREE PRESERVATION/REMOVAL PLAN



As described earlier within this report, the topography of the project site is quite varied with slopes varying between 0 percent and 15 percent and elevations ranging from 326 feet to 399 feet above sea level. As a result, a significant amount of grading is required within the development areas with cuts of up to 51 feet and fills up to 34 feet, making it challenging to preserve oak trees throughout many portions of the project site. That being said, City staff worked closely with the applicant in an effort to preserve as many oak trees as possible on the project site. A direct result of this coordination is the preservation of 5 oak trees including a prominent 35-inch diameter oak tree (Tree No. 62) which will be located in a landscape median at the project entrance off of Mangini Parkway. A photograph of this 35-inch diameter oak tree is shown on the following page:

FIGURE 13: PHOTOGRAPH OF OAK TREE AT PROJECT ENTRANCE



As required by the FPASP EIR/EIS (Mitigation Measure 3A.3-5), the applicant is required to submit an Oak Tree Mitigation Plan consistent with the approved Oak Tree Mitigation and Monitoring Plan for the FPASP to mitigate for impacts to the individual oak trees and isolated oak tree canopy areas located on the project site. To mitigate for the impact to the individual or isolated oak trees, staff recommends that the following measure be implemented (Condition No. 49):

- A Tree Permit Application containing an application form, justification statement, site map, preservation program, and arborist's report shall be submitted to the City of Folsom by the owner/applicant for issuance of a Tree Permit prior to commencement of any grading or site improvement activities.
- A Mitigation Plan shall be prepared by the owner/applicant to mitigate for the removal of the protected Isolated Oak Trees within the development site. The Mitigation Plan for the Isolated Oak Trees shall consist of replacement trees and/or payment of "In-Lieu" fees on a diameter inch bases consistent with 10-14, 10-15 of the FPASP.

Replacement trees may be located within the boundaries of the development parcel, a natural parkway, landscape corridor or passive or preserve open space zone, preferably within the Folsom Plan Area. The Mitigation Plan for the Isolated Oak Trees shall be subject to review and approval by the City.

- The Conservation Areas shall be fenced prior to construction. In addition, oak trees to be preserved within the Passive Recreation Open Spaces shall be fenced with high visibility fencing prior to starting construction. The fencing shall be installed outside the tree preservation zone of oak trees, and shall surround the entirety of the tree preservation zone area. 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 an ISA certified project arborist for implementation of the project. The project arborist shall be responsible for overseeing onsite tree removal and tree preservation. Oak trees located adjacent to construction areas that may be indirectly impacted due to work within or near the Tree Protection Zone shall be identified and tagged by the project arborist during construction activities. The indirectly impacted trees shall be monitored by the project arborist for five years in accordance with the Conceptual Oak Plan and FPASP EIR/EIS Mitigation Measure 3A.3-5. Trees that appear to be dead or dying within five years of project implementation will be replaced as per the requirements of this Plan.

J. Inclusionary Housing Plan

As permitted by the City's Inclusionary Housing Ordinance, the applicant is proposing to meet their inclusionary housing requirement by providing an in-lieu fee payment (Attachment 15). The in-lieu fee payment is calculated by multiplying one percent of the lowest priced for-sale residential unit within the proposed subdivision by the total number of for-sale residential units within the proposed subdivision. The in-lieu fee is payable at the time of the building permit on a per-unit basis.

Staff recommends that the Final Inclusionary Housing Plan be approved by the City Council and that subsequently the Inclusionary Housing Agreement be approved by the City Attorney and executed prior to recordation of the Small-Lot Final Subdivision Map. Condition No. 55 is included to reflect these requirements.

K. Minor Administrative Modification

The proposed project includes a request for approval of a Minor Administrative Modification (Attachment 14) for the transfer of development rights to move 92 allocated dwelling units from the project site (Parcels 172A and 172B) to four other parcels (Parcels 19B, 26, 27, and 58) located within the Folsom Plan Area Specific Plan.

The FPASP permits flexibility in making minor adjustments to land use locations and parcel boundaries and also with regard to transferring residential unit allocations to reflect changing market demand. With respect to transferring residential unit allocations, the FPASP states that “the City shall approve residential dwelling unit allocation transfers or density adjustments between any Plan Area resident land parcel or parcels, provided the following conditions are met”:

- The transferor and transferee parcel or parcels are located in the Plan Area and are designated for residential use.
- The transferor and transferee parcel or parcels conform to all applicable development standards contained in Appendix A – Development Standards.
- The transfer of units does not result in increased impacts beyond those identified in the FPASP EIR/EIS.
- The transfer of units does not adversely impact planned infrastructure, roadways, schools, or other public facilities; affordable housing agreements; or fee programs and assessment districts; unless such impacts are reduced to an acceptable level through project-specific mitigation measures.

Based on staff’s review, the proposed reallocation of 92 residential units from the project site to other parcels within the Folsom Plan Area, meets all of the required criteria mentioned above. As a result, staff is able to approve the proposed Minor Administrative Modification.

L. Conformance with Relevant General Plan and Folsom Plan Area Specific Plan Objectives and Policies

The following is a summary analysis of the project’s consistency with the City’s General Plan and with key policies of the Folsom Plan Area Specific Plan.

GP and SP OBJECTIVE H-1 (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 and SP POLICY H-1.1

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.

Analysis: The City provides residential lands at a variety of residential densities as specified in the General Plan and in the Folsom Municipal Code. The Folsom Plan Area Specific Plan includes specialized zoning (Specific Plan Designations) that are customized to the Plan Area as adopted in 2011 and as Amended over time. The FPASP provides residential lands at

densities ranging from 1-4 dwelling unit per acre (SF), 4-7 dwelling units per acre (SFHD), 7-12 dwelling units per acre (MLD), 12-20 dwelling units per acre (MMD), 20-30 dwelling units per acre (MHD), and 9-30 dwelling units per acre (MU).

The Toll Brothers at Folsom Ranch Phase 2 Subdivision project, which is designated SFHD, MLD, and OS in the General Plan, is proposed to be developed at residential densities of 5.0 units per acre (SFHD) and 8.8 units per acre (MLD) respectively, which is consistent with the allowable density ranges (SFHD: 4-7 DU/Acre, MLD: 7-12 DU/Acre) established by the General Plan (Table LU-1: Residential Designations)

SP POLICY 4.1

Create pedestrian-oriented neighborhoods through the use of a grid system of streets where feasible, sidewalks, bike paths and trails. Residential neighborhoods shall be linked, where appropriate, to encourage pedestrian and bicycle travel.

Analysis: The Toll Brothers at Folsom Ranch Phase 2 Subdivision project is based on a roadway system that provides connectivity between the residential, open space, and private recreation land uses within the project area. Biking and walking within the project area is facilitated by a series of Class I bicycle trails, Class II bicycle lanes, street-separated sidewalks and street-attached sidewalks.

The overall Toll Brothers at Folsom Ranch Subdivision project has an extensive planned trail system that is linked to and consistent with the overall trail system within the Folsom Plan Area Specific Plan. The planned trail system was previously reviewed and approved by the Parks and Recreation Commission and by the City Council. The proposed Toll Brothers at Folsom Ranch Phase 2 Subdivision project is not making any modifications to the previously approved trail system for the subdivision.

SP POLICY 4.3

Residential neighborhoods that are directly adjacent to open space shall provide at least two defined points of pedestrian access into the open space area.

Analysis: The Toll Brothers at Folsom Ranch Phase 2 Subdivision project includes multiple pedestrian access points to the open space areas within the project. In addition, trail connections will be provided to Mangini Parkway, East Bidwell Street, and White Rock Road, as well as to internal roadways within the project.

SP POLICY 4.4

Provide a variety of housing opportunities for residents to participate in the home-ownership market.

Analysis: The Folsom Plan Area Specific Plan provides home ownership opportunities within the SF (Single-Family), SFHD (Single-Family High Density), and MLD (Multi-Family Low Density) land use designated areas. Residential development in the MLD (Multi-Family Low Density), MMD (Multi-Family Medium Density), MHD (Multi-Family High Density) and MU (Mixed-Use) land use categories may provide 'for rent' opportunities; however, home ownership may also be accommodated in 'for sale' condos, townhomes, etc. at the time of development of these particular parcels.

The Toll Brothers at Folsom Ranch Phase 2 Subdivision project is consistent with this policy in that it will provide home ownership opportunities and potential rental opportunities within the SFHD and MLD-zoned parcels.

SP POLICY 4.6

As established by the Folsom Plan Area Specific Plan, the total number of dwelling units for the Plan Area shall not exceed 11,461. The number of units within individual land use parcels may vary, so long as the number of units falls within the allowable density range for a particular land use designation.

Analysis: There have been a number of Specific Plan Amendments approved by the City Council within the Folsom Plan Area, which has generally led to an increase in residentially zoned land and a decrease in commercially zoned land. As a result, the number of residential units within the Plan Area increased from 10,210 to 11,461. The various Specific Plan Amendment EIRs and Addenda analyzed impacts from the conversion of the commercial lands to residential lands; impacts and associated mitigations measures can be found in the individual project-specific environmental documents. The increase in population was analyzed and can be accommodated in the excess capacity of the school sites provided in the Plan Area.

The proposed project does not result in any change in total dwelling units in the FPASP. The reallocation of the 92 dwelling units associated with the proposed Minor Administrative Modification to other parcels within the Folsom Plan Area will not exceed the allowable density for any of the impacted parcels.

SP POLICY 4.9

Subdivisions of 200 dwelling units or more not immediately adjacent to a neighborhood or community park are encouraged to develop one or more local parks as needed to provide convenient resident access to children's play areas, picnic areas, and unprogrammed turf areas. If provided, these local parks shall be maintained by a landscape and lighting district or homeowner's association and shall not receive or provide substitute park land dedication credit for parks required by the FPASP.

Analysis: At the time that the FPASP was adopted in 2011, the City Council directed that there be fewer but larger parks in the FPASP so that it would be more efficient for the City to program and maintain these parks (as opposed to smaller parks dispersed throughout the Plan Area). To that end, the FPASP was approved with two (2) large community parks approximately 20-50 acres in size that have a general service radius of 1.0 mile (Community Park West and Community Park East). Additionally, six (6) neighborhood parks were provided which are approximately 7-10 acres in size and have a service radius of 0.5 miles.

The previously approved Toll Brothers at Folsom Ranch Subdivision project included amendments to the FPASP to shift approximately ten acres of public parkland to other parts of the Specific Plan because the Toll Brothers project is proposed as a gated, private community. A total of 7.5-acres of private park and recreation facilities will be provided within the Toll Brothers project which would be open to residents of the project but would not be available to the general public. (Approximately 86 acres of Measure W open space, traversed by public trails, would also be provided within the Toll Brothers project.). The Toll Brothers at Folsom Ranch Phase 2 Subdivision project includes a 1.5-acre private park amenity and a 0.2-acre dog park amenity, both of which are included in the 7.5-acres of private park amenities referenced above.

SP POLICY 4.15

Thirty percent (30%) of the Plan Area shall be preserved and maintained as natural open space, consistent with Section 7.08C of the Folsom City Charter.

Analysis: The Folsom Plan Area Specific Plan (FPASP) provides one of the largest natural open space areas in the Sacramento Region with over 1,067-acres of open space, which equates to approximately 30.3% of the overall Plan Area. The FPASP open space plan exemplifies the SACOG Smart Growth Principals not only in protecting and preserving natural resources in the Plan Area, but also ensuring that these resources can be used to provide outdoor recreational and educational opportunities for Plan Area residents. The FPASP open space plan preserves wetlands, Alder Creek and its tributaries, oak woodlands, and cultural features for the use and benefit of all Folsom residents. The FPASP includes two distinct open space zoning categories within the open space land use designation. The first zone, Preserve Open Space (SP-OS1), is more restrictive of the two and is intended to preserve and protect wetlands, vernal pools, ponds, and creeks. The second zone, Passive Open Space (SP-OS2), is less restrictive than the first and is intended to provide passive recreational uses including walking, hiking, and bicycling on designated paved and unpaved trails.

The overall Toll Brothers at Folsom Ranch Subdivision project was allocated 83.9 acres of Measure W open space by the FPASP; the approved project resulted in a 2.2-acre increase (83.9-acres to 86.1-acres) in Measure W open space. The proposed Toll Brothers at Folsom Ranch Phase 2 Subdivision project does not result in any changes to the Measure W open space referenced above.

SP OBJECTIVE 7.1 (Circulation)

Consistent with the California Complete Streets Act of 2008 and the Sustainable Communities and Climate Protection Act (SB 375), create a safe and efficient circulation system for all modes of travel.

SP POLICY 7.1

The roadway network in the Plan Area shall be organized in a grid-like pattern of streets and blocks, except where topography and natural features make it infeasible, for the majority of the Plan Area in order to create neighborhoods that encourage walking, biking, public transit, and other alternative modes of transportation.

Analysis: Consistent with the requirements of the California Complete Streets Act, the FPASP identified and planned for hierarchy of connect “complete streets” to ensure that pedestrian, bike, bus, and automobile modes are travel are designed to have direct and continuous connections throughout the Plan Area. Every option, from regional connector roadways to arterial and local streets, has been carefully planned and designed. Recent California legislation to reduce greenhouse gas emissions (AB 32 and SB 375) has resulted in an increased market demand for public transit and housing located closer to service needs and employment centers. In response to these changes, the FPASP includes a regional transit corridor that will provide public transportation links between the major commercial, public, and multi-family residential land uses in the Plan Area.

As shown in the various exhibits attached to this staff report, the Toll Brothers at Folsom Ranch Phase 2 Subdivision project has been designed with multiple modes of transportation options consistent with the approved FPASP circulation plan.

SP OBJECTIVE 10.5 (Oak Woodlands and Isolated Oak Trees)

Preserve oak woodlands and isolated oak trees in residential and non-residential development parcels wherever practical.

SP POLICY 10.15

Oak trees included in residential and non-residential development parcels are encouraged to be preserved wherever practical, provided preservation does not:

- Cause a reduction in the number of lots or a significant reduction in the size of residential lots
- Require mass grading that eliminates level pads or requires specialized foundations
- Require the use of retaining walls or extended earthen slopes greater than 4-feet in height
- Require the preservation of any tree certified by an arborist to be dead or in poor or hazardous or non-correctable condition or trees that pose a safety risk to the public
- Cost more to preserve the tree than to mitigate for its loss

Analysis: As shown on the submitted Tree Preservation/Removal Plan (Attachment 13 and in Attachment 20), a concerted effort was made by the applicant to protect and preserve as many oak trees as possible. Specifically, the applicant is proposing to preserve 5 individual Oak trees on the project site including a notable 35-inch diameter Oak tree which will be prominently featured at the driveway entrance off of Mangini Parkway. As described earlier within this report, the topography of the project site is quite varied with slopes varying between 0 percent and 15 percent and elevations ranging from 326 feet to 399 feet above sea level. As a result, a significant amount of grading is required within the development areas with cuts of up to 51 feet and fills up to 34 feet, making it difficult to preserve additional oak trees throughout many portions of the project site. Based on this information, staff has determined that the applicant has made every effort to preserve oak trees on the project site wherever practical as recommended by this policy. In addition, the applicant is required to mitigate for project-related impacts to oak woodland preserve, isolated oak tree canopy, and isolated oak trees per the requirements of the FPASP.

ENVIRONMENTAL REVIEW

An Addendum to the Folsom Plan Area Specific Plan EIR/EIS was previously adopted by the City Council on March 10, 2020 for the Toll Brothers at Folsom Ranch project in accordance with the California Environmental Quality Act (CEQA). The applicant prepared an environmental memorandum (Attachment 17) for the Toll Brothers at Folsom Ranch Phase 2 Subdivision project that demonstrates that no new or substantially more adverse impacts would occur through implementation of the proposed project. As a

result, no new environmental document is required, consistent with State CEQA Guidelines Section 15162(b).

RECOMMENDATION/PLANNING COMMISSION ACTION

Staff recommends that the Planning Commission recommend approval of a Small-Lot Vesting Tentative Subdivision Map and Minor Administrative Modification for the Toll Brothers at Folsom Ranch Phase 2 Subdivision project to the City Council as illustrated on Attachments 6-16, subject to the findings and conditions of approval attached to this report.

Move to recommend approval of a Small-Lot Vesting Tentative Subdivision Map and Minor Administrative Modification for the Toll Brothers at Folsom Ranch Phase 2 Subdivision project to the City Council as illustrated on Attachments 6-16, subject to the findings (Findings A-O) and conditions of approval (Conditions 1-71) 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, THE FOLSOM PLAN AREA SPECIFIC PLAN, AND THE FOLSOM RANCH CENTRAL DISTRICT DESIGN GUIDELINES.

CEQA FINDINGS

- C. THE CITY, AS LEAD AGENCY, PREVIOUSLY CERTIFIED AN ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN.
- D. AN ADDENDUM TO THE FOLSOM PLAN AREA SPECIFIC PLAN FINAL ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT WAS CERTIFIED BY THE CITY ON MARCH 10, 2020 FOR THE TOLL BROTHERS AT FOLSOM RANCH SUBDIVISION PROJECT IN ACCORDANCE WITH CEQA.
- E. THE CITY HAS DETERMINED THAT NONE OF THE CIRCUMSTANCES DESCRIBED IN PUBLIC RESOURCES CODE SECTION 21166 OR CEQA GUIDELINES SECTION 15162 GENERALLY REQUIRING THE PREPARATION OF A SUBSEQUENT EIR EXIST IN THIS CASE.

- F. THE CITY HAS PREVIOUSLY ADOPTED AN ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN AND HAS DETERMINED THAT NONE OF THE CHANGES OR REVISIONS PROPOSED BY THE PROJECT WOULD RESULT IN SIGNIFICANT NEW OR SUBSTANTIALLY MORE SEVERE ENVIRONMENTAL IMPACTS AND DOES NOT REQUIRE ANY MITIGATION MEASURES IN ADDITION TO THOSE IN THE FINAL ENVIRONMENTAL IMPACT REPORT AND THE ADDENDUM FOR THE TOLL BROTHERS AT FOLSOM RANCH SUBDIVISION PROJECT.
- G. THE CITY HAS DETERMINED THAT THE IMPACTS OF THE TOLL BROTHERS AT FOLSOM RANCH PHASE 2 SUBDIVISION PROJECT ARE ADEQUATELY ADDRESSED BY THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE FOLSOM PLAN AREA SPECIFIC PLAN AND THE ADDENDUM FOR THE TOLL BROTHERS AT FOLSOM RANCH SUBDIVISION PROJECT.

TENTATIVE SUBDIVISION MAP FINDINGS

- H. THE PROPOSED SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP IS CONSISTENT WITH THE CITY'S SUBDIVISION ORDINANCE AND THE SUBDIVISION MAP ACT IN THAT THE PROJECT IS SUBJECT TO CONDITIONS OF APPROVAL THAT WILL ENSURE THAT THE PROJECT IS DEVELOPED IN COMPLIANCE WITH CITY STANDARDS.
- I. THE PROPOSED SUBDIVISION, TOGETHER WITH THE PROVISIONS FOR ITS DESIGN AND IMPROVEMENT, IS CONSISTENT WITH THE GENERAL PLAN, THE FOLSOM PLAN AREA SPECIFIC PLAN, AND ALL APPLICABLE PROVISIONS OF THE FOLSOM MUNICIPAL CODE.
- J. THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT PROPOSED.
- K. THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF THE DEVELOPMENT.
- L. AS CONDITIONED, THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURY FISH OR WILDLIFE OR THEIR HABITAT.
- M. THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH OR SAFETY PROBLEMS.

- N. THE DESIGN OF THE SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP AND THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

- O. SUBJECT TO SECTION 66474.4 OF THE SUBDIVISION MAP ACT, THE LAND IS NOT SUBJECT TO A CONTRACT ENTERED INTO PURSUANT TO THE CALIFORNIA LAND CONSERVATION ACT OF 1965 (COMMENCING WITH SECTION 51200 OF THE GOVERNMENT CODE).

Attachment 3

Minutes from December 1, 2021 Planning Commission Meeting



FOLSOM
CITY OF FOLSOM

**PLANNING COMMISSION MINUTES
December 1, 2021
CITY COUNCIL CHAMBERS
6:30 P.M.
50 Natoma Street
Folsom, CA 95630**

CALL TO ORDER PLANNING COMMISSION: Ralph Peña, Barbara Leary, Vice Chair Eileen Reynolds, Daniel West, Bill Miklos, Chair Justin Raithel

ABSENT: None

CITIZEN COMMUNICATION: None

MINUTES: The minutes of the November 17, 2021 meeting were approved as submitted.

Nomination of a Planning Commissioner to the Historic District Commission

COMMISSIONER REYNOLDS MOVED TO RECOMMEND JUSTIN RAITHEL TO SERVE ON THE HISTORIC DISTRICT COMMISSION.

COMMISSIONER MIKLOS SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: PEÑA, LEARY, REYNOLDS, WEST, MIKLOS, RAITHEL
NOES: NONE
RECUSED: NONE
ABSENT: NONE

PRESENTATIONS

1. Sacramento Metropolitan Air Quality Management District Presentation on Air Quality and Land Use (Paul Phillee, Program Supervisor – CEQA & Land Use)

PUBLIC HEARING

2. PN 20-267, Toll Brothers at Folsom Ranch Phase 2 Subdivision Small-Lot Vesting Tentative Subdivision Map and Minor Administrative Modification

A Public Hearing to consider a request from Toll Brothers, Inc. for approval of a Small-Lot Vesting Tentative Subdivision Map and Minor Administrative Modification for development of a 329-unit single-family residential subdivision on a 64.7-acre site located at the northwest corner of the intersection of East Bidwell Street and White Rock Road within the Folsom Plan Area (APN: 072-0060-103). The General Plan land use designations

for the project site are SFHD, MLD, and OS (Open Space), while the Specific Plan land use designations are SP-SFHD-PD, SP-MLD-PD, and SP-OS. An Addendum to the Folsom Plan Area Specific Plan EIR/EIS has previously been approved for the Toll Brothers at Folsom Ranch project in accordance with the California Environmental Quality Act (CEQA). This Small-Lot Vesting Tentative Subdivision Map does not result in substantial changes to the Toll Brothers at Folsom Ranch project, and no additional environmental review is required. (Project Planner: Steve Banks/Applicant: Toll Brothers, Inc.)

COMMISSIONER RAITHEL MOVED TO RECOMMEND APPROVAL OF A SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP MINOR ADMINISTRATIVE MODIFICATION FOR THE TOLL BROTHERS AT FOLSOM RANCH PHASE 2 SUBDIVISION PROJECT TO THE CITY COUNCIL AS ILLUSTRATED ON ATTACHMENTS 6-16, SUBJECT TO THE FINDINGS (FINDINGS A-O) AND CONDITIONS OF APPROVAL (CONDITIONS 1-71) ATTACHED TO THIS REPORT.

COMMISSIONER REYNOLDS SECONDED THE MOTION.

COMMISSIONER LEARY MADE A FRIENDLY AMENDMENT TO CONDITION NO. 51 TO ADD "Russell Ranch Phase 2 Master Plans shall not include turf except for model homes."

COMMISSIONER RAITHEL ACCEPTED THE FRIENDLY AMENDMENT WHICH CARRIED THE FOLLOWING VOTE:

- AYES: LEARY, RAITHEL
- NOES: PEÑA, REYNOLDS, WEST, MIKLOS
- RECUSED: NONE
- ABSENT: NONE

FRIENDLY AMENDMENT FAILED.

THE COMMISSION VOTED ON COMMISSIONER RAITHEL'S ORIGINAL MOTION WHICH CARRIED THE FOLLOWING VOTE:

- AYES: PEÑA, REYNOLDS, WEST, MIKLOS, RAITHEL
- NOES: LEARY
- RECUSED: NONE
- ABSENT: NONE

PLANNING COMMISSION / PLANNING MANAGER REPORT

The next Planning Commission meeting is scheduled for December 15, 2021.

RESPECTFULLY SUBMITTED,


 Kelly Mullett, ADMINISTRATIVE ASSISTANT

APPROVED:


 Justin Railthel, CHAIR

Attachment 4
Vicinity Map



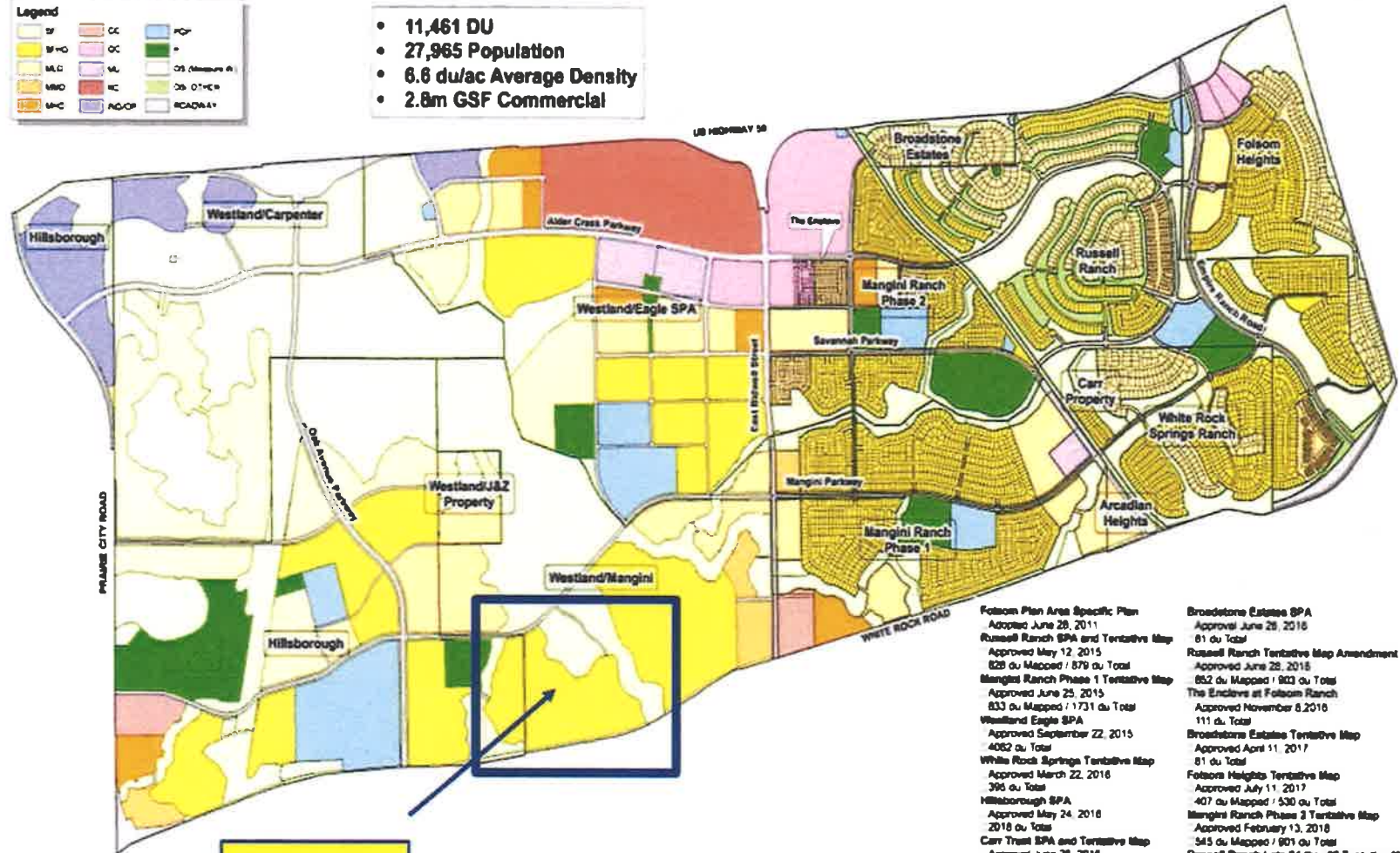
CITY OF FOLSOM

Vicinity Map

Legend

SR	CC	PO
SP-10	CC	P
MUD	VE	OS (Measure #)
MUD	VE	OS OTHER
SP-10	AGCP	ROADWAY

- 11,461 DU
- 27,965 Population
- 6.6 du/ac Average Density
- 2.8m GSF Commercial



Project Site

Folsom Plan Area Specific Plan Adopted June 28, 2011	Broadstone Estates SPA Approval June 28, 2016 81 du Total
Russell Ranch SPA and Tentative Map Approved May 12, 2015 828 du Mapped / 879 du Total	Russell Ranch Tentative Map Amendment Approved June 28, 2016 862 du Mapped / 903 du Total
Mangini Ranch Phase 1 Tentative Map Approved June 25, 2015 833 du Mapped / 1,731 du Total	The Enclave at Folsom Ranch Approved November 8, 2016 111 du Total
Westland Eagle SPA Approved September 22, 2015 4052 du Total	Broadstone Estates Tentative Map Approved April 11, 2017 81 du Total
White Rock Springs Tentative Map Approved March 22, 2016 390 du Total	Folsom Heights Tentative Map Approved July 11, 2017 407 du Mapped / 530 du Total
Hillsborough SPA Approved May 24, 2016 2016 du Total	Mangini Ranch Phase 2 Tentative Map Approved February 13, 2018 345 du Mapped / 601 du Total
Carr Trust SPA and Tentative Map Approved June 28, 2016 28 du Total	Russell Ranch Lots 24 thru 32 Tentative Map Approved March 13, 2018 389 du Total
Folsom Heights SPA Approved June 28, 2016 407 du Mapped / 530 du Total	

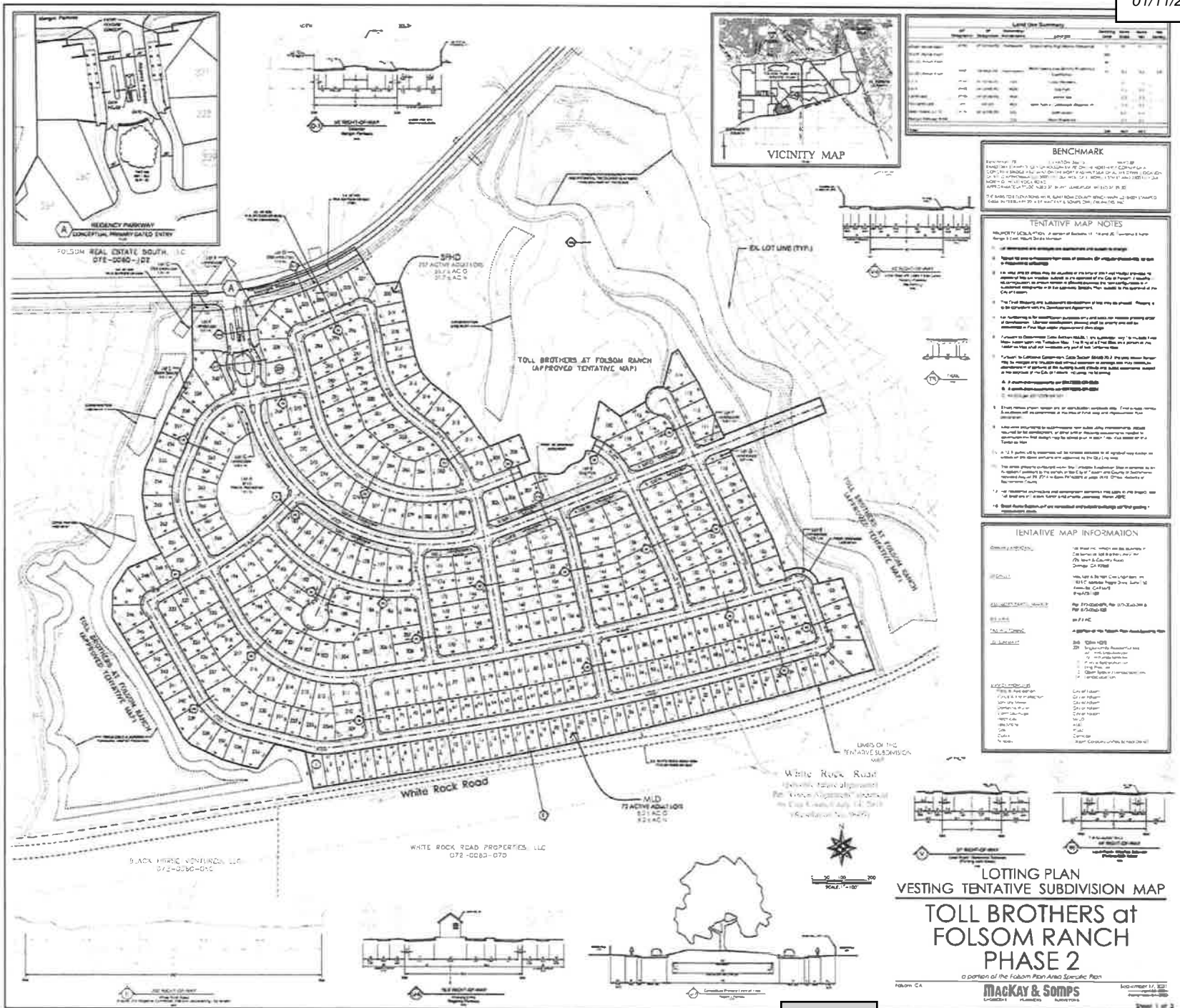
Attachment 5

Illustrative Master Plan Exhibit Dated August 31, 2020



Attachment 6

Small-Lot Vesting Tentative Subdivision Map Dated September 17, 2021



LAND USE SUMMARY

Map Sheet	Area (Acres)	Use	Notes
1	1.00	Residential Single-Family	
2	1.00	Residential Single-Family	
3	1.00	Residential Single-Family	
4	1.00	Residential Single-Family	
5	1.00	Residential Single-Family	
6	1.00	Residential Single-Family	
7	1.00	Residential Single-Family	
8	1.00	Residential Single-Family	
9	1.00	Residential Single-Family	
10	1.00	Residential Single-Family	
11	1.00	Residential Single-Family	
12	1.00	Residential Single-Family	
13	1.00	Residential Single-Family	
14	1.00	Residential Single-Family	
15	1.00	Residential Single-Family	
16	1.00	Residential Single-Family	
17	1.00	Residential Single-Family	
18	1.00	Residential Single-Family	
19	1.00	Residential Single-Family	
20	1.00	Residential Single-Family	
21	1.00	Residential Single-Family	
22	1.00	Residential Single-Family	
23	1.00	Residential Single-Family	
24	1.00	Residential Single-Family	
25	1.00	Residential Single-Family	
26	1.00	Residential Single-Family	
27	1.00	Residential Single-Family	
28	1.00	Residential Single-Family	
29	1.00	Residential Single-Family	
30	1.00	Residential Single-Family	
31	1.00	Residential Single-Family	
32	1.00	Residential Single-Family	
33	1.00	Residential Single-Family	
34	1.00	Residential Single-Family	
35	1.00	Residential Single-Family	
36	1.00	Residential Single-Family	
37	1.00	Residential Single-Family	
38	1.00	Residential Single-Family	
39	1.00	Residential Single-Family	
40	1.00	Residential Single-Family	
41	1.00	Residential Single-Family	
42	1.00	Residential Single-Family	
43	1.00	Residential Single-Family	
44	1.00	Residential Single-Family	
45	1.00	Residential Single-Family	
46	1.00	Residential Single-Family	
47	1.00	Residential Single-Family	
48	1.00	Residential Single-Family	
49	1.00	Residential Single-Family	
50	1.00	Residential Single-Family	

BENCHMARK

Benchmark: 19
 ELEVATION: 19.00
 DATE: 01/11/2022
 BY: [Name]

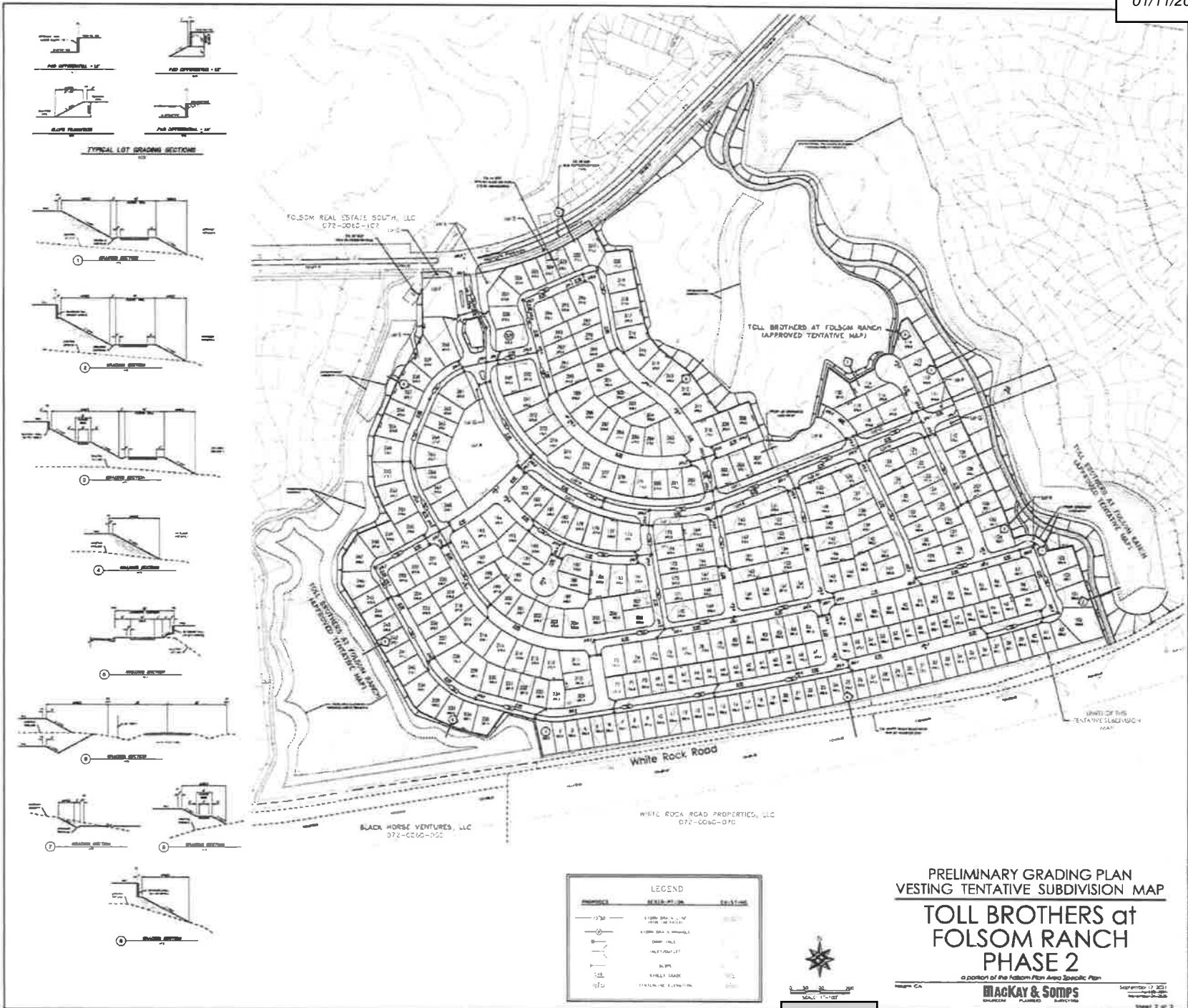
- TENTATIVE MAP NOTES**
1. The tentative map is a preliminary map and is subject to change.
 2. The tentative map is subject to the approval of the City of Folsom. The City of Folsom is not responsible for any errors or omissions on this map.
 3. The tentative map is subject to the approval of the State of California. The State of California is not responsible for any errors or omissions on this map.
 4. The tentative map is subject to the approval of the County of Sacramento. The County of Sacramento is not responsible for any errors or omissions on this map.
 5. The tentative map is subject to the approval of the Board of Supervisors. The Board of Supervisors is not responsible for any errors or omissions on this map.
 6. The tentative map is subject to the approval of the Board of Assessors. The Board of Assessors is not responsible for any errors or omissions on this map.
 7. The tentative map is subject to the approval of the Board of Elections. The Board of Elections is not responsible for any errors or omissions on this map.
 8. The tentative map is subject to the approval of the Board of Civil Service. The Board of Civil Service is not responsible for any errors or omissions on this map.
 9. The tentative map is subject to the approval of the Board of Health. The Board of Health is not responsible for any errors or omissions on this map.
 10. The tentative map is subject to the approval of the Board of Social Services. The Board of Social Services is not responsible for any errors or omissions on this map.
 11. The tentative map is subject to the approval of the Board of Parks and Recreation. The Board of Parks and Recreation is not responsible for any errors or omissions on this map.
 12. The tentative map is subject to the approval of the Board of Public Works. The Board of Public Works is not responsible for any errors or omissions on this map.
 13. The tentative map is subject to the approval of the Board of Transportation. The Board of Transportation is not responsible for any errors or omissions on this map.

TENTATIVE MAP INFORMATION

Project Name: Toll Brothers at Folsom Ranch Phase 2
 Location: Folsom, CA
 Date: 01/11/2022
 Author: Mackay & Somp
 Scale: 1" = 100'

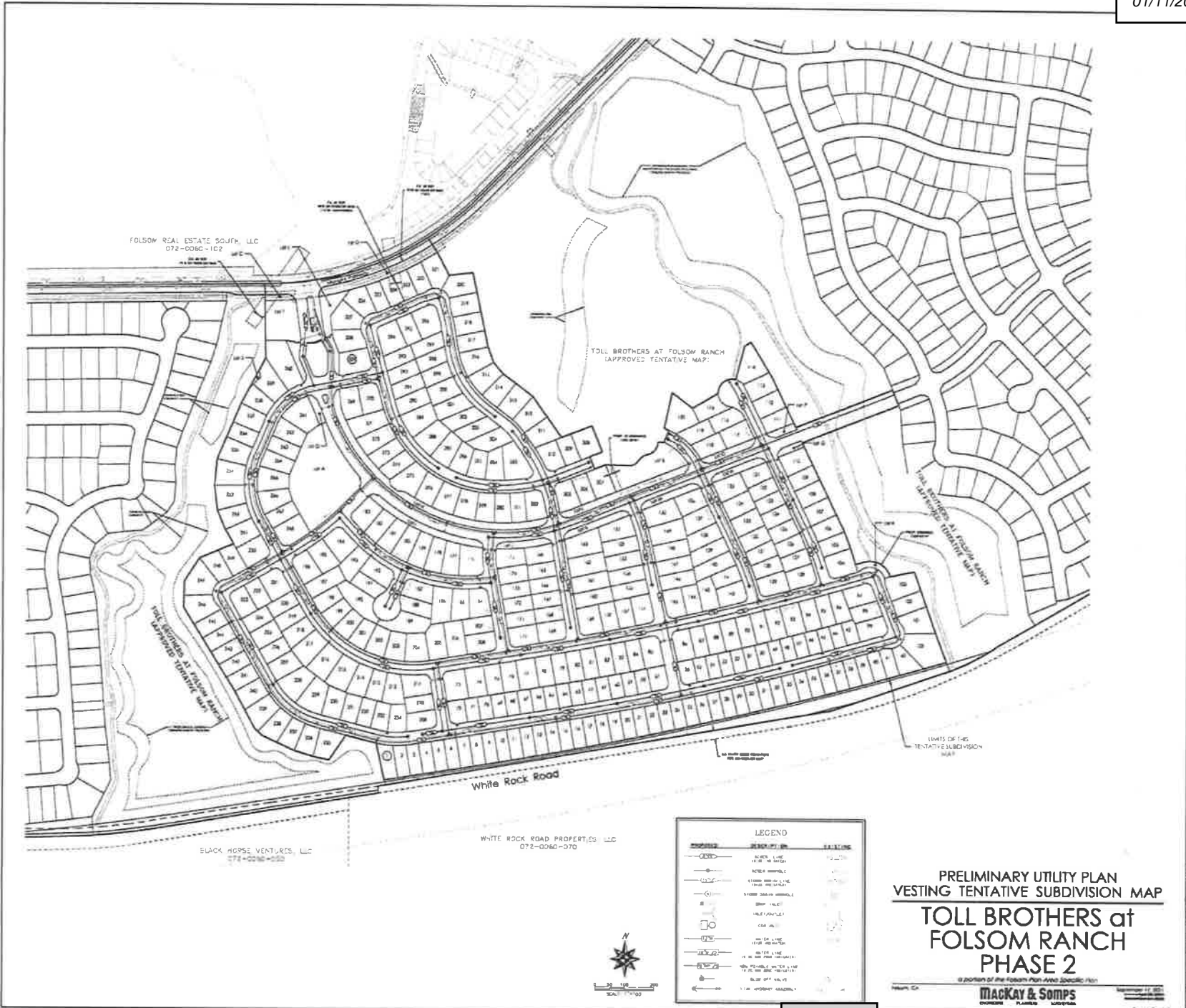
Attachment 7

Preliminary Grading and Drainage Plan Dated September 17, 2021



Attachment 8

Preliminary Utility Plan
Dated September 17, 2021



Attachment 9

Preliminary Landscape Plan and Details Dated January 24, 2020



"OAK WOODLAND" THEME

The surrounding expansive California Oak Woodland provides one of Folsom's best resources. Our vision is to bring as much of this spirit as possible into the framework of Regency to provide a symbiotic relationship with its' natural heritage. This includes not only preserving, but adding Specimen Oaks in key locations throughout the project, and supporting with other woodland type species. In addition, we will utilize regional plant material in a formal and organized pattern to reflect the Toll signature design.

TREE PALETTE

PRIMARY THEME TREES

- SPECIMEN OAKS
- QUERCUS VIRGINIANA - SOUTHERN LIVE OAK
- CINNAMOMUM CAMPHORA- CAMPHOR TREE
- OLEA EUROPAEA - OLIVE
- PINUS EDULIS - PINON PINE

PRIMARY ACCENT TREES

- SCHINUS MOLLE - CALIFORNIA PEPPER TREE
- ACER PALMATUM - JAPANESE MAPLE
- CERCIS OCCIDENTALIS - WESTERN REDBUD

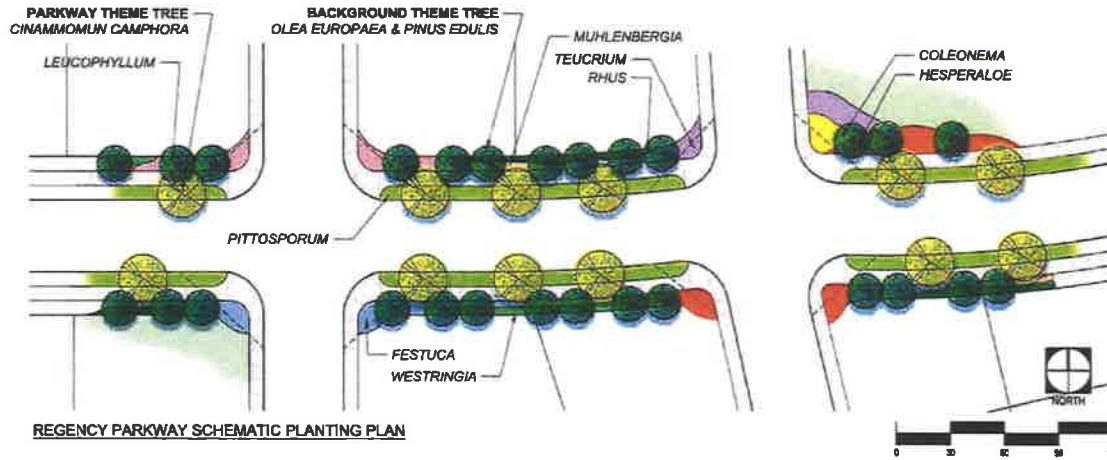
SHRUB PALETTE

PRIMARY THEME GRASSES

- BOUTELOUA - GRAMA
- FESTUCA- FESCUE
- HEPERALOE- YUCCA
- MISCANTHUS- MISCANTHUS
- MUHLENBERGIA- MUHLY

PRIMARY THEME SHRUBS

- DALEA- PRARIE CLOVER
- EREMOPHILA- BLUE BELLS
- LANTANA
- LEUCOPHYLLUM- SAGE
- PITTOSPORUM T. 'WHEELERI'- DWARF PITTOSPORUM
- PEROVSKIA- SAGE
- RHUS- SUMAC
- ROSEMARINUS- ROSEMARY
- SALVIA- SAGE
- TEUCRIUM- GERMANDER
- WESTRINGIA- COASTAL ROSEMARY



QUERCUS VIRGINIANA



CAMPHOR TREE



OLEA EUROPAEA



PINUS EDULIS



SCHINUS MOLLE



ACER PALMATUM



CERCIS OCCIDENTALIS

Toll Brothers
AMERICA'S LUXURY HOME BUILDER

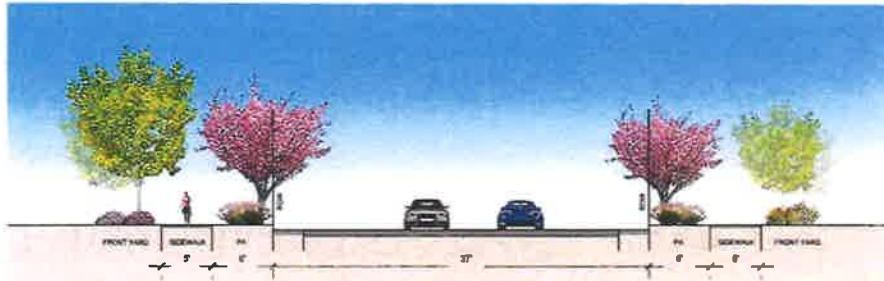


'REGENCY PARKWAY' SCHEMATIC PLANTING

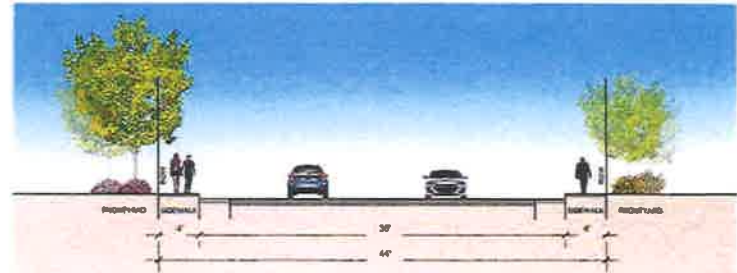
January 24, 2020

TOLL BROTHERS AT FOLSOM RANCH

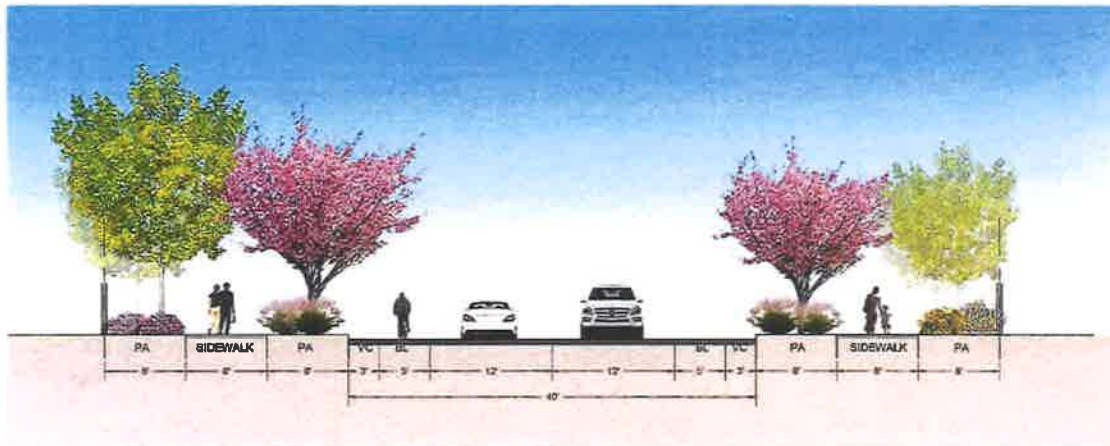
L05



LOCAL ROAD I
SCALE: 3/16"=1'-0"



LOCAL ROAD II
SCALE: 3/16"=1'-0"



REGENCY PARKWAY CROSS SECTION
SCALE: 3/16"=1'-0"



LEGEND

- LOCAL ROAD I SECTION
- LOCAL ROAD II SECTION
- REGENCY PARKWAY SECTION

PLANT PALETTE:



STREET TREES

MAY INCLUDE, BUT NOT LIMITED TO

SCIENTIFIC NAME	COMMON NAME	WOOD
OLEA EUROPAEA	OLIVE	VL
* PRUNUS EDULIS	PRUNUS FRUIT	L
PLATANUS RADICATA	CALIFORNIA HYCANONDE	M
* QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	M
SCYRUS BOLLE	CALIFORNIA PEPPER TREE	L

ACCENT TREES

MAY INCLUDE, BUT NOT LIMITED TO

SCIENTIFIC NAME	COMMON NAME	WOOD
* ABUTILON SPP.	WINDSOCK TREE	L
ACER PALMISUM	JAPANESE MAPLE	M
* CERCIS OCCIDENTALIS	REDBUD	M
CELEBRIS PARVIFLORA	AUSTRALIAN BELLOW	M
LAURUS FRAXINOSA	CHATELAIN	L
BRUGLIA S. 'ST. BARY'	ST. BARY	M
PRODRACAPUS GRACILION	FOUR WIND	M
FRAXINUS CAROLINIANA	CAROLINA CHERRY LAUREL	L
FRAXINUS CHRYSOCARPA	CHERRY PLUM	L
* FRAXINUS LAMARCA	AFRICAN BURR	L
* TRILIAC OCCIDENTALIS	AMERICAN ARBICUTAS	M

VERTICAL SCREEN

MAY INCLUDE, BUT NOT LIMITED TO

SCIENTIFIC NAME	COMMON NAME	WOOD
BRUNNERA D. LUTIFLORUS	LITTLE DRAGON	M
JASMINUM S. 'HYPERICET'	JAPANESE B. JASMINE TREE	M
PRODRACAPUS S. 'NAVO'	HYDRANGEA	L
FRAXINUS C. 'SUNSHINE & DUST'	ORIENTAL YEW TREE	M
	WRIGHT B. YEW	M
	CAROLINA LAUREL	M
	CHERRY	L

BACKGROUND SHRUBS

MAY INCLUDE, BUT NOT LIMITED TO

SCIENTIFIC NAME	COMMON NAME	WOOD
COYONOSTER LACTEUS	RED CLAMATEBERRY	M
* HEDYCLONE ARBUSTIFOLIA	TOYON	VL
* LIGULIFLORA FRUTICOSA	TELEGRAPH	L
* LARIX SPP.	SPRUE	M
DOGMATIS PRUNIFLORA	ORIENTAL OLIVE	M
WESTRICHIA FRUTICOSA	ORIENTAL ROSEMARY	L

MID-GROUND SHRUBS

MAY INCLUDE, BUT NOT LIMITED TO

SCIENTIFIC NAME	COMMON NAME	WOOD
* ADONIS SPP.	ADONIS	M
* ALICE SPP.	ALICE	M
* COLLETTIA SPP.	BOTTLEBRUSH	L
* CROCODILA CLAUDIA	YAW BUSH	L
* HEDYCLONE SPP.	CORONILLA	L
* HEDYCLONE SPP.	ALICE WIGGA	L
* LARIX SPP.	LAVENDER	M
* RHODYLANDIA SPP.	CHERRY WOODY ORANGE	L
* RHODYLANDIA SPP.	RUSSIAN SAUCE	L
* RHODYLANDIA SPP.	ROSEMARY	L
* SALVIA SPP.	BASE	L

FOREGROUND GRASSES

MAY INCLUDE, BUT NOT LIMITED TO

SCIENTIFIC NAME	COMMON NAME	WOOD
* ANTIPODIPHYLLIS TRIBALIS	GRASS	M
BOUTELOU SPP.	GRASS	L
COYONOSTER P. 'ORIENTAL'	GRASS	L
* COYONOSTER D. 'LOWFAST'	LOWFAST COYONOSTER	L
DALIA GRASS	TRAILING INDOOR BUSH	L
PERILLA SPP.	PERILLA	L
LANTANA HYSSOPUS	HYSSOPUS	L
LANTANA SPP.	HEMLOCK	M
MONARDIA SPP.	BUSH GRASS	M
BULBOSUS SPP.	WHEAT GRASS	L
RESEMBLIS D. 'TUNINGBOX CARPET'	HARTNETS CARPET ROSEMARY	L
TRICOMA CARINATA	CAPE HONEYBUCKLE	L
* TOYONIA LAURENS	WALL GERANIUM	L

* SPECIES THAT ATTRACT BEES, BUTTERFLIES & BIRDS

TURF

IRRIGATION NOTES:

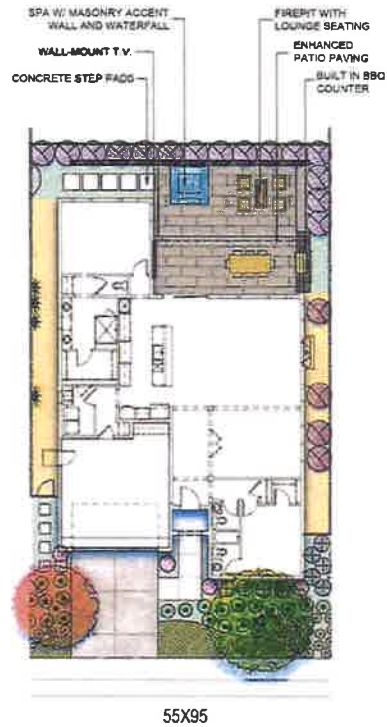
ALLOW PRECIPITATION AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED ACCORDING TO LOCAL CODES AND ORDINANCES TO ALL LANDSCAPE AREAS

NOTE:

REAR YARD LANDSCAPE DESIGN IS SHOWN FOR CONCEPTUAL USE ONLY. TO BE INSTALLED BY HOMEOWNER



50X95

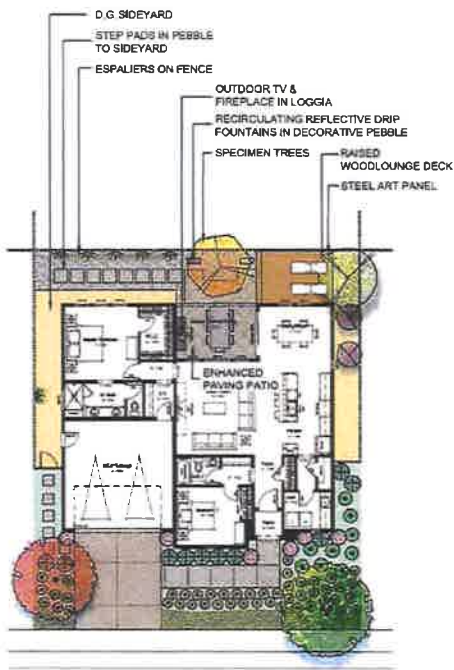


55X95



65X95





60'x70'



TOWNHOMES



PLANT PALETTE:

STREET TREES

MAY INCLUDE, BUT NOT LIMITED TO:		
SCIENTIFIC NAME	COMMON NAME	MOOD
ULMA EUROPAEA	OLIVE	VL
FRAXUS OXYCORYMB	FRAXUS	L
PLATANUS RADICATA	CALIFORNIA SYCAMORE	M
QUERCUS VINCIGALLA	SOUTHERN LIVE OAK	M
SCHOLUS BULLII	CALIFORNIA PEPPER TREE	L

ACCENT TREES

MAY INCLUDE, BUT NOT LIMITED TO:		
SCIENTIFIC NAME	COMMON NAME	MOOD
AJACITUS SPP.	STRAWBERRY TREE	L
ACER PALMATUM	JAPANESE MAPLE	M
CECIS OOOIDEFALIS	WESTERN REDWOOD	VL
SELERIA PANNIFLORA	AUSTRALIAN WILLOW	M
LAGROTTREUSIA BOSCA	CRANE BIRCH	L
BADHOLIA G. ST. MARY	SOUTHERN MAGNOLIA	M
MOODICAMPUS GRACILIDA	PEEN PINE	M
FRAXUS CAROLINIANA	CALIFORNIA CHERRY LAUREL	L
FRAXUS OXYCORYMB	CHERRY PLUM	L
ARDISIA LARCCIA	AFRICAN BUSHAC	M
SHALIA OCCIDENTALIS	AMERICAN ARBORETAL	L

VERTICAL SCREEN

MAY INCLUDE, BUT NOT LIMITED TO:		
SCIENTIFIC NAME	COMMON NAME	MOOD
ELAEAGNUS D. LITTLE EMPEROR	LITTLE EMPEROR	M
JUNIPERUS H. HYDRODONT	JAPANESE BLUEBERRY TREE	M
MOODICAMPUS H. BIANC	SPINDRIFT JUNIPER	L
FRAXUS C. SWEIGHT N TIGHT	SPRINGY YEW TREE	M
	BRIGHT N TIGHT	M
	CALIFORNIA LAUREL, CHERRY	M

BACKGROUND SHRUBS

MAY INCLUDE, BUT NOT LIMITED TO:		
SCIENTIFIC NAME	COMMON NAME	MOOD
COPTRODIA LACTUCA	RED CLUSTERBERRY	M
YUCCA	YUCCA	VL
TEUCLA SAGE	TEUCLA SAGE	L
PRUNUS	PRUNUS	L
BACCHARIS	BACCHARIS	M
COAST REDSEEDART	COAST REDSEEDART	L

MID-GROUND SHRUBS

MAY INCLUDE, BUT NOT LIMITED TO:		
SCIENTIFIC NAME	COMMON NAME	MOOD
ADONIS SPP.	ADONIS	M
ALOE	ALOE	L
BOUQUET	BOUQUET	L
TAN BUSH	TAN BUSH	L
CELANUS	CELANUS	L
PALE YUCCA	PALE YUCCA	L
LAVENDER	LAVENDER	L
CANINE HOLLY GRAPE	CANINE HOLLY GRAPE	L
ELIMBIRI BUSH	ELIMBIRI BUSH	L
ROSEMARY	ROSEMARY	L
SAGE	SAGE	L

FOREGROUND GRASSES

MAY INCLUDE, BUT NOT LIMITED TO:		
SCIENTIFIC NAME	COMMON NAME	MOOD
ARCTOPHYLLIS SERRALAT CARPET	CARPET MAINTENANCE	M
DIPTEROCARPUS SPP.	DIPTEROCARPUS	L
DIPTEROCARPUS P. VESICE VISTA	DIPTEROCARPUS	L
DIPTEROCARPUS D. LONIFANT	DIPTEROCARPUS	L
DIPTEROCARPUS	DIPTEROCARPUS	L
FERTUCA SPP.	FERTUCA	L
HYPERICUM	HYPERICUM	L
HYPERICUM	HYPERICUM	L
HYPERICUM SPP.	HYPERICUM	L
HYPERICUM SPP.	HYPERICUM	L
HYPERICUM SPP.	HYPERICUM	L
HYPERICUM SPP.	HYPERICUM	L
HYPERICUM SPP.	HYPERICUM	L
HYPERICUM SPP.	HYPERICUM	L
HYPERICUM SPP.	HYPERICUM	L
HYPERICUM SPP.	HYPERICUM	L

TURF

IRRIGATION NOTES:

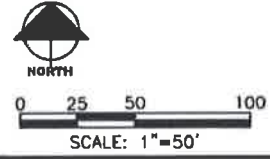
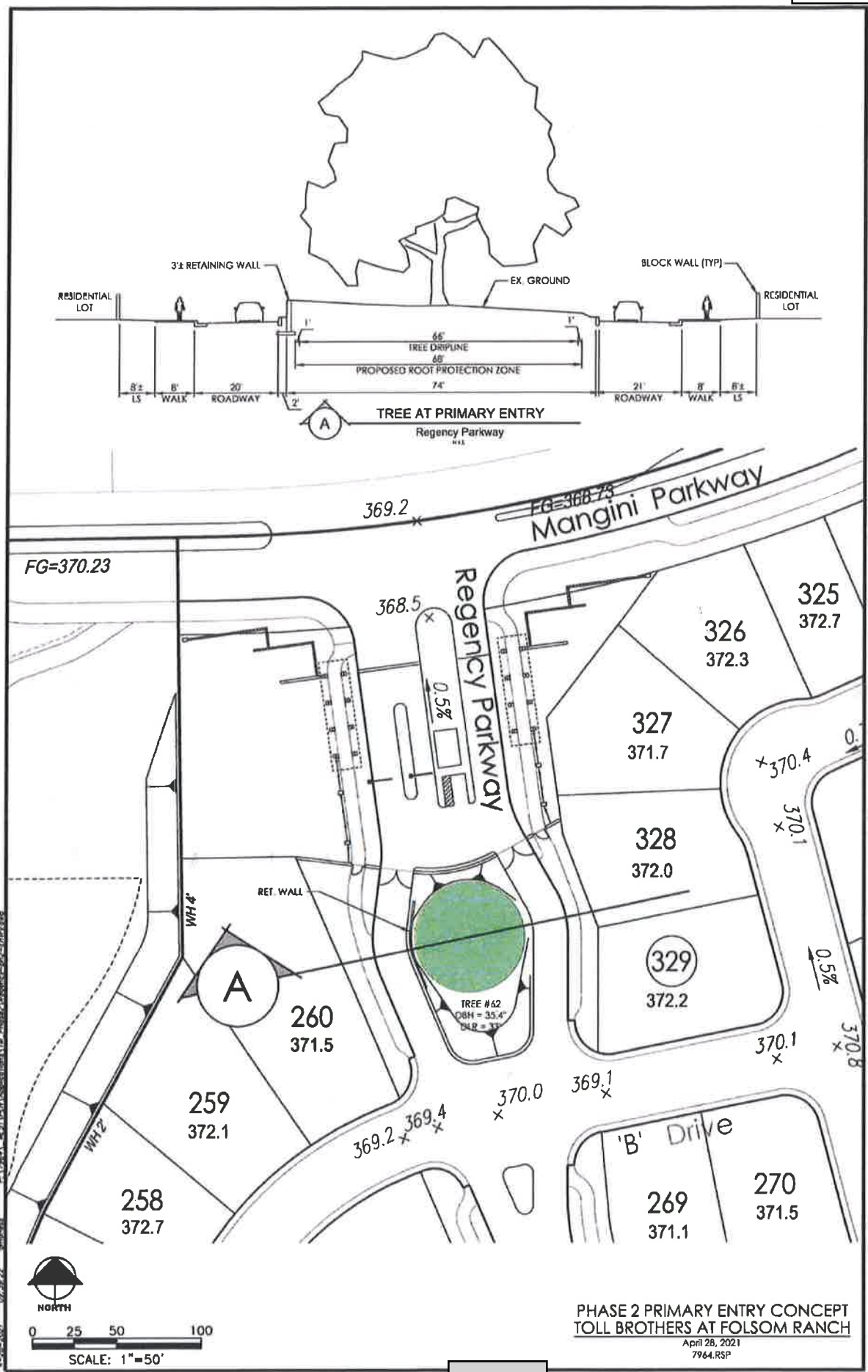
A LOW PRECIPITATION ALTERNATIVE IRRIGATION SYSTEM SHALL BE PROVIDED ACCORDING TO LOCAL CODES AND ORDINANCES TO ALL LANDSCAPE AREAS

NOTE:

REAR YARD LANDSCAPE DESIGN IS SHOWN FOR CONCEPTUAL USE ONLY TO BE INSTALLED BY HOMEOWNER

Attachment 10

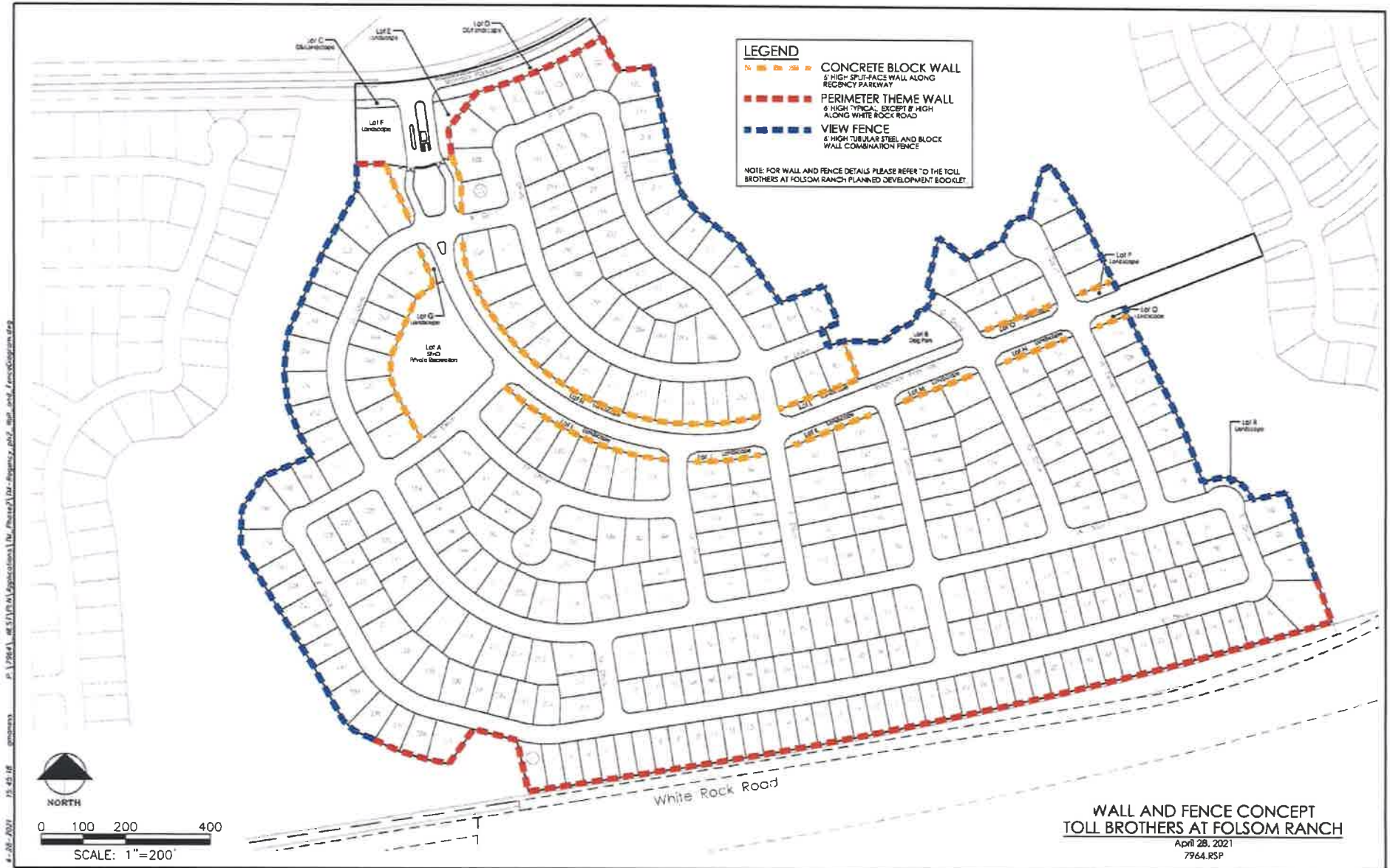
Preliminary Entry Exhibit
Dated April 28, 2021



PHASE 2 PRIMARY ENTRY CONCEPT
 TOLL BROTHERS AT FOLSOM RANCH
 April 28, 2021
 7964.RSP

Attachment 11

Preliminary Wall and Fence Exhibit
Dated April 28, 2021



Attachment 12

**Preliminary Tree Preservation/Removal Exhibit, dated
October 13, 2021**



TOLL BROTHERS AT FOLSOM RANCH PHASE 2
INDIVIDUAL OAK TREES SUMMARY

Tree Tag #	Phase	Species	Stem Description (# of Stems)	Height	Structure	Health	Proposed Use	Notes
101	2	Blue Oak	24.5'	25'	3	2	Yes	25' x 24"
102	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
103	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
104	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
105	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
106	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
107	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
108	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
109	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
110	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
111	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
112	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
113	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
114	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
115	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
116	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
117	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
118	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
119	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
120	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
121	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
122	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
123	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
124	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
125	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
126	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
127	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
128	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
129	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
130	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
131	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
132	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
133	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
134	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
135	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
136	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
137	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
138	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
139	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
140	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
141	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
142	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
143	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
144	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
145	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
146	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
147	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
148	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
149	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"
150	2	Blue Oak	27.0'	27'	3	2	Yes	28' x 26"

LEGEND

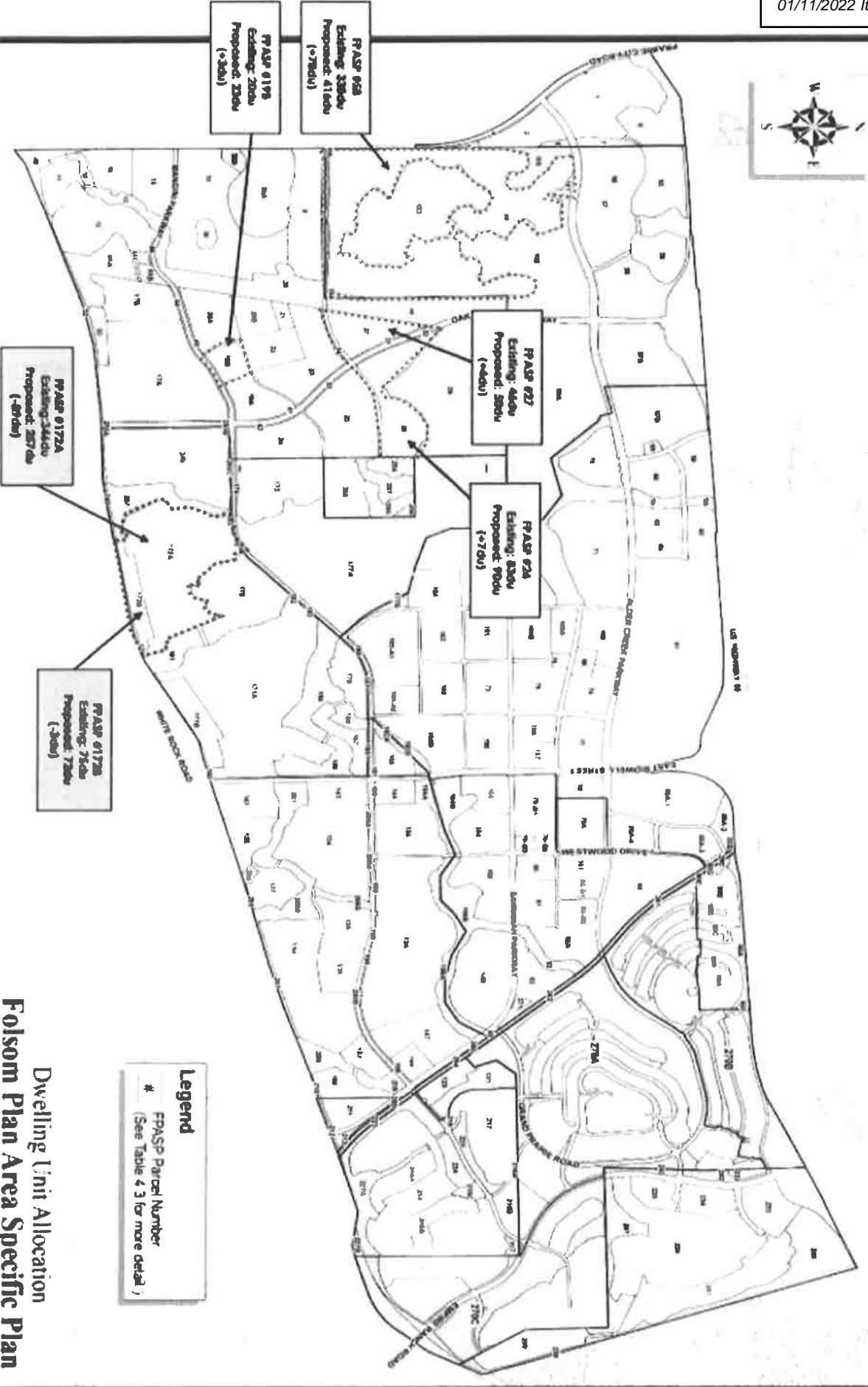
- TO BE REMOVED DUE TO HEALTH / STRUCTURE OF TREE
- TO BE REMOVED DUE TO LOCATION, CUT > 5', FILL > 5'
- FEASIBILITY TO PRESERVE TO BE DETERMINED WITH GRADING PLANS AND/OR IMPROVEMENT PLANS
- OAK WOODLAND
- LIMIT OF OAK WOODLOAD IMPACT

Tree Preservation / Removal Exhibit
**Toll Brothers
 at Folsom Ranch
 Phase 2**

City of Folsom
 Scale: 1" = 100'
MACKEY & SOMPS
 CONSULTING ENGINEERS
 10000 Folsom Blvd., Suite 200, Folsom, CA 95630
 California
 September 17, 2021
 2021-030-0110

PRELIMINARY - Subject to Revision

Attachment 13
Minor Administrative Modification Exhibit
Dated July, 2020



FPASP 0198
Existing: 200u
Proposed: 200u
(+30u)

FPASP 0199
Existing: 200u
Proposed: 410u
(+210u)

FPASP 027
Existing: 40u
Proposed: 300u
(+260u)

FPASP 028
Existing: 40u
Proposed: 700u
(+660u)

FPASP 0172A
Existing: 340u
Proposed: 3570u
(+3230u)

FPASP 0172B
Existing: 750u
Proposed: 750u
(-0u)

Legend
FPASP Parcel Number
(See Table 4.3 for more detail)

**Dwelling Unit Allocation
Folsom Plan Area Specific Plan**

City of Folsom
Mackay & Samps
Planners
Prepared July, 2020

Attachment 14

Inclusionary Housing Letter
Dated November 16, 2020

Toll Brothers

AMERICA'S LUXURY HOME BUILDER®

November 16, 2020

Mr. Scott Johnson
Planning Manager
Community Development Department
City of Folsom
50 Natoma Street
Folsom, CA 95630

Re: Toll Brothers at Folsom Ranch Phase 2 – Small Lot Tentative Map Compliance with Chapter 17.104
– Inclusionary Housing

Dear Mr. Johnson,

In accordance with Chapter 17.104 of the Folsom Municipal Code, Toll West Inc. which will do business in California as Toll Brothers West Inc., hereby elects to satisfy the Inclusionary Housing Ordinance requirements for the proposed Small Lot Tentative Map with the payment of the In-Lieu Fee as permitted in Section 17.104.060(G).

If you have any questions or comments, please feel free to contact me.

Sincerely,



Gregory S. Van Dam
Vice President

Attachment 15

Project Narrative
Dated September 16, 2021

TOLL BROTHERS AT FOLSOM RANCH | PHASE 2



Toll Brothers

AMERICA'S LUXURY HOME BUILDER®



SEPTEMBER 16, 2021



FOLSOM
R · A · N · C · H



OVERVIEW: Entitlement Application Request

We are pleased to submit the Planning Entitlement Application for the **TOLL BROTHERS AT FOLSOM RANCH PHASE 2** project a part of the Folsom Plan Area Specific Plan (FPASP).

Submitted herein is the **PROJECT NARRATIVE** for the **TOLL BROTHERS AT FOLSOM RANCH PHASE 2** project. This document contains the project narrative and exhibits that describe the requested Project entitlements.

The requested Land Use Entitlements sought are for a **Small Lot Vesting Tentative Subdivision Map** consistent with the FPASP (March 2018) and TOLL BROTHERS AT FOLSOM RANCH entitlements (March 2020).

A corresponding **Minor Administrative Amendment for the Transfer of Development Rights** (dwelling units) is also sought with this application.

The requested Planning Entitlements include the following:

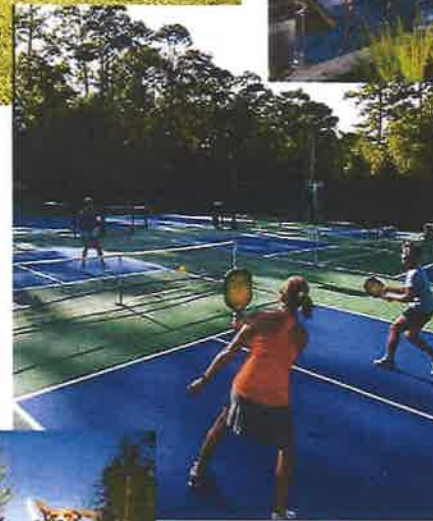
1. Small Lot Vesting Tentative Subdivision Map
2. Minor Administrative Modification - Transfer of Development Rights -

Items submitted with this application include:

1. Application Form
2. Development Permit Fees
3. Project Narrative (contained herein)
4. Small Lot Vesting Tentative Subdivision Map (includes lotting plan, preliminary grading/drainage plan, preliminary utility plan)
5. Illustrative Map
6. MAM - Transfer of Development Rights Exhibit (contained herein)
7. Inclusionary Housing Plan

To be submitted in subsequent submittals:

8. Radius Map, List, Envelopes



TOLL BROTHERS AT FOLSOM RANCH PHASE 2 Entitlements					
Entitlement	Item	base fee	fee per residential lot	number of residential lots	total fee
SLVTSM Tentative Subdivision Map Review	AA.	\$ 6,417	\$ 32	329	\$ 16,945
ENV-Initial Study (deposit)	I.	\$ 6,051			\$ 6,051
				DEPOSIT	\$22,996

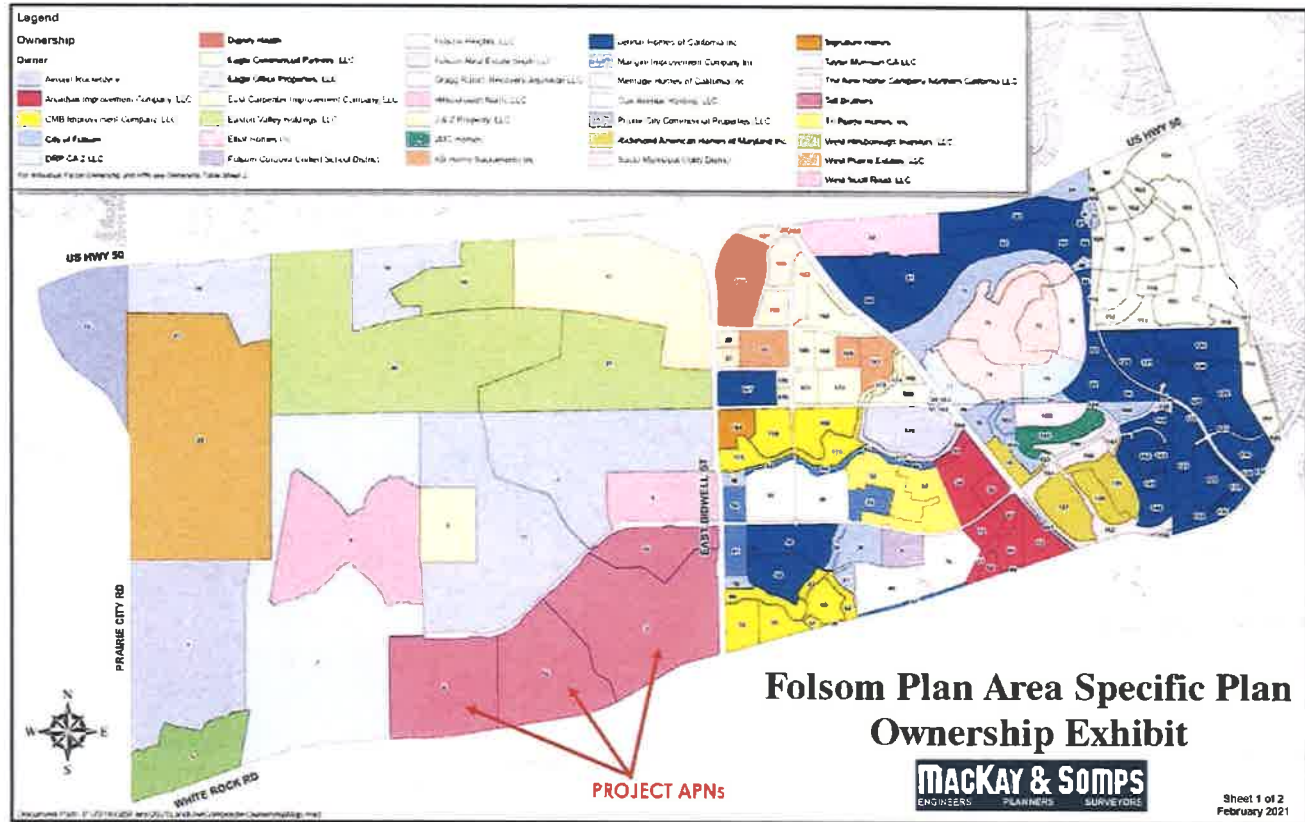
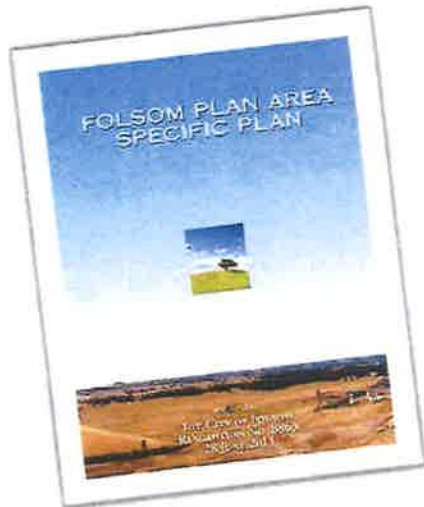


The FPASP 2021 Ownership Map is shown here.

The Project Site subject property is identified by APNs 072-0060-079, -099 and -103. The project owner and applicant are TOLL WEST INC. which will do business in California as TOLL BROTHERS WEST INC.

1. BACKGROUND AND ENTITLEMENT HISTORY

The FPASP Regional Context Maps are shown here. The Folsom Plan Area Specific Plan (FPASP) was approved by the City of Folsom on June 28, 2011 (Resolution No. 8863). The Plan encompasses 3,513.4 undeveloped acres located south of Highway 50, north of White Rock Road, east of Prairie City Road and bordering the Sacramento County/EI Dorado County Line, as shown below.

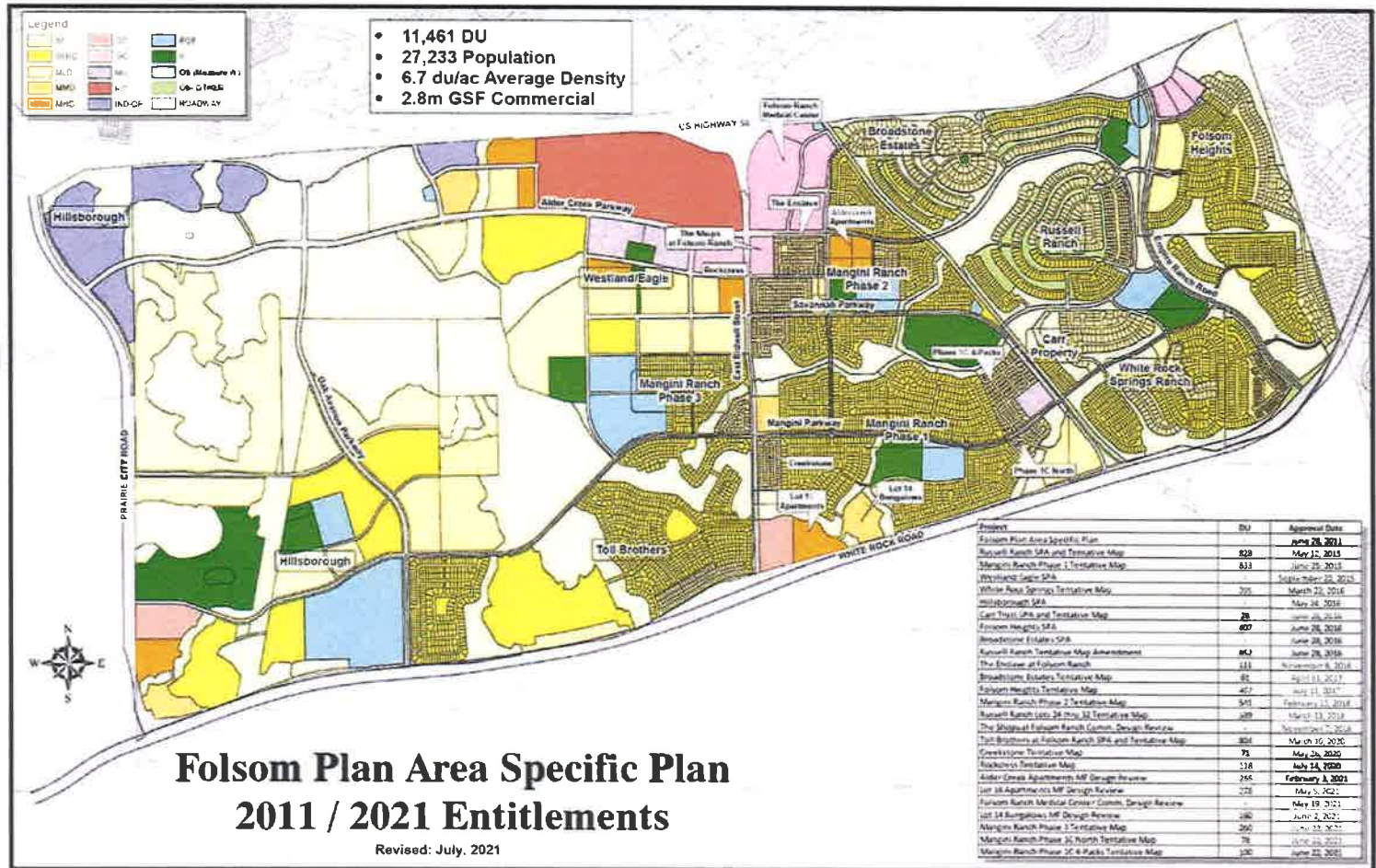


2. CURRENT FOLSOM PLAN AREA SPECIFIC PLAN LAND USE



The Folsom Plan Area Specific Plan was updated in 2018 to include all of the various approved plan amendments and mapping modifications to the Plan Area to date.

The Folsom Plan Area Specific Plan 2011-2021 Entitlements exhibit is shown here. This exhibit illustrates the current entitlement history and land planning status for the FPASP Plan Area.



Folsom Plan Area Specific Plan
2011 / 2021 Entitlements

Revised: July, 2021



PROJECT NARRATIVE

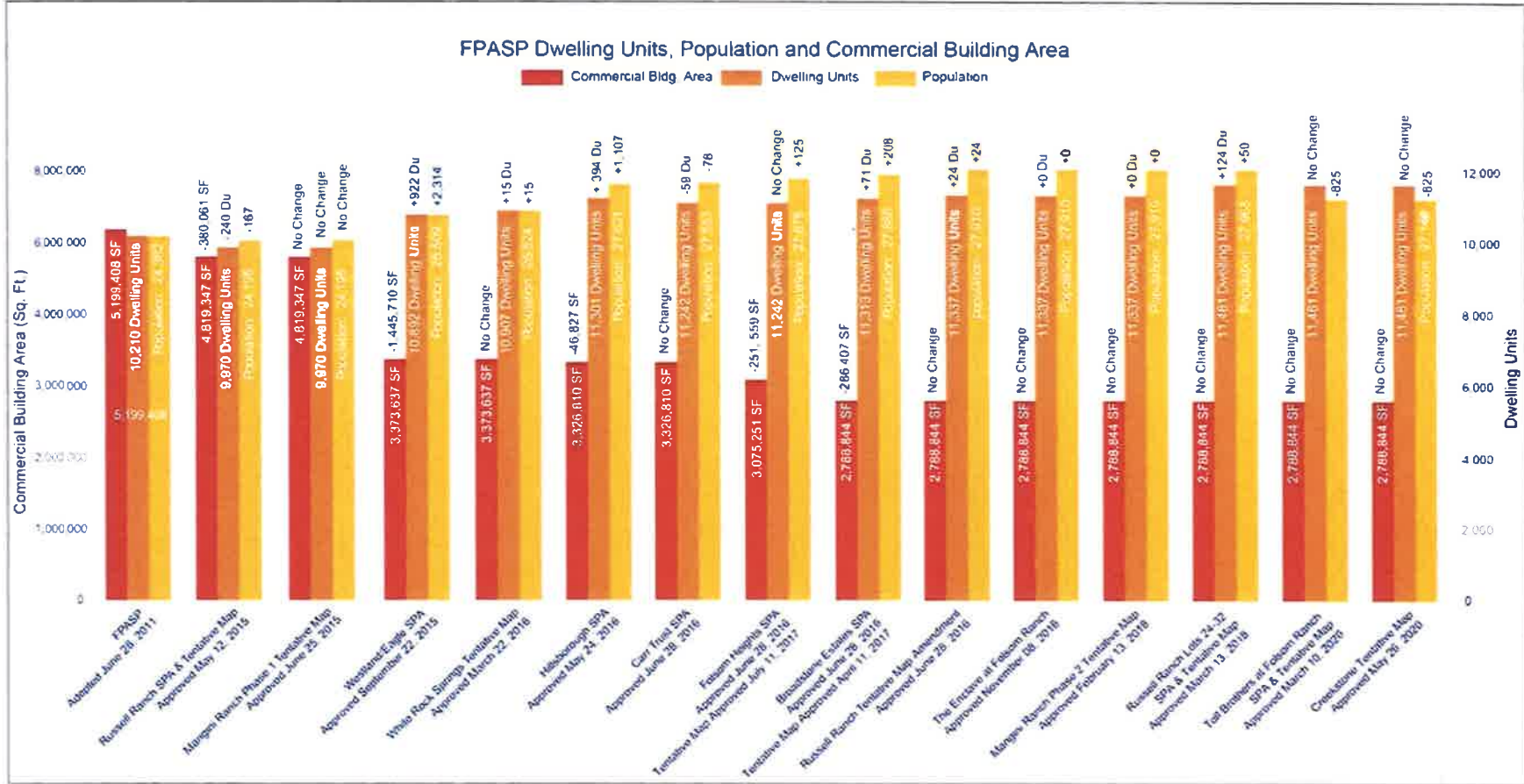
TOLL BROTHERS AT FOLSOM RANCH | PHASE 2

SEPTEMBER 16, 2021

P4

The Folsom Plan Area 2020 Bar Chart exhibit is shown here. This exhibit provides a graphic depiction of the Plan Area's "holding capacities" relative to residential dwelling units, population, and commercial building area (gross square feet).

No changes to the overall total FPASP unit allocation or commercial gross square feet will occur from these entitlements.



May 26, 2020



PROJECT SITE LOCATION:

The Project Site is shown here. East Bidwell Street, Mangini Parkway, and Oak Avenue provide access to the Project. Adjacent to the Project, is Mangini Ranch Phase 1, Mangini Ranch Phase 2, Creekstone, all of which are currently under construction.



3. CURRENT PROJECT AREA ENTITLEMENT STATUS

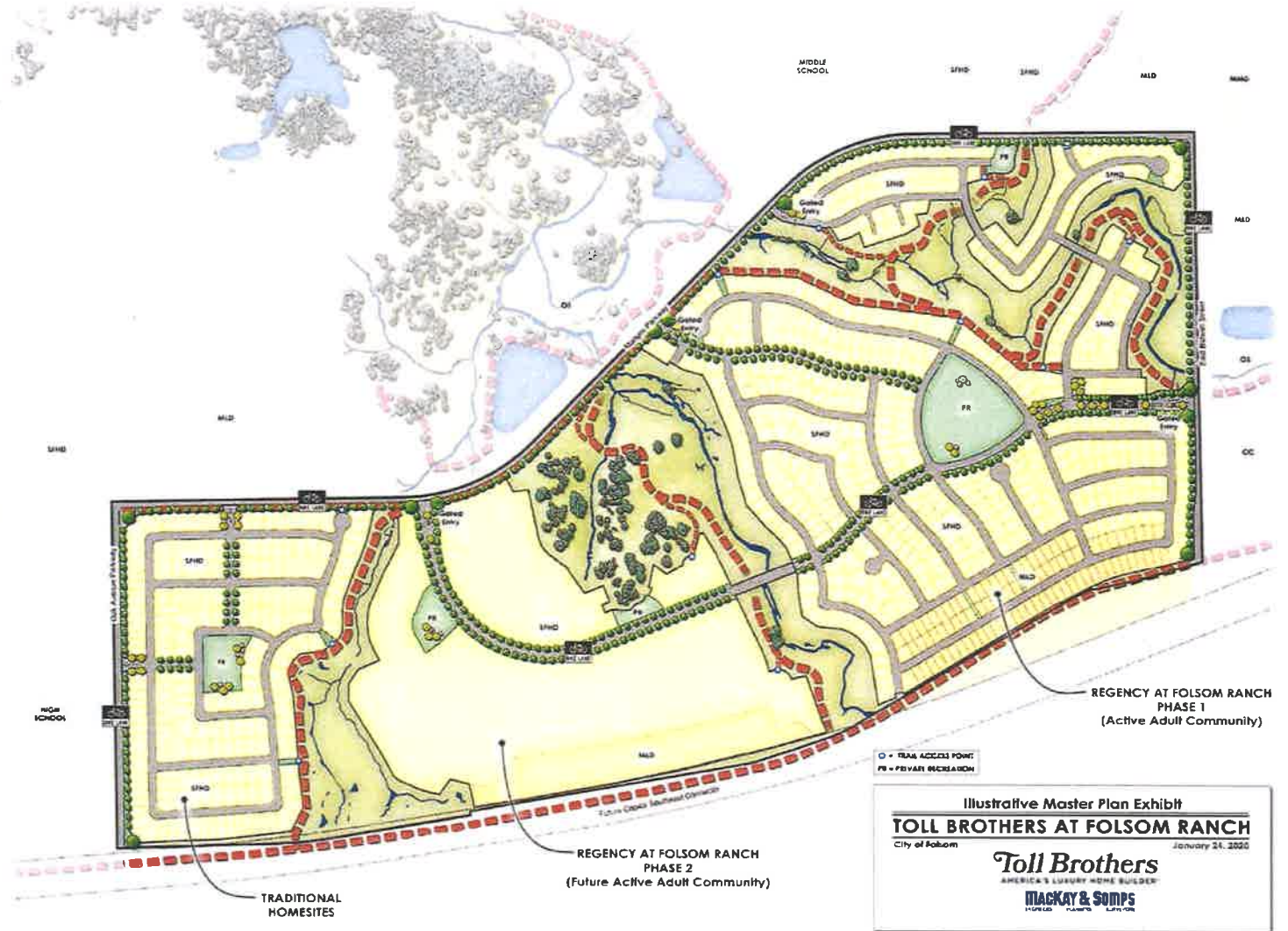
Shown here is the approved TOLL BROTHERS AT FOLSOM RANCH Illustrative Map.

The TOLL BROTHERS AT FOLSOM RANCH Project Site is a proposed Active-Adult and Traditional single-family attached and detached residential subdivision bound by Mangini Parkway, East Bidwell Street, White Rock Road and Oak Avenue Parkway in the south-central portion of the Folsom Plan Area Specific Plan.

Recently approved by the City of Folsom, are the TOLL BROTHERS AT FOLSOM RANCH Specific Plan Amendment, General Plan Amendment, and Planned Development Permit for the REGENCY brand of Active Adult community architecture (Phase 1 and 2). Active Adult homes were planned in two phases (Phase 1 and 2 of the TOLL BROTHERS Project). Phase 3 is proposed for traditional homesites. While residential architecture was approved for the REGENCY Active Adult Phases of the Project, project architecture for the Phase 3 Traditional Homesites was not proposed with this prior application and is not a part of this application.

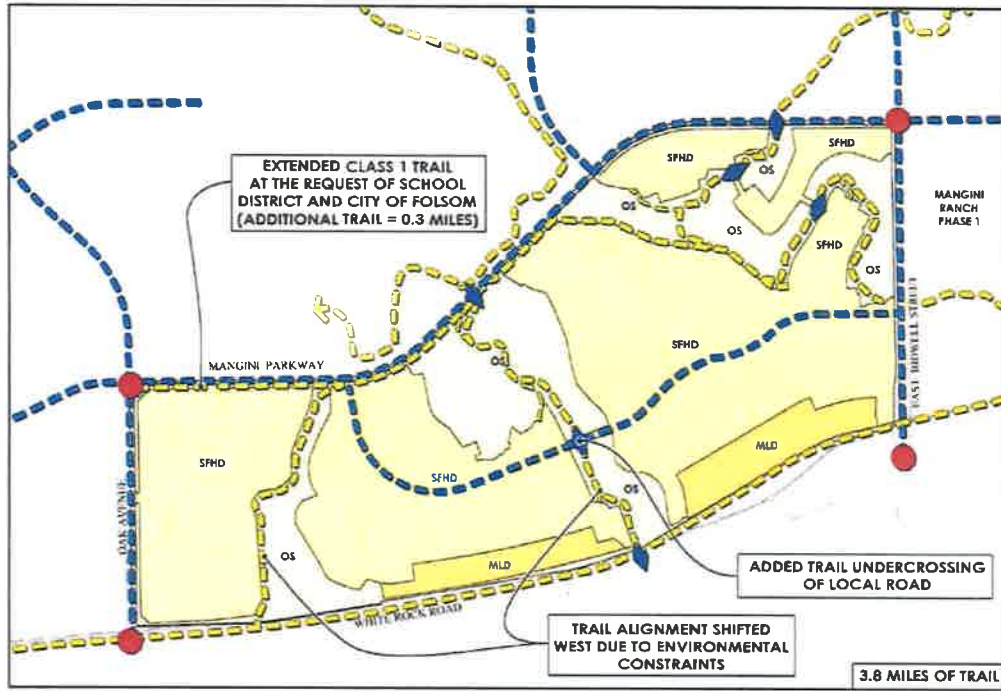
The entitlements described above included and applied to the entire TOLL BROTHERS land area. Various large lots, corresponding to the Specific Plan boundaries were shown in the Phase 2 area, however, as the Phase 2 internal design was still being developed, that application did not map the individual residential (and associated) small lots. The subject of this application is solely to map the Phase 2 area that was not included previously. No changes to the prior approvals are requested.

A collection of approved maps and exhibits is shown on the following pages. This application is consistent with these entitlements.



TRAILS MASTER PLAN

The approved Trails Master Plan is shown here. The TOLL BROTHERS AT FOLSOM RANCH overall plan contains 3.8 miles of Class 1 trails that will remain open for public usage in perpetuity.



TOLL BROTHERS AT FOLSOM RANCH - GPA/SPA LAND USE DATA SUMMARY

1/24/2020

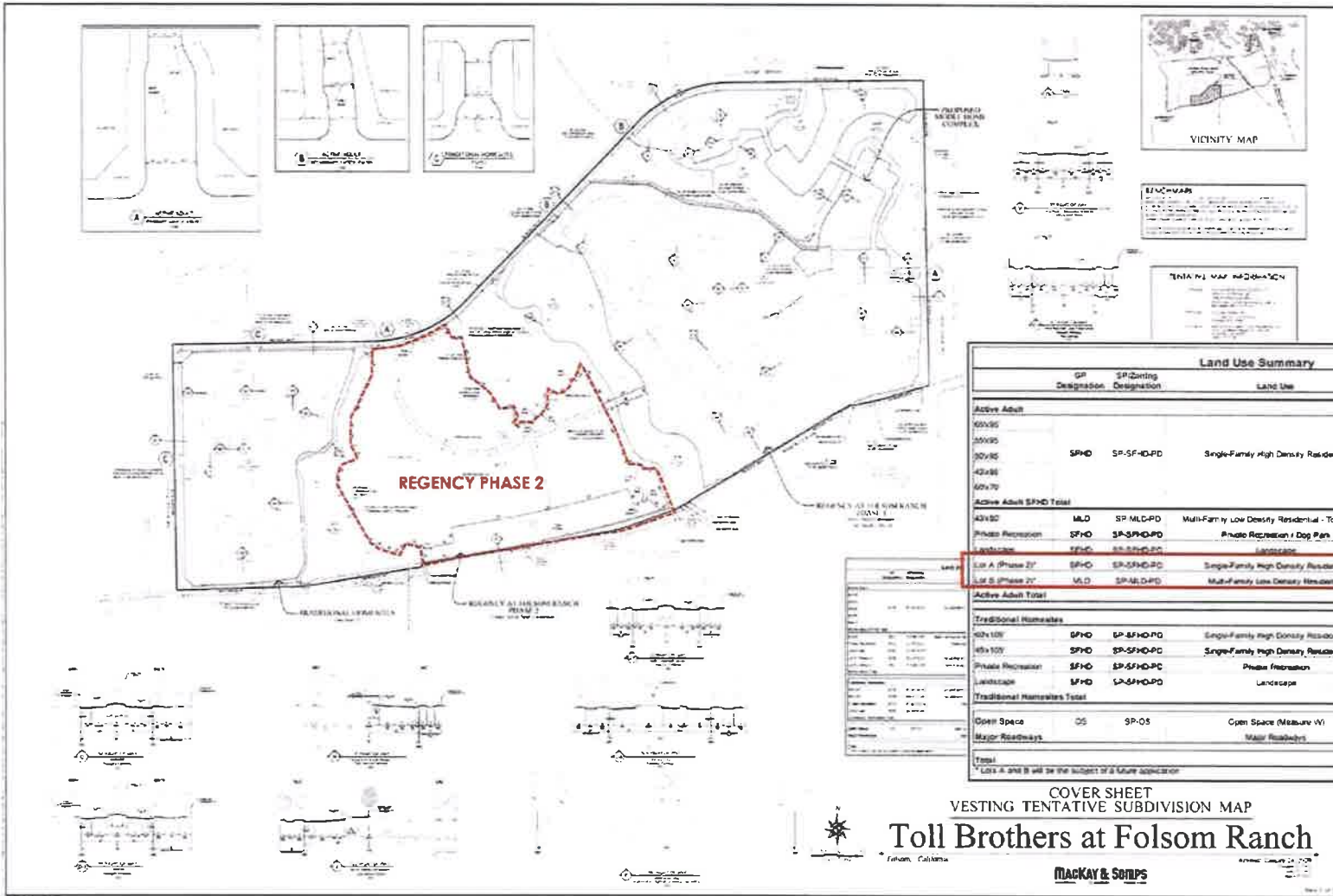
PROPOSED LAND USE PLAN

LAND USE SUMMARY	ACRES	UNITS
SFHD	200.5	1,058
MLD	19.8	167
MMD	0.0	-
P (QUIMBY)	0.0	-
OS (MEASURE W)	86.1	-
BACKBONE ROADS	7.9	-
TOTAL	314.3	1,225

GENERAL PLAN AND SPECIFIC PLAN LAND USE

The approved General Plan and Specific Plan land use designations are shown here. The proposed TOLL BROTHERS AT FOLSOM RANCH PHASE 2 Small Lot Vesting Tentative Subdivision Map is consistent with the land use designations shown on this exhibit and table.





APPROVED SMALL LOT VESTING TENTATIVE SUBDIVISION MAP

The approved Small Lot Vesting Tentative Subdivision Map created 804 total residential lots: 590 active-adult residential lots in Phase 1 on the east side of the Project, and 214 traditional residential lots on the west side of the Project area. (Phase 2 was included in this map and several large lots were created on this map within Phase 2, however, this map did not include the residential lots.

Land Use Summary							
SP Zoning Designation	SP Zoning Designation	LAND USE	Dwelling Units	Acres Gross	Acres Net	Net Density	
Active Adult							
60000			102				
55000			121				
30000	SPHO	SP-SF-HDPD	Single-Family High Density Residential	97.0	92.7	5.4	
42000			4				
60070			172				
Active Adult SPHO Total			496	97.0	92.7		
42000	MUD	SP-MUD-PC	Multi-Family Low Density Residential - Townhomes	92	11.5	11.5	8.1
Private Recreation	SPHO	SP-SF-HDPD	Private Recreation / Dog Park	5.5	5.5		
Landscaping	SPHO	SP-SF-HDPD	Landscaping	2.0	2.0		
Lot A (Phase 2)	SPHO	SP-SF-HDPD	Single-Family High Density Residential	35.7	35.7		
Lot B (Phase 2)	MUD	SP-MUD-PC	Multi-Family Low Density Residential	9.2	9.2		
Active Adult Total			590	177.3	177.3		
Traditional Homesites							
600100	SPHO	SP-SF-HDPD	Single-Family High Density Residential	113	29.8	24.6	4.6
600100	SPHO	SP-SF-HDPD	Single-Family High Density Residential	101	18.0	15.9	6.4
Private Recreation	SPHO	SP-SF-HDPD	Private Recreation	1.5	1.5		
Landscaping	SPHO	SP-SF-HDPD	Landscaping	0.0	0.4		
Traditional Homesites Total			214	42.3	42.3		
Open Space	OS	SP-OS	Open Space (Measure W)	86.1	86.1		
Major Roadways			Major Roadways	8.0	8.0		
Total			804	314.3	314.3		

COVER SHEET
VESTING TENTATIVE SUBDIVISION MAP

Toll Brothers at Folsom Ranch

Folsom, California

MACKAY & SOMPS

The proposed Small Lot Vesting Tentative Map **Cover Sheet** and land use summary table are shown here.

PLANNED DEVELOPMENT (PD) PERMIT – REGENCY DEVELOPMENT STANDARDS and RESIDENTIAL ARCHITECTURE

Shown here are the approved REGENCY Development Standards and residential architecture.

Tailored active-adult development standards were necessary to articulate the design and lifestyle intent for the community and meet the physical and financial needs of the active-adult homebuyers. REGENCY residential homesites are provided in Phases 1 and 2 of the TOLL BROTHERS Project.

Four styles of architecture were approved for the REGENCY Phases of the TOLL BROTHERS AT FOLSOM RANCH. Each style contains traditional characteristics of the classic style, but with a modern contemporary execution.

Modern Farmhouse



Spanish Colonial

Italian Villa



Modern Craftsman



TOLL BROTHERS AT FOLSOM RANCH: "REGENCY" ACTIVE-ADULT DEVELOPMENT STANDARDS

9/10/2019	MLD Townhome (43'x80') (Fee Simple) (7)	SFHD (50x70' Lots)	SFHD (50x95' Lots)	SFHD (55x95' Lots)	SFHD (65x95' Lots)
CATEGORY	NOTES	MLD	SFHD	SFHD	SFHD
Lot Size					
interior Lot		2,000sf min.	4,000sf min.	4,000sf min.	4,000sf min.
corner Lot		3,500sf min.	4,500sf. Min	4,500sf. Min	4,500sf. Min
Building Coverage	10				
interior Lot		60% max.	55% max.	55% max.	55% max.
corner Lot		60% max.	50% max.	50% max.	50% max.
Lot Width	3				
interior Lot		22' min.	40' min.	40' min.	40' min.
corner Lot		37' min	45' min.	45' min.	45' min.
cul-de-sac		n/a	35' min.	35' min.	35' min.
flag Lot		n/a	40' min.	40' min.	40' min.
Setbacks					
Front Yard Setbacks	4				
porch	5	12.5' min.	12.5' min.	12.5' min.	12.5' min.
primary structure	5	15' min.	15' min.	15' min.	15' min.
garage (front elevation/doors)	6	18' min.	18' min.	20' min.	20' min.
garage (side elevation)	5,9	n/a	n/a	n/a	15' min.
Side Yard Setbacks					
interior side yard	2,5	n/a	5' min.	5' min.	5' min.
street side yard (corner lot)	4,5,8	n/a	15' min.	15' min.	15' min.
garage facing side street (corner lot)	4,6	18' min.	20' min.	20' min.	20' min.
second dwelling unit	1,2	n/a	5' min.	5' min.	5' min.
accessory structures (interior lot lines)		3' min.	5' min.	5' min.	5' min.
Rear Yard Setbacks					
main building		5' min.	10' min.	10' min.	10' min.
second dwelling unit	8	n/a	5' min.	5' min.	5' min.
accessory structure		5' min.	5' min.	5' min.	5' min.
detached garage		5' min.	5' min.	5' min.	5' min.
Building Height					
main building		2-story/35' max.	35' max.	35' max.	35' max.
detached garage		18' max.	18' max.	18' max.	18' max.
second dwelling unit		n/a	18' max.	18' max.	18' max.
accessory building		15' max.	15' max.	15' max.	15' max.

Off-Street Parking

- Notes:**
1. If second dwelling unit placed above detached garage, then max. height increased to 22' and side & rear setbacks for both detached garage and second unit increased to 13'.
 2. For zero-lot-line dwelling units: 0' side yard setback for one side; 5' min. setback for the other; 10' min. between detached buildings.
 3. Measured at setback.
 4. Measured at the back of sidewalk if sidewalk is provided.
 5. Measured to foundation line.
 6. Measured to garage doors.
 7. A Fee Simple Lot Townhome is an attached dwelling unit where the owner has absolute legal title to both land and building.
 8. MLD land use: Per the FPASP 2018, 15' minimum for two-story product, no minimum for single-story product.
 9. Front setback to street side-on garage is treated the same as primary structure.
 10. Lot coverage is calculated as the percentage of lot area covered by the roof including attached covered porch and attached cov

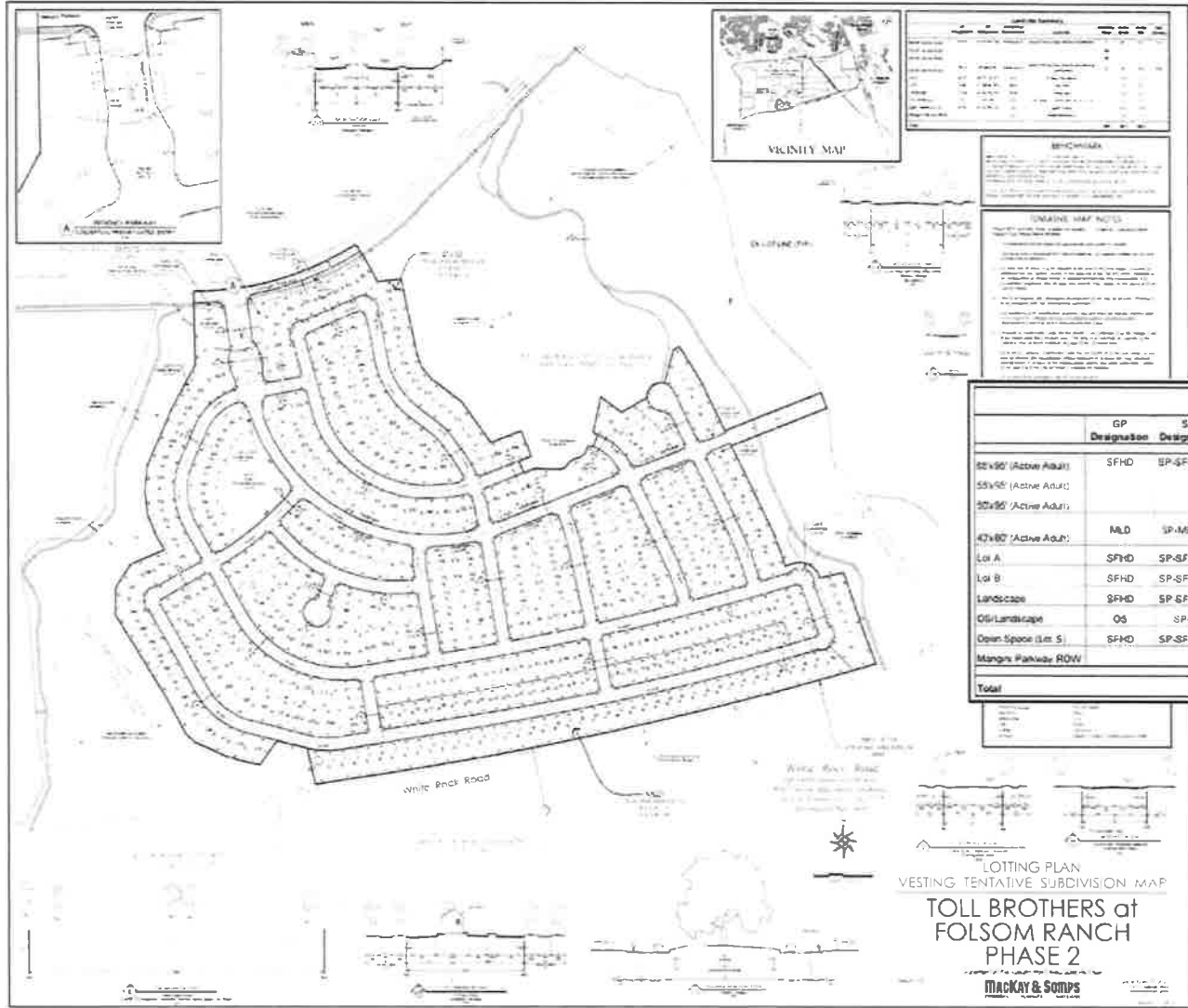


PROJECT NARRATIVE

SEPTEMBER 16, 2021

TOLL BROTHERS AT FOLSOM RANCH | PHASE 2

P10



4. PROPOSED ENTITLEMENTS WITH THIS APPLICATION

Shown here is the proposed TOLL BROTHERS AT FOLSOM RANCH PHASE 2 Small Lot Vesting Tentative Subdivision Map lotting plan.

REGENCY residential homesites will be provided at TOLL BROTHERS AT FOLSOM RANCH PHASE 2. The proposed Small Lot Vesting Tentative Map seeks to further subdivide Phase 2 (64.7ac) into 329 residential homesites including single-family attached townhome units (MLD-fee-simple units) on 43'x80' lots. In addition, single-family detached units (SFHD) including 50'x95', 55'x95' and 65'x95' lots are provided. Given the target market, all active-adult homes are single-story and rear yard space is purposively reduced to minimize maintenance. The residential homesite offerings and product architecture in REGENCY Phase 2 are the same as that approved in the REGENCY Phase 1 area.

Land Use Summary								
GP Designation	SP Designation	Ownership/ Maintenance	Land Use	Dwelling Units	Acres Gross	Acres Net	Net Density	
55'x95' (Active Adult)	SFHD	SP-SFHD-PD	Homeowner	Single-Family High Density Residential	71	55.7	51.7	5.0
55'x95' (Active Adult)					100			
50'x95' (Active Adult)					86			
43'x80' (Active Adult)	MLD	SP-MLD-PD	Homeowner	Multi-Family Low Density Residential Townhomes	72	8.2	8.2	8.8
Lot A	SFHD	SP-SFHD-PD	HOA	Private Recreation	0.0	1.2		
Lot B	SFHD	SP-SFHD-PD	HOA	Dog Park	0.0	0.5		
Landscape	SFHD	SP-SFHD-PD	HOA	Landscape	0.0	2.3		
Off-Landscape	OS	SP-OS	nDA	Open Space / Landscape (Measure W)	0.3	0.3		
Open Space (Lot 5)	SFHD	SP-SFHD-PD	City	Open Space	0.01	0.01		
Mangini Parkway ROW			City	Major Roadways	0.5	0.5		
Total					329	64.7	64.7	

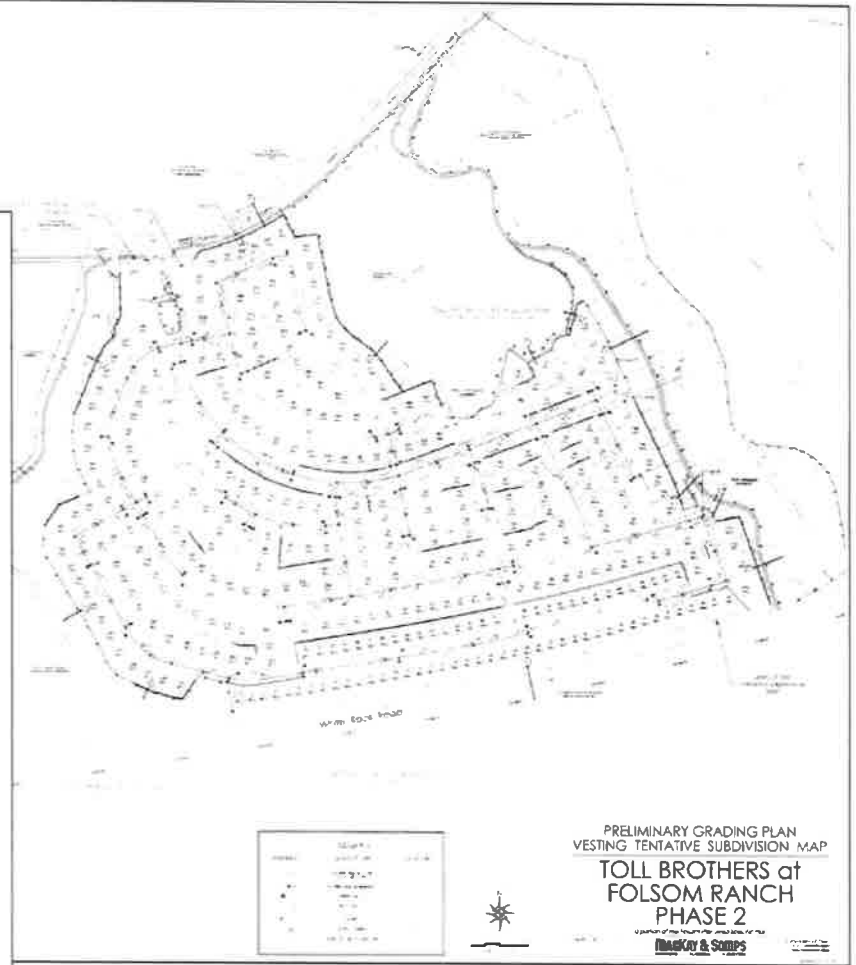
Multiple access points to the Project are provided at Mangini Parkway and at Regency Parkway, which connects to the REGENCY Phase 1 area. Improvements to these roadways have been/are being constructed. City standard residential streets are proposed for this subdivision, with detached and attached pedestrian sidewalks and on-street parking. Class III bike routes are provided on all residential streets.

The Capital Southeast Connector is planned at the south of the Project area which improves White Rock Road from a local two-lane roadway to a 4- to 6-lane regional thoroughfare. Class I multi-purpose trails are planned on White Rock Road and the Project provides a pedestrian connection to this regional trail. No direct vehicular access to the Project site is provided off White Rock Road. Improvements to White Rock Road, including the adjacent trail corridor and landscaping, are by others.



The proposed Small Lot Vesting Tentative Subdivision Map preliminary grading and drainage plan and preliminary utility plan are shown here.

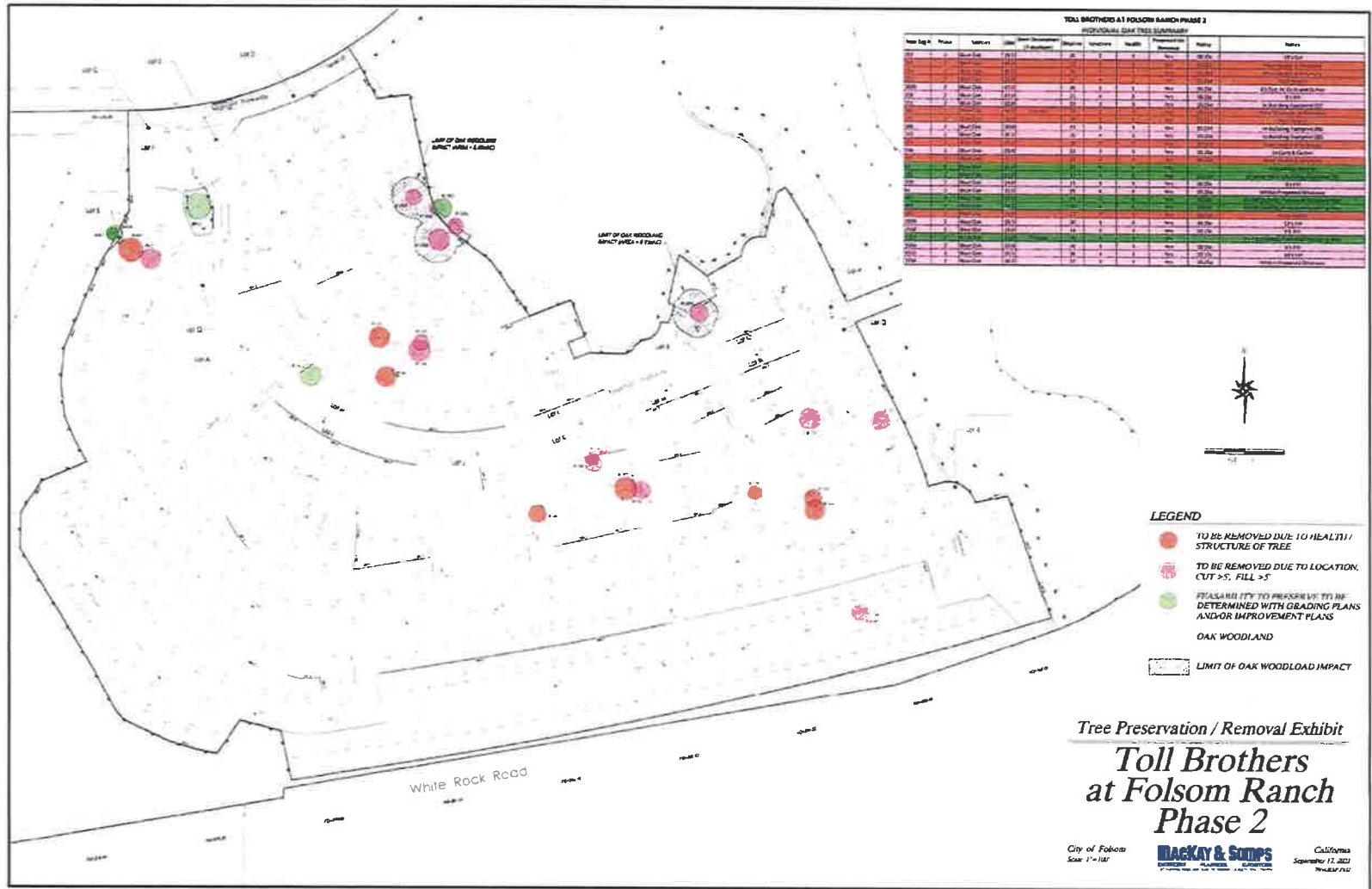
Existing topography on the site ranges from approximately 326' to 399' in elevation. Retaining walls are necessary to maintain developable areas and intended road grades and are shown on the SLVTSM grading and drainage plan.



An open space natural drainage corridor is located on both sides of the subject property. Development runoff drainage from the Project flows north to Hydromodification Basin (HMB) #16 (northwestern portion of the site) and Combo Basin #5 (southwestern portion of the site). HMB #16 is being built with the TOLL BROTHERS at FOLSOM RANCH project and is located north of Mangini Parkway. Combo #5 is located west of the Project on the high school site and is being built by others.

The proposed Tree Preservation / Removal Exhibit is shown here.

There are native Oak trees located within the bounds of the Project and trees are proposed for removal with this application. Trees proposed for removal are within the area shown in the FPASP as Developable Area. The tree summary table shown here contains the details regarding the individual Oak trees.



- LEGEND**
- TO BE REMOVED DUE TO HEALTH / STRUCTURE OF TREE
 - TO BE REMOVED DUE TO LOCATION, CUT > 5', FILL > 5'
 - FEASIBILITY TO PRESERVE TO BE DETERMINED WITH GRADING PLANS AND/OR IMPROVEMENT PLANS
 - OAK WOODLAND
 - LIMIT OF OAK WOODLOAD IMPACT

Tree Preservation / Removal Exhibit
**Toll Brothers
 at Folsom Ranch
 Phase 2**

City of Folsom
 Scale: 1" = 100'
MACKEY & SOMPS
 ENGINEERS ARCHITECTS PLANNERS
 California
 September 17, 2021
 P:\M&S\21

SEPTEMBER 16, 2021

PROJECT NARRATIVE

P13

MINOR ADMINISTRATIVE AMENDMENT (MAM) – Transfer of Development Rights

The proposed TOLL BROTHERS PHASE 2 Transfer of Development Rights Exhibit is shown here.

A Transfer of Development Rights (TDR) is sought for the transfer dwelling units between parcels owned/controlled by the Applicant as shown below.

EXISTING DATA:

- Parcel 172A – SFHD 346du
 - Parcel 172B – MLD 75du
 - Parcel 19B – SF 20du
 - Parcel 26 – SF 83du
 - Parcel 27 – SF 46du
 - Parcel 58 – SF 338DU
- 908 total units contained in the above Parcels.

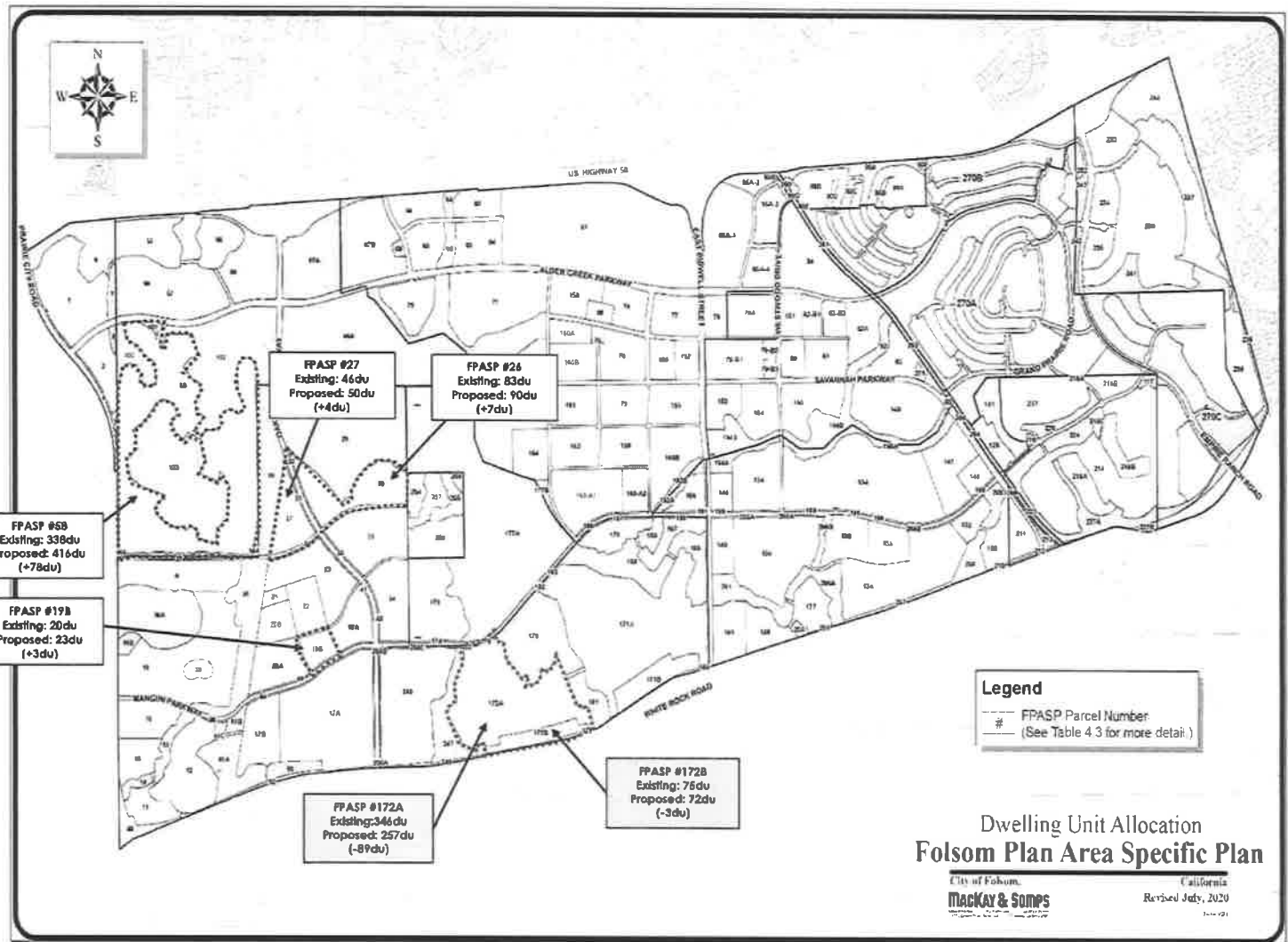
PROPOSED DATA:

- Parcel 172A – SFHD 257du (-89du)
 - Parcel 172B – MLD 72du (-3du)
 - Parcel 19B – SF 23du (+3du)
 - OAK AVENUE HOLDING, LLC.
 - Parcel 26 – SF 90du (+7du)
 - HILLSBOROUGH NORTH, LLC.
 - Parcel 27 – SF 50du (+4du)
 - HILLSBOROUGH NORTH, LLC.
 - Parcel 58 – SF 416du (+78du)
 - WEST PRAIRIE ESTATES, LLC.
- 908 total units contained in the above Parcels.

Proposed parcels meet density range requirements as set forth in the FPASP.

Transfer parcels are owned by the Project Owner as shown on Page 3 (and shown in pink boxes at right), and recipient parcels as shown above (and shown in green boxes at right).

The proposed transfer does not result in an increase or decrease in Plan Area total units.



Minor Administrative Amendment Compliance - TRANSFER OF DWELLING UNITS

The proposed entitlements seek a Minor Administrative Amendment (MAM) to the FPASP 2011 with a Transfer of Development Rights (TDR), as anticipated and permitted in the FPASP 2011, Chapter 13 Implementation, Section 13.3.1 Minor Administrative Amendment. The FPASP 2011 permits flexibility in transferring residential unit allocations (and commercial building area allocations) to reflect changing market demand. Transfer of residential unit allocations are allowed as a MAM consistent with FPASP 2011, Chapter 13 Implementation, Section 13.3.2 Transfer of Development Rights.

This proposed transfer of units does not add additional dwelling units to the FPASP, nor does a change in population result from this transfer of units. This proposed transfer of dwelling units does not change the land use designations/distributions of the units. The donor and receiver Parcels remain consistent with the density ranges allowed in the FPASP.

FPASP 2011 Section 4.7 describes the context in which transfer of residential units is expected or likely to occur. "The FPASP permits adjustments to the residential land use mix to reflect sensitive natural features as well as changing market demand for a particular housing type. Transfer of units is permitted between residential parcels provided that the Plan Area maximum entitlement of 11,461 dwelling units is not exceeded except by amendment of the FPASP. Each residential development parcel is allocated a certain number of dwelling units (see FPASP Table 4.3). If a parcel is developed at less than its allocation number, the remaining un-built units may be transferred to another residential parcel or parcels. Increases or decreases in residential density resulting from unit transfers shall not be less than the minimum or exceed the maximum allowable density for each residential land use category unless a request to increase or decrease the density is accompanied with a Specific Plan Amendment application pursuant to Section 13.3.1."

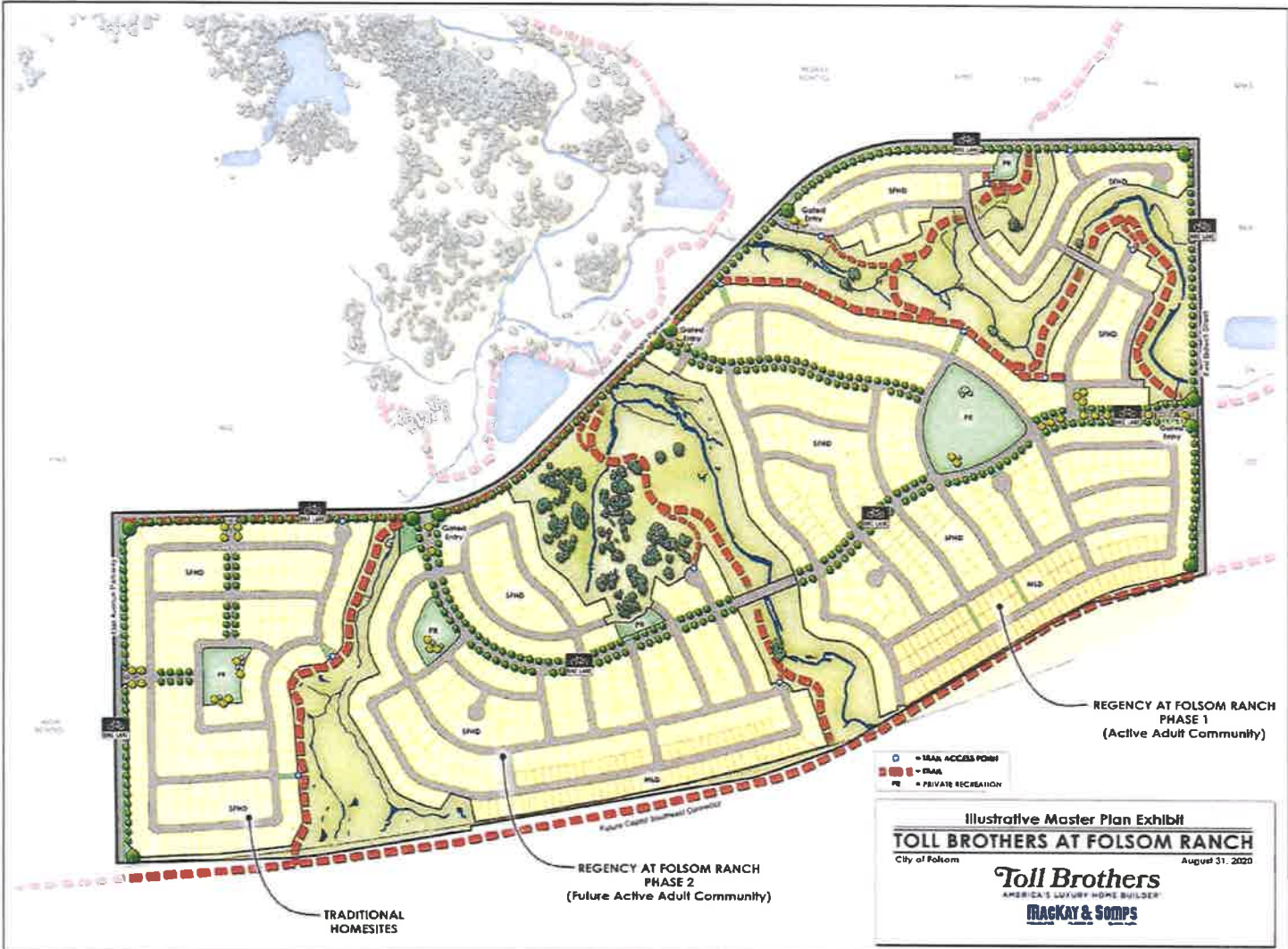
In addition to the requirements as set forth in Section 4.7 of the FPASP 2011 (above), the City shall approve residential dwelling unit transfers or density adjustments between any Plan Area residential land use parcel or parcels provided the following conditions are met (below). (Additional conditions for compliance with FPASP Minor Administrative Modification criteria are known and known as follows):

- The transferor and transferee parcel or parcels are located within the Plan Area and are designated for residential use. (The transferor and transferee parcels are located within the Plan Area, are designated for residential use.)
- The transferor and transferee parcel or parcels conform to all applicable development standards contained in Appendix A. (The transferor and transferee parcels will conform to all applicable development standards contained in Appendix A.)
- The transfer of units does not result in increased impacts beyond those identified in the FPASP EIR/EIS. (The transfer of units does not result in increased impacts beyond those identified in the FPASP EIR/EIS.)
- The transfer of units does not adversely impact planned infrastructure, roadways, schools, or other public facilities; affordable housing agreements; or fee programs and assessment districts unless such impacts are reduced to an acceptable level through project-specific mitigation measures. (The transfer of units will not adversely impact planned infrastructure, roadways, schools, or other public facilities; affordable housing agreements; or fee programs and assessment districts.)

Shown at right is the TOLL BROTHERS AT FOLSOM RANCH PHASE 2 Illustrative Map.

This illustrative map is conceptual for illustrative purposes only. Minor refinements to the Plan have occurred, and will continue to occur, as the project is further refined, specifically due to grading and preservation of Oak Trees and other natural features. The following pages describe and illustrate the Project's attributes.





The TOLL BROTHERS AT FOLSOM RANCH Overall Illustrative Map is shown here.

Four (4) distinct lots sizes are offered in REGENCY Phase 2. Homesite offerings in REGENCY Phase 2 are the same as those approved for Phase 1, except for one product line (60x70' lots) being offered in Phase 1 only.

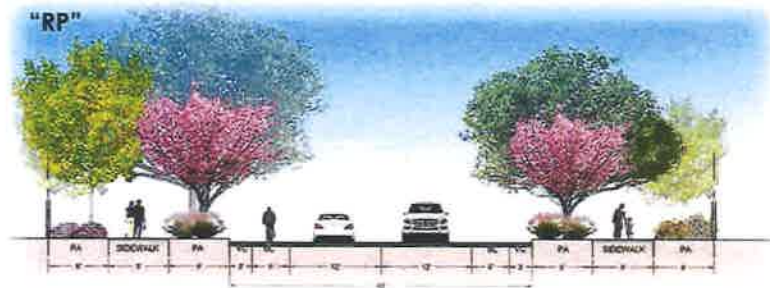
Neighborhood walkability is of foremost importance to active-adult homebuyers, and walking is reported as the 'number one' activity sought by the Active-Adult market. The Project is designed to promote walkability and neighbor interaction.

Multiple trailheads are provided. There is a Class I trail facility located on all sides of the Project and internal Project trailheads are provided to connect to the trail route. The trail system in the open space will remain open to the public for unimpeded public usage.

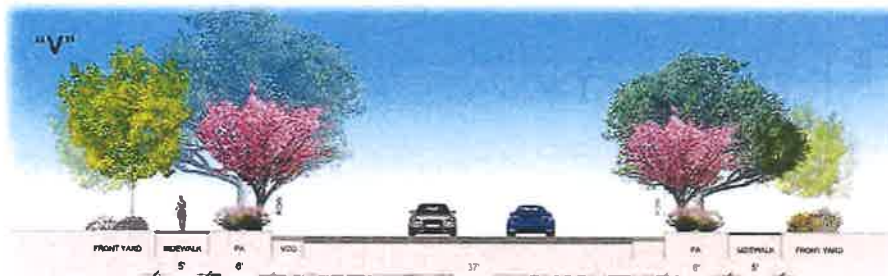
Class I multi-purpose trails are located along the drainage corridors in the Open Space areas. (The trails are identified on the FPASP Trails Exhibit.) Trail connections are provided at Mangini Parkway as well as internally from the project site via pedestrian poses. The pedestrian poses are purposely located to promote pedestrian accessibility where dictated by trail grading constraints. The open space/drainage corridors were mapped as a part of the previous Toll Brothers entitlements.



Regency Parkway (RP) is the dominant street corridor in the Project Area and will extend from East Bidwell Street in Phase 1 to Mangini Parkway in Phase 2. This enhanced primary residential street features one travel lane in each direction and on-street striped bike lanes. This street is designed to meet the ROW standards for FPASP Local Street V. On each side of the street are 24' wide tree-lined landscape corridors with detached 8' sidewalks. These landscape corridors are envisioned as "Pedestrian Promenades" that link the various recreation facilities and dog parks and will encourage walking throughout the community. Minor residential streets (with sidewalks on both sides) are laid out perpendicular to Regency Parkway such that **residential front doors lead to sidewalks, sidewalks lead to Regency Parkway, and Regency Parkway leads to the recreation amenities.** Homesites purposely do not front onto Regency Parkway, that way there are no conflicts between residential driveways, pedestrians and bicyclists along the Parkway.



Primary Residential Streets (V) within the Project lead directly from the gated entries to the Primary and Secondary Recreation Amenities. This street features front-on or side-on residential lots with landscape planters and detached sidewalks, and is consistent with FPASP Local Street V.



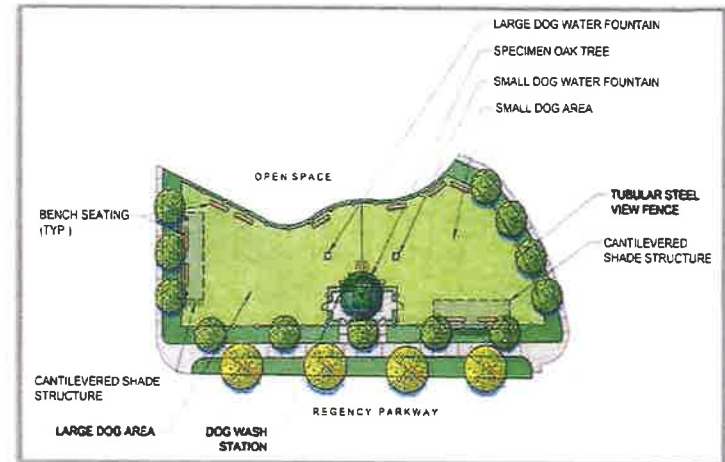
Minor Residential Streets (W) are the dominant residential street section used throughout the Project and features attached sidewalks on both sides. This street section is consistent with FPASP Street Section W.



In addition to the private recreational amenities provided in the Phase 1 area, additional amenities are also provided in the REGENCY Phase 2 area.

A Recreation Amenity (1.2ac in size) is provided within Phase 2 of the REGENCY homesites and will feature a large grass amphitheater for concerts in the park or a weekend farmer's market. Several smaller private areas for dinner parties or more intimate and informal social gatherings will also be provided. This amenity is currently being designed.

A "Bark Park" (0.5ac dog park) with separate large and small dog areas, will contain a dog-washing station, dog-accessible drinking fountain, and shade structure for homeowners to enjoy watching their dogs socialize. Additionally, dog areas may be provided at the Secondary Amenities as well; actual design of these amenities is in progress.



Attachment 16

Environmental Memorandum
Dated September 7, 2021

Memo



455 Capitol Mall, Suite 300
Sacramento, CA 95814
916.444.7301

Date: September 9, 2021

To: Steve Banks, Principal Planner, City of Folsom

From: Kim Untermoser, Project Manager, Ascent Environmental, Inc.

Subject: Toll Brothers at Folsom Ranch Phase 2, Environmental Information Supporting Determination that Potential Impacts Are Adequately Addressed by the Scope of the Environmental Checklist and Addendum to the Folsom Plan Area Specific Plan EIR for the Toll Brothers at Folsom Ranch Master Planned Community

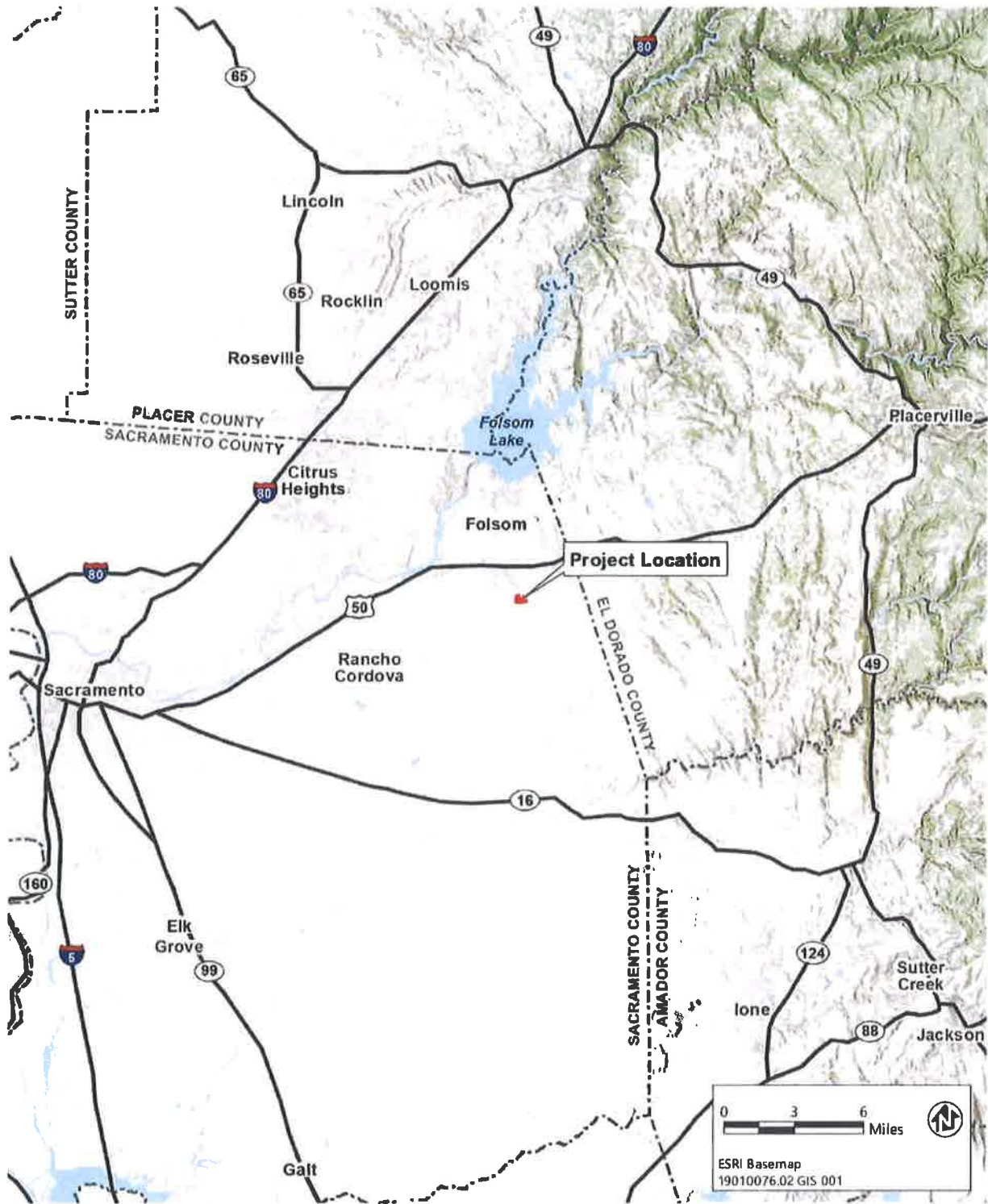
At the request of the City of Folsom (City), Ascent has prepared this evaluation of the potential environmental impacts that may be associated with Phase 2 of Toll Brothers at Folsom Ranch (hereinafter referred to as the "project"). This evaluation also assesses whether the potential impacts are within the scope of analysis of and adequately addressed by the Environmental Checklist and Addendum to the Final Environmental Impact Report/Environmental Impact Statement (Final EIR/EIS) for the Folsom South of U.S. Highway 50 Specific Plan Project (State Clearinghouse No. 2008092051) prepared for the Toll Brothers at Folsom Ranch Master Planned Community and certified by the Folsom City Council in March 2020. This analysis was prepared to determine whether new or different impacts associated with the project would occur because of changes in circumstances (i.e., the length of time since the prior EIR's analysis), pursuant to Section 15162 of the State California Environmental Quality Act (CEQA) Guidelines.

Project Location

The 64.7-acre project site is in the Toll Brothers at Folsom Ranch Master Planned Community, a development in the southern portion of the Folsom Plan Area Specific Plan (FPASP). The FPASP is located within Folsom, south of U.S. Highway 50 and north of White Rock Road, between Prairie City Road and the El Dorado County line (see Figure 1). The FPASP encompasses a total of 3,585 acres. The Toll Brothers at Folsom Ranch Master Planned Community encompasses 314 acres in the Alder Ranch and Mangini West sub-plan areas of the FPASP area. The development is bounded on the north by Mangini Parkway, on the east by East Bidwell Street, on the south by White Rock Road, and on the west by Oak Avenue Parkway (see Figure 2).

Project Background

On June 28, 2011, the Folsom City Council approved (Resolution No. 8863) the Folsom Plan Area Specific Plan (FPASP) for development of up to 10,210 residential housing units in a range of housing types, styles, and densities along with commercial, industrial/office park, and mixed-use land uses, open space, public schools, parks and infrastructure projected to occur on the approximate 3,585-acre site (City of Folsom 2010; City of Folsom 2011). The FPASP was updated in 2018 to include all the various approved plan amendments and mapping modifications made since the first approval in 2011. As amended, the FPASP provides for additional residential development, up to a total of 11,461 housing units.



Source: Adapted by Ascent in 2021

Figure 1 Regional Location





Source: Adapted by Ascent in 2021

Figure 2 Project Vicinity



On March 10, 2020, the Folsom City Council approved the Toll Brothers at Folsom Ranch Master Planned Community (Resolution No. 10400). An environmental checklist and addendum were prepared, in compliance with CEQA, and was certified by the Folsom City Council. The approved Toll Brothers at Folsom Ranch Master Planned Community consists of a new residential community of 1,225 housing units in the southern portion of the FPASP. The development includes two phases. Phase 1 includes 801 housing units and is under construction. Phase 2 was approved for an additional 421 active adult homes to be built in the future and required submittal of an additional subdivision map (City of Folsom 2020).

Project Description

The project would include approval of the subdivision map and a minor administrative modification for Phase 2 of the Toll Brothers at Folsom Ranch Master Planned Community. The project would reduce the number of dwelling units proposed from 421 units previously approved by the Folsom City Council in 2020 to 329 units. No other changes from the previously approved development are proposed.

Grading activities for the project would begin in Fall 2021. Subdivision improvements are anticipated to begin in April 2022 and would progress intermittently through November 2023, conditional on market demands and weather. Construction of the Toll Brothers site would occur between 7 a.m. and 6 p.m. Monday through Friday, and if necessary, between 8 a.m. and 5 p.m., Saturday through Sunday. Construction equipment would be consistent with the equipment used in for the approved Toll Brothers at Folsom Ranch Master Planned Community. According to the applicant, development of the project would not require any material import or export from off-site locations.

Consideration of Changed Circumstances

As noted above, on June 28, 2011, the City certified an EIR/EIS for the FPASP that evaluated up to 10,210 residential housing units in a range of housing types, styles, and densities along with commercial, industrial/office park, and mixed-use land uses, open space, public schools, parks and infrastructure projected to occur on the approximate 3,585-acre site (FPASP area). Several addendums and subsequent environmental documents have been approved since 2011. The FPASP was updated in 2018 to include all of the various approved plan amendments and mapping modifications made since the first approval in 2011. As amended, the FPASP provides for additional residential development, up to a total of 11,461 housing units.

On March 10, 2020, the Folsom City Council approved the Toll Brothers Specific Plan Amendment and an Amendment to the Folsom General Plan and an Addendum to the Final Environmental Impact Report/Environmental Impact Statement (Resolution No. 10400) for the Toll Brothers at Folsom Ranch Master Planned Community. The approved SPA allowed for the reallocation of residential and park land use designations within the FPASP area. The SPA did not change the number of dwelling units or total park acreage in the FPASP area.

Due to the length of time since the certification of the EIR, the additional discretionary review required for the requested entitlements, and reduction of dwelling units from the previously approved development, the Toll Brothers at Folsom Ranch Phase 2 project was evaluated for potential new/different impacts and in compliance with Section 15162 of the State CEQA Guidelines. Per Section 15162(b), if changes to a project or its circumstances or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required due to new information, new significant effects, or substantially more adverse impacts. Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

Based on the analysis presented below, the impacts of the project are determined to be adequately addressed by the FPASP EIR/EIS and the Environmental Checklist and Addendum for the Toll Brothers at Folsom Ranch Master Planned Community, and no further documentation under CEQA is required.

Environmental Analysis

Using Appendix G, Environmental Checklist, of the State CEQA Guidelines as an analytical tool, the following discussion evaluates the potential environmental impacts of implementation of the project in the context of the FPASP EIR/EIS and Toll Brothers Environmental Checklist and Addendum to determine if those impacts are sufficiently covered, or if additional analysis is necessary. All mitigation measures referenced in this section are included in Appendix A Mitigation Monitoring and Reporting Program.

Aesthetics

Implementation of the project would involve the development of a residential subdivision within the approved Toll Brothers at Folsom Ranch Master Planned Community. The project would result in fewer dwelling units, would affect the same area already analyzed and would not substantially alter the development type or density at the site such that different or more severe aesthetic impacts would result. The following mitigation measures were referenced in the FPASP EIR/EIS analysis and would continue to remain applicable if the project were approved.

- ▶ Mitigation Measure 3A.1-1: Construct and Maintain a Landscape Corridor Adjacent to U.S. 50
- ▶ Mitigation Measure 3A.1-4: Screen Construction Staging Areas
- ▶ Mitigation Measure 3A.1-5: Establish and Require Conformance to Lighting Standards and Prepare and Implement a Lighting Plan

The potential environmental impacts related to aesthetics and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Agricultural and Forestry Resources

Implementation of the project would involve the development of a residential subdivision within the approved Toll Brothers at Folsom Ranch Master Planned Community. The project would affect the same area already analyzed and the site is not designated as or currently in agricultural production, is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and is not under Williamson Act contract. There were no mitigation measures included in the FPASP EIR/EIS for this topic and no additional mitigation measures are required for the project for this issue.

The potential environmental impacts related to agricultural resources and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Air Quality

The project would result in similar construction activity, development area, and same type of construction-generated emissions as previously evaluated in the FPASP EIR/EIS. The project would result in 92 fewer dwelling units than the previously approved development. However, no substantial changes to the land use type or intensity from the previous evaluation are proposed. A project specific analysis of air quality impacts related to construction and operation of the project was previously conducted for the Toll Brothers Environmental Checklist and Addendum. The following mitigation measures were referenced in the FPASP EIR/EIS analysis and would continue to remain applicable if the project were approved.

- ▶ Mitigation Measure 3A.2-1a: Implement Measures to Control Air Pollutant Emissions Generated by Construction of On-Site Elements

- ▶ Mitigation Measure 3A.2-1b: Pay Off-site Mitigation Fee to SMAQMD to Off-Set NO_x Emissions Generated by Construction of On-Site Elements
- ▶ Mitigation Measure 3A.2-1c: Analyze and Disclose Projected PM₁₀ Emission Concentrations at Nearby Sensitive Receptors Resulting from Construction of On-Site Elements
- ▶ Mitigation Measure 3A.2-2: Implement All Measures Prescribed by the Air Quality Mitigation Plan to Reduce Operational Air Pollutant Emissions
- ▶ Mitigation Measure 3A.2-4a: Develop and Implement a Plan to Reduce Exposure of Sensitive Receptors to Construction-Generated Toxic Air Contaminant Emissions
- ▶ Mitigation Measure 3A.2-4b: Implement Measures to Reduce Exposure of Sensitive Receptors to Operational Emissions of Toxic Air Contaminants
- ▶ Mitigation Measure 3A.2-5: Implement a Site Investigation to Determine the Presence of NOA and, if necessary, Prepare and Implement an Asbestos Dust Control Plan
- ▶ Mitigation Measure 3A.2-6: Implement Measures to Control Exposure of Sensitive Receptors to Operational Odorous Emissions

Potential environmental impacts related to air quality and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Biological Resources

A project-level analysis was conducted for the Toll Brothers at Folsom Ranch Master Planned Community and refinements to the mitigation program were approved to further reduce impacts to special-status species (ECORP 2019a). Implementation of the project would involve the development of a residential subdivision within the approved Toll Brothers at Folsom Ranch Master Planned Community. The project would affect the same area already analyzed and would not substantially alter the development type or density at the site such that different or more severe biological impacts would result.

Impact 3A.3-5 of the FPASP EIR/EIS concluded that the removal of blue oak woodland and individual oak trees and other trees would conflict with local ordinances protecting these resources and would result in a significant impact. Implementation of Mitigation Measure 3A.3-5 would lessen the impacts on blue oak woodland and other trees because it would require the applicant to implement an oak woodland mitigation plan and other measures to avoid and minimize impacts on oak woodlands. However, the FPASP EIR/EIS concluded that, even with the mitigation, the impact would remain significant and unavoidable because the loss of individual oak trees and blue oak woodland acreage and function would be extensive and would contribute substantially to the regional loss of this resource. The *Arborist Survey Report and Mitigation Strategy* prepared for the Toll Brothers at Folsom Ranch Project by ECORP Consulting, Inc., in January 2020 identified 17.9 acres of oak woodland and 112 living oak trees within the Toll Brothers at Folsom Ranch Master Planned Community area. The Toll Brothers Environmental Checklist and Addendum found that the master planned community would disturb 7.79 acres of oak woodland and 90 individual oak trees. The *Arborist Survey Report for Toll Brothers at Folsom Ranch, Phase 1 and Backbone Infrastructure Projects*, provided project-specific analysis for Phase 1 of the master planned community and determined that 3.43 acres of oak woodland and 36 individual oak trees would be affected by Phase 1 of the master planned community. A Tree Preservation / Removal Exhibit was prepared for Phase 2 of the master planned community (i.e., the project) in April 2021. The project would result in impacts to 0.68 acre of oak woodland and the removal of 25 individual blue oak trees. Two additional blue oak trees would be studied for the feasibility to be preserved during the preparation of grading and/or improvement plans. Of

the 25 trees proposed for removal, 9 trees are proposed for removal due to poor health and/or structure of the tree. The remaining 16 trees are proposed for removal due to location or requiring a cut or fill of greater than 5 feet. In addition, as required by Mitigation Measure 3A.3-5, an Oak Tree Mitigation Plan consistent with the approved Conceptual Oak Tree Mitigation and Monitoring Plan for the FPASP would be prepared for the project. As concluded in the FPASP EIR/EIS, even with the mitigation, the impact to oak woodland and individual oak trees would remain significant and unavoidable because the loss of individual oak trees and blue oak woodland acreage and function would be extensive and would contribute substantially to the regional loss of this resource. With implementation of Mitigation Measure 3A.3-5, impacts related to the disturbance of oak woodland and the removal of individual oak trees from development of Phase 1 and Phase 2 (36 oak trees and 25 oak trees, respectively) would not exceed the impacts previously analyzed. In fact, through compliance with Mitigation Measure 3A.3-5 in the EIR/EIS, the applicant has lessened the total number of trees that would be affected from 90 to potentially 63 (2 are being studied for feasibility of preservation). No new significant impacts or substantially more severe impacts would occur.

The following mitigation measures were referenced in the FPASP EIR/EIS and would continue to remain applicable if the project were approved.

- ▶ Mitigation Measure 3A.3-1a: Design Stormwater Drainage Plans and Erosion and Sediment Control Plans to Avoid and Minimize Erosion and Runoff to All Wetlands and Other Waters That Are to Remain in the SPA and Use Low Impact Development (LID) Features
- ▶ Mitigation Measure 3A.3-1b: Secure Clean Water Act Section 404 Permit and Implement All Permit Conditions; Ensure No Net Loss of Functions of Wetlands, Other Waters of the U.S., and Waters of the State
- ▶ Mitigation Measure 3A.3-2a: Avoid Direct Loss of Swainson's Hawk and Other Raptor Nests
- ▶ Mitigation Measure 3A.3-2b: Prepare and Implement a Swainson's Hawk Mitigation Plan
- ▶ Mitigation Measure 3A.3-2c: Avoid and Minimize Impacts to Tricolored Blackbird Nesting Colonies
- ▶ Mitigation Measure 3A.3-2d: Avoid and Minimize Impacts to Special-Status Bat Roosts
- ▶ Mitigation Measure 3A.3-2g: Secure Take Authorization for Federally Listed Vernal Pool Invertebrates and Implement All Permit Conditions
- ▶ Mitigation Measure 3A.3-4a: Secure and Implement Section 1602 Streambed Alteration Agreement
- ▶ Mitigation Measure 3A.3-4b: Conduct Surveys to Identify and Map Valley Needlegrass Grassland; Implement Avoidance and Minimization Measures or Compensatory Mitigation
- ▶ Mitigation Measure 3A.3-5: Conduct Tree Survey, Prepare and Implement an Oak Woodland Mitigation Plan, Replace Native Oak Trees Removed, and Implement Measures to Avoid and Minimize Indirect Impacts on Oak Trees and Oak Woodland Habitat Retained On Site

In addition, following project-specific analysis completed for the Toll Brothers Environmental Checklist and Addendum, the below refinements to the mitigation program are applicable to the project (ECORP 2019a). The mitigation measures are numbered as found in the *Biological Resources Technical Memorandum for the Regency at Folsom Ranch Project Specific Plan Amendment* provided by ECORP in July 2019.

- ▶ Mitigation Measure WS-1: Conduct Environmental Awareness Training for Construction Employees
- ▶ Mitigation Measure WS-2: Conduct Preconstruction Western Spadefoot Survey
- ▶ Mitigation Measure NWPT-1: Conduct Preconstruction Northwestern Pond Turtle Survey
- ▶ Mitigation Measure NB-1: Preconstruction Nesting Bird Survey

The potential environmental impacts related to biological resources and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Cultural Resources

Implementation of the project would involve development of a residential subdivision and would require construction and ground disturbance within the approved Toll Brothers at Folsom Ranch Master Planned Community. A report was prepared summarizing the project-specific information related to historic and cultural resources for the Toll Brothers Environmental Checklist and Addendum (ECORP 2019b). The FPASP applicants entered into a programmatic agreement with U.S. Army Corps of Engineers and subsequent review of historic resources pertaining to the FPASP area was conducted. As a result of the extensive work on historic resources since the FPASP EIR/EIS was certified, the mitigation measures from the FPASP EIR/EIS addressing historic resources were refined to more specifically address the project site. The project would affect the same area already analyzed and would not change the nature, type, or severity of impact to historical or archaeological resources. To be consistent with the more specific requirements found in the Historic Property Treatment Plan and the programmatic agreement, the following refinements to the mitigation program are applicable to the project.

- ▶ Mitigation Measure 3A.5-1a: Comply with the Programmatic Agreement
- ▶ Mitigation Measure 3A.5-1b: Perform an Inventory and Evaluation of Cultural Resources for the California Register of Historic Places, Minimize or Avoid Damage or Destruction, and Perform Treatment Where Damage or Destruction Cannot be Avoided
- ▶ Mitigation Measure 3A.5-2: Conduct Construction Personnel Education, 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
- ▶ Mitigation Measure 3A.5-3: Suspend Ground-Disturbing Activities if Human Remains are Encountered and Comply with California Health and Safety Code Procedures

The potential environmental impacts related to cultural resources and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Energy

Consistent with the Toll Brothers Environmental Checklist and Addendum, the project would result in the conversion of previously planned traditional homes to age-restricted homes, would generate less vehicle trips than previously determined in the FPASP EIR/EIS, and would be subject to more stringent regulations related to energy. The trip generation analysis included in the *Regency at Folsom Ranch Draft Transportation Impact Study* found that based on ITE trip rates, the conversion of traditional homes to age-restricted homes would result in estimated daily trip generation of 6,716 and an overall FPASP area daily trip generation reduction of 3,433 trips below the approved FPASP (T. Kear 2019). In addition, the project would result in 92 fewer residential units than previously analyzed, resulting in less energy demand. The project would continue to comply with Title 24 requirements, which were updated in 2019 and include renewable energy and energy efficiency requirements to reduce energy consumption in new residences by 53 percent. The project would not result in substantial land use changes or an increase in population from the approved FPASP. The project would comply with general plan policies related to renewable energy or energy efficiency and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The

project would affect the same area already analyzed and would not alter the development type or density at the site such that different or more severe impacts to energy would result. No mitigation measures are required for the project for this issue.

Potential environmental impacts related to energy use and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Geology and Soils

Implementation of the project would involve development of a residential subdivision. The project would affect the same area analyzed for development in the FPASP EIR/EIS and proposed changes would not substantially alter the development type or density at the site. No changes related to seismic activity, ground shaking, ground failure, landslides have occurred. No changes in soils at the site have occurred and the project would not require septic systems. Because the development of the project would result in a similar footprint for ground disturbance as the approved FPASP, the impact conclusions pertaining to paleontological resources remain unchanged. The following mitigation measures were referenced in the FPASP EIR/EIS analysis and would continue to remain applicable if the project were approved.

- ▶ Mitigation Measure 3A.7-1a: Prepare Site-Specific Geotechnical Report per CBC Requirements and Implement Appropriate Recommendations
- ▶ Mitigation Measure 3A.7-1b: Monitor Earthwork during Earthmoving Activities
- ▶ Mitigation Measure 3A.7-3: Prepare and Implement the Appropriate Grading and Erosion Control Plan
- ▶ Mitigation Measure 3A.7-5: Divert Seasonal Water Flows Away from Building Foundations
- ▶ Mitigation Measure 3A.7-10: Conduct Construction Personnel Education, Stop Work if Archeological or Paleontological Resources Are Discovered, Assess the Significance of the Find, and Prepare and Implement a Recovery Plan as Required

The potential environmental impacts related to geology and soils and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Greenhouse Gas Emissions

The types of emissions-generating construction activity would generally be the same under the project as evaluated in the FPASP EIR/EIS. Development would be similar in area, size, and intensity to what was approved under the FPASP. For these reasons, the project would not result in any new circumstances involving new significant impacts or substantially more severe impacts pertaining to construction-generated GHG emissions than were identified in the FPASP EIR/EIS. The project would not result in substantial changes to the type and intensity of development, would result in lower daily traffic due to a reduction of dwelling units and conversion of traditional homes to age-restricted homes, and would comply with more stringent regulations related to GHG reductions than previously evaluated in the FPASP EIR/EIS. The following mitigation measures were referenced in the FPASP EIR/EIS analysis and would continue to remain applicable if the project were approved.

- ▶ Mitigation Measure 3A.4-1: Implement Additional Measures to Control Construction-Generated GHG Emissions

- ▶ Mitigation Measure 3A.4-2b: Participate in and Implement an Urban and Community Forestry Program and/or Off-Site Tree Program to Off-Set Loss of On-Site Trees

Potential environmental impacts related to GHG emissions and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Hazards and Hazardous Materials

The project would not change the overall pattern of development or the types of hazardous materials that would be used, handled, or transported to the site than previously evaluated in the FPASP EIR/EIS. No changes to the conditions of the site or the presence of hazardous materials has occurred since approval of the FPASP. The project site is located outside of Area 40 and the carve-out area and would not be located on Cortese-listed site. No new airports have been developed near the project site and implementation of the project would not conflict with any adopted emergency response or evacuation plans. No changes to the location of the project have occurred and no changes to the risks from wildfires has occurred since approval of the FPASP. The following mitigation measures were referenced in the FPASP EIR/EIS analysis and would continue to remain applicable if the project were approved.

- ▶ Mitigation Measure 3A.8-2: Complete Investigations Related to the Extent to Which Soil and/or Groundwater May Have Been Contaminated in Areas Not Covered by the Phase I and II Environmental Site Assessments and Implement Required Measures
- ▶ Mitigation Measure 3A.8-6: Prudent Avoidance and Notification of EMF Exposure
- ▶ Mitigation Measure 3A.8-7: Prepare and Implement a Vector Control Plan in Consultation with the Sacramento-Yolo Mosquito and Vector Control District

The potential environmental impacts related to hazards and hazardous materials and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Hydrology and Water Quality

The project would require grading and construction and could result in significant impacts to water quality because of soil disturbance during construction and alteration of water flows over the site, consistent with the findings of the FPASP EIR/EIS. The project would not substantially change development patterns and the area of impermeable surfaces from that approved in the FPASP. The areas along Alder Creek stream and its tributaries would generally be preserved as open space. The project would not result in substantial changes to the drainage patterns or flood flows beyond those anticipated in the FPASP. The following mitigation measures were referenced in the FPASP EIR/EIS analysis and would continue to remain applicable if project were approved.

- ▶ Mitigation Measure 3A.9-1: Acquire Appropriate Regulatory Permits and Prepare and Implement SWPPP and BMPs
- ▶ Mitigation Measure 3A.9-2: Prepare and Submit Final Drainage Plans and Implement Requirements Contained in Those Plans
- ▶ Mitigation Measure 3A.9-3: Develop and Implement a BMP and Water Quality Maintenance Plan
- ▶ Mitigation Measure 3A.9-4: Inspect and Evaluate Existing Dams Within and Upstream of the Project Site and Make Improvements if Necessary

The potential environmental impacts related to hydrology and water quality and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15163 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Land Use and Planning

Implementation of the project would result in a residential subdivision consistent with the previously approved Toll Brothers at Folsom Ranch Master Planned Community. The project would result in 92 fewer residential units than previously analyzed. However, no substantial changes to the type and intensity of development are proposed. The project would not result in the physical division of established communities, nor conflict with FPASP land use policies and regulations that protect the environment. There were no mitigation measures included in the FPASP EIR/EIS for this topic and no additional mitigation measures are required for the project for this issue.

The potential environmental impacts related to land use and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Mineral Resources

The project would be located within the Toll Brothers at Folsom Ranch Master Planned Community. The site is not in an area associated with mineral resources or mineral extraction. Therefore, the project would have no impact on kaolin clay resources and impacts on construction aggregate would remain less than significant. As such, the potential environmental impacts related to mineral resources and associated with implementation of the project are consistent with the conclusions of the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15163 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Noise and Vibration

Construction of the project would result in short-term increases in noise related to construction vehicles and equipment. However, construction activities would require similar types and numbers of equipment operating at similar levels of intensity as previously evaluated in the FPASP EIR/EIS. In compliance with FPASP EIR/EIS Mitigation Measure 3A.11-4, a site-specific analysis was conducted to determine future traffic noise levels within the Toll Brothers at Folsom Ranch Master Planned Community site (which includes the project). Based on the results of the site-specific traffic noise analysis, the project would result in the exposure of sensitive receptors to traffic noise levels above the City's traffic noise standard of 60 dB L_{dn} and 45 dB L_{dn} , for outdoor and indoor noise levels, respectively. However, implementation of Mitigation Measures 4.13-1 and 4.13-2 identified in the Toll Brothers Environmental Checklist and Addendum would reduce impacts associated with implementation of the project. The project would result in the same land use, development types and intensity as previously evaluated and would not result in impacts related to long-term exposure of sensitive receptors to increased stationary-source noise levels from project operation beyond those identified in the FPASP EIR/EIS. The following mitigation measures were referenced in the FPASP EIR/EIS analysis and would continue to remain applicable if the project were approved.

- ▶ Mitigation Measure 3A.11-1: Implement Noise-Reducing Construction Practices, Prepare and Implement a Noise Control Plan, and Monitor and Record Construction Noise near Sensitive Receptors
- ▶ Mitigation Measure 3A.11-3: Implement Measure to Prevent Exposure of Sensitive Receptors to Groundborne Noise or Vibration from Project Generated Construction Activities

- ▶ Mitigation Measure 3A.11-5: Implement Measures to Reduce Noise from Project-Generated Stationary Sources

In addition to the mitigation measures in the FPASP EIR/EIS (listed above), the site-specific noise assessment provided the following refinements to the mitigation program that would be required for the project (Bollard Acoustic Consultants 2019). These refinements are consistent with the mitigation program outlined in the FPASP EIR/EIS.

- ▶ Mitigation Measure 4.13-1 Exterior Traffic Noise Reduction Measures
- ▶ Mitigation Measure 4.13-2 Interior Traffic Noise Reduction Measures

The potential environmental impacts related to noise and vibration associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Population and Housing

Consistent with the approved Toll Brothers at Folsom Ranch Master Planned Community, the project would replace traditional homes with active adult age-restricted homes and the population within the project site would be reduced from what was identified in the approved FPASP. The project would further reduce the number of residential units within the project site. As such, population growth would be less than was previously evaluated in the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum. The project would not displace existing people or housing. No mitigation measures were needed for the certified FPASP EIR/EIS regarding population and housing. No additional mitigation measures are required for the project for this issue.

The potential environmental impacts related to population and housing and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Public Services

Implementation of the project would not increase the demand for police protection, recreation, or other public services or facilities beyond that anticipated in the FPASP EIR/EIS. The project would not substantially change development densities from that approved in the FPASP and would not result in a larger service area than was previously evaluated in the FPASP EIR/EIS. The following mitigation measures were referenced in the FPASP EIR/EIS analysis and would continue to remain applicable if the project was approved.

- ▶ Mitigation Measure 3A.14-1: Prepare and Implement a Construction Traffic Control Plan
- ▶ Mitigation Measure 3A.14-2: Incorporate California Fire Code; City of Folsom Fire Code Requirements; and EDHFD Requirements, if Necessary, into Project Design and Submit Project Design to the City of Folsom Fire Department for Review and Approval
- ▶ Mitigation Measure 3A.14-3: Incorporate Fire Flow Requirements into Project Designs

The potential environmental impacts related to public services and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Recreation

Implementation of the project would include development of a residential subdivision along with a 1.2-acre private recreation park and 0.5-acre dog park. The previous approval of the Toll Brothers at Folsom Ranch Master Planned Community included a land use designation change of 10 acres of park to residential land. The 10-acre park site, known as FPASP NP5, was relocated outside of the Toll Brothers site to the Alder Ranch sub-plan area and Town Center sub-plan area. However, the parkland would remain within the FPASP area, the overall parkland space in the FPASP area would not be reduced, and the total FPASP area would continue to meet the City's parkland standard. The project would not result in any further changes to parks within the FPASP. The FPASP EIR/EIS concluded that the impact to existing parks and facilities would be less than significant, and no mitigation was required. The proposed project would not change this conclusion.

The potential environmental impacts related to recreational facilities and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Transportation

Senate Bill 743, passed in 2013, required the Governor's Office of Planning and Research 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, vehicle miles traveled (VMT) will replace congestion as the metric for determining transportation impacts. The CEQA Guidelines state that "lead agencies may elect to be governed by these provisions of this section immediately. Beginning July 1, 2020, the provisions of this section shall apply statewide."

As described above, the updated CEQA Guidelines were not adopted until December 28, 2018, and as stated in the CEQA Guidelines Section 15064.3(c), beginning on July 1, 2020, the provisions of this section shall apply statewide. Thus, local agencies had an opt-in period until July 1, 2020, to implement the updated guidelines after they were formally adopted. Thus, the effective date of the changes to the CEQA Guidelines occurred subsequent to certification of the FPASP EIR/EIS in June 2011 and subsequent to the certification of the Toll Brothers Environmental Checklist and Addendum in March 2020. Section 15007 of the CEQA Guidelines addresses amendments to the CEQA Guidelines and states: "If a document meets the content requirements in effect when the document is sent out for public review, the document shall not need to be revised to conform to any new content requirements in Guideline amendments taking effect before the document is finally approved" (CEQA Guidelines Section 15007[c]). Stated another way, because the EIR was circulated for public review (and completed) before this change in the CEQA Guidelines, the new provisions regarding VMT do not apply to this project. Therefore, the shift from automobile delay to VMT as the primary metric used to analyze transportation impacts under CEQA, as dictated by CEQA Guidelines Section 15064.3, does not constitute "new information" as defined in CEQA Guidelines Section 15162 and, even if it was "new information," CEQA Guidelines Section 15007 directs that the document "shall not need to be revised" to reflect this information.

Implementation of the project would involve development of an active adult residential subdivision. The project would be in the same area, would not change circulation patterns, and would result in 92 less dwelling units than previously analyzed in the *Regency at Folsom Ranch Draft Transportation Impact Study* (T. Kear 2019). Thus, the project would not result in new significant impacts or substantially more severe transportation impacts. The following

mitigation measures were referenced in the FPASP EIR/EIS analysis and would continue to remain applicable if the project were approved.

- ▶ Mitigation Measure 3A.14-1: Prepare and Implement a Construction Traffic Control Plan
- ▶ Mitigation Measure 3A.15-1a: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Folsom Boulevard/Blue Ravine Road Intersection (Intersection 1)
- ▶ Mitigation Measure 3A.15-1b: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements at the Sibley Street/Blue Ravine Road Intersection (Intersection 2)
- ▶ Mitigation Measure 3A.15-1c: The Applicant Shall Fund and Construct Improvements to the Scott Road (West)/White Rock Road Intersection (Intersection 28)
- ▶ Mitigation Measure 3A.15-1e: Fund and Construct Improvements to the Hillside Drive/Easton Valley Parkway Intersection (Intersection 41)
- ▶ Mitigation Measure 3A.15-1f: Fund and Construct Improvements to the Oak Avenue Parkway/Middle Road Intersection (Intersection 44)
- ▶ Mitigation Measure 3A.15-1h: Participate in Fair Share Funding of Improvements to Reduce Impacts to the Hazel Avenue/Folsom Boulevard Intersection (Sacramento County Intersection 2)
- ▶ Mitigation Measure 3A.15-1i: Participate in Fair Share Funding of Improvements to Reduce Impacts on the Grant Line Road/White Rock Road Intersection and to White Rock Road widening between the Rancho Cordova City limit to Prairie City Road (Sacramento County Intersection 3)
- ▶ Mitigation Measure 3A.15-1j: Participate in Fair Share Funding of Improvements to Reduce Impacts on Hazel Avenue between Madison Avenue and Curragh Downs Drive (Roadway Segment 10)
- ▶ Mitigation Measure 3A.15-1l: Participate in Fair Share Funding of Improvements to Reduce Impacts on the White Rock Road/Windfield Way Intersection (El Dorado County Intersection 3)
- ▶ Mitigation Measure 3A.15-1o: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound US 50 as an alternative to improvements at the Folsom Boulevard/US 50 Eastbound Ramps Intersection (Caltrans Intersection 4)
- ▶ Mitigation Measure 3A.15-1p: Participate in Fair Share Funding of Improvements to Reduce Impacts on the Grant Line Road/ State Route 16 Intersection (Caltrans Intersection 12)
- ▶ Mitigation Measure 3A.15-1q: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1)
- ▶ Mitigation Measure 3A.15-1r: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard (Freeway Segment 3)
- ▶ Mitigation Measure 3A.15-1s: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 4)
- ▶ Mitigation Measure 3A.15-1u: Participate in Fair Share Funding of Improvements to Reduce Impacts on Westbound U.S. 50 between Prairie City Road and Folsom Boulevard (Freeway Segment 16)
- ▶ Mitigation Measure 3A.15-1v: Participate in Fair Share Funding of Improvements to Reduce Impacts on Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard (Freeway Segment 18)
- ▶ Mitigation Measure 3A.15-1w: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound / Folsom Boulevard Ramp Merge (Freeway Merge 4)

- ▶ Mitigation Measure 3A.15-1x: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound / Prairie City Road Diverge (Freeway Diverge 5)
- ▶ Mitigation Measure 3A.15-1y: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound / Prairie City Road Direct Merge (Freeway Merge 6)
- ▶ Mitigation Measure 3A.15-1z: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound / Prairie City Road Flyover On-Ramp to Oak Avenue Parkway Off-Ramp Weave (Freeway Weave 8)
- ▶ Mitigation Measure 3A.15-1aa: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound / Oak Avenue Parkway Loop Merge (Freeway Merge 9)
- ▶ Mitigation Measure 3A.15-1dd: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound / Empire Ranch Road Loop Ramp Merge (Freeway Merge 23)
- ▶ Mitigation Measure 3A.15-1ee: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound / Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 29)
- ▶ Mitigation Measure 3A.15-1ff: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound / Prairie City Road Loop Ramp Merge (Freeway Merge 32)
- ▶ Mitigation Measure 3A.15-1gg: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound / Prairie City Road Direct Ramp Merge (Freeway Merge 33)
- ▶ Mitigation Measure 3A.15-1hh: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound / Folsom Boulevard Diverge (Freeway Diverge 34)
- ▶ Mitigation Measure 3A.15-1ii: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound / Hazel Avenue Direct Ramp Merge (Freeway Merge 38)
- ▶ Mitigation Measure 3A.15-2a: Develop Commercial Support Services and Mixed-use Development Concurrent with Housing Development, and Develop and Provide Options for Alternative Transportation Modes
- ▶ Mitigation Measure 3A.15-2b: Participate in the City's Transportation System Management Fee Program
- ▶ Mitigation Measure 3A.15-2c: Participate with the 50 Corridor Transportation Management Association
- ▶ Mitigation Measure 3A.15-3: Pay Full Cost of Identified Improvements that Are Not Funded by the City's Fee Program
- ▶ Mitigation Measure 3A.15-4a: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Sibley Street/Blue Ravine Road Intersection (Folsom Intersection 2)
- ▶ Mitigation Measure 3A.15-4b: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Oak Avenue Parkway/East Bidwell Street Intersection (Folsom Intersection 6)
- ▶ Mitigation Measure 3A.15-4c: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the East Bidwell Street/Nesmith Court Intersection (Folsom Intersection 7)
- ▶ Mitigation Measure 3A.15-4d: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the East Bidwell Street/Iron Point Road Intersection (Folsom Intersection 21)
- ▶ Mitigation Measure 3A.15-4e: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Serpa Way/ Iron Point Road Intersection (Folsom Intersection 23)
- ▶ Mitigation Measure 3A.15-4f: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Empire Ranch Road / Iron Point Road Intersection (Folsom Intersection 24)

- ▶ Mitigation Measure 3A.15-4g: The Applicant Shall Fund and Construct Improvements to the Oak Avenue Parkway / Easton Valley Parkway Intersection (Folsom Intersection 33)
- ▶ Mitigation Measure 3A.15-4i: Participate in Fair Share Funding of Improvements to Reduce Impacts on the Grant Line Road/White Rock Road Intersection (Sacramento County Intersection 3)
- ▶ Mitigation Measure 3A.15-4j: Participate in Fair Share Funding of Improvements to Reduce Impacts on Grant Line Road between White Rock Road and Kiefer Boulevard (Sacramento County Roadway Segments 5-7)
- ▶ Mitigation Measure 3A.15-4k: Participate in Fair Share Funding of Improvements to Reduce Impacts on Grant Line Road between Kiefer Boulevard and Jackson Highway (Sacramento County Roadway Segment 8)
- ▶ Mitigation Measure 3A.15-4l: Participate in Fair Share Funding of Improvements to Reduce Impacts on Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps (Sacramento County Roadway Segment s 12-13)
- ▶ Mitigation Measure 3A.15-4m: Participate in Fair Share Funding of Improvements to Reduce Impacts on White Rock Road between Grant Line Road and Prairie City Road (Sacramento County Roadway Segment 22)
- ▶ Mitigation Measure 3A.15-4n: Participate in Fair Share Funding of Improvements to Reduce Impacts on White Rock Road between Empire Ranch Road and Carson Crossing Road (Sacramento County Roadway Segment 28)
- ▶ Mitigation Measure 3A.15-4o: Participate in Fair Share Funding of Improvements to Reduce Impacts on the White Rock Road / Carson Crossing Road Intersection (El Dorado County 1)
- ▶ Mitigation Measure 3A.15-4p: Participate in Fair Share Funding of Improvements to Reduce Impacts on the Hazel Avenue/U.S. 50 Westbound Ramps Intersection (Caltrans Intersection 1)
- ▶ Mitigation Measure 3A.15-4q: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1)
- ▶ Mitigation Measure 3A.15-4r: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Rancho Cordova Parkway and Hazel Avenue (Freeway Segment 3)
- ▶ Mitigation Measure 3A.15-4s: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 5)
- ▶ Mitigation Measure 3A.15-4t: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Prairie City Road and Oak Avenue Parkway (Freeway Segment 6)
- ▶ Mitigation Measure 3A.15-4u: Participate in Fair Share Funding of Improvements to Reduce Impacts on the U.S. 50 Eastbound / Prairie City Road Slip Ramp Merge (Freeway Merge 6)
- ▶ Mitigation Measure 3A.15-4v: Participate in Fair Share Funding of Improvements to Reduce Impacts on the U.S. 50 Eastbound / Prairie City Road Flyover On Ramp to Oak Avenue Parkway Off Ramp Weave (Freeway Weave 7)
- ▶ Mitigation Measure 3A.15-4w: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 8)
- ▶ Mitigation Measure 3A.15-4x: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound / Empire Ranch Road Loop Ramp Merge (Freeway Merge 27)
- ▶ Mitigation Measure 3A.15-4y: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound / Prairie City Road Loop Ramp Merge (Freeway Merge 35)

In addition to the mitigation measures in the FPASP EIR/EIS (listed above), the project-specific traffic study provided the following refinements to the mitigation program that would be required for the project (T. Kear 2019). These refinements are consistent with the mitigation program outlined in the FPASP EIR/EIS.

- ▶ Mitigation Measure 4.17-1: East Bidwell Street/Regency Parkway (Driveway #6)
- ▶ Mitigation Measure 4.17-2: East Bidwell Street/White Rock Road
- ▶ Mitigation Measure 4.17-3: East Bidwell Street/Mangini Parkway
- ▶ Mitigation Measure 4.17-4: East Bidwell Street/Savannah Parkway
- ▶ Mitigation Measure 4.17-5: East Bidwell Street/Alder Creek Parkway
- ▶ Mitigation Measure 4.17-6: White Rock Road/Oak Avenue Parkway

The potential environmental impacts related to transportation/traffic and associated with implementation of the project are consistent with the conclusions of the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Tribal Cultural Resources

Assembly Bill (AB) 52, signed by the California governor in September of 2014, establishes a new class of resources under CEQA: "tribal cultural resources." It requires that lead agencies undertaking CEQA review must, upon written request of a California Native American tribe, begin consultation after the lead agency determines that the application for the project is complete, before a notice of preparation (NOP) of an EIR or notice of intent to adopt a negative declaration or mitigated negative declaration is issued. AB 52 also requires revision to CEQA Appendix G, the environmental checklist. This revision has created a new category for tribal cultural resources (TCRs).

An addendum to a previously certified EIR was prepared for the Toll Brothers at Folsom Ranch Master Planned Community, in accordance with Section 15164 of the CEQA Guidelines. An addendum was determined to be the most appropriate document because none of the conditions described in Section 15162, calling for preparation of a subsequent EIR, occurred. The addendum addresses minor technical changes or additions and confirms that the project is consistent with what was previously analyzed under the certified EIR. As such, the addendum did not result in an additional certification; therefore, the AB 52 procedures specified in PRC Sections 21080.3.1(d) and 21080.3.2 did not apply and no tribal consultation under AB 52 was required. Further, because the project is adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, this analysis is also not required to address TCRs. Mitigation measures discussed above under Cultural Resources that would reduce impacts to previously unknown cultural resources would also reduce potential impacts to TCRs should they be present.

The potential environmental impacts related to TCRs and associated with implementation of the project are consistent with the conclusions of the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Utilities and Service Systems

Implementation of the project would result in 92 fewer residential units than previously evaluated and would not result in substantial changes in development type or intensity. Thus, the project would not result in increased demand for water, wastewater, electricity, or natural gas beyond that anticipated in the FPASP EIR/EIS and Toll Brothers Environmental Checklist and Addendum. Sanitary sewer, domestic water, and storm drainage services would be provided by the City of Folsom. Electricity would be provided by the Sacramento Municipal Utility District, gas would be provided by Pacific Gas & Electric, telephone would be provided by AT&T, and cable would be provided by Comcast. The following mitigation measures were referenced in the FPASP EIR/EIS analysis and would continue to remain applicable if the project were approved.

- ▶ Mitigation Measure 3A.16-1: Submit Proof of Adequate On- and Off-Site Wastewater Conveyance Facilities and Implement On- and Off-Site Infrastructure Service Systems or Ensure That Adequate Financing Is Secured.
- ▶ Mitigation Measure 3A.16-3: Demonstrate Adequate SRWTP Wastewater Treatment Capacity.
- ▶ Mitigation Measure 3A.18-1: Submit Proof of Surface Water Supply Availability.
- ▶ Mitigation Measure 3A.18-2a: Submit Proof of Adequate Off-Site Water Conveyance Facilities and Implement Off-Site Infrastructure Service System or Ensure That Adequate Financing Is Secured.
- ▶ Mitigation Measure 3A.18-2b: Demonstrate Adequate Off-Site Water Treatment Capacity (if the Off-Site Water Treatment Plant Option is Selected).

The potential environmental impacts related to utilities and service systems and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Wildfire

Implementation of the project would involve the development of a residential subdivision within the approved Toll Brothers at Folsom Ranch Master Planned Community. The project would affect the same area already analyzed and would not substantially alter the development type or density at the site. The site is identified as a moderate fire hazard severity zone and is not near an area of high or very high fire hazard severity, as identified by CAL FIRE. The project would comply with Wildland-Urban Interface building code regulations, California Fire Code, Folsom 2035 General Plan Polices and FPASP Polices. The project would not result in an increase in slope or prevailing wind that may exacerbate wildfire risks. There were no mitigation measures included in the FPASP EIR/EIS for this topic and no additional mitigation measures are required for the project for this issue.

The potential environmental impacts related to wildfire and associated with implementation of the project are adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no additional CEQA documentation is required. Further, pursuant to Section 15162 of the State CEQA Guidelines, no new information of substantial importance has been identified that would otherwise necessitate subsequent/supplemental environmental analysis.

Conclusion

Based on the analysis presented above, implementation of the project is adequately addressed by the FPASP EIR/EIS and the Toll Brothers Environmental Checklist and Addendum, and no new or substantially more adverse impacts would occur through implementation of the project. As a result, no new environmental document is required, consistent with State CEQA Guidelines Section 15162(b).

REFERENCES

- Bollard Acoustic Consultants. 2019 (November 24). *Environmental Noise Assessment Toll Brothers at Folsom Ranch Residential Development*. Folsom, CA,
- City of Folsom. 2010 (June). *Draft Environmental Impact Report/Draft Environmental Impact Statement Folsom South of U.S. 50 Specific Plan Project*. SCH #2008092051. Sacramento County, CA. Prepared by AECOM and RMC Water and Environment.

- . 2011 (May). Final Environmental Impact Report/Draft Environmental Impact Statement Folsom South of U.S. 50 Specific Plan Project. SCH #2008092051. Sacramento County, CA. Prepared by AECOM and RMC Water and Environment.
- . 2020 (February). *Toll Brothers at Folsom Ranch Master Planned Community Environmental Checklist and Addendum*. Folsom, CA. Prepared by Ascent Environmental.

ECORP. See ECORP Consulting, Inc.

ECORP Consulting, Inc. 2019a (July 19). *Biological Resources Technical Memorandum Regency at Folsom Ranch Project Specific Plan Amendment*. Prepared for City of Folsom Community Development Department. Rocklin, CA.

———. 2019b (July 30). *Cultural Resources Assessment to Support Amendments to the Folsom Plan Area Specific Plan and City of Folsom General Plan for the Regency at Folsom Ranch Project*. Rocklin, CA.

———. 2020 (January 27). *Arborist Survey Report and Mitigation Strategy Toll Brothers at Folsom Ranch Project*. Prepared for Toll Brothers, Inc. Sacramento County, CA.

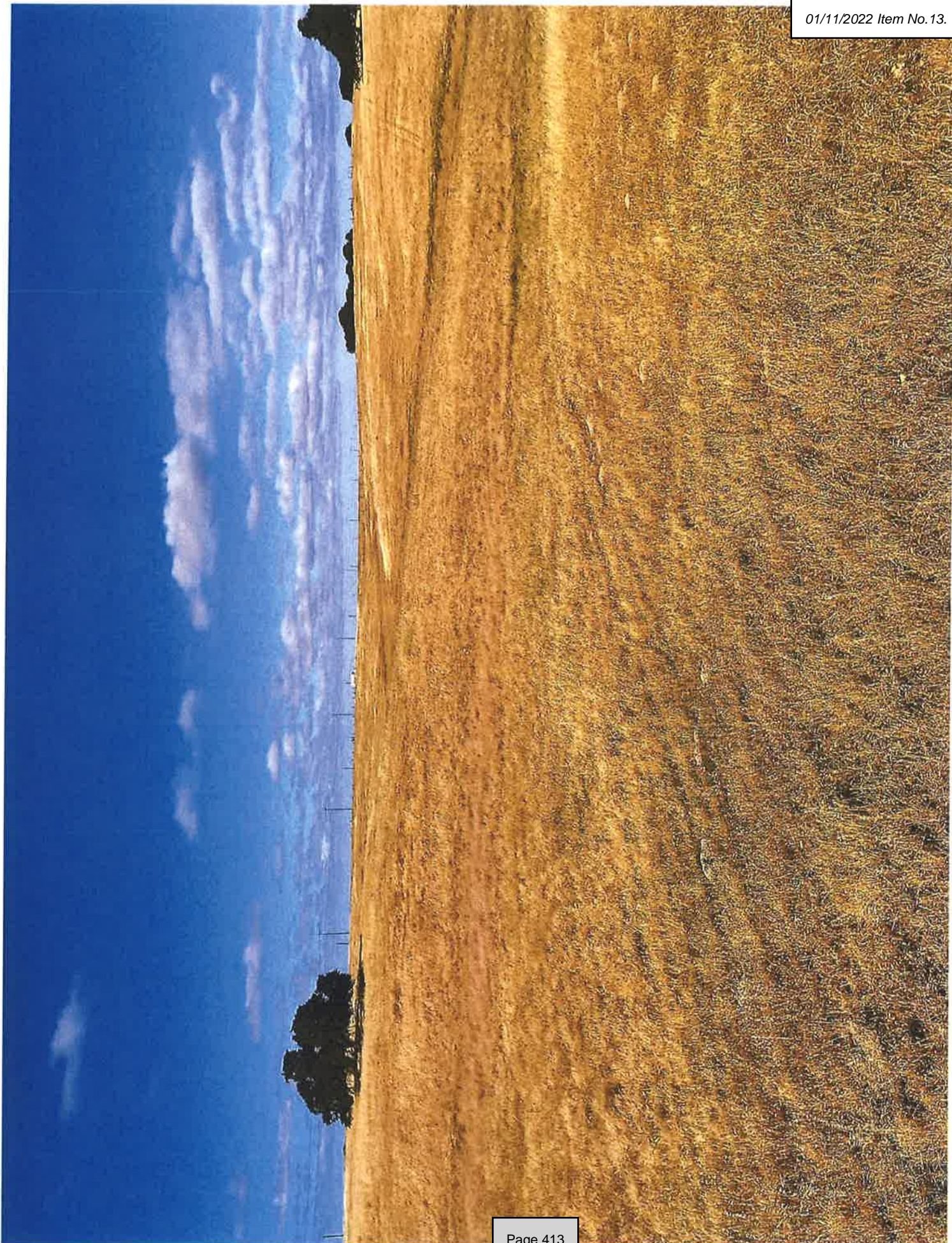
T. Kear. See T. Kear Transportation Planning & Management, Inc.

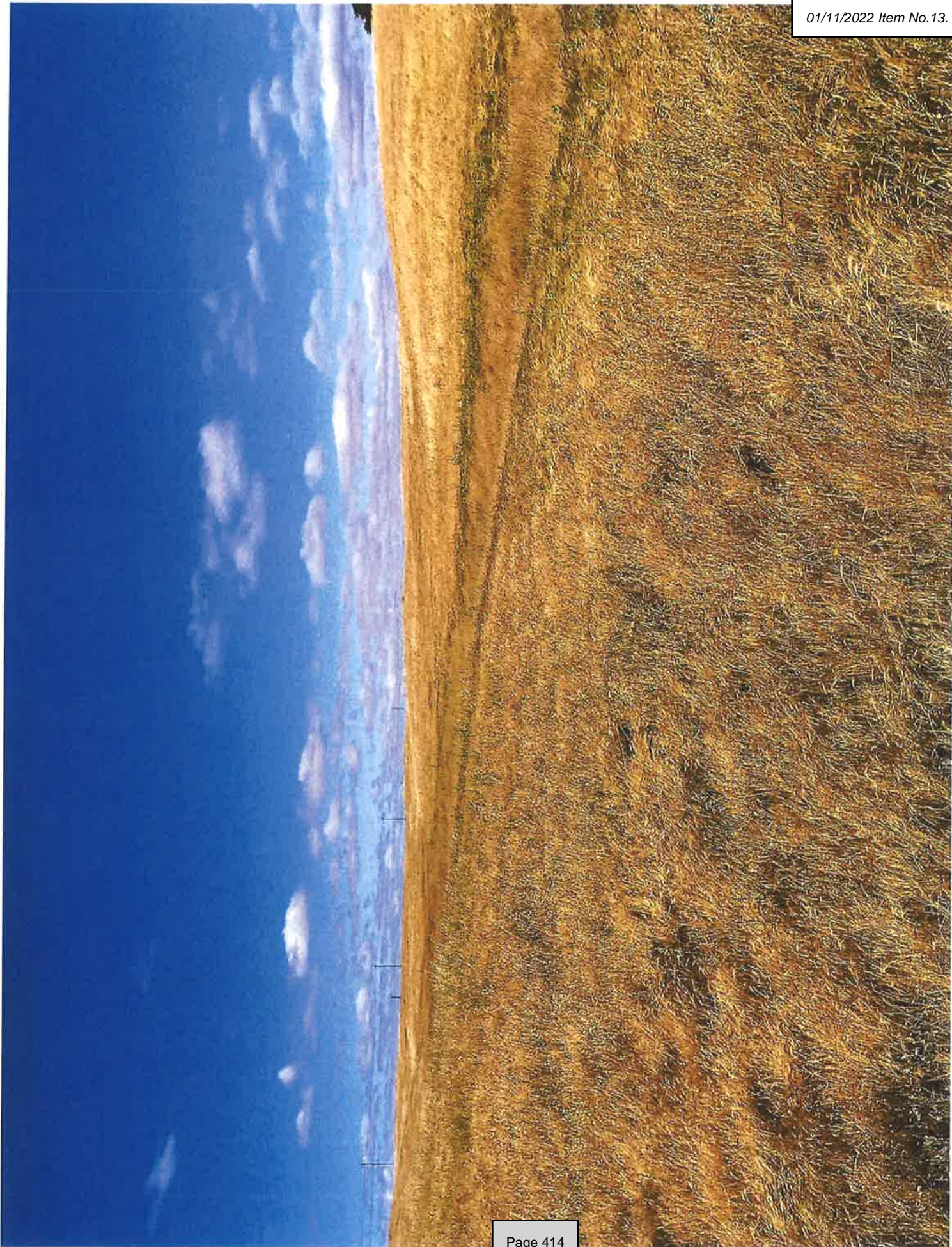
T. Kear Transportation Planning & Management, Inc. 2019 (August 5). *Draft Regency at Folsom Ranch Transportation Impact Study*. Folsom, CA. Prepared for City of Folsom and Ascent Environmental, Inc.

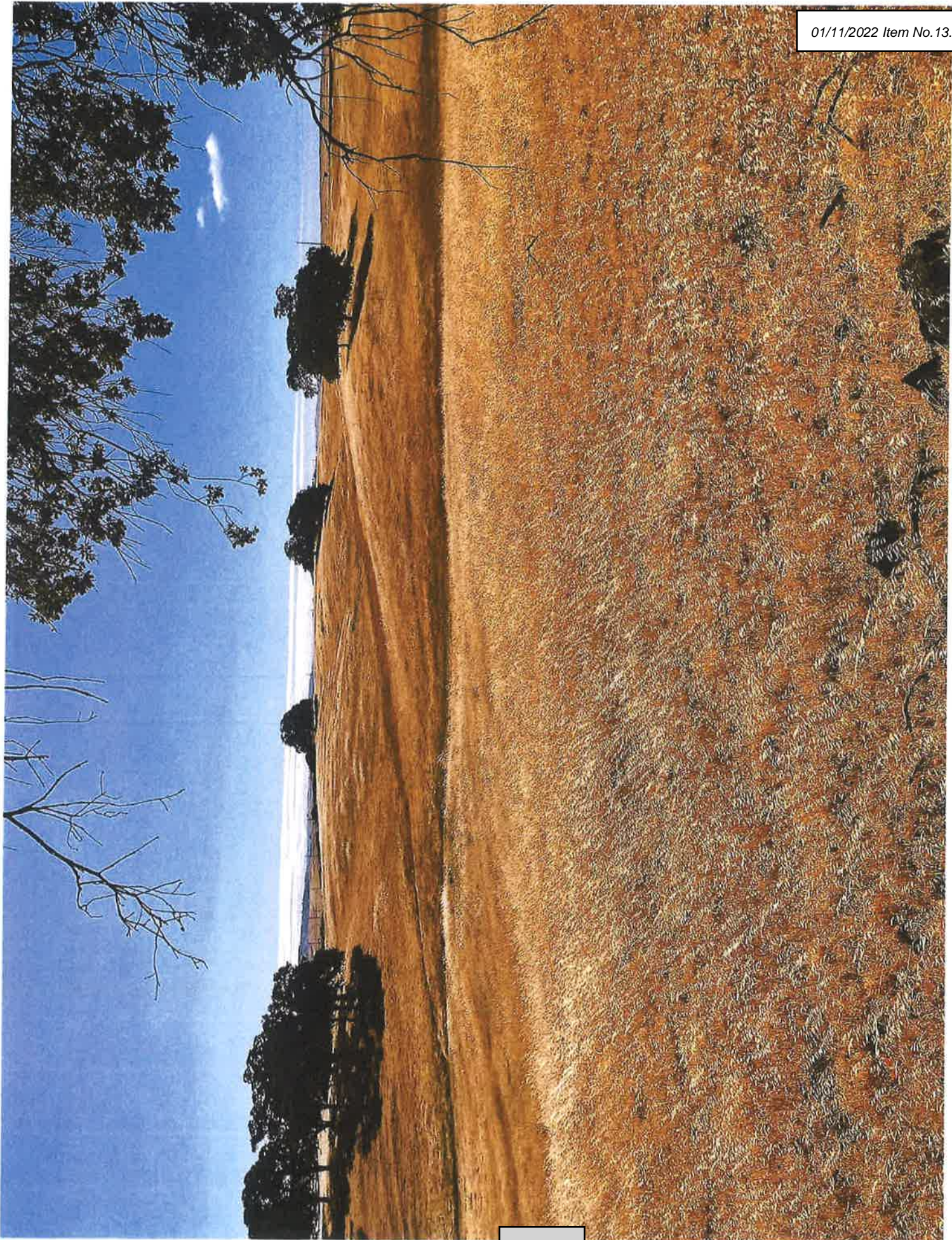
ATTACHMENTS

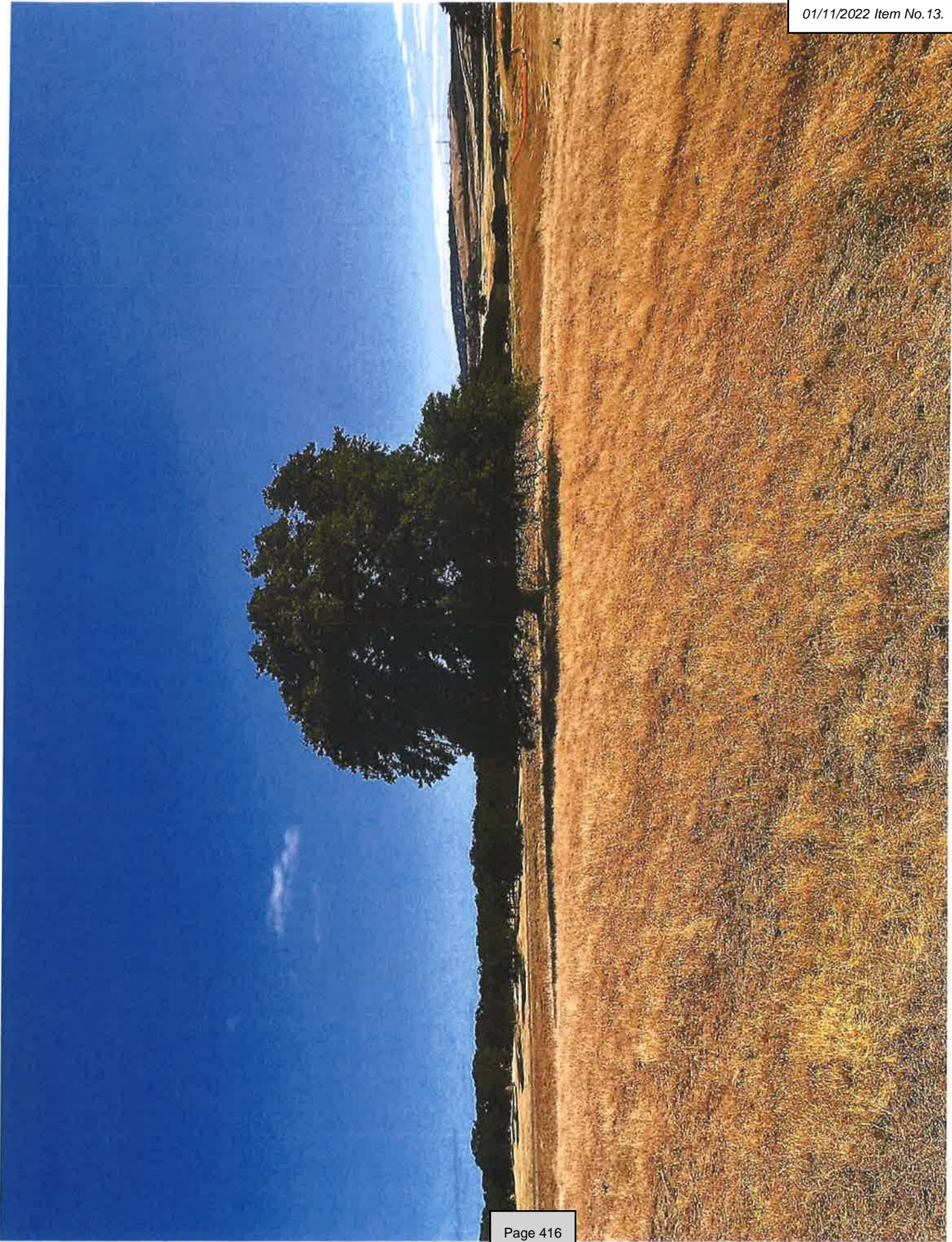
Attachment A: Mitigation Monitoring and Reporting Program

Attachment 17
Site Photographs









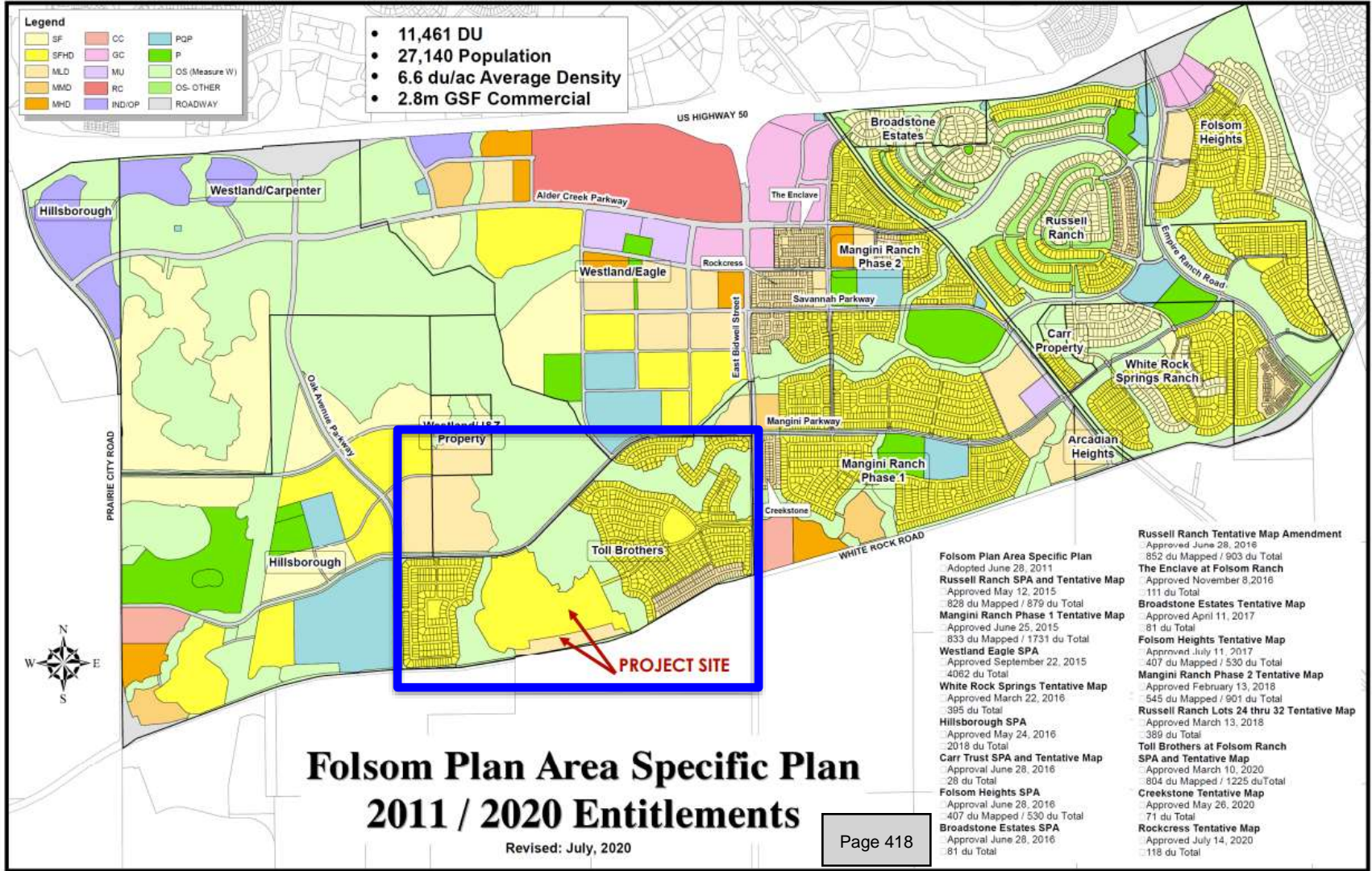
Toll Brothers at Folsom Ranch Phase 2 Subdivision

01/11/2022 Item No. 13.



Small-Lot Vesting Tentative Subdivision
Map and Minor Administrative
Modification for Development of 329-Unit
Active Adult Community

Vicinity Map



Folsom Plan Area Specific Plan 2011 / 2020 Entitlements

Revised: July, 2020

Project Background

01/11/2022 Item No. 13.



- March 10, 2020: City Council Approval of a General Plan Amendment, Specific Plan Amendment, Small-Lot Vesting Tentative Subdivision Map, Development Agreement Amendments, Planned Development Permit, and Inclusionary Housing Plan for Development of 1,225-Unit Active Adult and Traditional Single-Family Residential Subdivision
- October 7, 2020: Planning Commission Approval of Design Review Application for Development of 18,600-Square-Foot Clubhouse Building and Associated Recreational Amenities

Key Project Details

01/11/2022 Item No. 13.



- Toll Brothers at Folsom Ranch Phase 2 Subdivision
 - 329-Unit Residential Development on 64.7-Acre Site
 - Age-Restricted Units
 - Detached and Attached Single-Story Homes (Design Previously Approved)
- Small-Lot Vesting Tentative Subdivision Map
 - Create 348 Total Lots
 - 329 Residential Lots
 - 14 Landscape Lots
 - 3 Open Space Lots
 - 1 Dog Park Lot
 - 1 Private Recreational Lot
 - Private Recreational Amenities
 - Private Gated Community with Private Streets
 - Project Access (East Bidwell Street and Mangini Parkway)
- Minor Administrative Modification
 - Transfer 92 Allocated Dwelling Units to Other Locations in Folsom Plan Area

Project Analysis

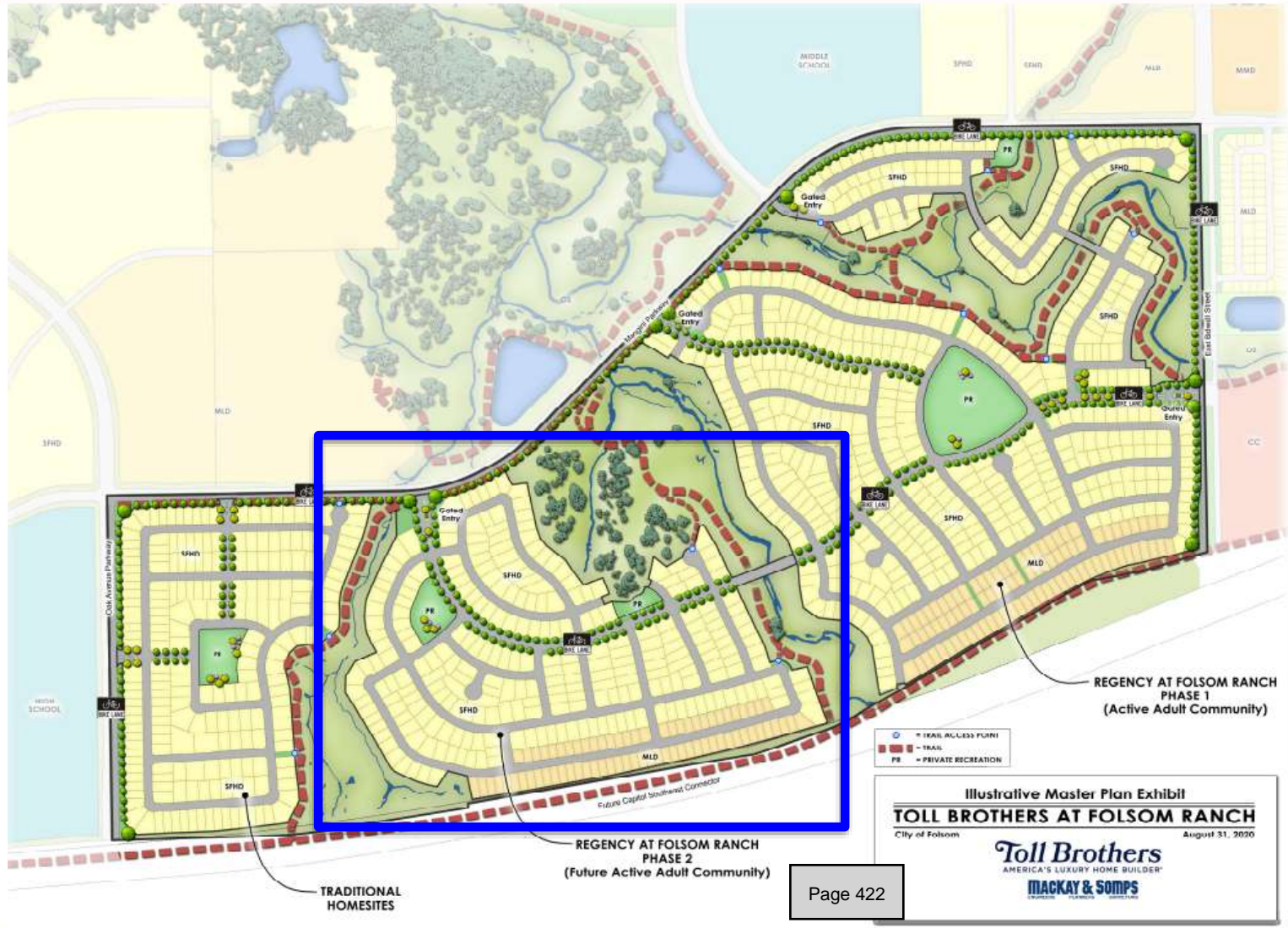
01/11/2022 Item No. 13.



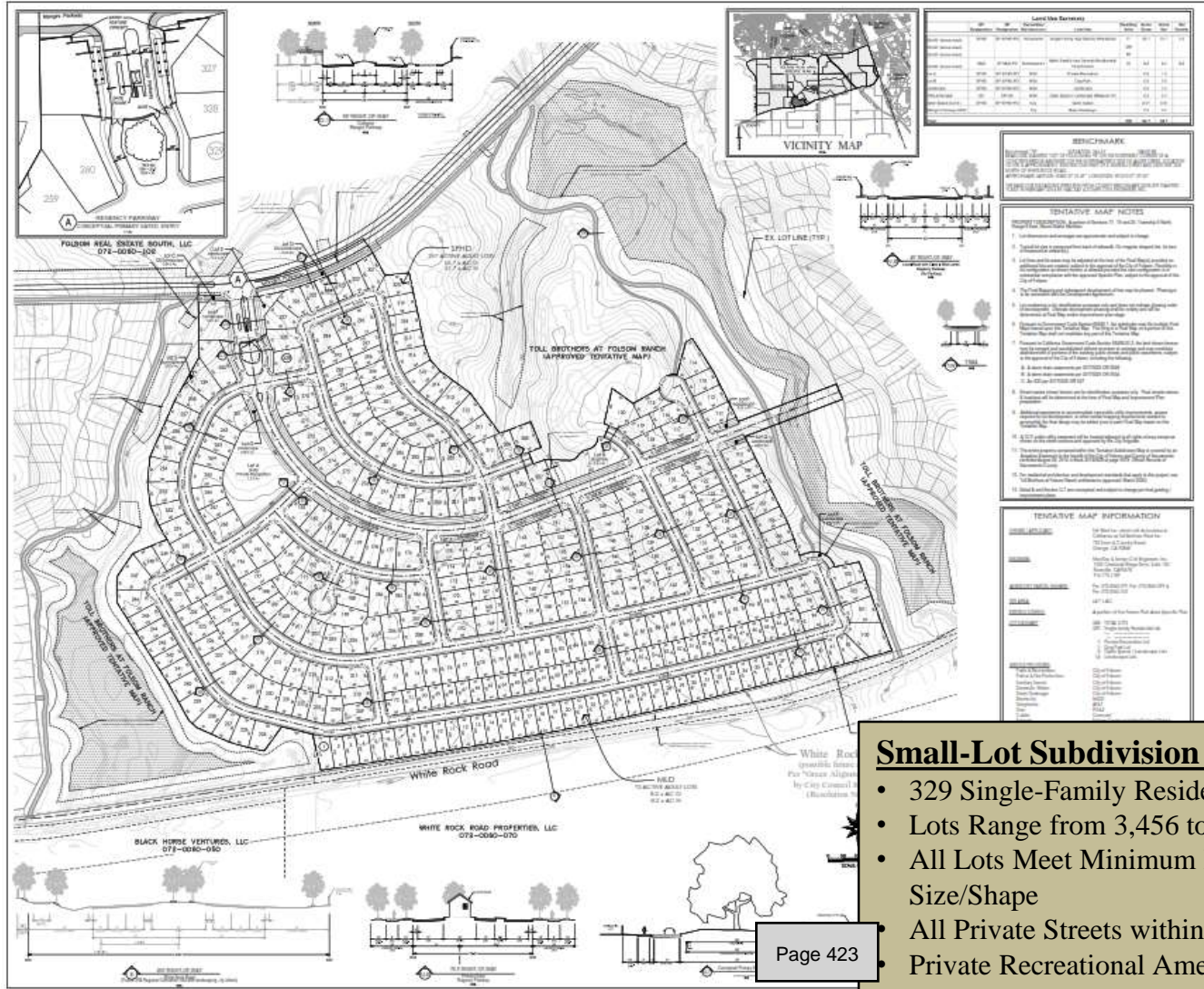
- General Plan and Zoning Consistency
- Small-Lot Vesting Tentative Subdivision Map
- Traffic/Access/Circulation
- Parking
- Noise Impacts
- Walls/Fencing
- Measure W and Open Space
- Private Park Amenities
- Oak Tree Preservation and Removal
- Inclusionary Housing Plan
- Minor Administrative Modification

Master Plan Exhibit

01/11/2022 Item No. 13.



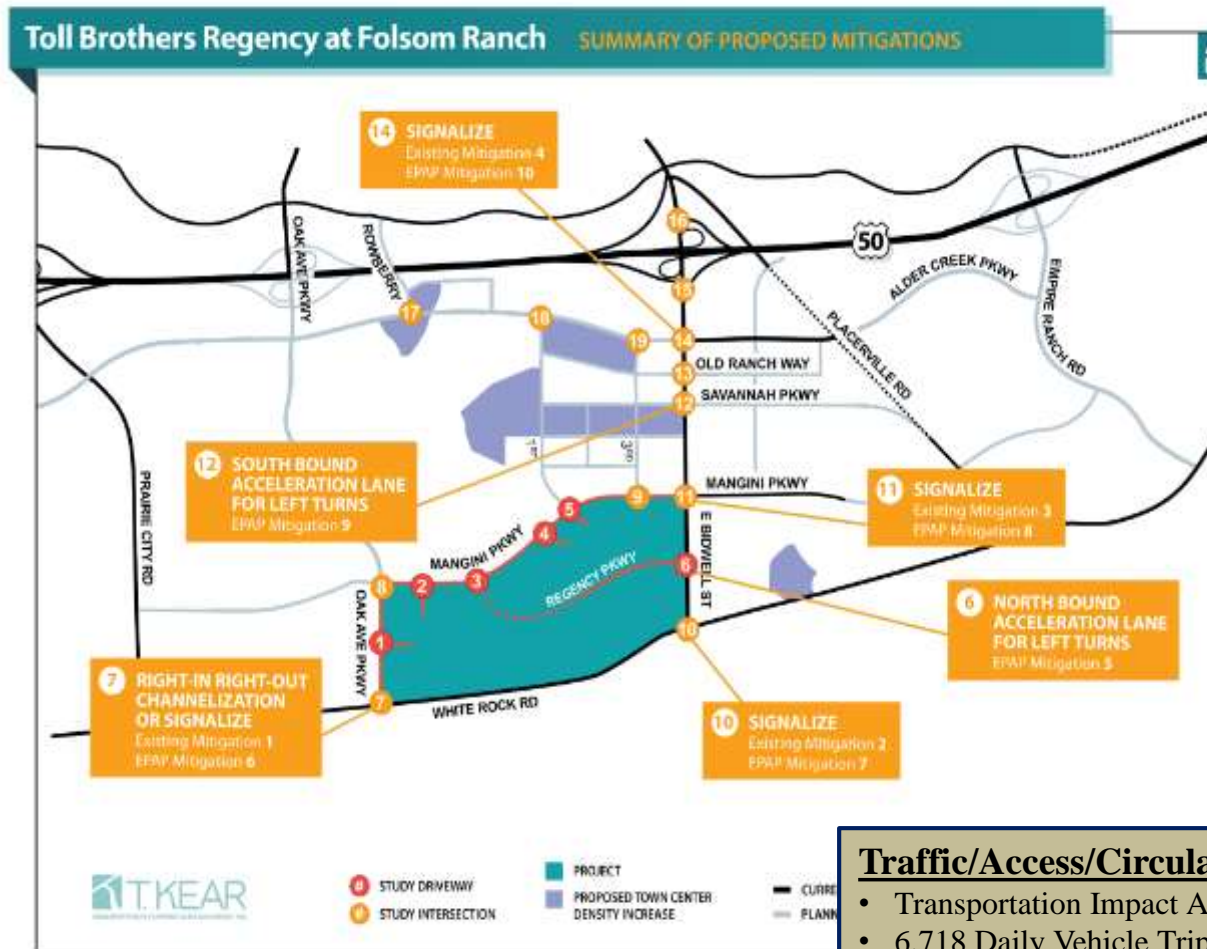
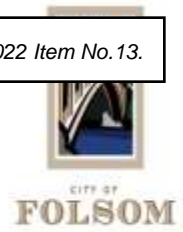
Tentative Subdivision Map



Small-Lot Subdivision Map

- 329 Single-Family Residential Lots (Phase 2)
- Lots Range from 3,456 to 12,550 S.F. in Size
- All Lots Meet Minimum Requirements for Size/Shape
- All Private Streets within Subdivision
- Private Recreational Amenities

Traffic/Access/Circulation



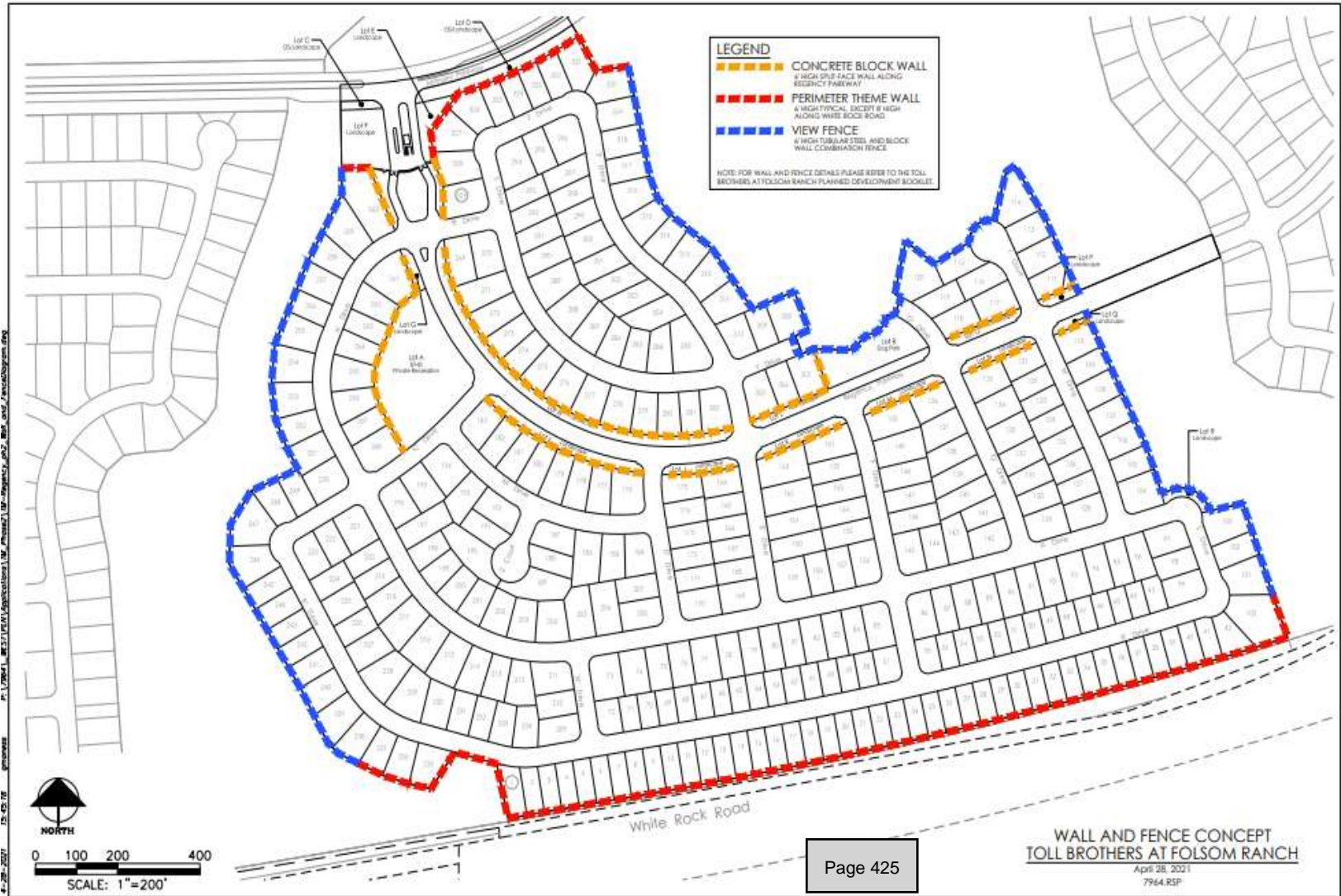
Traffic/Access/Circulation

- Transportation Impact Analysis
- 6,718 Daily Vehicle Trips
- 9 AM Peak Hour Trips/557 PM Peak Hour Trips
- New Significant Impacts

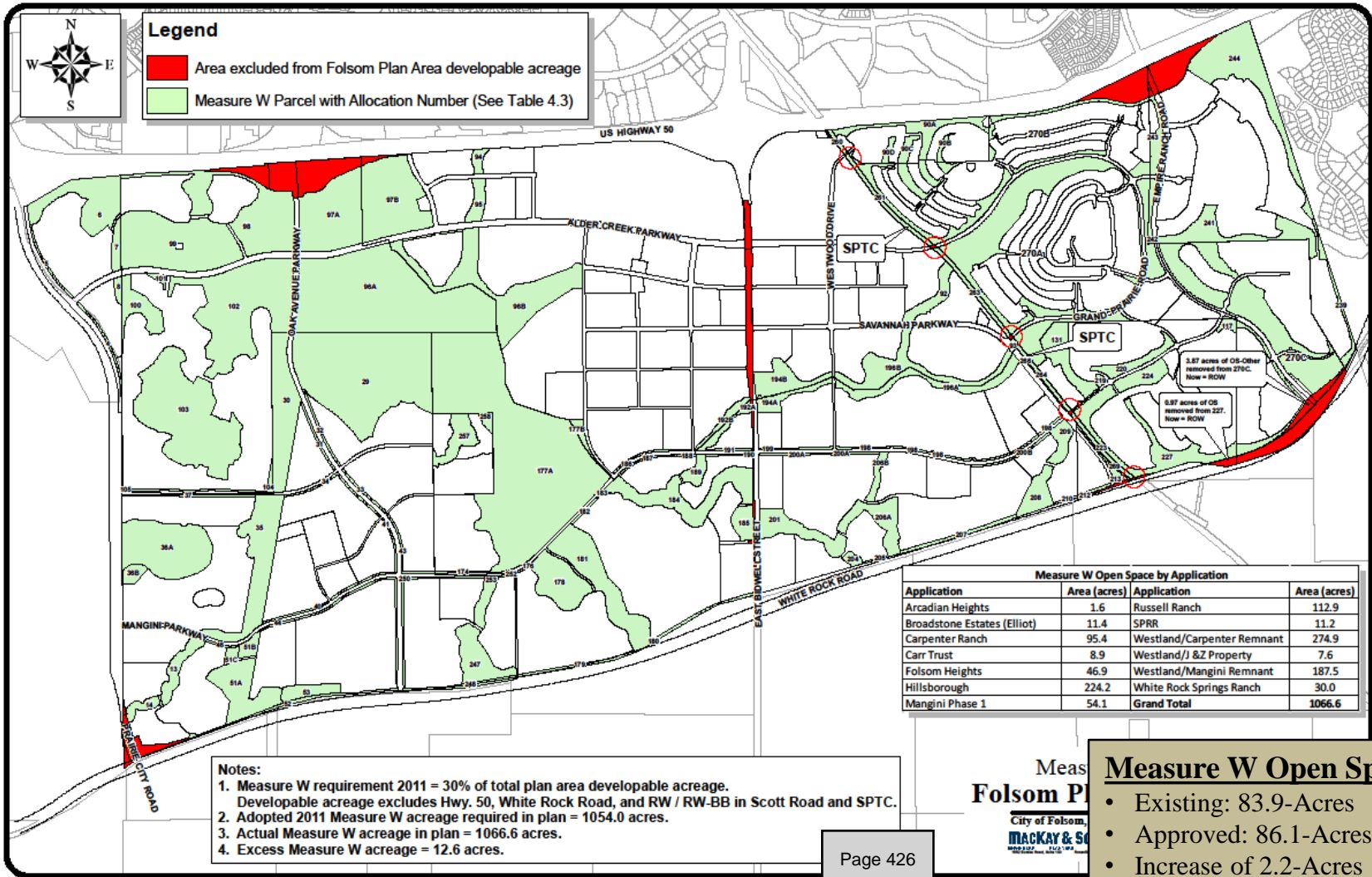
Figure ES-5. Study Locations, Deficiencies, and Recommendations

Wall and Fencing Exhibit

01/11/2022 Item No. 13.



Measure W Open Space



Legend

- Area excluded from Folsom Plan Area developable acreage
- Measure W Parcel with Allocation Number (See Table 4.3)

Measure W Open Space by Application			
Application	Area (acres)	Application	Area (acres)
Arcadian Heights	1.6	Russell Ranch	112.9
Broadstone Estates (Elliot)	11.4	SPRR	11.2
Carpenter Ranch	95.4	Westland/Carpenter Remnant	274.9
Carr Trust	8.9	Westland/J & Z Property	7.6
Folsom Heights	46.9	Westland/Mangini Remnant	187.5
Hillsborough	224.2	White Rock Springs Ranch	30.0
Mangini Phase 1	54.1	Grand Total	1066.6

- Notes:**
- Measure W requirement 2011 = 30% of total plan area developable acreage. Developable acreage excludes Hwy. 50, White Rock Road, and RW / RW-BB in Scott Road and SPTC.
 - Adopted 2011 Measure W acreage required in plan = 1054.0 acres.
 - Actual Measure W acreage in plan = 1066.6 acres.
 - Excess Measure W acreage = 12.6 acres.

Measure W Open Space
City of Folsom
MACKAY & SUTHERLAND

Measure W Open Space

- Existing: 83.9-Acres
- Approved: 86.1-Acres
- Increase of 2.2-Acres

Private Park Amenities

01/11/2022 Item No. 13.

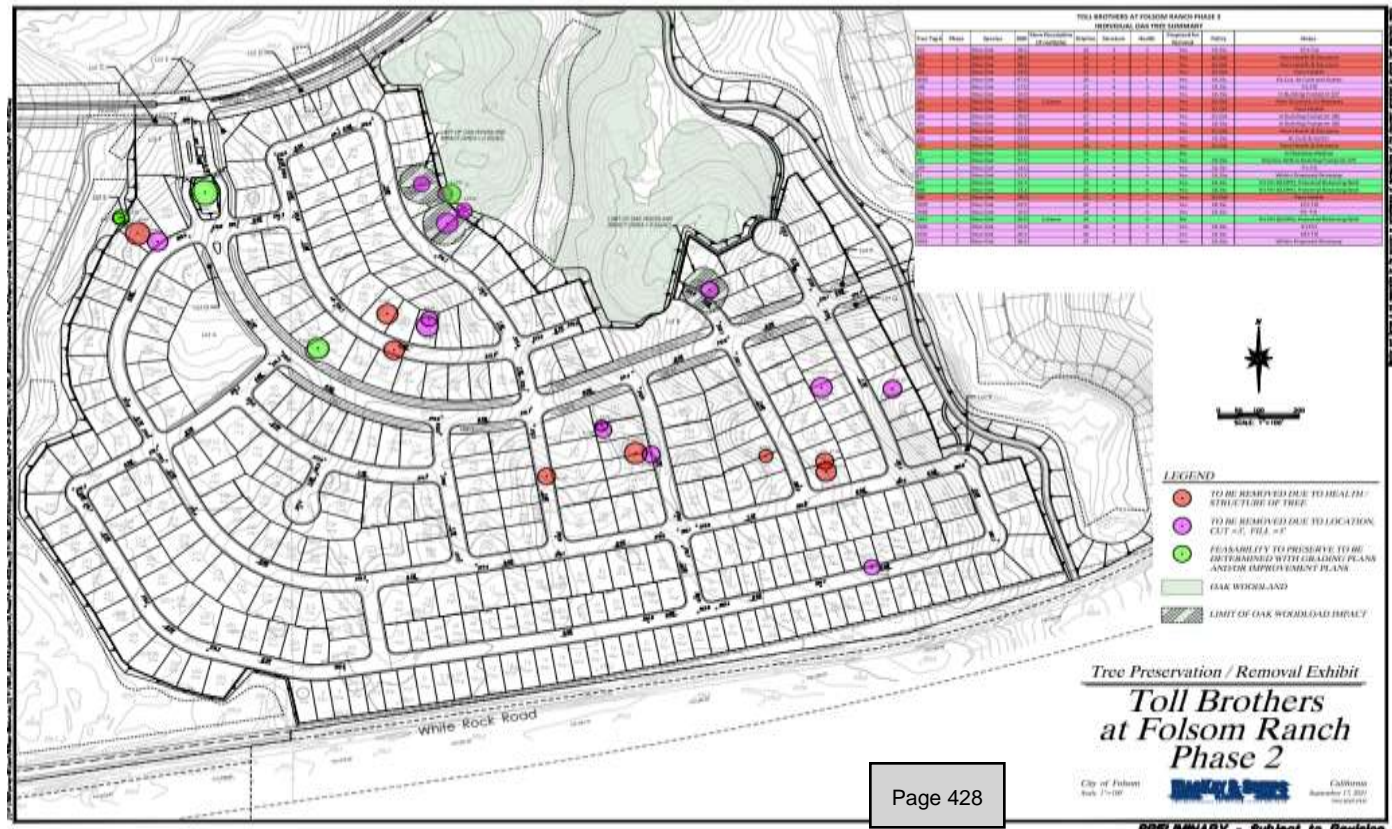


Project-Specific Oak Tree Preservation and Removal Plan

01/11/2022 Item No. 13.

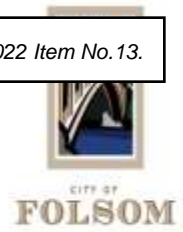


- 27 Total Oak Trees
 - 14 Trees to be Removed Due to Excessive Cut-Fill Conditions (Purple Color)
 - 8 Trees to be Removed Due to Poor Health and Structure (Pink Color)
 - 5 Oak Trees to be Preserved (Green Color)



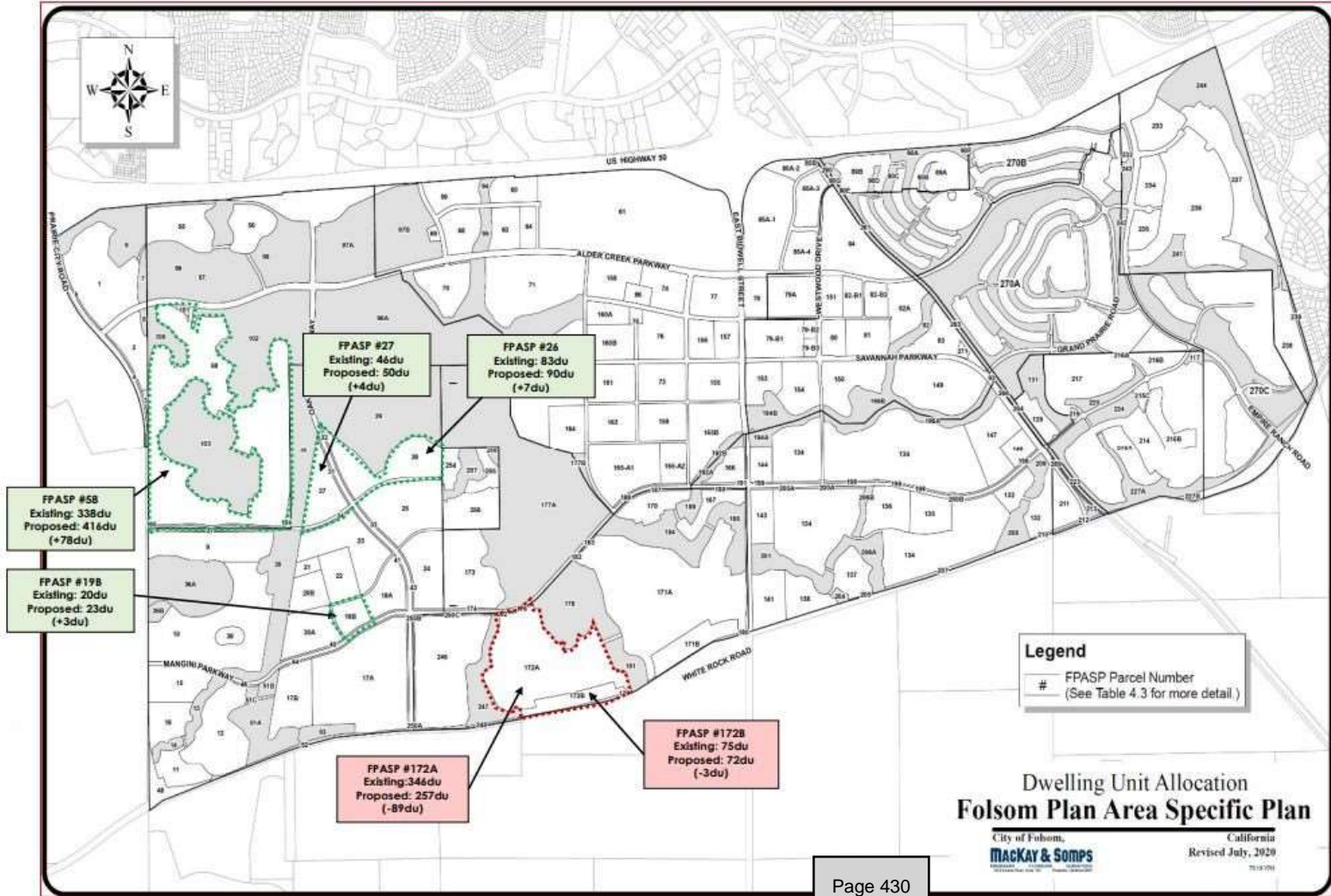
Oak Trees to be Preserved

01/11/2022 Item No. 13.



Minor Administrative Modification

01/11/2022 Item No. 13.



Environmental Review

01/11/2022 Item No. 13.



- An Addendum to the Folsom Plan Area Specific Plan EIR/EIS was previously adopted by the City Council on March 10, 2020 for the Toll Brothers at Folsom Ranch project in accordance with the California Environmental Quality Act (CEQA).
- Environmental Memorandum Prepared for the Toll Brothers at Folsom Ranch Phase 2 Subdivision Project Demonstrates that No New or Substantially more Adverse Impacts Would Occur Through Implementation of the Proposed Project.

Planning Commission Meeting

01/11/2022 Item No. 13.



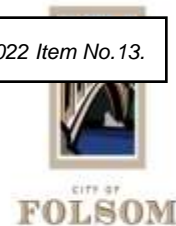
- Commission Evaluated Project at its December 1, 2021 Meeting
- No Members of the Public Spoke at the Meeting
- Commission Focused on Number of Topics Including:
 - Use of Drought Tolerant Landscaping (Including Grass Groundcover)
 - Private Park Amenities and Use
 - Tree Preservation
 - Transfer of Allocated Dwelling Units (MAM)
- Commission Voted to Recommend Approval of Project (6-1-0-0)

Staff Recommendation

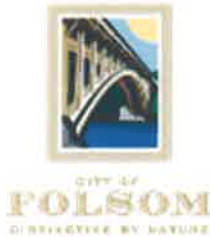
01/11/2022 Item No. 13.



Staff Forwards Planning Commission
Recommendation to City Council for
Approval of the Toll Brothers at Folsom
Ranch Phase 2 Small-Lot Vesting Tentative
Subdivision Map and Minor Administrative
Modification



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Folsom City Council Staff Report



MEETING DATE:	1/11/2022
AGENDA SECTION:	Public Hearing
SUBJECT:	Public Hearing No. 3 Under the California Voting Rights Act Regarding the Composition of the City’s Voting Districts Pursuant to Elections Code Section 10010
FROM:	City Attorney's Office

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council hold the **third** of five public hearings to: (1) receive community input on draft district map boundaries submitted by the public and the City’s demographic consultant, (2) select two to four “focus” maps for consideration and refinement, (3) direct staff to make any desired map revisions, and (4) provide direction for the next public hearing scheduled for February 8, 2022.

BACKGROUND / ISSUE

On July 27, 2021, the City Council adopted a Resolution of Intention to transition from at-large to by-district elections. This is the third of five required public hearings to start the transition process.

POLICY / RULE

California Government Code Section 34886 authorizes the legislative body of a city to adopt an ordinance that requires the members of the legislative body to be elected “by district”. The change must be made in furtherance of the purposes of the California Voting Rights Act.

ANALYSIS

The process to transition to by-district election requires five public hearings where the community is invited to provide input regarding the composition of future City Council

districts. Pursuant to California Elections Code Section 10010, the first two public hearings to inform the public about the districting process (held on September 14 and October 12, 2021) are required before any map of district boundaries for the proposed voting districts can be drawn. At this third public hearing, the City Council is requested to review draft district maps, receive public input and comment on the draft maps, and to identify two to four “focus” maps for further discussion, refinement, and public review in subsequent public hearings. The City Council will identify a preferred map at the fourth public hearing.

At the fifth public hearing, the City Council will adopt a district map and introduce an Ordinance to complete the transition process. The City Council is the final decision-making body on adopting district boundaries.

The City has scheduled the required public hearings as follows:

Date	Meeting Type	Public Hearing	Item Topic at Meeting
9/14/2021	Public Hearing	1	Completed. Public input on composition of districts (before maps are drawn, hold 2 public hearings on composition of districts over period of no more than 30 days)
10/12/2021	Public Hearing	2	Completed. Continue to receive public input on composition of districts (must be held within 30 days of Public Hearing No. 1)
1/11/2022	Public Hearing	3	Discussion of proposed district maps. First draft of map must be published 7 days before Public Hearing No. 3
2/8/2022	Public Hearing	4	Public input and identify preferred District Map (hold 2 public hearings within 45 days of Public Hearing No. 3). Discuss sequence of elections
2/22/2022	Public Hearing	5	Adoption of District Map, transition to district elections Ordinance introduced
3/8/2022	Regular Meeting		Second reading of Ordinance (effective 30 days after)

Cities must comply with the following legally required criteria under federal and state law:

1. Each district must have substantially equal population as determined by the census.
2. Race cannot be the predominant factor or criteria when drawing districts.
3. Council districts shall not be adopted for the purpose of favoring or discriminating against a political party.
4. Incarcerated persons may not be counted toward a city's population, except if their last known place of residence is assigned to a census block in the city.
5. The districting plan must comply with the Federal Voting Rights Act, which prohibits districts from diluting minority voting rights and encourages a majority-minority district if the minority group is sufficiently large and such a district can be drawn without race being the predominant factor.
6. The City Council shall adopt district boundaries using the following criteria as set forth in the following order of priority:
 - A. To the extent practicable, council districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.
 - B. To the extent practicable, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A "community of interest" is a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation (e.g., school district boundaries, neighborhood boundaries, homeowners' associations, retail/commercial districts, etc.). Communities of interest do not include relationships with political parties, incumbents, or political candidates.
 - C. Council district boundaries should be easily identifiable and understandable by residents. To the extent practicable, council districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the city.
 - D. To the extent practicable, and where it does not conflict with the preceding criteria, council districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

To increase public awareness of the transition to district elections, the City has activated a variety of public communication channels to engage the Folsom community. Districting information is featured on the City's website and City newsletters. Numerous frequently

asked questions have been posted on the dedicated districting webpages on the City's website.

Members of the public were encouraged to submit draft maps by January 3, 2022 by either drawing on a paper map or through an electronic mapping software that automatically calculates district population numbers based on entries into the software. The submitted maps are included in the attachment for Council consideration.

The next public hearing to receive and consider further input from the public is scheduled for February 8, 2022. At that meeting, the public will have an opportunity to comment on focus maps selected by the City Council, and the City Council will have an opportunity to identify a preferred map. The public is encouraged to provide input via emails to attydept@folsom.ca.us. Input may also be dropped off at City Hall.

FINANCIAL IMPACT

The services of a demographer are required to assist the City transition to a by-district election system under specific aggressive timelines as required by the California Elections Code. Staff anticipates the cost to be approximately \$40,000.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) does not apply to activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment (CEQA Guidelines §15061(c)(3)), or is otherwise not considered a project as defined by Public Resources Code §21065 and CEQA Guidelines §15060(c)(3) and §15378. The Council's decision regarding by-district elections meets the above criteria and is not subject to CEQA. No environmental review is required.

ATTACHMENT

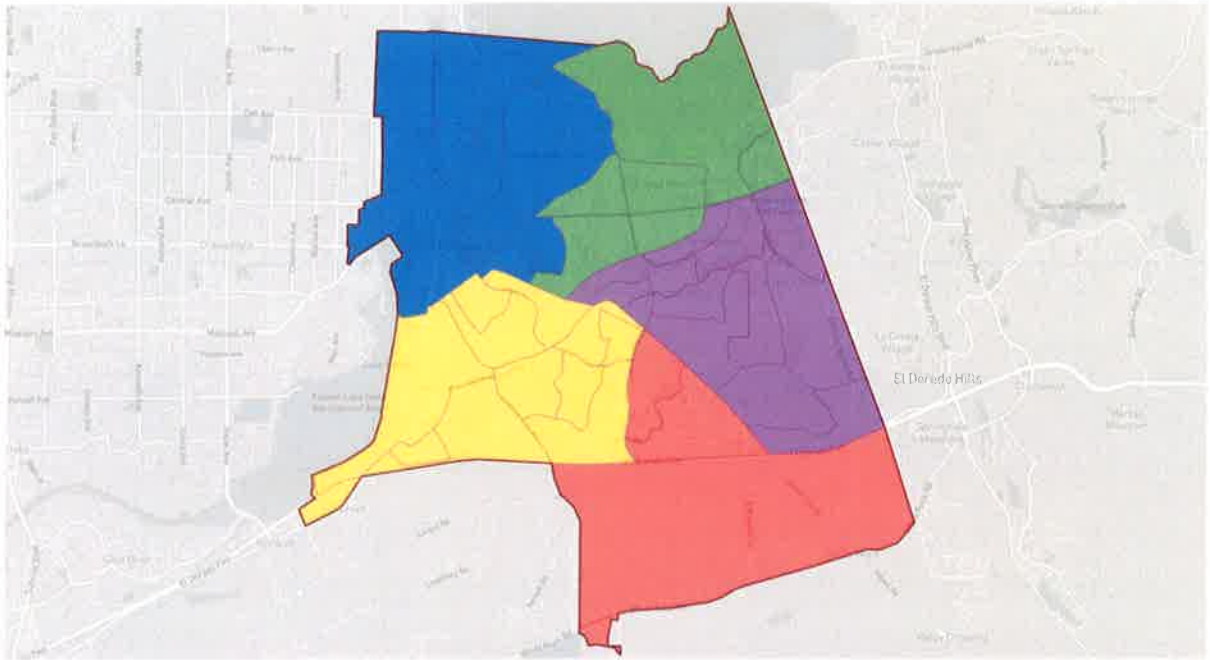
1. Draft district maps submitted for Council review and consideration.

Respectfully submitted,

Steven Wang, City Attorney

ATTACHMENTS

11/03/21 R. Chance



11/05/21 R. Bulaga

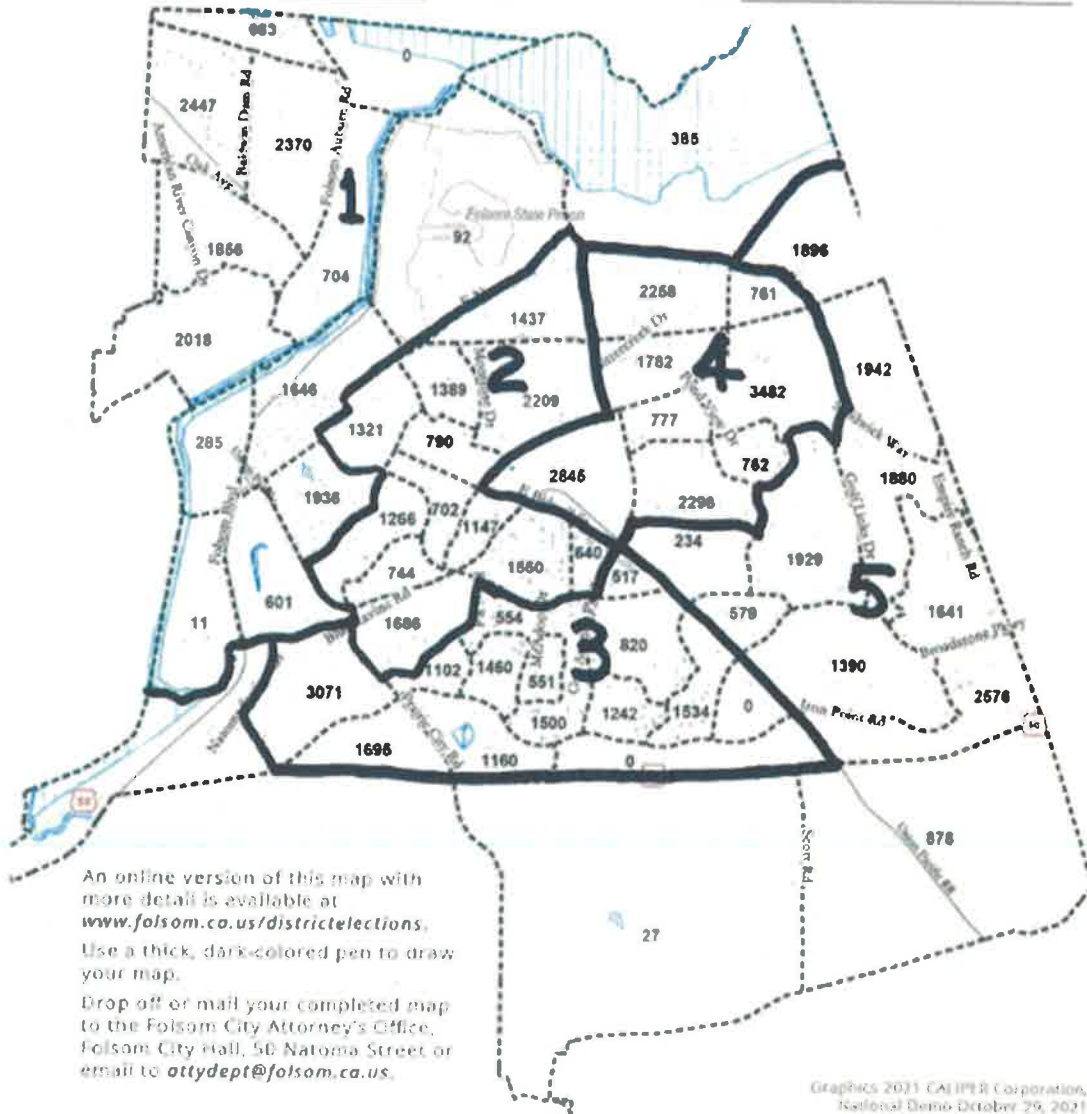


By-District Elections Paper Map Drawing Kit

Population Based Census Areas

Use this map to outline the five districts you feel would best represent each area's population. The number in each outlined area indicates the total population of that "population unit." Each district must be as close as possible to the same population, with no more than a 1,500-person difference between the largest and smallest districts. If perfectly divided, each district in Folsom would have 15,008 people.

Your Name: _____ Your Email and/or Phone Number: _____



11/05/21 R. Bulaga

Sums by District Assigned Ideal population: 15,008
 Polcom 2021 Districting Public Participation Kit

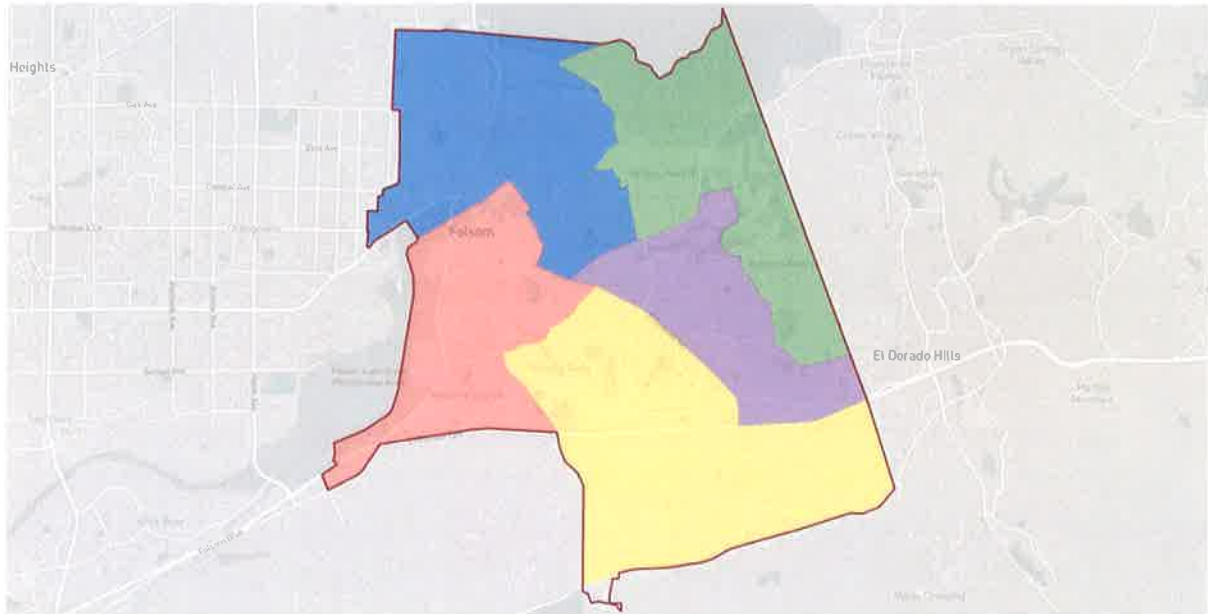
Robert Bulaga

Group	Category	Counts					Unassigned	Total	Percentages					Unassigned	Total
		1	2	3	4	5			1	2	3	4	5		
Total Est. 2020 Population	Tot. Pop.	13,014	14,801	11,396	14,364	11,972	0	73,008							
	Deviation from Ideal	8	127	198	43	56		323	0.04%	-0.84%	1.32%	-0.28%	-0.24%		3.1%
	Total CVAP	11,701	10,623	9,789	9,302	7,870	0	49,288							
	Hisp	1,090	1,072	1,112	867	838	0	4,779	9%	10%	11%	9%	8%		10%
	Non-Hisp	9,421	8,012	6,692	7,040	5,015	0	34,179	81%	79%	68%	74%	65%		73%
	Age Population	123	98	265	120	70	0	677	1%	1%	3%	1%	1%		1%
	Non-Hispanic	936	1,256	1,580	1,515	1,890	0	6,986	8%	12%	16%	14%	23%		14%
	Total Reg	10,095	9,443	8,950	9,241	9,880	0	46,209							
	Latino	752	855	779	752	777	0	3,895	7%	9%	9%	8%	8%		8%
	Asian-American	416	587	809	709	1,282	0	3,813	4%	6%	9%	7%	13%		8%
	Other	9,927	8,001	7,362	8,100	7,801	0	40,501	89%	85%	82%	83%	79%		84%
	Total Votes	9,488	8,235	7,927	8,814	8,698	0	42,982							
	Latino	659	715	674	648	699	0	3,595	7%	9%	9%	8%	8%		8%
	Asian-American	362	509	674	623	1,120	0	3,288	4%	6%	9%	7%	13%		8%
	Other	8,467	7,031	6,579	7,543	6,879	0	36,299	89%	85%	83%	83%	79%		84%

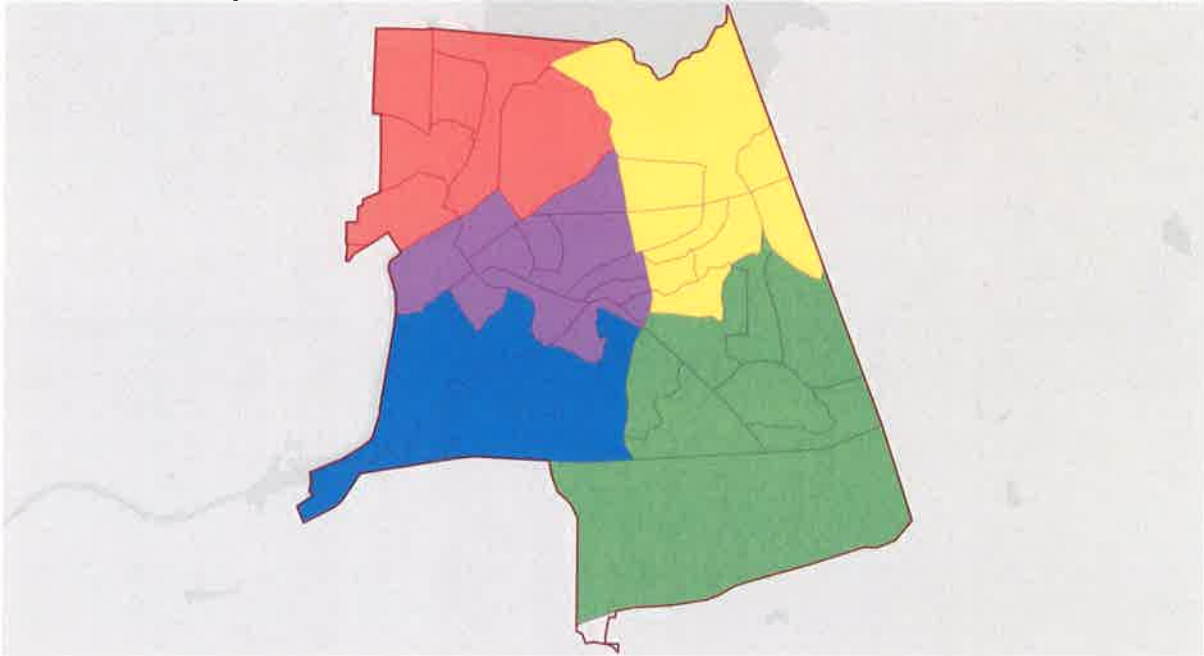
Submitter's Comments about the plan:

[Redacted comment area]

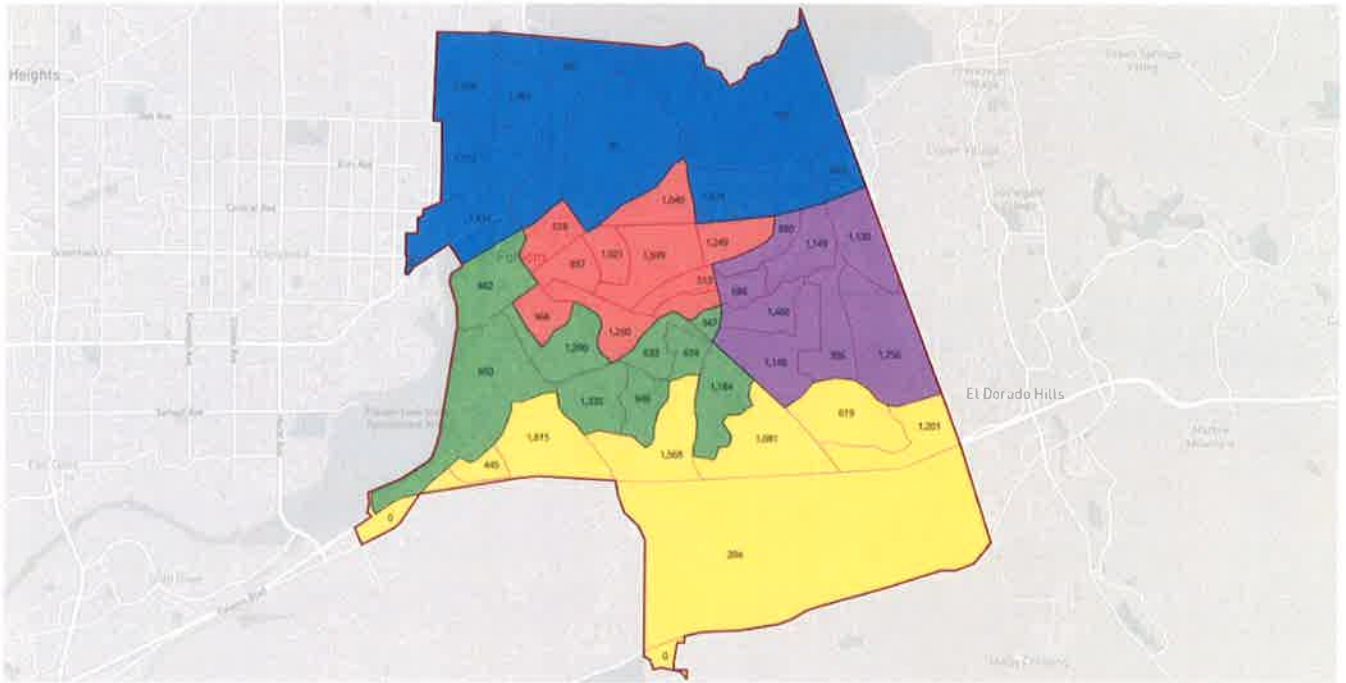
11/08/21 J. Efros



11/15/21 B. Leary



11/29/21 C Gorton



12/13/21 A. Harrison



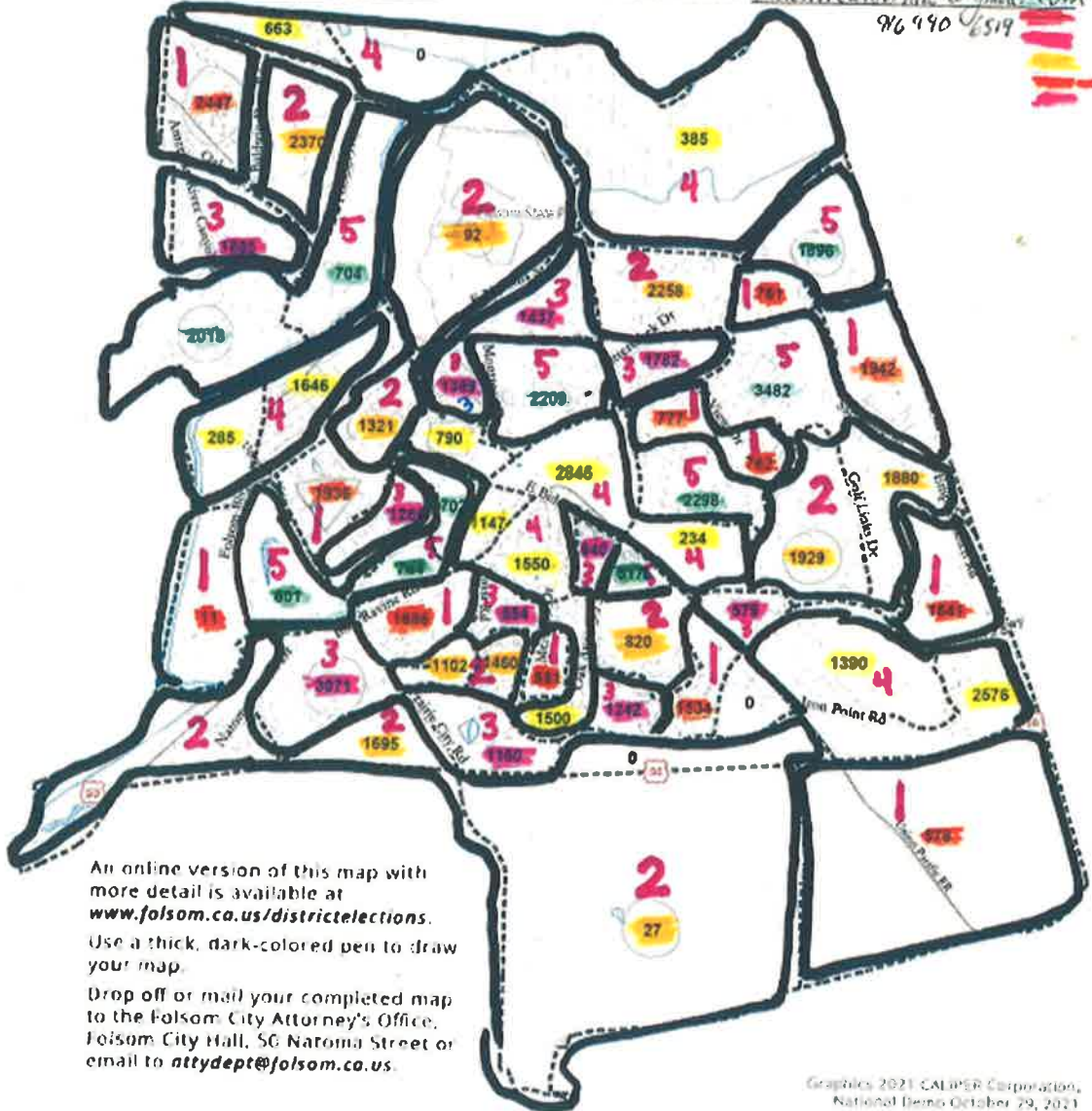
By-District Elections Paper Map Drawing Kit

Population Based Census Areas

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Your Name: Allen Harrison Your Email and/or Phone Number: Allenhcalifornia@gmail.com
96 990 6519



An online version of this map with more detail is available at www.folsom.ca.us/districtelections.

Use a thick, dark-colored pen to draw your map.

Drop off or mail your completed map to the Folsom City Attorney's Office, Folsom City Hall, 56 Natoma Street or email to attydept@folsom.ca.us.

Graphics ©2021 CALPER Corporation, National Demo October 29, 2021

12/13/21 A. Harrison

This is a perfect, indiscriminate map of randomized districts.

Old Folsom area (not including "historic") was taken as a start point. It's five districts, or "population units": (1936, 1321, 790, 1389, 2209.) Each assigned a different district. The rest of the city was randomly assigned. Each representative therefore

has responsibility for an equal area of newer Folsom and older Folsom.

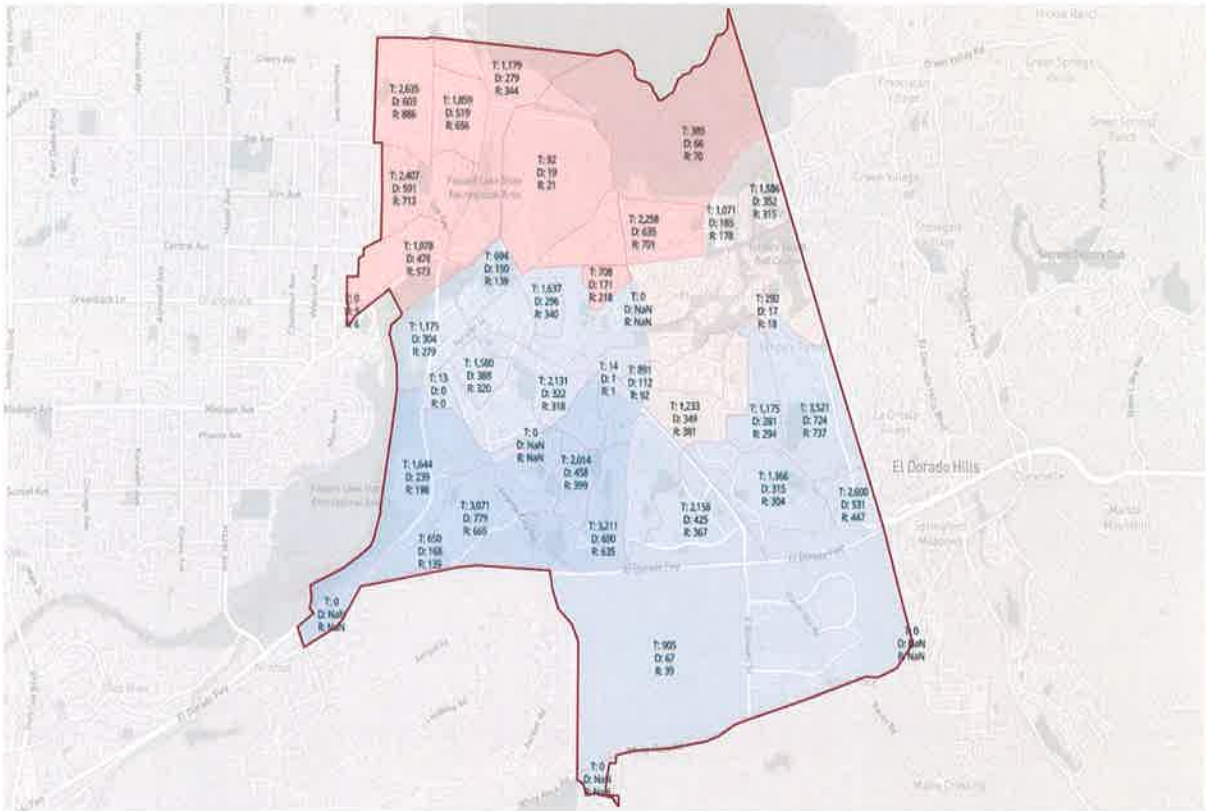
Equality
shared
responsibility.

#1 Equal
#1 responsible
#1 Folsom
together

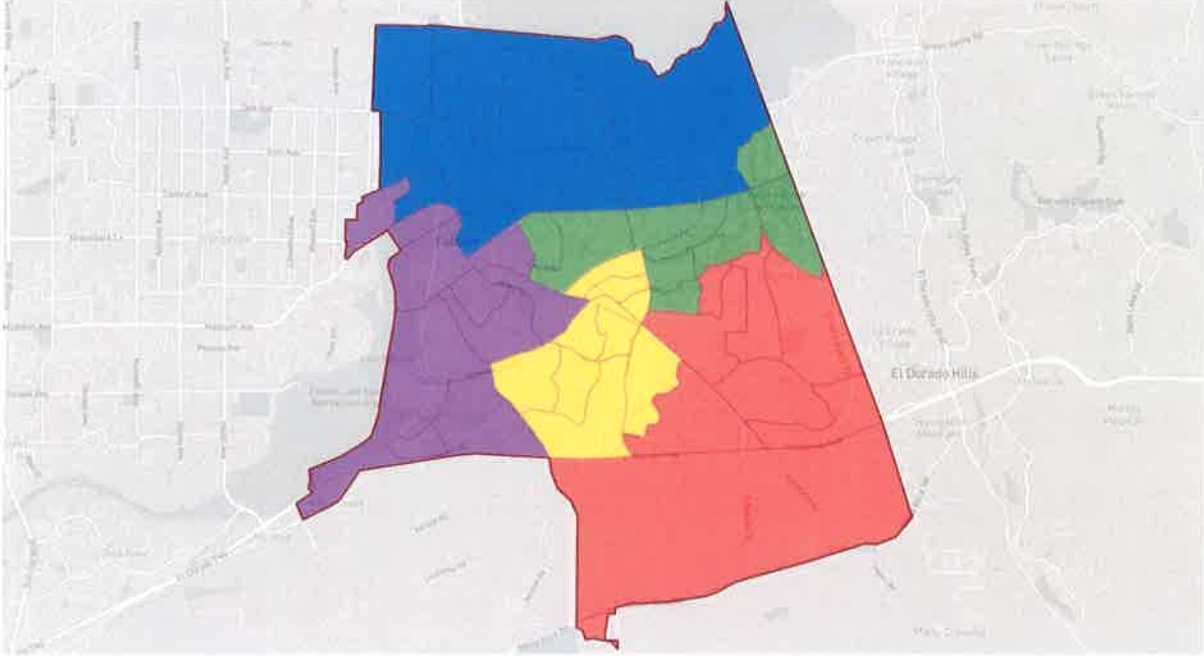
Side Note:

Population unit 1695 only has Intel.
How are 1695 people living at Intel
92 people live at the Prison?
50 of which are children.
Any ways...

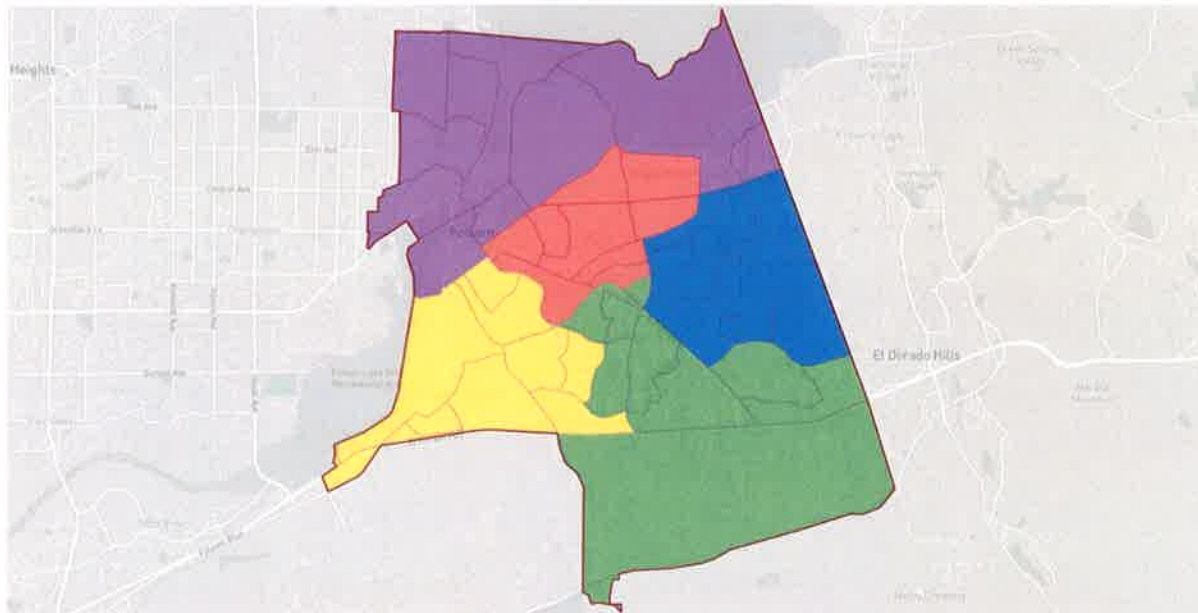
12/22/21 M. Johnson



12/28/21 C. Kempenaar



12/28/21 B. Cline



12/28/21 B. Cline

District Configuration in Folsom

Guiding principles – By Bruce Cline

Continuity of Communities of Interest

- Minimize Splits of Natural Communities where possible
- Example - - Historic District, North of the River, Central Business

Maintain North of the River, Historic District, Central Business District as a whole If possible, but can combine with other areas

District lines based on Main Streets or Significant Community Features where possible

- Create easy to follow District Line where possible
- Example River, Corridors, Main Thoroughfares

Communities Together

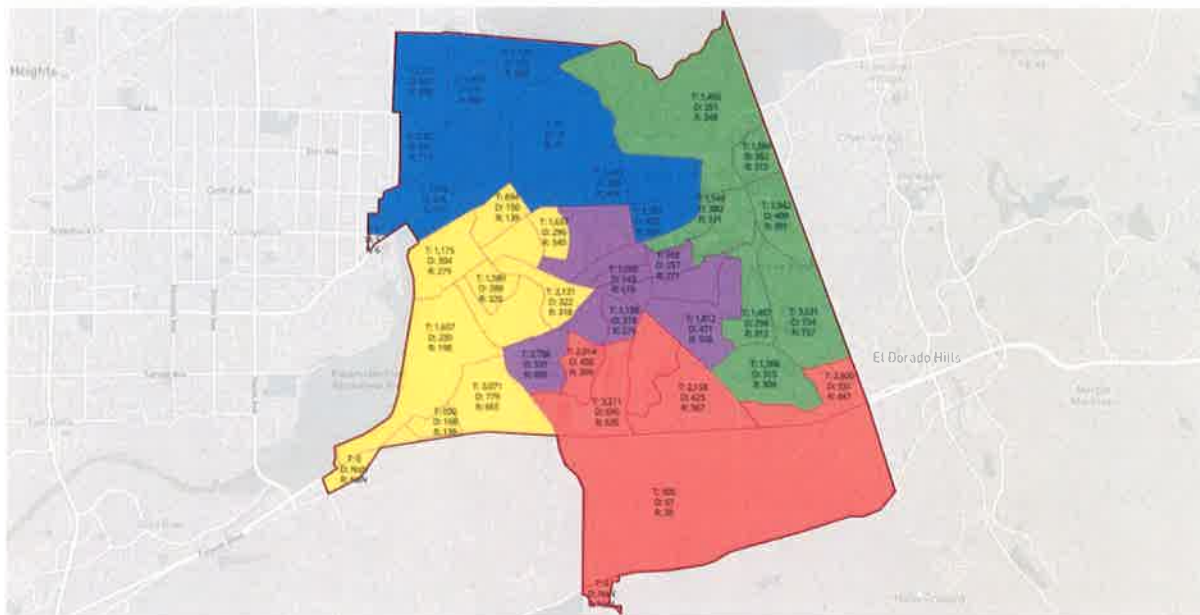
- North of the River
- Historic District
- Central Business and Central Residential
- Briggs Ranch
- Lexington Hills
- Prairie Oaks
- Empire Ranch
- Folsom South of 50

Allocate Lowest Population numbers South of 50 allowable to reflect population increases since Census and Expected Growth in Near Term (while respecting community and natural boundaries)

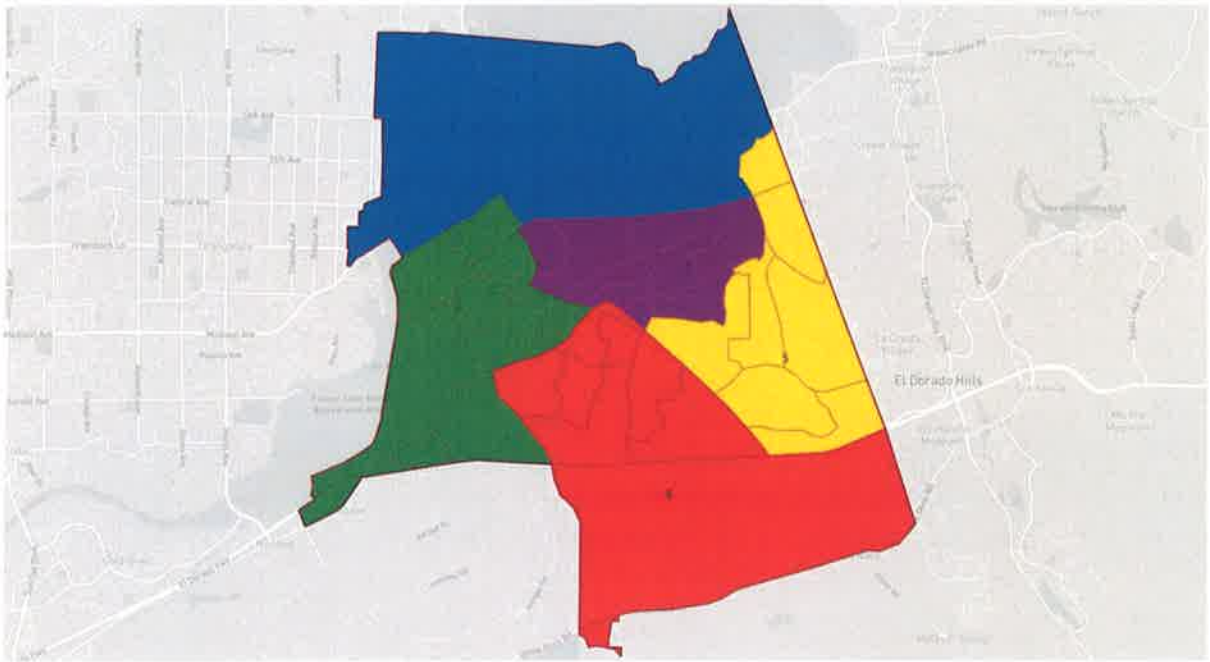
- 1723 Residential Building Permits Issued which results in Population of **4996 (2.9/DU) in Next 6 months** (Presently roughly 980 units are occupied (2.9/DU) = 2842 residents)
- 2700 mapped lots – Represents another 7830 residents likely by 2025
- Dave's Districting Map allocates 905 to South of 50
- South of 50 population in Very Short Term = **4900 NOT Reflected on maps in very near term**
- Examine Diverse Population and Political Parties for each District

NOTE- The one change I would like to make is to include Porter Street all in the District that encompasses South of 50. The program would not let me include it as its own Block.

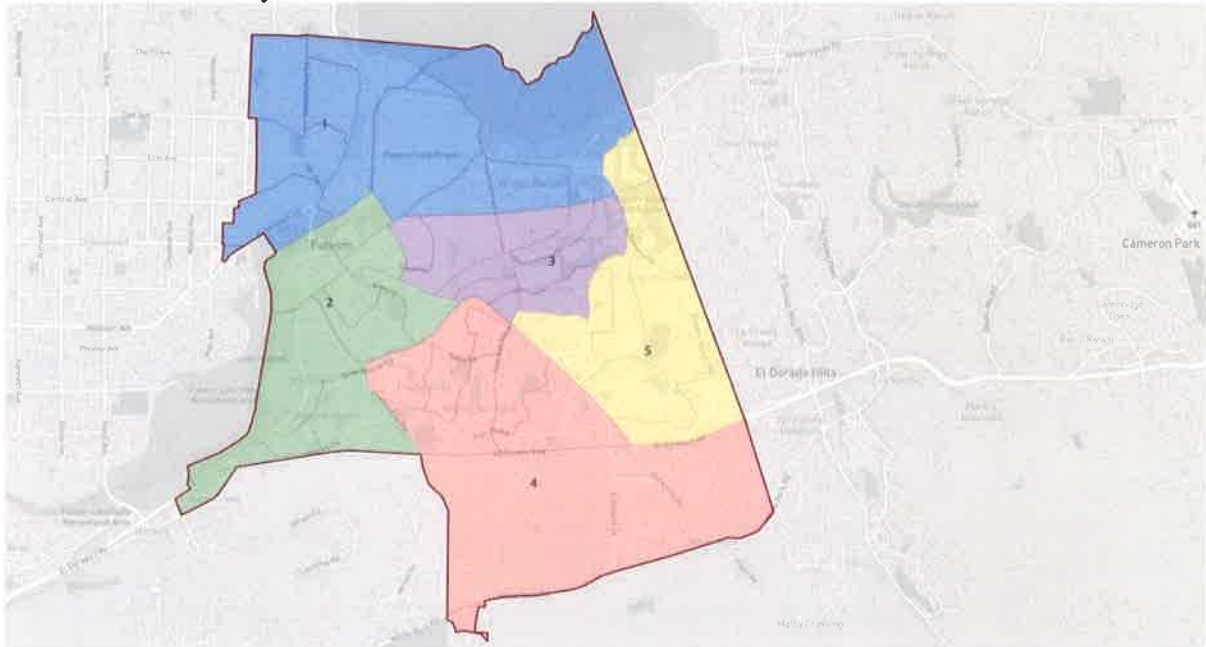
12/28/21 R. Goss



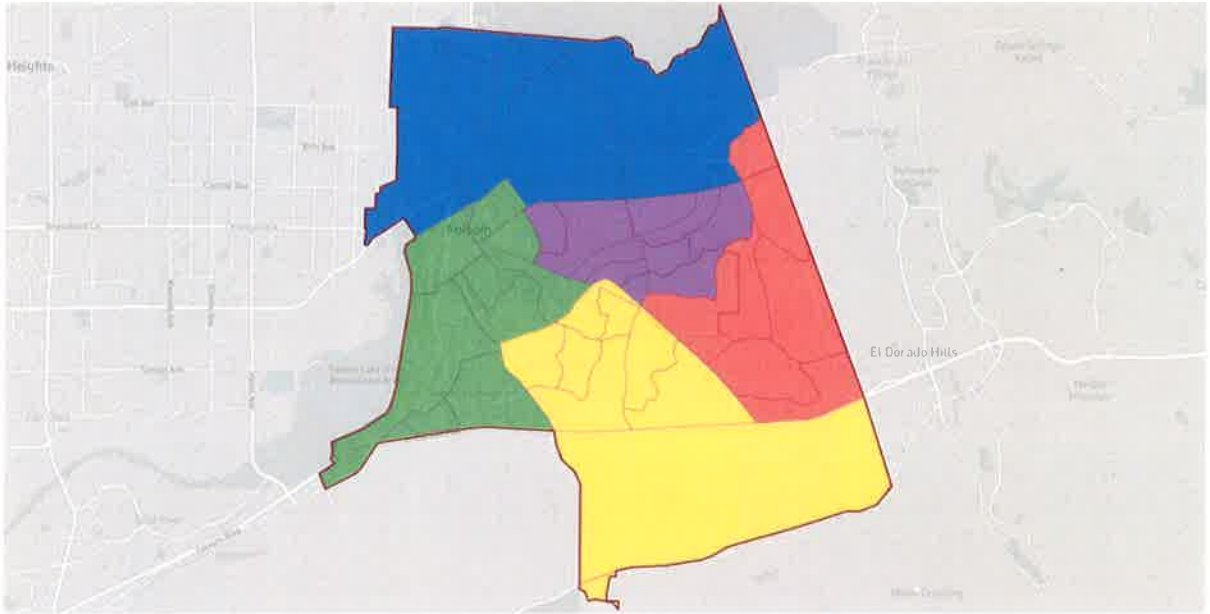
12/29/21 C. Davis



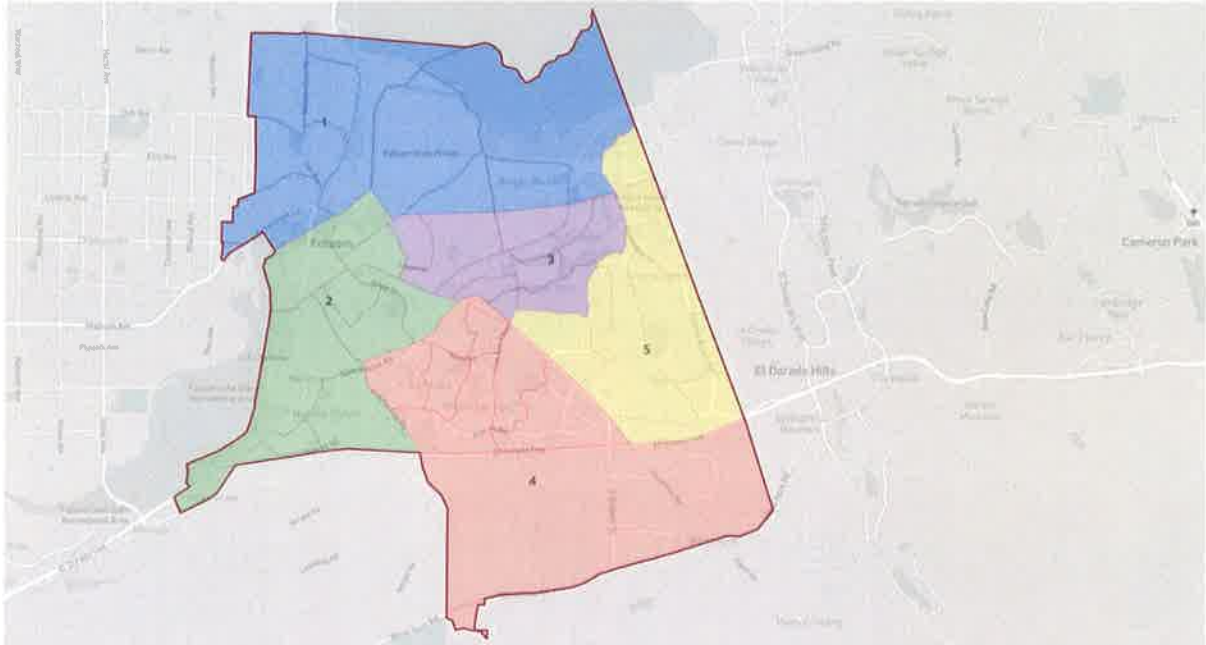
01/01/22 M. Dooley



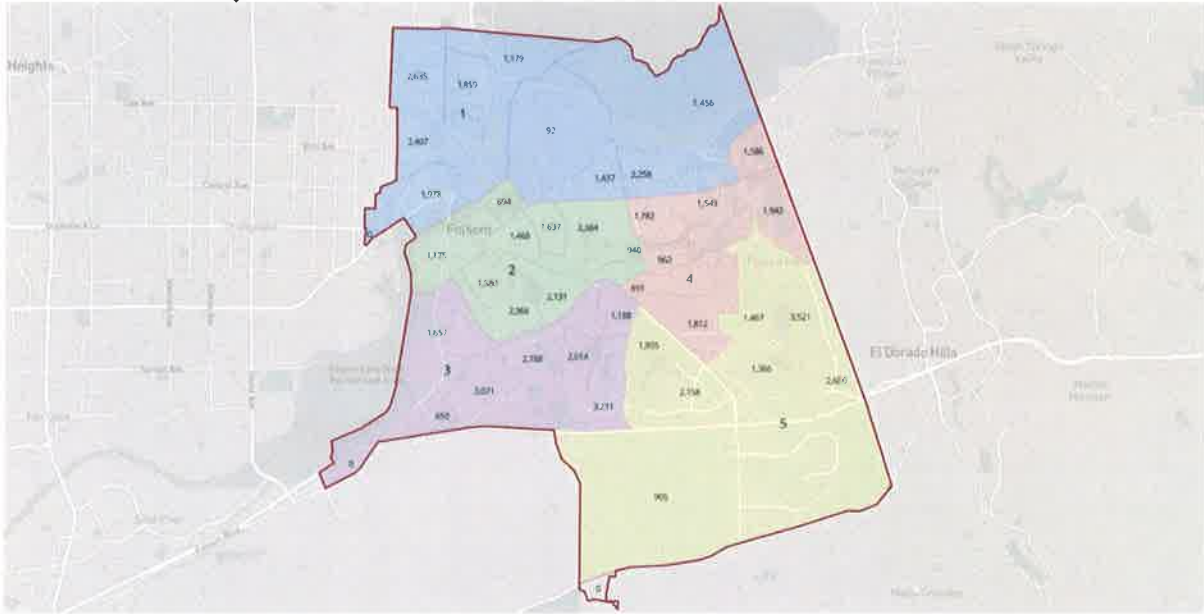
01/03/22 L. Holderness



01/02/22 J. Alexander



01/02/22 B. Leary



01/02/22 B. Leary Notes

My notes: Previously submitted map which I've deleted - new map created 01/01/2022. I was unable to get the Blocks part of the app to work to refine the numbers. I believe the district which includes S-50 should be left as low in voters as possible within the guidelines as it is the one which will outgrow the other districts.

I tried to establish districts with similar ages of homes. District 1 consists of large lot homes, less walkable services - the areas within them are well connected by the Folsom Dam Crossing.

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12/31/21 T. Nordheim

NDC **Population Unit Data**

Page 1

Pop Unit	Total Est Pop	Citizen Voting Age Population					Nov. 2020 Registration				Nov. 2020 Voters			
		Hisp	NH	Whi	NH Blk	NH Am	Trc	Latino	Am	Other	Trc	Latino	Am	Other
1	27	0	0	0	0	0	1	1	0	0	1	1	0	0
2	878	0	0	0	0	0	490	43	77	370	431	38	63	330
3	2,576	1,232	32	717	10	422	1,479	146	222	1,111	1,302	127	183	992
4	1,300	873	33	673	0	168	1,050	108	177	765	917	92	150	673
5	1,641	817	45	509	0	263	1,040	63	137	840	963	59	123	779
6	1,880	978	75	631	0	272	1,230	84	173	982	1,131	82	156	893
7	1,942	933	10	730	60	113	1,214	97	138	979	1,111	89	113	907
8	1,896	1,101	79	630	0	368	1,151	84	131	936	1,022	73	118	831
9	383	183	13	93	0	73	232	19	36	177	210	18	32	160
10	761	416	23	281	0	106	333	40	14	279	298	33	14	249
11	2,258	1,333	200	1,240	0	93	1,737	119	32	1,586	1,601	106	47	1,448
12	1,782	1,420	150	1,200	13	55	1,270	120	37	1,113	1,136	108	33	995
13	3,482	2,237	175	1,442	6	632	2,099	144	366	1,589	1,912	129	323	1,460
14	777	487	45	372	0	66	392	54	43	493	536	50	38	448
15	562	492	37	387	3	46	598	27	31	520	546	18	46	482
16	1,929	1,191	234	780	0	164	1,504	104	192	1,208	1,349	97	177	1,115
17	379	386	81	209	0	96	324	27	42	255	279	23	30	226
18	2,298	1,479	65	1,249	11	133	1,679	115	78	1,486	1,330	101	68	1,361
19	234	136	29	106	0	21	168	20	3	143	152	18	3	131
20	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21	92	32	3	24	1	4	44	5	1	38	39	3	1	33
22	1,437	1,172	220	889	0	64	1,097	73	37	987	1,017	68	33	916
23	704	618	104	463	0	42	535	42	17	496	486	36	13	437
24	663	608	110	450	0	20	466	17	16	433	422	15	16	391
25	2,447	1,553	180	1,637	0	97	1,900	122	99	1,679	1,672	108	86	1,481
26	2,370	1,971	67	1,766	52	73	1,877	135	37	1,705	1,682	118	33	1,531
27	1,836	1,443	119	1,153	23	130	1,289	106	41	1,142	1,147	93	36	1,018
28	2,018	1,785	259	1,395	24	165	1,463	114	41	1,310	1,306	98	36	1,172
29	285	239	33	204	0	2	218	20	7	197	193	19	0	176
30	11	4	2	2	0	0	2	0	0	2	2	0	0	2
31	1,895	1,146	124	883	105	24	923	86	44	793	802	72	28	702
32	3,071	2,040	323	1,383	33	280	2,123	171	183	1,771	1,876	131	151	1,574
33	601	215	24	160	20	11	272	26	31	215	256	24	31	201
34	1,646	1,202	68	1,021	4	73	1,048	32	11	983	914	43	9	862
35	1,936	1,446	106	1,032	0	301	1,327	94	83	1,148	1,137	83	69	1,003
36	1,321	1,018	188	747	21	40	697	90	28	379	359	68	22	309
37	1,389	931	120	730	0	23	813	79	20	714	663	54	14	597
38	2,209	1,818	122	1,352	41	84	1,346	183	28	1,335	1,334	147	23	1,162
39	2,845	1,416	172	868	85	180	1,213	113	68	1,032	1,053	101	34	900
40	790	653	121	430	4	41	449	43	31	375	381	34	29	318
41	702	378	21	332	12	11	405	36	21	348	339	30	20	309

NDC
Population Unit Data

Year	Pop.	ma	Imp	NH	NH	NH	NH	NH	Tot	Land	Avn	Other	Tot	Land	Avn	Other
				Wht	NH	NH	NH	NH								
					DBA	DBA	DBA	DBA								
82	1,250	864	35	365	0	0	0	0	650	55	12	317	661	45	15	420
83	744	529	25	147	0	0	0	146	451	25	32	455	652	31	9	401
84	1,147	656	25	389	10	39	258	46	738	46	18	654	609	25	22	308
85	1,661	1,119	97	697	0	294	1,697	67	1,697	67	159	684	972	76	151	765
86	1,102	791	85	438	0	271	682	50	827	50	52	598	425	25	42	387
87	1,166	873	61	235	10	244	673	52	825	52	58	535	627	45	65	314
88	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
89	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
90	1,514	1,154	62	751	41	214	279	60	1,205	60	60	620	663	66	53	544
91	830	573	41	429	29	51	507	41	690	46	69	658	415	36	43	374
92	1,242	892	105	457	9	87	735	67	691	69	69	658	648	38	31	329
93	1,177	820	44	252	3	22	252	39	79	7	217	282	287	12	8	247
94	1,900	957	62	743	1	141	1,664	74	1,066	106	886	960	960	70	93	817
95	1,660	1,130	91	470	29	149	813	81	998	81	98	636	714	75	80	241
96	1,660	1,130	91	470	29	149	813	81	998	81	98	636	714	75	80	241
97	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
98	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
99	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
00	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
01	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
02	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
03	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
04	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
05	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
06	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
07	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
08	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
09	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
10	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
11	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
12	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
13	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
14	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
15	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
16	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
17	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
18	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
19	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
20	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
21	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
22	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
23	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
24	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
25	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
26	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
27	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
28	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
29	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387
30	1,554	1,119	85	438	0	271	682	50	827	50	52	598	425	25	42	387

Sums by District Assigned Ideal population: 15,008
 Folom 2021 Districting Public Participation IGt

Nordheim, T.

Group	Category	Counts							Percentages				
		1	2	3	4	5	Unassigned	Total	1	2	3	4	5
Total Est. 2020 Population	Tot. Pop.	14,285	15,749	15,347	15,028	14,629	0	75,038					
	Deviation from Ideal	-723	741	339	20	-379		1,464	-4.81%	4.94%	2.26%	0.14%	-2.52%
Citizen Voting Age Population	Total CVAP	9,134	10,882	8,047	9,704	11,319	0	49,286					
	Hisp	940	1,063	623	1,073	1,677	0	4,779	10%	10%	8%	11%	9%
	NH Wht	6,644	8,087	5,634	6,487	9,328	0	36,179	73%	74%	70%	67%	81%
	NH Blk	176	66	81	230	125	0	677	2%	1%	1%	2%	1%
	NH Asn	1,109	1,392	1,636	1,769	861	0	6,986	12%	15%	21%	18%	7%
Nov. 2020 Registration	Total Reg.	8,137	10,673	10,187	8,827	10,463	0	48,289					
	Latino	735	863	807	757	733	0	3,895	9%	8%	8%	9%	7%
	Asian-American	544	795	1,239	855	380	0	3,813	7%	7%	12%	10%	4%
	Other	6,858	9,017	8,141	7,215	9,350	0	40,581	84%	84%	80%	82%	89%
Nov. 2020 Voters	Total Voters	7,075	9,612	9,205	7,812	9,278	0	42,982					
	Latino	613	732	726	661	641	0	3,395	9%	8%	8%	8%	7%
	Asian-American	463	709	1,070	716	330	0	3,288	7%	7%	12%	9%	4%
	Other	3,997	8,151	7,409	6,435	8,307	0	36,299	83%	83%	80%	82%	90%

Submitter's Comments about the plan:

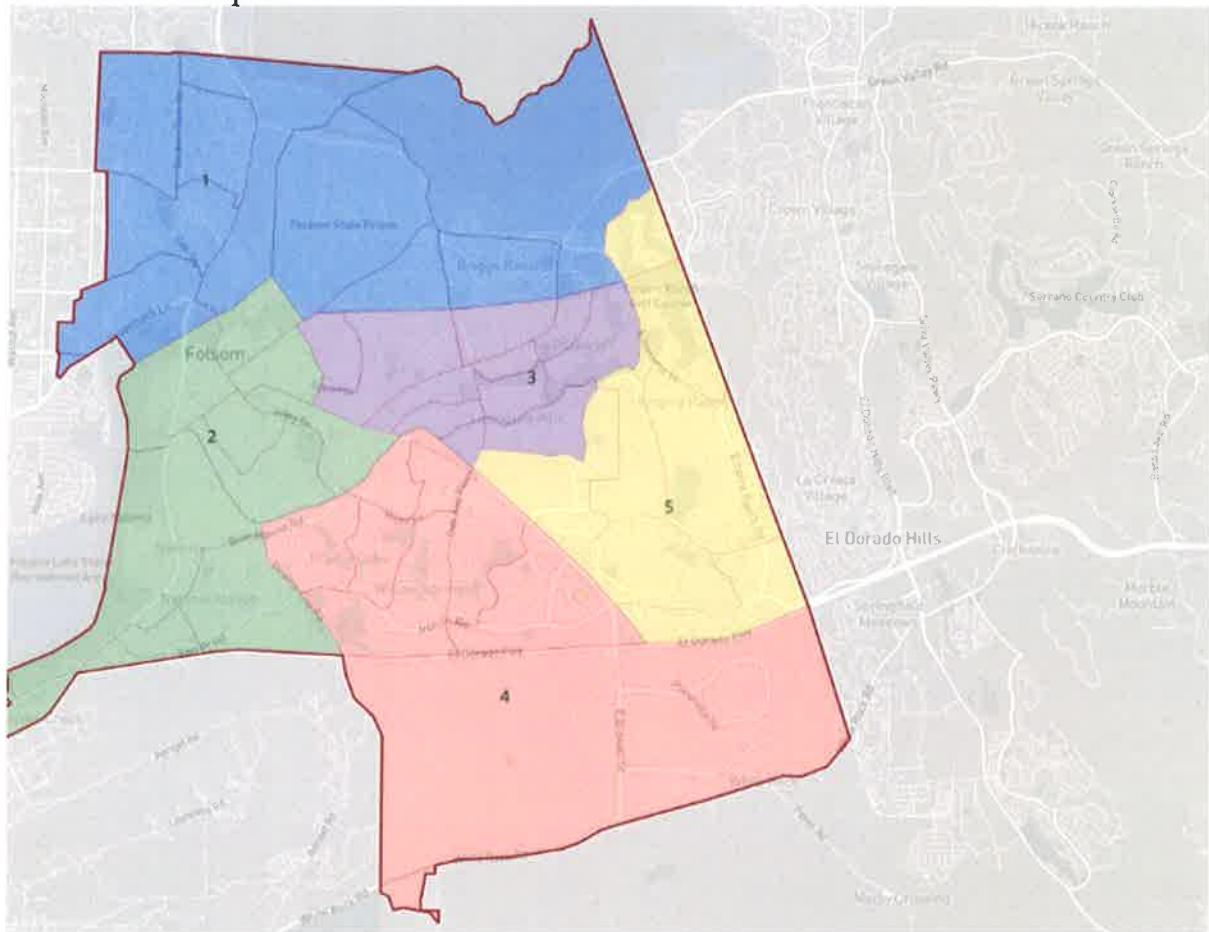
Just under the 10% deviation from ideal, this plan tried to group Folom in to what are naturally occurring neighborhoods (trying to group diverse areas by Elementary School young professionals create families and travel others and form relationships with one another - and hopefully remain in Folom with those established relationships to best which side of the aisle they are on.

12/31/21 T. Nordheim

Unassured	Total
	9.76%
	10%
	73%
	1%
	19%
	8%
	8%
	84%
	8%
	8%
	84%

id. This is often where
or the town - no matter

01/03/22 R. Campbell

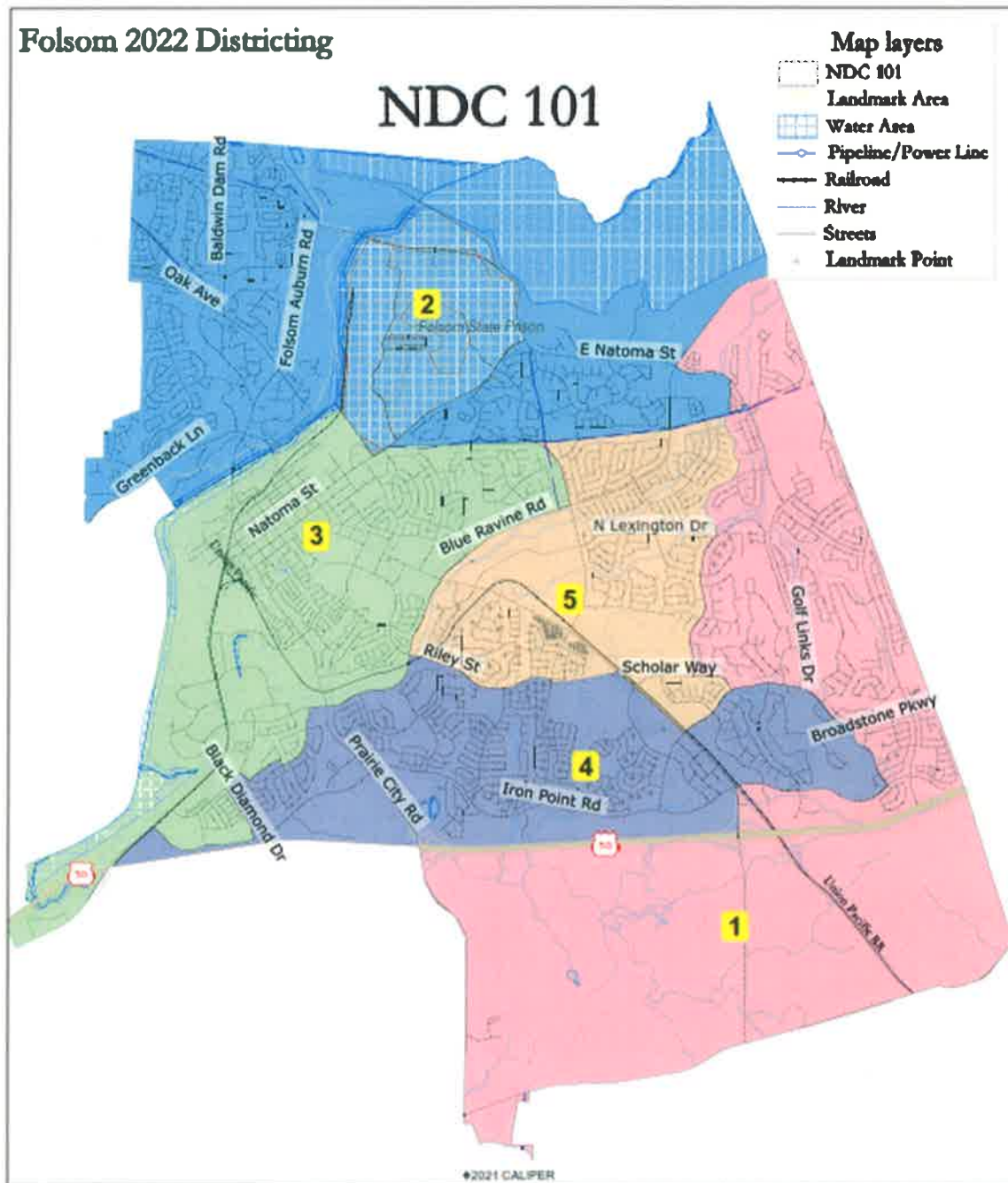


01/03/22 R. Campbell

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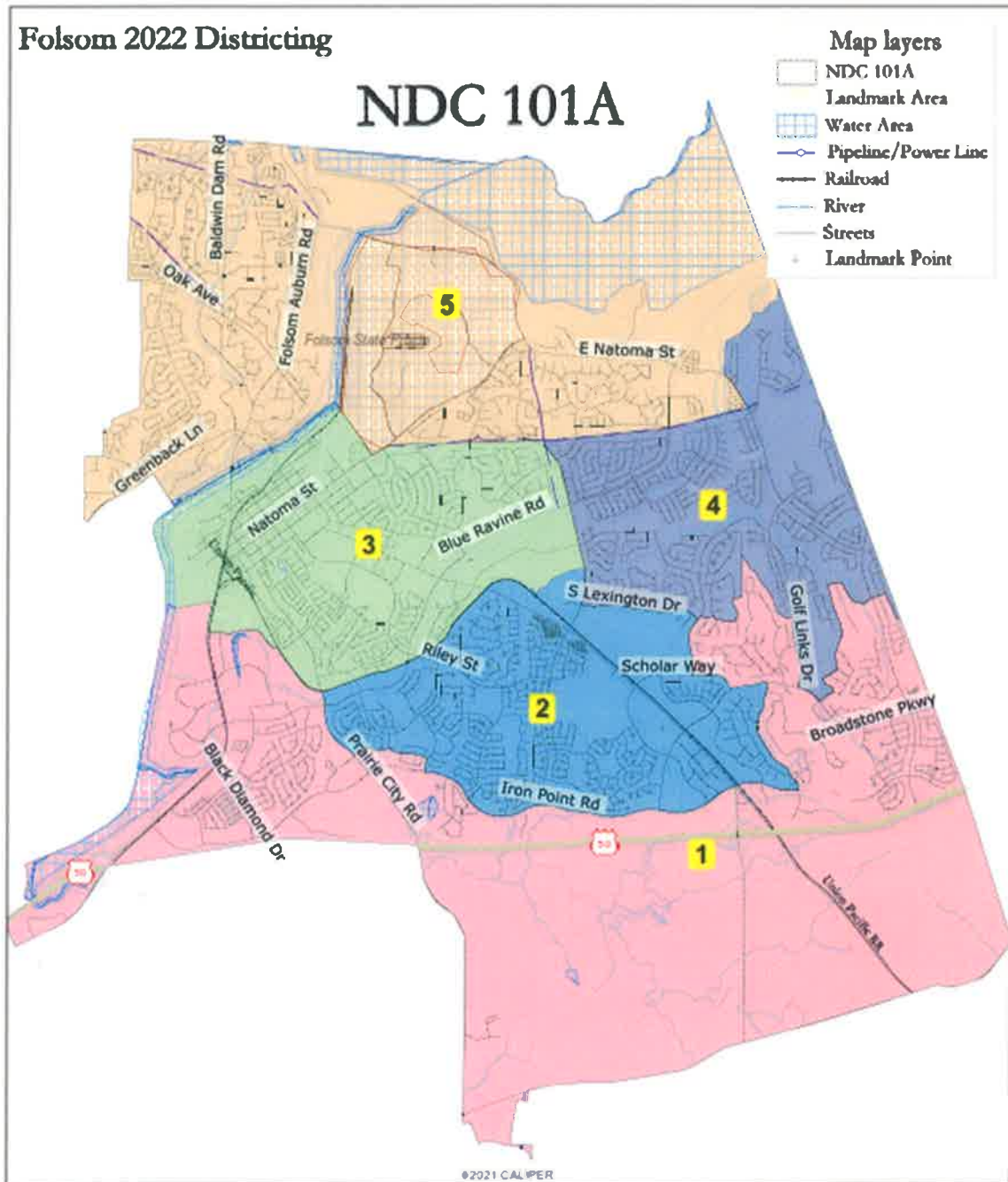


01/03/22 NDC MAP 1 TABLE

NDC 101							
District		1	2	3	4	5	Total
	Total Pop	14,754	14,747	15,384	15,273	14,644	75,038
	Deviation from state	-304	-261	380	265	-82	684
	% Deviation	-2.03%	-1.76%	2.45%	1.73%	-0.41%	4.42%
Total Pop	% Hisp	20%	11%	15%	10%	11%	11%
	% NH White	50%	72%	41%	51%	60%	50%
	% NH Black	2%	2%	2%	2%	2%	2%
	% Asian-American	38%	10%	15%	34%	22%	23%
Citizen Voting Age Pop	Total	7,460	11,575	10,930	9,808	9,493	49,288
	% Hisp	8%	11%	10%	10%	9%	10%
	% NH White	64%	80%	77%	87%	75%	73%
	% NH Black	1%	1%	2%	2%	1%	1%
Voter Registration (Nov 2020)	Total	9,291	10,847	9,500	9,220	9,431	48,289
	% Latino est.	8%	7%	9%	9%	8%	8%
	% Spanish-Surnamed	7%	7%	9%	8%	8%	8%
	% Asian-Surnamed	13%	4%	4%	11%	8%	8%
	% Filipino-Surnamed	2%	1%	1%	2%	1%	1%
	% NH White est.	73%	87%	83%	77%	82%	81%
Voter Turnout (Nov 2020)	Total	8,403	9,730	8,258	8,177	8,466	42,942
	% Latino est.	8%	7%	9%	8%	8%	8%
	% Spanish-Surnamed	7%	7%	8%	8%	7%	8%
	% Asian-Surnamed	13%	3%	4%	11%	7%	8%
	% Filipino-Surnamed	2%	1%	1%	2%	1%	1%
	% NH White est.	73%	88%	84%	78%	82%	81%
Voter Turnout (Nov 2018)	Total	5,284	7,757	5,806	5,807	6,349	30,985
	% Latino est.	8%	6%	8%	8%	7%	7%
	% Spanish-Surnamed	7%	6%	8%	8%	7%	7%
	% Asian-Surnamed	11%	3%	4%	9%	8%	8%
	% Filipino-Surnamed	2%	1%	1%	1%	1%	1%
	% NH White est.	74%	86%	86%	80%	84%	84%
ACS Pop. Est.	Total	12,824	15,073	18,162	14,820	14,780	73,339
	aged 19	34%	21%	28%	29%	27%	28%
	aged 0-60	53%	48%	56%	57%	53%	53%
	aged 65+	13%	31%	17%	15%	20%	19%
	immigrants	22%	13%	12%	10%	23%	17%
	naturalized	65%	87%	40%	56%	50%	55%
Language spoken at home	english	82%	88%	82%	73%	75%	77%
	spanish	3%	5%	8%	4%	5%	5%
	asian-lang	15%	4%	5%	11%	10%	9%
	other lang	13%	5%	5%	12%	11%	9%
Language Fluency	Speaks Eng "Less than Very Well"	5%	3%	5%	8%	8%	5%
Education (among those age 25+)	hs grad	20%	36%	42%	26%	28%	31%
	bachelor	41%	32%	27%	33%	35%	37%
	graduate degree	28%	18%	17%	28%	27%	22%
Child in Household	child under 18	54%	27%	37%	41%	36%	38%
Pct of Pop. Age 18+	employed	70%	58%	68%	71%	67%	67%
	income 0-25k	4%	10%	15%	8%	9%	8%
	income 25-50k	5%	12%	15%	8%	14%	11%
	income 50-75k	5%	13%	13%	13%	12%	12%
	income 75-200k	51%	45%	46%	52%	48%	48%
Housing Status	income 200k plus	31%	21%	12%	20%	17%	19%
	single family	61%	85%	80%	78%	65%	79%
	multi-family	7%	15%	20%	22%	36%	21%
	rented	14%	23%	36%	30%	42%	30%
owned	85%	77%	61%	70%	58%	70%	

Total population data from the 2020 Decennial Census.
 Statewide Voter Registration and Turnout data from the California Statewide Database.
 Latino voter registration and turnout data are Spanish surname counts adjusted using Census Population Department estimates of NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation System data.

01/03/22 NDC MAP 2



01/03/22 NDC MAP 2 TABLE

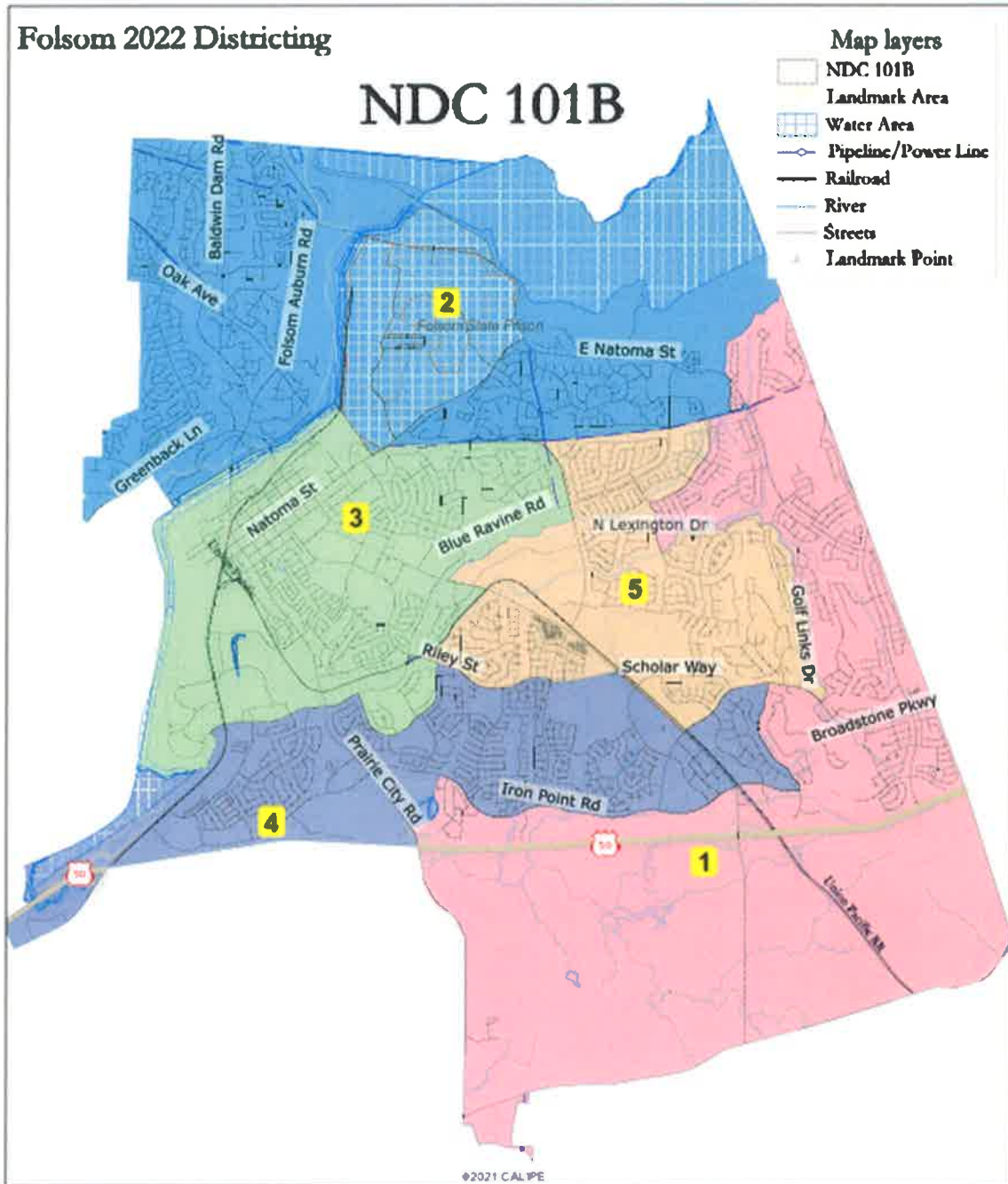
NDC 101A							
District		1	2	3	4	5	Total
	Total Pop	14,958	14,888	15,388	15,125	15,301	75,038
	Deviation from total	-492	-340	360	117	293	832
	% Deviation	-3.21%	-2.27%	2.53%	0.78%	1.95%	5.56%
Total Pop	% Hisp	8.8%	10%	15%	11%	11%	11%
	% NH White	67%	54%	61%	60%	71%	59%
	% NH Black	2%	2%	3%	2%	2%	2%
	% Asian/Pac. Isl.	3%	3%	14%	24%	11%	23%
	% Other	10%	11%	7%	10%	5%	10%
Citizen Voting Age Pop	Total	7,829	9,452	10,762	9,452	11,881	49,288
	% Hisp	11%	10%	9%	7%	11%	10%
	% NH White	64%	70%	78%	73%	80%	73%
	% NH Black	2%	1%	2%	1%	1%	1%
	% Asian/Pac. Isl.	22%	17%	11%	18%	7%	14%
Voter Registration (Nov 2020)	Total	8,885	9,560	9,124	10,161	11,179	46,289
	% Latino est.	8%	8%	9%	7%	7%	8%
	% Spanish-Surnamed	8%	8%	9%	7%	7%	8%
	% Asian-Surnamed	12%	11%	4%	10%	4%	8%
	% Filipino-Surnamed	2%	1%	1%	1%	1%	1%
	% NH White est.	72%	78%	85%	80%	87%	81%
	% NH Black	2%	1%	1%	1%	1%	1%
Voter Turnout (Nov 2020)	Total	7,718	8,225	7,802	9,238	10,021	42,942
	% Latino est.	8%	8%	9%	7%	7%	8%
	% Spanish-Surnamed	8%	8%	8%	7%	7%	8%
	% Asian-Surnamed	11%	10%	4%	10%	4%	8%
	% Filipino-Surnamed	2%	1%	1%	1%	1%	1%
	% NH White est.	72%	79%	85%	81%	87%	81%
	% NH Black	2%	1%	1%	1%	1%	1%
Voter Turnout (Nov 2018)	Total	4,843	5,958	5,547	6,924	7,345	30,185
	% Latino est.	8%	8%	7%	8%	8%	7%
	% Spanish-Surnamed	8%	7%	7%	7%	6%	7%
	% Asian-Surnamed	10%	8%	3%	7%	3%	6%
	% Filipino-Surnamed	2%	1%	1%	1%	1%	1%
	% NH White est.	78%	81%	87%	82%	89%	84%
	% NH Black est.	2%	1%	1%	1%	1%	1%
ACS Pop. Est.	Total	12,629	14,317	16,392	14,458	15,577	73,330
Age	age0-19	31%	29%	27%	31%	22%	28%
	age20-60	59%	56%	54%	53%	48%	53%
	age61plus	14%	15%	19%	16%	31%	19%
Immigration	immigrants	21%	21%	16%	17%	13%	17%
	naturalized	57%	57%	37%	47%	67%	55%
Language spoken at home	english	73%	72%	79%	76%	66%	77%
	spanish	4%	4%	9%	3%	5%	5%
	asian-lang	11%	12%	7%	10%	9%	9%
	other lang	12%	12%	5%	11%	5%	9%
Language Fluency	Speaks Eng. "Less than Very Well"	4%	5%	7%	4%	3%	5%
	no grad	25%	25%	42%	25%	36%	31%
Education (among those age 25+)	bachelor	38%	33%	29%	41%	32%	33%
	grad school	28%	29%	16%	24%	18%	22%
	high school	34%	38%	55%	35%	50%	45%
Child in Household	child under 18	45%	38%	33%	50%	28%	38%
Pct of Pop. Age 18+	employed	72%	70%	65%	70%	60%	67%
	income 0-25k	6%	8%	17%	3%	9%	6%
	income 25-50k	9%	8%	18%	8%	12%	11%
	income 50-75k	11%	13%	13%	11%	12%	12%
	income 75-100k	50%	52%	42%	54%	45%	46%
	income 100k plus	25%	19%	16%	27%	21%	19%
Housing Status	single family	88%	72%	62%	68%	66%	72%
	multi-family	14%	28%	38%	2%	14%	21%
	rented	29%	37%	50%	11%	23%	30%
	owned	75%	63%	50%	89%	77%	70%

Total population data from the 2020 Census by Census.

Surname based Voter Registration and Turnout data from the California Statewide Census.

Latino voter registration and turnout data are Spanish surname based using Census IP address. English and other languages are based on NH White and NH Black registration and turnout forms submitted by NDC. Citizen Voting Age Pop., Age, immigration, and other demographic data from the 2015-2019 American Community Survey and Special Tabulation 5-year data.

01/03/22 NDC MAP 3



01/03/22 NDC MAP 3 TABLE

NDC 101B							
District		1	2	3	4	5	Total
	Total Pop	14,776	15,697	15,391	15,124	14,720	75,058
	Deviation from total	-232	49	367	118	280	641
	% Deviation	-1.55%	0.31%	2.35%	0.77%	1.92%	4.27%
Total Pop	% Hisp	8.7%	11%	15%	10%	11%	11%
	% NH White	47%	71%	61%	54%	60%	59%
	% NH Black	2%	2%	3%	2%	2%	2%
	% Asian/Pac. Isl.	30%	11%	15%	30%	22%	23%
	Total	7,688	11,737	10,730	9,261	9,371	49,280
Citizen Voting Age Pop	% Hisp	5%	11%	9%	11%	11%	10%
	% NH White	63%	80%	76%	70%	74%	73%
	% NH Black	1%	1%	1%	1%	1%	1%
	% Asian/Pac. Isl.	30%	7%	11%	15%	12%	14%
	Total	8,198	11,011	9,308	9,295	9,879	48,280
Voter Registration (Nov 2020)	Total	7,688	9,871	8,026	8,233	8,965	42,982
	% Latino est.	8%	7%	9%	8%	8%	8%
	% Spanish-Surnamed	8%	7%	9%	8%	7%	8%
	% Asian-Surnamed	15%	4%	5%	10%	8%	8%
	% Filipino-Surnamed	2%	1%	1%	1%	1%	1%
	% NH White est.	71%	87%	84%	78%	82%	81%
	% NH Black	1%	1%	1%	2%	1%	1%
Voter Turnout (Nov 2020)	Total	7,688	9,871	8,026	8,233	8,965	42,982
	% Latino est.	8%	7%	9%	8%	7%	8%
	% Spanish-Surnamed	8%	7%	9%	8%	7%	8%
	% Asian-Surnamed	14%	4%	5%	9%	8%	8%
	% Filipino-Surnamed	2%	1%	1%	2%	1%	1%
	% NH White est.	71%	87%	84%	79%	83%	81%
	% NH Black	1%	1%	1%	2%	1%	1%
Voter Turnout (Nov 2018)	Total	4,885	7,846	5,660	5,817	6,777	30,965
	% Latino est.	9%	6%	8%	8%	7%	7%
	% Spanish-Surnamed	8%	6%	7%	7%	7%	7%
	% Asian-Surnamed	11%	3%	4%	8%	6%	6%
	% Filipino-Surnamed	2%	1%	1%	1%	1%	1%
	% NH White est.	77%	86%	86%	81%	84%	84%
	% NH Black est.	1%	1%	1%	2%	1%	1%
ACS Pop. Est.	Total	12,721	15,355	16,127	14,683	14,312	73,330
Age	ages 0-19	34%	21%	28%	28%	27%	28%
	ages 20-60	53%	48%	54%	57%	54%	53%
	ages 60-plus	13%	31%	17%	14%	19%	19%
Immigration	immigrants	23%	13%	14%	18%	21%	17%
	naturalized	63%	67%	38%	54%	53%	56%
Language spoken at home	english	69%	86%	80%	76%	75%	77%
	spanish	2%	5%	2%	4%	4%	5%
	asian-lang	15%	4%	6%	10%	10%	9%
	other lang	14%	5%	5%	10%	12%	9%
Language Fluency	Speaks Eng. "Less than Very Well"	6%	3%	8%	5%	5%	5%
Education (among those age 25+)	hs-grad	21%	36%	42%	27%	28%	31%
	bachelor	47%	50%	27%	53%	36%	51%
	gr. advanced degree	28%	18%	13%	27%	28%	22%
Child in Household	under-18	53%	28%	36%	40%	38%	38%
Pct of Pop. Age 18+	employed	79%	68%	67%	72%	68%	67%
Household Income	income 0-25k	4%	9%	18%	7%	8%	9%
	income 25-50k	5%	12%	17%	9%	10%	11%
	income 50-75k	10%	12%	13%	13%	10%	12%
	income 75-100k	51%	45%	43%	52%	51%	48%
	income 100k-plus	29%	21%	11%	18%	21%	19%
Housing Status	single family	93%	85%	70%	77%	75%	73%
	multi-family	7%	15%	30%	23%	25%	21%
	rented	14%	23%	44%	34%	33%	33%
	owned	88%	77%	56%	66%	67%	70%

Total population data from the 2020 Census/Census.
 Hispanic count: *San Gabriel* and turnout data from the California Statewide Database.
 Latino race, registration and turnout data are Spanish surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts adjusted by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2019-2020 American Community Survey and the 2019-2020 Census 5-year data.

01/03/22 J. Normington

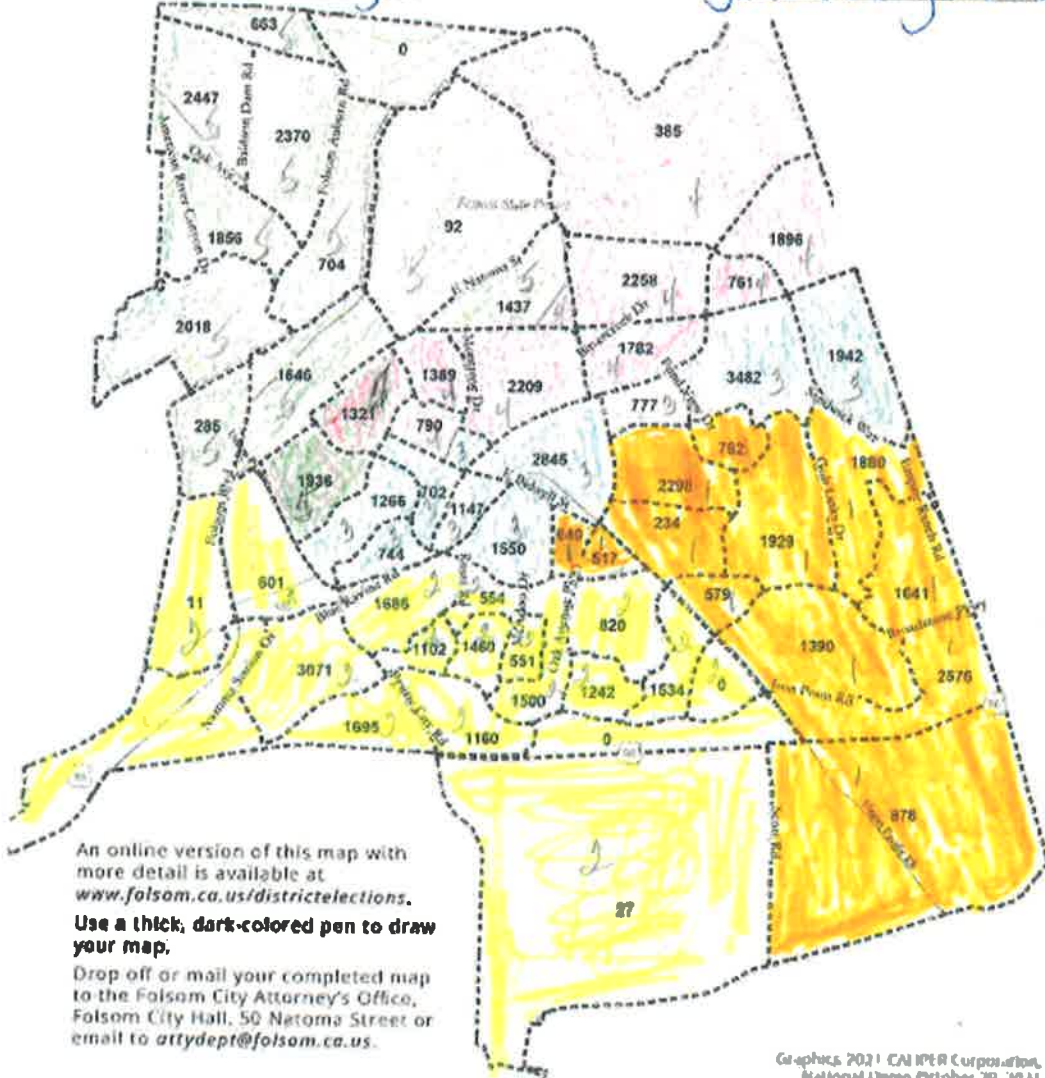


By-District Elections Paper Map Drawing Kit

Population Based Census Areas

Use this map to outline the five districts you feel would best represent each area's population. The number in each outlined area indicates the total population of that "population unit." Each district must be as close as possible to the same population, with no more than a 1,500-person difference between the largest and smallest districts. If perfectly divided, each district in Folsom would have 15,008 people.

Your Name: Jean Normington Your Email and/or Phone Number: jeanlake@gmail.com



An online version of this map with more detail is available at www.folsom.ca.us/districtelections.
 Use a thick, dark-colored pen to draw your map.
 Drop off or mail your completed map to the Folsom City Attorney's Office, Folsom City Hall, 50 Natoma Street or email to attydept@folsom.ca.us.

Graphics 2021 CAN PER Corporation, National Election Division 20, 2021

01/03/22 J. Normington

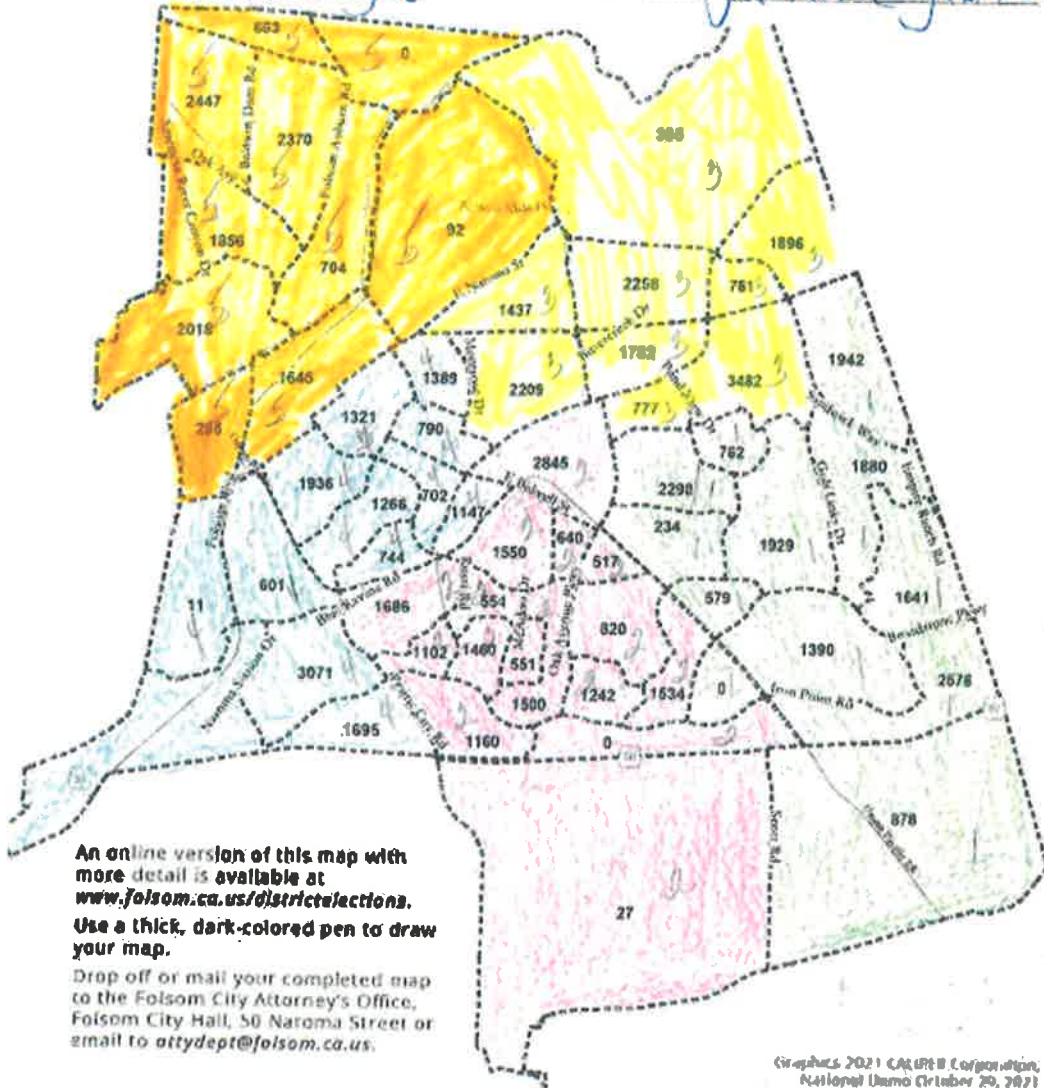


By-District Elections Paper Map Drawing Kit

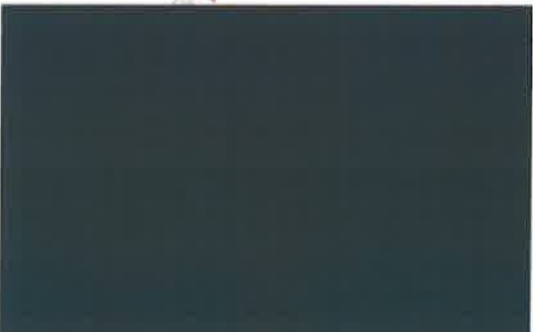
Population Based Census Areas

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Your Name: Jane Normington Your Email and/or Phone Number: jnorm@comcast.net



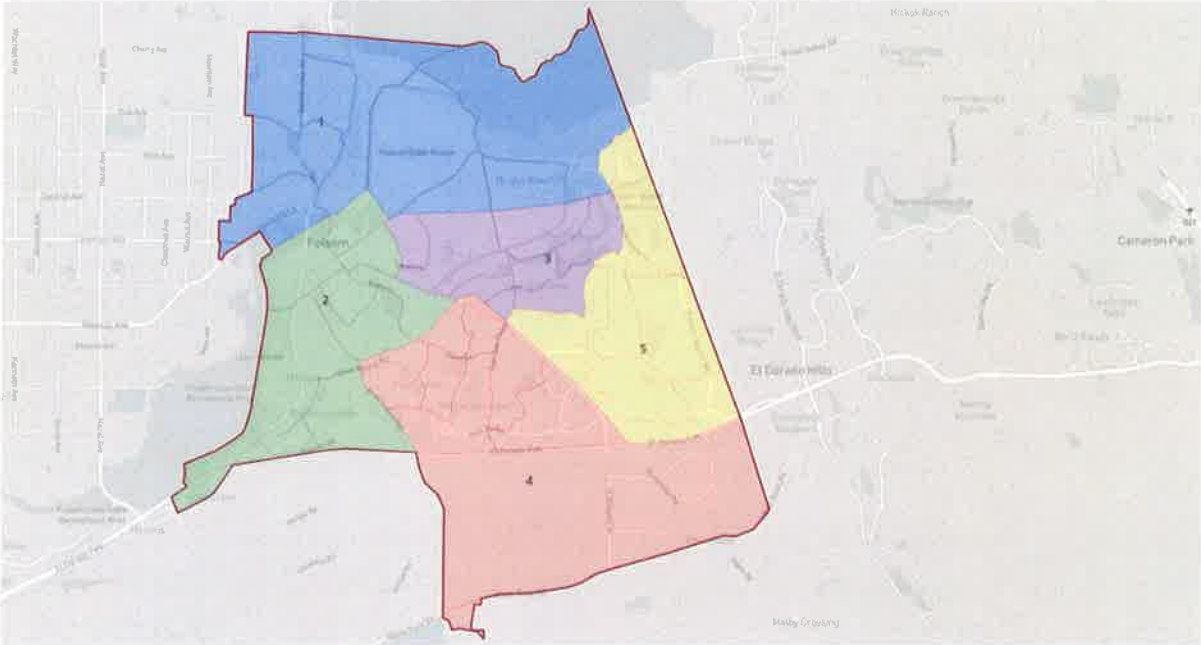
01/03/22 S. Hudson



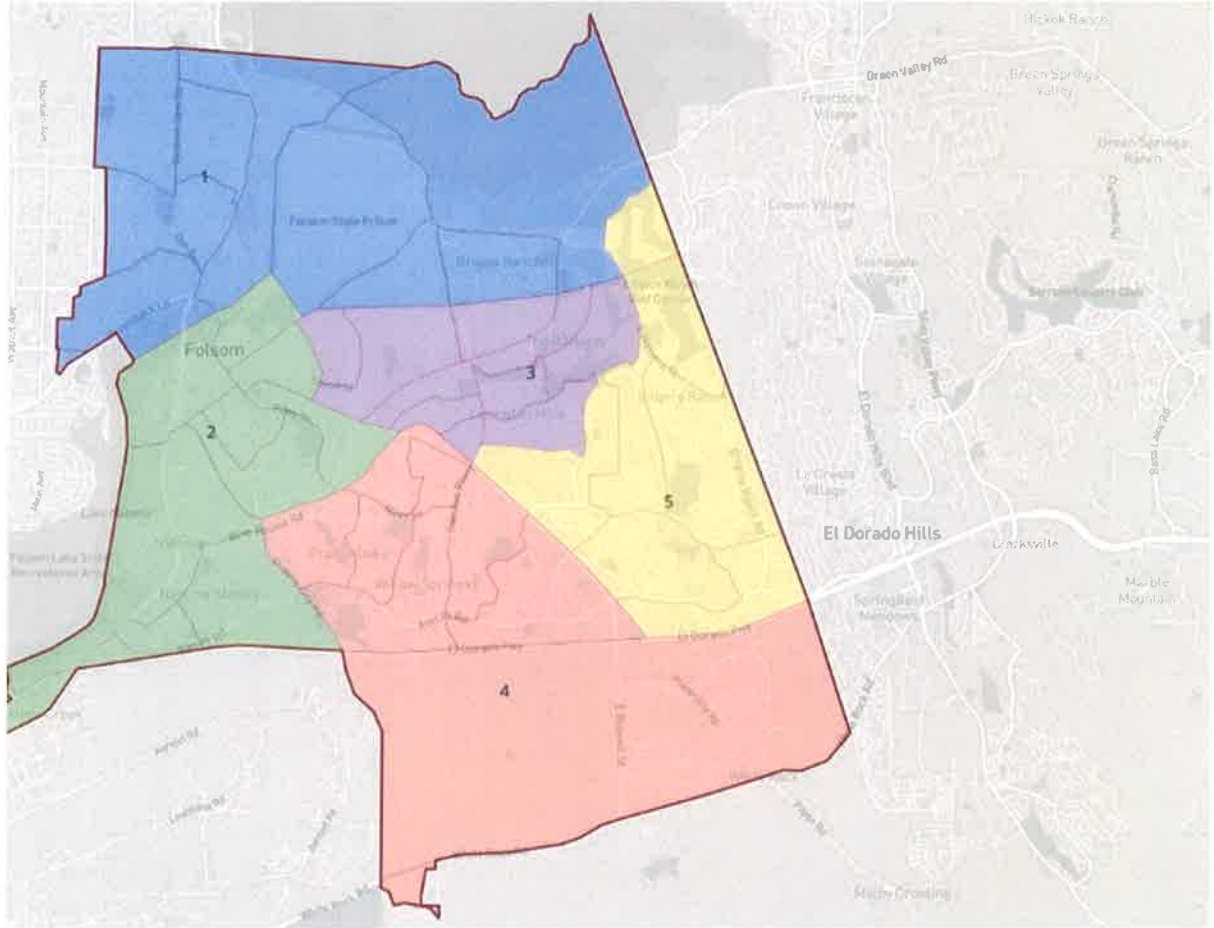
Thank you for including our voice.

Shelley
Have a safe day.

01/03/22 R. Dresser



01/03/22 E. MacDonald



01/03/22 D. Reid

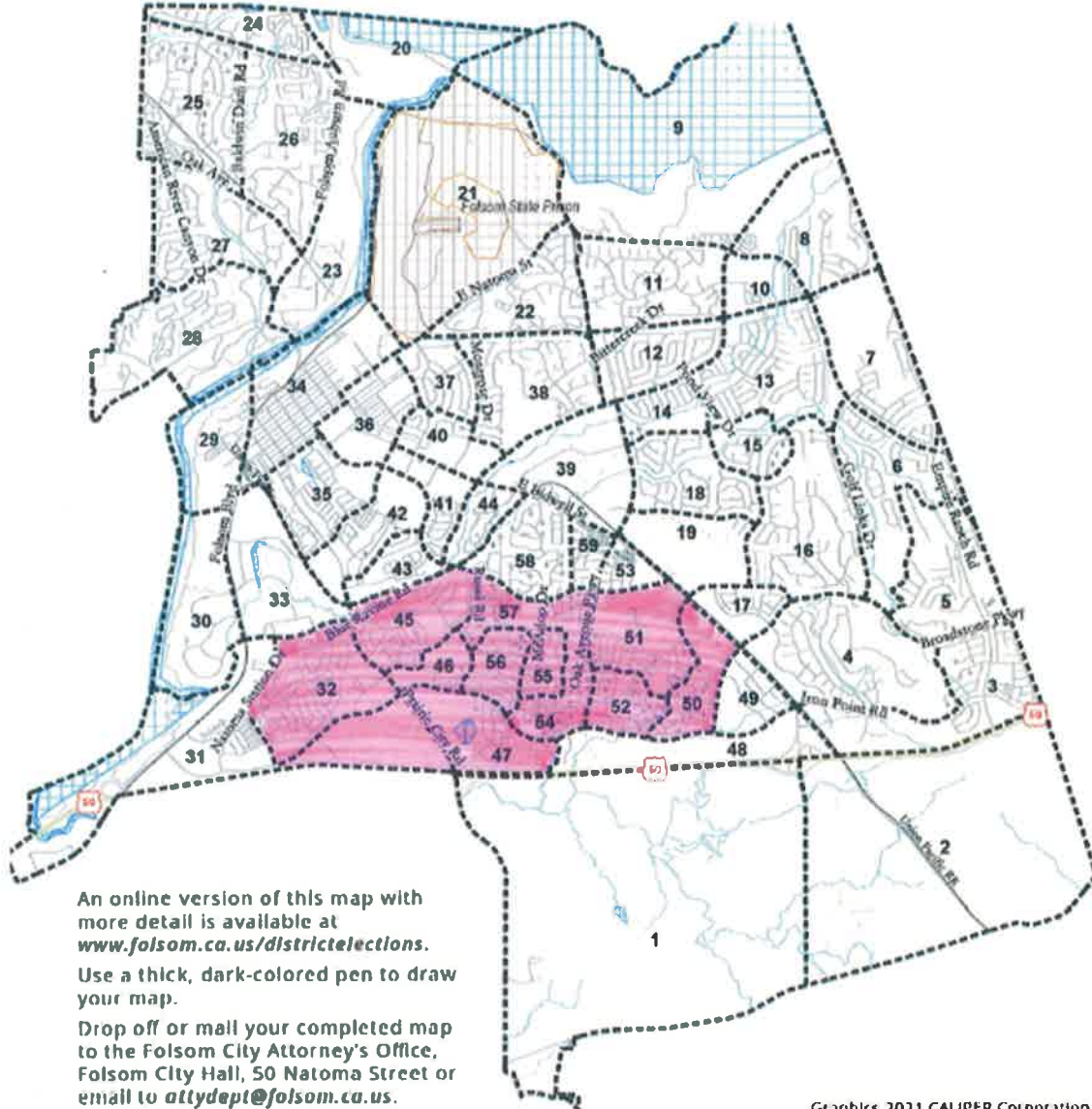


By-District Elections Paper Map Drawing Kit

Unit ID Based Census Areas

Use this map to outline the five districts you feel would best represent each area's population. The number in each outlined area indicates Unit ID of each area. Use this map along with the "Participation Kit" Microsoft Excel spreadsheet that can be found at www.folsom.ca.us/districtelections.

Your Name: _____ Your Email and/or Phone Number: _____



Graphics 2021 CALIPER Corporation, National Demo October 29, 2021

01/03/22 D. Reid Notes

Members of the Folsom City Council:

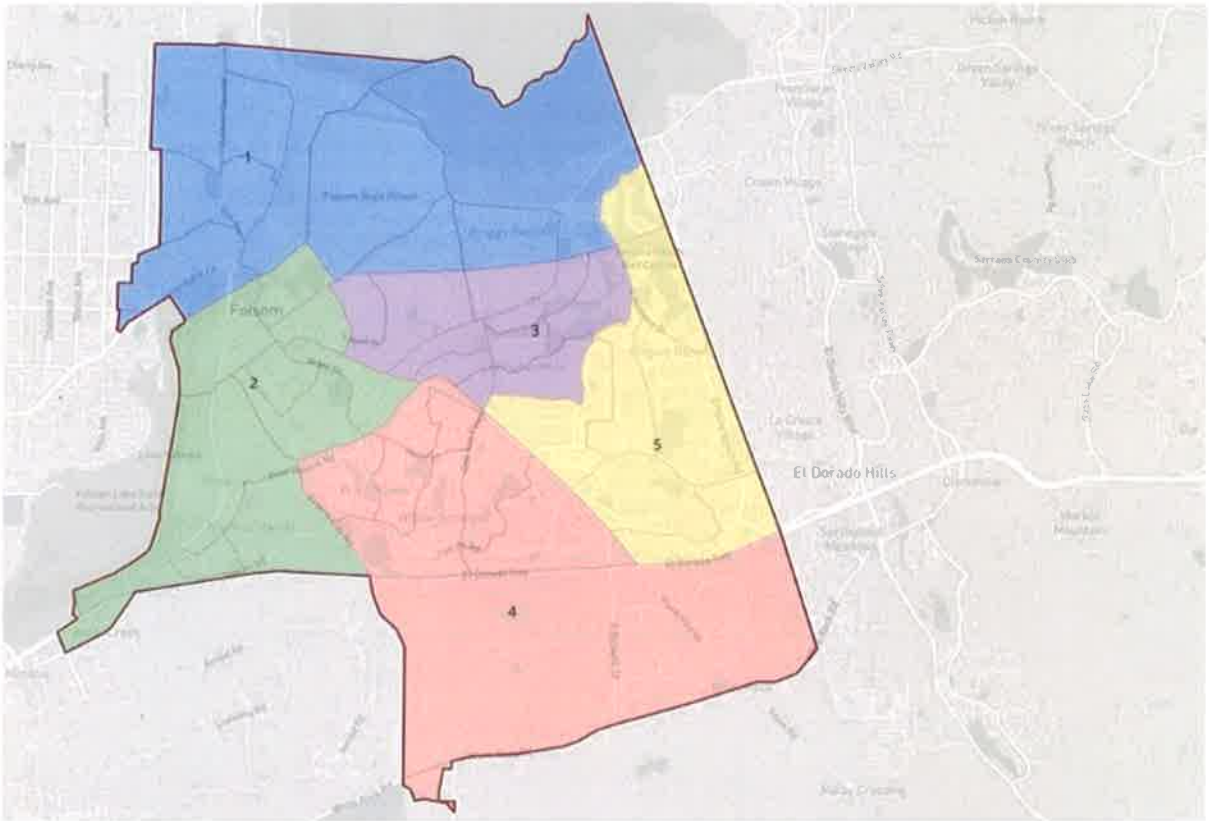
As the City of Folsom develops its By-District Council Map, I would like to advocate for the neighborhoods that comprise South of East Bidwell Street and North of Highway 50, an area which is largely-comprised of the Natoma Station, Prairie Oaks, and Broadstone neighborhoods.

This area of the City of Folsom was developed in the 1990s. These neighborhoods have for the better part of three decades acted as a single community of interest. These adjoining neighborhoods are a working middle class community, many of whom rely on dual incomes. The children in this community often define these combined neighborhoods since they share the same schools, scouting organizations, and sports teams. These neighborhoods also share the same traffic concerns which impact their neighborhoods (I.e. Highway 50, Iron Point, Blue Ravine, Riley Street, Oak Avenue Parkway). They also share in the historic lack of representation on the Folsom City Council. To the best of my knowledge, no member of the Folsom City Council has ever resided in these neighborhoods. The elected officials from north of East Bidwell Street have driven the agenda for the neighborhoods. To be clear, I am not criticizing their leadership as I believe they have helped to create a very special city.

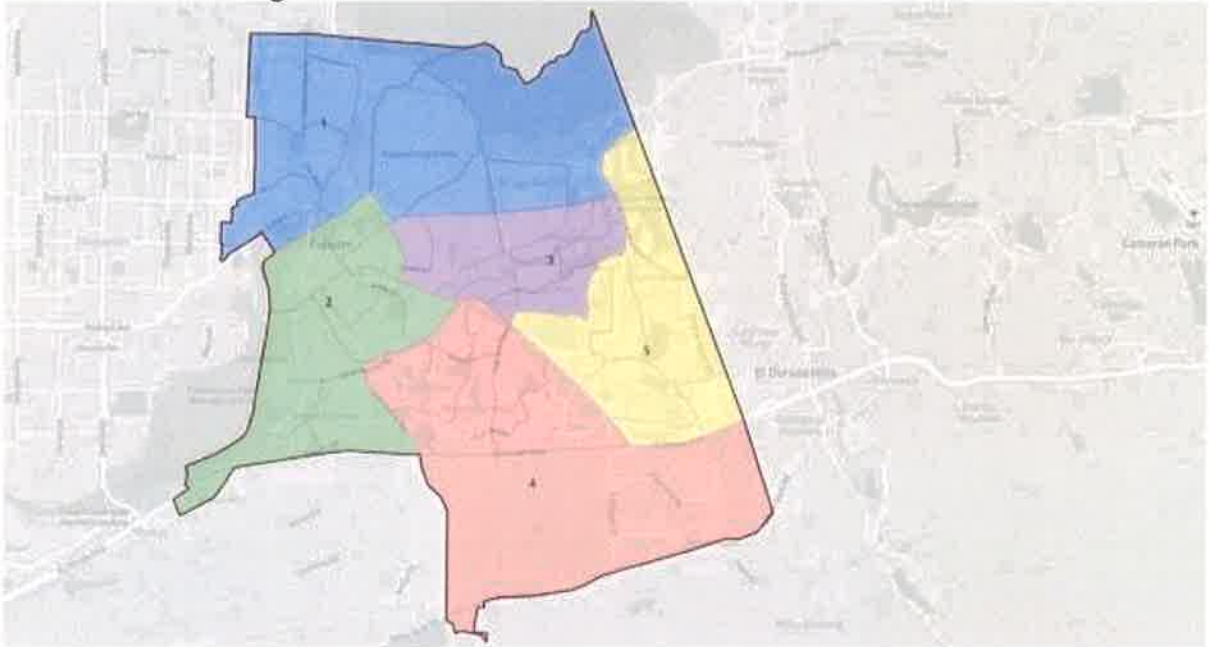
All I would respectfully ask is for the City Council to attempt to keep these neighborhoods together rather than divide them up.

Sincerely yours,

01/03/22 A. Targos



01/03/22 L. Schering



01/03/22 N. Ferrari

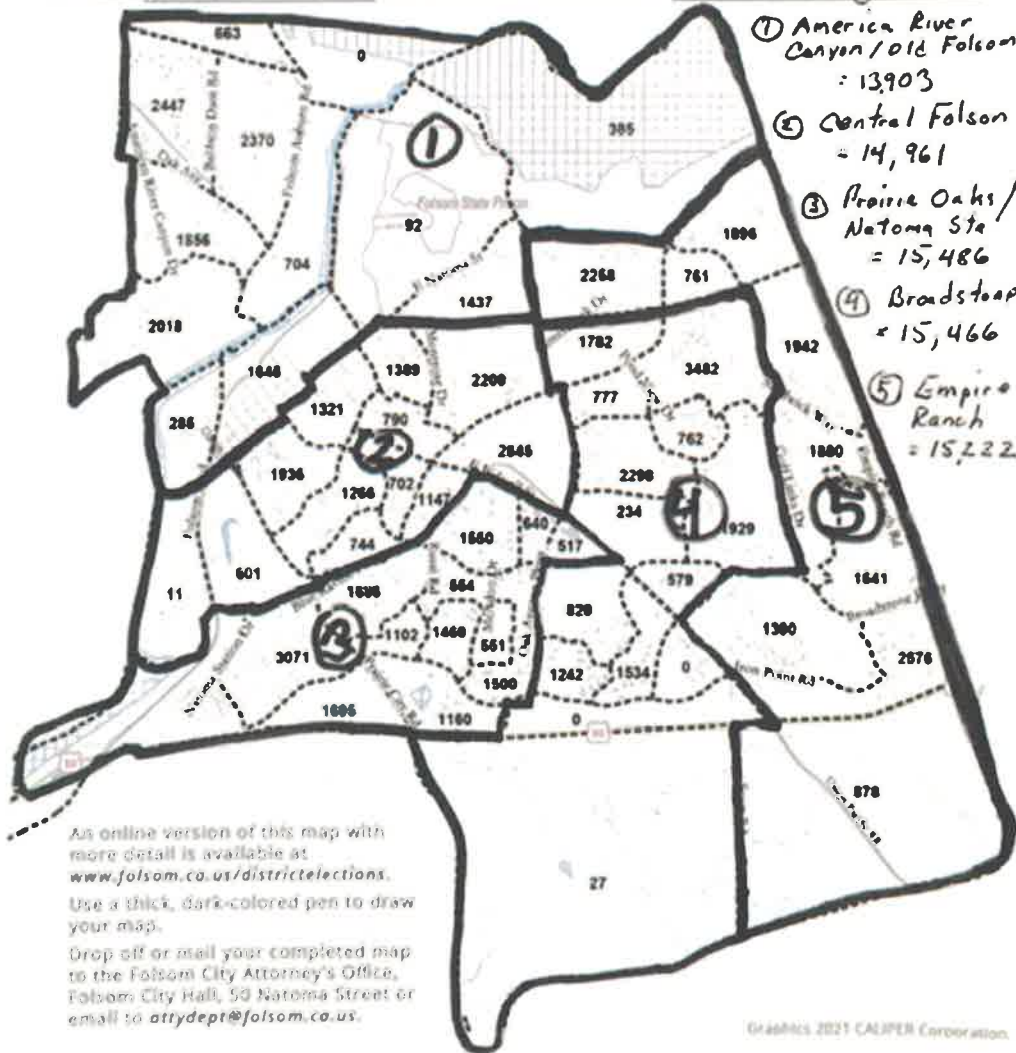


By-District Elections Paper Map Drawing Kit

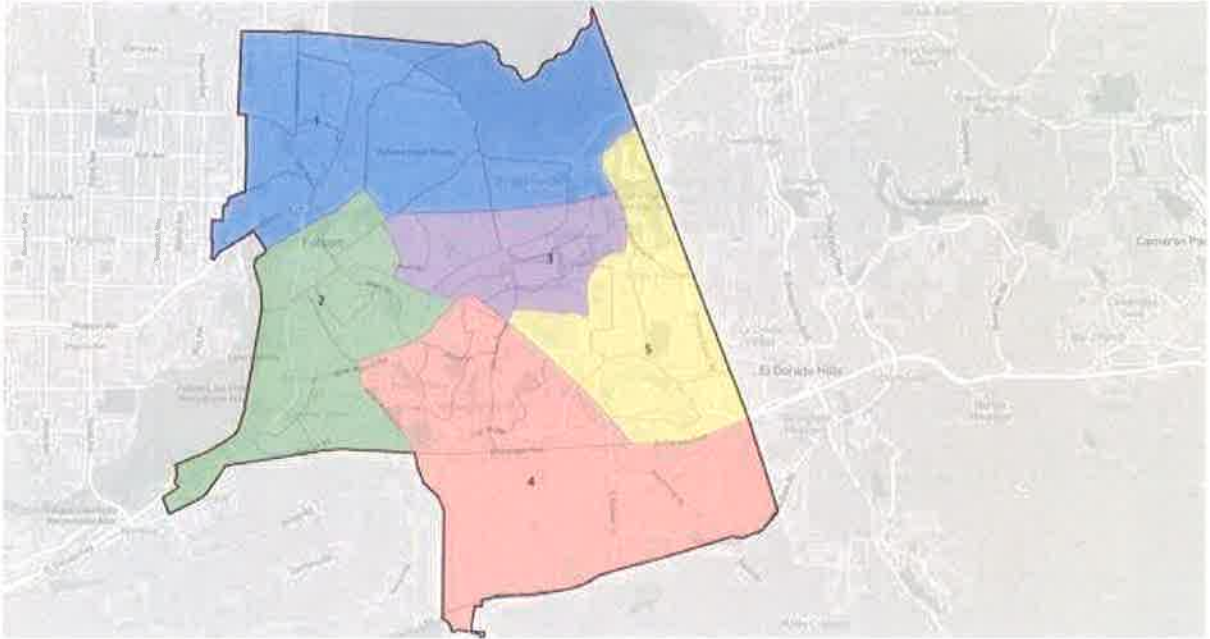
Population Based Census Areas

Use this map to outline the five districts you feel would best represent each area's population. The number in each outlined area indicates the total population of that "population unit." Each district must be as close as possible to the same population, with no more than a 1,500-person difference between the largest and smallest districts. If perfectly divided, each district in Folsom would have 15,008 people.

Your Name: Nick Ferrari Your Email and/or Phone Number: nichf313@gmail.com



01/03/22 L & E Bonzell



01/03/22 L. Ferrari

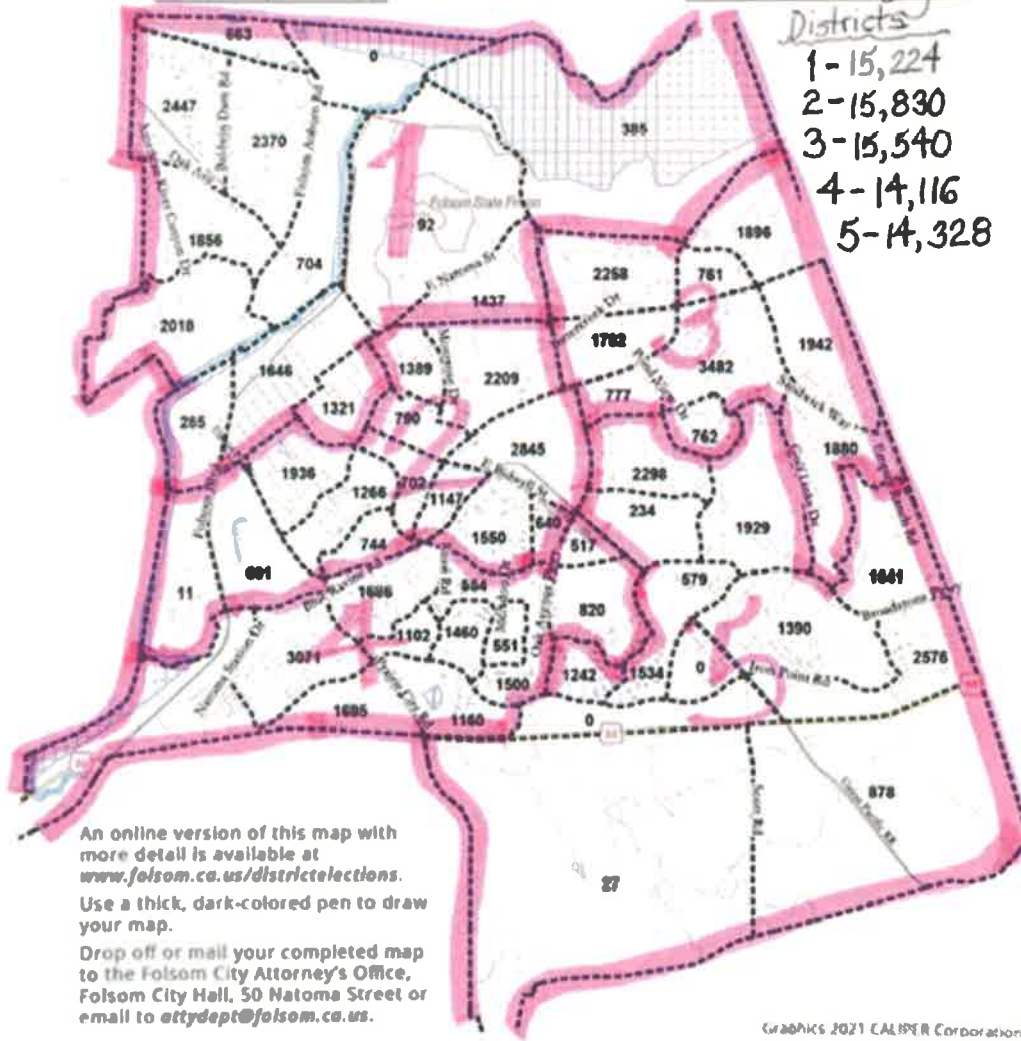


By-District Elections Paper Map Drawing Kit

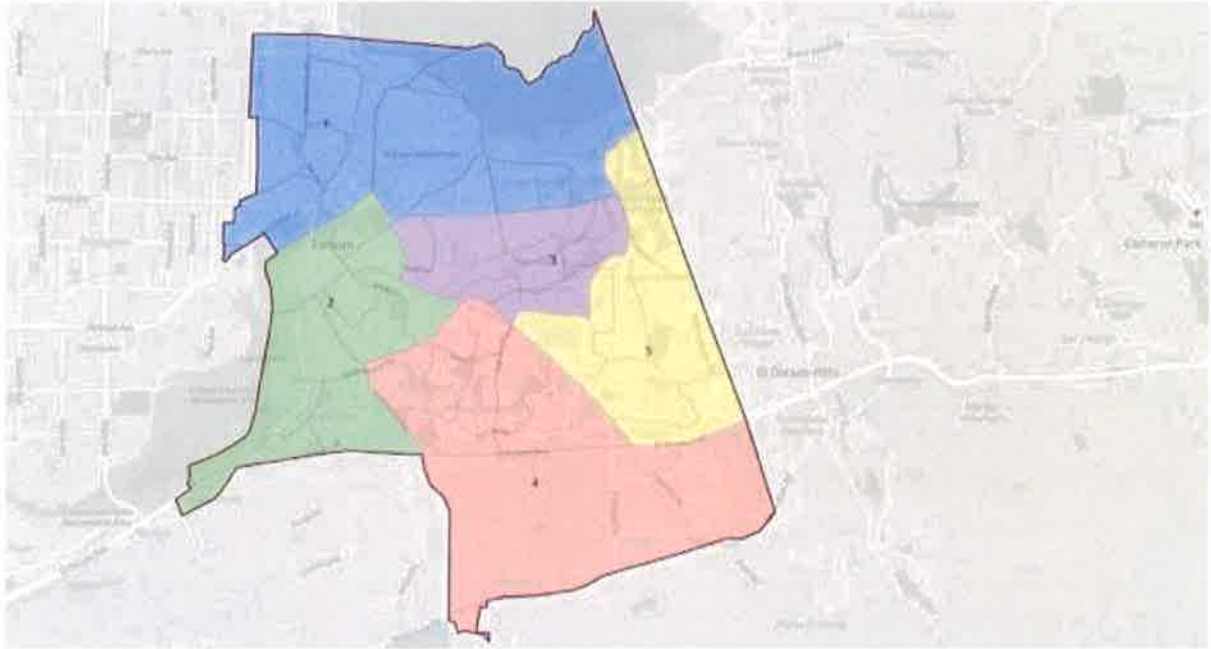
Population Based Census Areas

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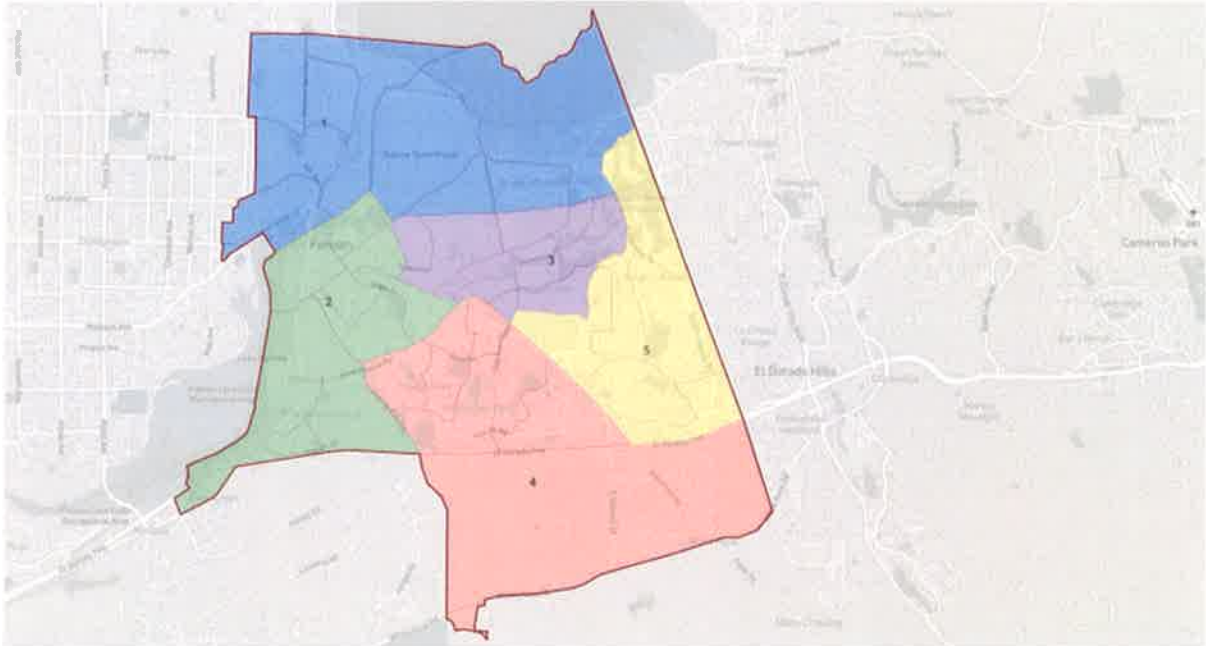
Your Name: Lisa Ferrari Your Email and/or Phone Number: LFerrari1492@gmail.com

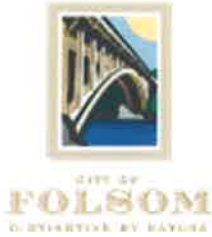


01/03/22 K. Kreutz



01/03/22 J. Wright





Folsom City Council Staff Report



MEETING DATE:	1/11/2022
AGENDA SECTION:	Public Hearing
SUBJECT:	Appeal by Bob Delp, Folsom Railroad Block Developer, LLC, and the Historic Folsom Residents Association of Decisions by the Historic District Commission Approving a Conditional Use Permit and Design Review for the Barley Barn Tap House project (PN 19-174) located at 608 ½ Sutter Street and Determination that the Project is Exempt from CEQA
FROM:	Community Development Department

RECOMMENDATION / CITY COUNCIL ACTION

Move to deny the appeal by Bob Delp, Folsom Railroad Block Developer, LLC, and the Historic Folsom Residents Association of Decisions by the Historic District Commission Approving a Conditional Use Permit and Design Review for the Barley Barn Tap House project (PN 19-174) located at 608 ½ Sutter Street and Determination that the Project is Exempt from CEQA.

BACKGROUND

The existing 4,377-square-foot commercial building located at 608 ½ Sutter Street, which was built in 1958, is constructed of vertical wood slats with sliding wood doors and a corrugated metal roof. The existing building is not considered a historically significant structure and does not include building materials that would be considered historically significant. In addition, the existing building is not listed on the City’s Cultural Resource Inventory List. The existing commercial building is currently occupied by an art and crafts store (Artfully Rooted) that provides an eclectic mix of artistic décor, furniture, fashion, vintage, antiques, and repurposed items.

On September 22, 2021, the applicant (Regina Konet) submitted a development application for approval of a Conditional Use Permit and Design Review for development and operation of a

craft beer establishment (Barley Barn Tap House) within an existing 4,377-square-foot building located at 608 ½ Sutter Street. The proposed interior layout of Barley Barn Tap House includes 2,433 square feet of floor area on the first level including a large central area with moveable tables and seating, a bar area, a cooler room, and restroom facilities. The second floor of the building, which will be reduced from 1,944 square feet to 1,366 square feet, will be utilized for storage purposes only. The resulting total square footage of the building will be 3,799 square feet. Barley Barn Tap House will also include a fenced outdoor patio (approximately 480 square feet in size) which is located on the west side of the building. In terms of operational characteristics, Barley Barn Tap House has proposed serving craft beers and food, both of which will be provided by off-site local vendors. Live entertainment is proposed on a limited basis in the interior of the building. Proposed hours of operation are Sunday to Wednesday, 11:00 a.m. to 10:00 p.m., and Thursday to Saturday, 11:00 a.m. to 12:30 a.m.

The Barley Barn Tap House project also included a request for Design Review approval for exterior and interior modifications to the existing building in order to create a rural vernacular which is reminiscent of the historic barns throughout California. The proposed building materials include vertical reclaimed wood siding, aluminum clad wood-framed windows, aluminum clad wood-framed glass entry doors, a pair of steel egress doors, galvanized metal gooseneck light fixtures, vintage signage painted on wood, faux dutch doors to emulate horse stables, and corrugated metal roofing. The color scheme is predominantly rustic brown in nature due to the extensive use of the reclaimed wood siding. The roofing material will be a reddish-gray tint to emulate an aged metal roof with an appealing patina. The doors and windows will be a dark brown color.

Vehicle access to the Barley Barn Tap House site is provided by existing roadways including Sutter Street, Scott Street, and Riley Street, while pedestrian access to the site is facilitated by existing sidewalks and pedestrian walkways. Parking to serve the Barley Barn Tap House project is proposed to be provided by utilizing existing public and private parking options in the immediate project area including the Powerhouse Pub parking lot (21 spaces), the adjacent Historic District Parking Lot (72 spaces), and the Folsom Electric Building parking garage (51 spaces). In addition, the applicant has entered into a lease agreement to utilize 15 parking spaces located within the nearby Eagles Lodge parking lot for exclusive use by Eagles Lodge members and customers and employees of Barley Barn Tap House.

The Historic District Commission reviewed the Barley Barn Tap House project at its November 18, 2021 meeting. At this meeting, twelve individuals (including residents, business owners, and community organizations) voiced concern regarding the proposed project, while three individuals (a resident, a business operator, and a community organization) spoke in favor of the proposed project. In addition, the City received numerous comment letters regarding the proposed project and a previous iteration of the project (Folsom Prison Brews). The majority of the comment letters were from individuals who expressed opposition

to the proposed project, although there were also letters from individuals supporting the proposed project. All of the comment letters were provided to the Commissioners for their consideration (included as part of Attachment 4 to this staff report) at the November 18, 2021 Historic District Commission meeting.

The individuals who were opposed to the proposed project voiced concern regarding a number of topics including the following:

- Bar/Brewery Use
- Building Design
- Concentration of Bars Along Sutter Street
- Hours of Operation
- Noise
- Parking and Off-site Parking Agreement
- Pedestrian Safety
- Traffic and Circulation
- Use of CEQA Exemption

The individuals who expressed support for the proposed project focused their comments on a number of issues including the following:

- Business Owner Character
- Craft Beer Business Model
- Historic Building Design
- Off-Site Parking Solution
- Positive Economic Impact
- Sutter Street Surfer Transportation Option

Following extensive public comment, the Historic District Commission engaged in a lengthy debate regarding the proposed project. The primary issues discussed by the Commission were related to potential parking impacts, potential noise impacts, and use of the CEQA Exemption for the project.

With respect to parking, the Commission discussed the existing parking conditions in the Historic District, the parking requirements of the proposed project, and the parking solutions provided by the project. In relation to existing parking conditions, the Commission expressed concern that addition of another bar-type use at this specific location could potentially exacerbate parking conditions in the Historic District. The Commission acknowledged that there are a number of parking solutions that have been implemented or are in the process of being implemented (wayfinding program, residential parking permit program, etc.) in the

Historic District, but that the timing of other solutions (parking in-lie fee, parking structure, etc.) are more long term in nature and may not be pertinent to the proposed project at this time.

The Commission inquired about the parking requirements for the proposed project. In response, City staff commented that the Folsom Municipal Code (FMC, Section 17.52.510) requires that all retail, office, restaurant, museum, and similar uses provide one parking spaces per 350 square feet of building space. However, City staff noted that City practice has been that projects involving existing buildings that do not result in an increase in density (increased building square footage) such as exterior tenant improvements, interior tenant improvements, and similar projects are not required to provide any additional on-site parking. Consistent with past City practice, staff determined that the proposed project, which includes interior and exterior tenant improvements (project results in reduction in building square footage from 4,377 square feet to 3,799 square feet) to an existing commercial building is not required to provide any on-site parking spaces. Staff noted to the Commission that if the proposed project were subject to the aforementioned parking requirements, 11 on-site parking spaces would have been required, which do not need to be on the project site.

The Commission also asked about the parking solutions being provided by the proposed project. City staff explained that existing nearby parking options anticipated to serve the proposed project include 21 parking spaces located within the adjacent Powerhouse Pub parking lot (under same private ownership as subject property), 72 parking spaces located in the adjacent public Historic District Parking Lot, and 51 parking spaces located within the Folsom Electric Building parking garage. In addition to the existing parking options in the project vicinity, staff commented that the proposed project includes the provision of 15 shared off-site parking spaces (lease agreement) at the Folsom Eagles Lodge site, approximately 220 feet to the east of the subject parcel. Staff indicated that the lease agreement for the 15 off-site parking spaces is required to remain in effect as long as the Barley Barn Tap House or any other subsequent establishment operation at the subject location remains in business. Lastly, staff stated that the project applicant committed to offering a complimentary shuttle service (Sutter Surfer) to transfer customers to and from the Historic District parking structure and other public parking lots within the district and the project site.

The Commission discussed potential noise impacts associated with the proposed project in relation to nearby businesses and residential neighborhoods. City staff explained that a number of conditions of approval were placed on the project to minimize potential noise impacts including limitation on hours of operation, prohibiting outdoor speakers, requiring door and windows to be closed during entertainment activities, and complying with the City's Noise Control Ordinance. City staff also commented that the proposed hours of operation associated with the proposed project are similar to other bar-type businesses located along Sutter Street. Lastly, City staff stated the Conditional Use Permit for the proposed project can be revoked if it is determined that the project deviates from the Historic District Commission approval and is not in compliance with all conditions of approval.

With regard to environmental review, the Commission asked for more clarification and details regarding the CEQA Exemption being used for the proposed project. City staff stated that the project was determined to be categorically exempt under Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines and that none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption(s) in this case. City staff proceeded to discuss some of the exceptions (location, cumulative impact, significant effect, and historical resources) in more detail with the Commission.

At the conclusion of the November 18, 2021 Historic District Commission meeting, the Commission was satisfied with the determination that the proposed project is exempt from CEQA and voted on two separate motions associated with the proposed project. First, the Commission adopted a motion (4-1-2-0) to approve a Conditional Use Permit for the Barley Barn Tap House project. Second, the Commission adopted a motion (5-0-2-0) to approve Design Review for the Barley Barn Tap House project.

POLICY / RULE

As set forth in Section 17.52.700 of the Folsom Municipal Code, actions of the Historic District 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.

APPEALS/ANALYSIS

On November 24, 2021, Bob Delp submitted a timely appeal of the decision of the Historic District Commission approving the proposed project. On December 3, 2021, Folsom Railroad Block Developer, LLC and the Historic Folsom Residents Association submitted separate timely appeals as well. Each of the three appeals will be addressed separately below in this staff report.

A. APPEAL No. 1 – Bob Delp

As noted above, Bob Delp submitted a timely Notice of Appeal and associated background letters appealing the Historic District Commission's decision to approve the Barley Barn Tap House project (Attachment 1). Listed below are the ten reasons that Mr. Delp identified in his appeal letter for contesting the Historic District Commission's decision, and City staff's response to each item.

1. Information and analysis provided in the staff report to the HDC was insufficient for meaningful consideration of the Project's potential impacts and for the HDC to make a fully informed decision about the Project entitlements.

City Staff Response:

City staff evaluated the Barley Barn Tap House project in accordance with requirements and recommendations established by the Folsom Municipal Code and the Historic District Design and Development Guidelines. Staff included all pertinent information regarding the proposed project in the Staff Report to the HDC and provided detailed analysis of the project's proposal and potential impacts under the requirements established by the Folsom Municipal Code:

- FMC Chapter 15.52; HD, Historic District
- FMC Section 17.52.300, Design Review
- FMC Section 17.52.360, Conditional Use Permit Review
- FMC Section 17.52.660, Demolition
- FMC Chapter 17.57, Parking Requirements
- FMC Chapter 17.60, Use Permits

In particular, staff followed established practices in reviewing the proposed project with respect to parking requirements. All information and analysis provided to the HDC was sufficient for the Commission to make a decision about the project, and the Commission did, in fact, make a fully informed decision following a lengthy discussion and review of the proposed project.

2. Issues associated with the Project, including interpretation of certain provisions of the Folsom Municipal Code ("FMC"), have broad policy implications for future projects in the Historic District and warrant consideration by the City Council.

City Staff Response:

Staff is unable to respond since no FMC provision is specified which the appellant contents warrant consideration by the City Council.

3. The change in the type and intensity of use at the Project site should result in a requirement for the Project to provide parking in accordance with FMC Section 17.52.510(F) parking standards or for the Project applicant to obtain approval of a variance if such parking requirements are not met. FMC Section 17.52.510(F) states, "All uses must provide parking spaces at the following ratios:..." Although the applicable parking standard is based on building size, it is the change in use that results in the requirement to comply with the standard.

City Staff Response:

Section 17.52.510(F) of the Folsom Municipal Code requires that all retail, office, restaurant, museum, and similar uses provide one parking spaces per 350 square feet of building space. This requirement is met because the project applicant is proposing to provide 15 parking spaces in a nearby private (non-public) parking lot to serve the

proposed project where 11 parking spaces would be required under FMC 17.52.510(F). The Code does not require the required parking spaces be provided on-site within the Sutter Street Subarea.

4. The actual parking demand that would be generated by the Project was not assessed or disclosed in the staff information presented to the HDC. An understanding the actual parking demand is essential for meaningful consideration of the Project impacts to Historic District businesses, visitors, and residents as a result of the increased parking burden. Without that assessment and information, the Council is not sufficiently informed for consideration of whether the Findings required for approval of a CUP can be made.

City Staff Response:

In evaluating new development projects within the Historic District and outside of the Historic District, City staff utilizes the respective parking-related sections of the Folsom Municipal Code to determine the specific parking requirements. As an example, if a new 3,500-square-foot craft brewery were proposed to be built on a vacant parcel within the Sutter Street Subarea, City staff would require the project to provide 10 parking spaces in accordance with Section 17.52.510 of the Folsom Municipal Code. With respect to changes of use within **existing buildings** in the Sutter Street Subarea, City practice has also been that projects that do not result in an increase in density (increased building square footage) such as, for example, exterior tenant improvements and/or interior tenant improvements, are not required to provide any additional parking because the building is already existing and does not need to be constructed.

While City staff determined that the Barley Barn Tap House project was not required to provide any parking spaces per established City practice, City staff and the applicant did recognize that the existing building's change in land use from a retail business to a craft beer establishment has the potential to result in a higher demand for parking. To address this concern, the applicant entered into a lease agreement to utilize 15 parking spaces located within the nearby Eagles Lodge parking lot (approximately 200 feet to the east of the subject property across Scott Street) for exclusive use by Eagles Lodge members as well as customers and employees of Barley Barn Tap House. To ensure that adequate parking is continuously provided for the proposed project, the lease agreement for the 15 parking spaces at the Eagle Lodge property is required to remain in effect as long as Barley Barn Tap House or any subsequent establishment operates at this location pursuant to the Conditional Use Permit.

5. The number of parking spaces for persons with a disability that are required based on the Project's actual parking demand and for compliance with FMC 17.57.050 has not been identified. The Project proposes to install an accessible lift to allow use of an existing handicapped parking space at an adjacent property separated by as much as

100 feet of travel between the parking space and Barley Barn. It is unclear that this concept would November 24, 2021 Page 2 provide parking and access to the Project for persons with a disability without also reducing the availability of existing handicapped parking spaces that already serve existing businesses.

City Staff Response:

The parking spaces proposed by the Barley Barn Tap House project is required to provide one parking space for individuals with a disability pursuant to Section 17.57.050(B) of the Folsom Municipal Code. The applicant is required to comply with this requirement, which is consistent with the requirements established by the 2019 California Building Code. The 2019 California Building Code (CBC Section 11B-208.1) requires one handicapped accessible parking space for projects that are required to provide between 1 and 25 parking spaces. The proposed project includes one handicapped accessible parking space which will be located in the adjacent Powerhouse Pub parking lot (under same ownership). City staff has determined that the proposed project meets the accessible parking requirement.

6. The existing daily and peak-hour vehicle trip volumes and estimated Project daily and peak-hour trip volumes on streets within the Project area (e.g., Scott, Bridge, Sutter, Figueroa, Mormon, Coloma, Leidesdorff, and Riley streets) have not been assessed or disclosed in the City's evaluation. Yet, an understanding of existing and Project-related vehicle trips is essential for meaningful consideration of the Project's traffic-related impacts to Historic District businesses, visitors, and residents and to understand if there are any locations and/or time periods during which Project trips would exacerbate traffic conditions in a manner that would affect motorist, bicyclist, and/or pedestrian circulation or safety (including, but not limited to, increased traffic volumes, changes in vehicle circulation patterns, and increased risk of vehicle/pedestrian collision). Without that assessment, the City Council would not be sufficiently informed for consideration of whether the Findings required for approval of a CUP can be made.

City Staff Response:

The Barley Barn Tap House project involves a proposed craft beer business within an existing building. The proposed project does not involve any changes or modifications relative to streets, driveways, or pedestrian access. City staff evaluated the proposed project to determine whether there would be any traffic, access, and circulation-related impacts and determined that there would be no impacts based on nature of the project, the low projected amount of vehicle trips (approximately 28 Weekday PM Peak Hour Trips, ITE Trip Generation Manual 10th Edition), and the lack of any need to provide project-related modifications to street-driveway-pedestrian features. It is also important to note that City practice is only to prepare project-specific traffic studies for new development projects and/or or development projects that involve significant changes and that these projects generate more than 50 Weekday PM Peak Hour trips.

Based on these factors, staff determined that the proposed project would not result in any significant traffic, access, and circulation related impacts and that no further analysis is required.

7. Issues surrounding the proposed use of the Eagles Lodge parking lot for the Project have not been seriously vetted. Staff statements at the HDC hearing suggested that staff acknowledges that there are at least three days each week that the lot is used by the Eagles. The frequency of special events and other circumstances that might also preclude use of the Eagles lot for Barley Barn parking on other days have simply not been addressed yet are important to understand in assessing whether the Eagles lot component of the Project has merit.

City Staff Response:

The project owner/applicant has entered into a lease agreement with the Eagles Lodge for the joint use of 15 parking spaces located in their private (non-public) parking lot located at 215 Scott Street. According to a representative for the Eagles Lodge, the Lodge hosts special events at their facility one to two times per month. The Lodge also hosts board meetings (approximately ten board members) every other Tuesday from 5:30 p.m. to 8:30 p.m. In addition, the Lodge is open to its members (approximately 200 members) Wednesday and Friday nights from 5:30 p.m. to 8:30 p.m. Given the limited number of events and scheduled uses at the Eagles Lodge, staff has determined that the leased parking spaces at the private Eagles Lodge parking lot will be available for use by employees and customers of the Barley Barn Tap House on a regular basis.

8. Although availability of the Eagles lot for use by the Project might be more limited than some have suggested, use of the Eagles lot by the Project would be an expansion of the existing use (e.g., more days and longer hours of use, increased simultaneous inbound/outbound vehicles, etc.) and requires meaningful evaluation in terms of required entitlements, design standards, circulation, and public safety. Issues warranting meaningful evaluation include:
 - a. The Eagles Lodge parking expansion of use should be considered in terms of FMC chapter 17.57 "Parking Requirements" associated with "change of occupancy or use" (17.57.030(I) requirements and design standards. An assessment of required modifications to the Eagle's parking lot and the parking lot's interface with Canal Street for compliance with the FMC parking design standards is needed.
 - b. City-owned right-of-way (Canal Street) provides access to the Eagles Lodge parking lot and the expansion of use of the parking lot requires a design assessment to determine if and what modifications are required for the parking lot's ingress/egress to Canal Street and the Canal Street/Scott Street intersection.

- c. The Project's expansion of use at the Eagles Lodge parking lot would exacerbate existing vehicle/pedestrian collision risk associated with 1) pedestrian movement along Canal Street between Bridge Street and Scott Street, 2) pedestrian circulation along Scott Street crossing Canal Street, and 3) pedestrian circulation across Scott Street between the Project (Barley Barn) and the Eagles Lodge parking lot. A meaningful evaluation of these issues is needed.

City Staff Response:

Because the Barley Barn Tap House project is located within the Historic District, it is subject to the parking requirements in Section 17.52.510(F) of the Folsom Municipal Code. The proposed project includes the joint use of the existing Eagles Lodge parking lot; no change of use of either the Eagles Lodge or its parking lot is proposed, hence no review for the Eagles Lodge parking lot is required under Section 17.57.030(C) of the Folsom Municipal Code. The Historic District Commission did place a condition of approval (Condition No. 31) on the Barley Barn Tap House project that requires the owner/applicant make a good faith effort to pave and strip the Eagles Lodge parking lot with the voluntary approval of the Eagles Lodge.

Access to the Eagles Lodge parking lot is provided by an existing driveway located on south side of Canal Street, slightly east side of the intersection of Scott Street and Canal Street. The proposed project does not involve any changes or modifications to Canal Street or to the Eagles Lodge parking lot area (other than the potential paving and striping of the parking lot area). As a result, no design assessment is necessary with respect to ingress and egress associated with Canal Street and the Eagles Lodge parking lot.

The Barley Barn Tap house project includes the utilization of the existing Eagles Lodge parking lot through a joint-use lease agreement. No change to the already-existing use of the Eagles Lodge parking lot for vehicular parking is proposed, although it is expected that the parking lot will be utilized more frequently than it is currently used. Pedestrian access to the project site from the Eagles Lodge parking lot is safely provided by existing sidewalks located along both sides of Scott Street, the north side of Sutter Street, and the south side of Riley Street. There are existing pedestrian crosswalks located at the intersection of Sutter Street and Scott Street and the intersection of Riley Street and Scott Street. City staff evaluated the existing on-site and off-site pedestrian circulation system and determined that the existing pedestrian facilities are safe and adequate to serve the proposed project.

9. The Project does not qualify for CEQA exemption. Assuming for the sake of argument that CEQA Guidelines section 15303, New Construction or Conversion of Small Structures, were applicable to the design review approval, there is no basis for extending that exemption to approval of the CUP. Issuance of the CUP is a

discretionary action and subject to CEQA. Simply put, a CUP that allows for a substantial change in the use of the property cannot be excused from CEQA review using a CEQA exemption applicable to the conversion of a small structure. Nor can the section 15303 exemption be extended to other components of the Project that are unrelated to the conversion of the structure (e.g., installation of a lift that is not a part of the structure and is located 50 feet or more from the structure to be converted; expansion of use at a parking lot at a separate property and located 200 feet or more from the structure to be converted). An environmental document in compliance with CEQA must be prepared to evaluate and disclose the Project's potential impacts.

City Staff Response:

The Barley Barn Tap House project is categorically exempt from environmental review under Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines. Section 15303 applies to conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. One of the examples given under Section 15303 in urbanized areas is “up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.” While Section 15303 allows up to four commercial buildings not exceeding a total of 10,000 square feet in floor area, the proposed project involves only one commercial building that is only 4,377 square-foot in size. Additionally, based on staff's analysis of this project, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to prevent the use of the categorical exemption in this case. Exceptions listed within Section 15300.2 include: (a) Location, (b) Cumulative Impact, (c) Significant Effect, (d) Scenic Highway, (e) Hazardous Waste Sites, and (f) Historical Resources. A description of the most applicable of these exceptions is listed below with a brief response as to why each of these exceptions do not apply to the proposed project.

(b) Cumulative Impact. The exemption is inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

In analyzing whether this exception applies, both the “same type” and the “same place” limitations have to be considered. When analyzing this exception with respect to the proposed project, the City staff considered projects of the “same type” to be other projects with similar uses, such as those projects listed on the hours of operation chart that appears in the noise impacts section of the Planning Commission report. City staff considered projects in the “same place” to be projects on Sutter Street.

City staff has determined that the cumulative impacts exception does not apply because of the cumulative impact of successive projects of the same type in the same place as the proposed project is not significant in this case, in that the project will not result in any adverse impacts with respect to building design, site design, parking, lighting, and noise or other environmental impacts potentially caused by the proposed use. With respect to building architecture and site design, the proposed project involves the remodel of an existing commercial building and the re-use of an existing outdoor patio area, both of which have been designed to comply with the Historic District Design and Development Guidelines. In terms of parking, the proposed project is not required to provide any on-site parking spaces per established City practice. In addition, the applicant has entered into a lease agreement to provide 15 parking spaces to further address any potential parking concerns. In relation to noise and light, standard and project-specific conditions of approval have been placed on the proposed project to minimize any potential noise and light impacts. With respect to any other potential impacts caused by the proposed use, the conditions imposed on the project in the Conditional Use Permit are designed to minimize or eliminate any negative effects on the environment created by the proposed use

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. This is commonly referred to as the “unusual circumstances exception.”

The unusual circumstances exception to the use of a categorical exemption applies only when both unusual circumstances exist and there is a reasonable possibility that the project will have a significant effect on the environment due to those unusual circumstances. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1104.)

In making this decision, the decision-making body is required to consider whether the proposed project’s circumstances differ significantly from the circumstances typical of the type of projects covered by the exemption, namely, other small structures in the Historic District that are either converted from one use to another or newly constructed. The exception applies only if the claimed unusual circumstance relates to the proposed action under consideration; it does not apply if the unusual circumstances are part of the existing conditions baseline. (*Bottini v. City of San Diego* 27 Cal.App.5th 281; *World Business Academy v. State Lands Commission* (2018) 24 Cal.App.5th 476, 498; *North Coast Rivers Alliance v. Westlands Water District* (2014) 227 Cal.App.4th 832, 872.)

Another consideration is whether there is a reasonable possibility of a significant effect on the environment due to the unusual circumstances. (*Berkeley Hillside Preservation*,

60 Cal.4th at p. 1115.) The decision-making body answers this question by determining if there is any substantial evidence before it that would support a fair argument that a significant impact on the environment may occur as a result of the proposed project. (*Id.*) A reasonable possibility of a significant impact may be found only if the proposed project will have an impact on the physical environment. If there is no change from existing baseline physical conditions, the exception does not apply. (*North Coast Rivers Alliance v. Westlands Water District* (2014) 227 Cal.App.4th 832, 872.) The exception also does not apply if the project will have only a social impact and will not result in a potentially significant change to the physical environment. (*Santa Monica Chamber of Commerce v. City of Santa Monica* (2002) 101 Cal.App.4th 786, 801; *City of Pasadena v. State* (1993) 14 Cal.App.4th 810, 826.)

The question is not whether the project will have an adverse impact on some persons, but whether it will adversely affect the environment of persons in general due to unusual circumstances. (*San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District* (2006) 139 Cal.App.4th 1356, 1392.

After analyzing the unusual circumstances exception in association with this project, City staff determined that no unusual circumstances exist to distinguish this project from others in the exempt class. While an argument could be made that the small parcel size and the location of the parcel within the public parking lot are unusual circumstances, both of those conditions exist at this time. The presence of bars and restaurants on Sutter Street is not uncommon, so any impacts associated with the proposed use itself are not unusual. In addition, parking impacts associated with new businesses on Sutter Street are not unusual.

City staff also determined that there is not a reasonable possibility of a significant effect on the environment due to any claimed unusual circumstances for this project. Any possibility of a significant impact on the physical environment allegedly caused by proposed project would not be the result of any claimed unusual circumstances. As mentioned above, the proposed use is not unusual, and the parking impacts associated with new businesses on Sutter Street are not unusual. Even so, as described in detail in other sections of this report, the project applicant has secured a lease for 15 parking spots at the nearby Eagle's Lodge in an attempt to address any potential parking-related impacts and the City has conditioned the project to require those parking spots to remain available for the life of the Conditional Use Permit. As a result, City staff has determined that any possible significant effects related to parking are not unusual and do not require application of the exception for this project.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The subject property, which is located at 608 ½ Sutter Street (APN: 070-0061-011-0000), is developed with an existing 4,377-square-foot commercial building which was built in 1958. The existing building is constructed of vertical wood slats with sliding wood doors and a corrugated metal roof. The existing building is not considered a historically significant structure and does not include building materials that would be considered historically significant. In addition, the existing building is not listed on the City's Cultural Resource Inventory List nor any other State or Federal historic or cultural resource inventory or list.

10. During the HDC's November 18, 2021, meeting, comments by the Project applicant's team asserted specific direct and indirect economic benefits of the Project and referenced IMPLAN modeling that was apparently performed for the Project. Documentation of that analysis was not provided for public review prior to the hearing, and it is unclear if any documentation was provided to the HDC. To the extent that economic factors may be considered by the City Council, documentation of any economic analysis used as the basis for the Council's consideration should be provided for public review prior to a Council hearing.

City Staff Response:

During the November 18, 2021 Historic District Commission, the applicant's team made a number of comments regarding potential economic benefits of the proposed project. Specifically, the applicant's team noted that the Barley Barn Tap House would be offering food and beverage provided by other local businesses which would be of a potential economic benefit to the community. In addition, a member of the public (Mr. Joe Gagliardi) spoke and shared a document with the Commission that the proposed project had the potential for direct and indirect economic benefits to the community. No other written documentation regarding potential economic impacts associated with the proposed project have been provided by the applicant. It is also important to note that a project's economic impacts are not part of the findings that Historic District Commission considered in approving the Conditional Use Permit and Design Review for the Barley Barn Tap House project.

B. APPEAL No. 2 – Folsom Railroad Block Developer, LLC

On December 3, 2021, Craig Sandberg on behalf of the Folsom Railroad Block Developer, LLC, submitted a Notice of Appeal and associated background letter (Attachment 2) appealing the Historic District Commission's decision to approve the Barley Barn Tap House project. The appeal is considered timely due to an inadvertent staff error declining to accept this appeal during the 10-day appeal timeframe since an appeal had already been filed by Mr. Delp. In the appeal letter Mr. Sandberg states that his primary concern is the parking analysis and conclusions made for the Barley Barn Tap House project. In the appeal letter Mr. Sandberg also provides an overview of the parking problems that have impacted the Historic District for

many years and references a number of parking studies (Attachment 7) that have been prepared for the Historic District including the December 9, 2008 Historic District Parking Implementation Plan Update, the January 17, 2014 Historic District Parking Implementation Plan Update, and the October 18, 2018 Historic District Parking Implementation Plan Update. Mr. Sandberg indicates in the appeal letter that the aforementioned studies should have been provided to the Historic District Commission as part of Barley Barn Tap House project. Lastly, Mr. Sandberg comments that, based on historic trends, the Historic District has reached the saturation point in terms of parking supply and parking demand.

City Staff Response:

As stated previously within this report, Section 17.52.510(F) of the Folsom Municipal Code requires that all retail, office, restaurant, museum, and similar uses provide one parking spaces per 350 square feet of building space. The Folsom Municipal Code does not differentiate specific parking requirements based on type of land use or the intensity of the land use. In other words, the fact that the use of the existing commercial building at 608 ½ Sutter Street is changing use from an art and crafts store (Artfully Rooted) to a craft beer establishment (Barley Barn Tap House) does not prompt the applicant to provide any additional parking. That being said, City staff recognized that the change in use will likely lead to an increased demand for parking and requested that the applicant provide additional parking to serve the Barley Barn Tap House project. In response, the applicant agreed to enter into a lease agreement with the Folsom Eagles Lodge to secure 15 parking spaces in a private (non-public) parking lot at 215 Scott Street. Based on the fact that the proposed project includes 15 parking spaces at the Eagles Lodge location, has access to 195 public and private parking spaces with the 600-block area of Sutter Street, has access to 624 public parking spaces in other portions of the Sutter Street Subarea, and is providing a shuttle service (Sutter Surfer) to employees and customers, staff determined that adequate parking is provided to serve the Barley Barn Tap House project.

As alluded to in Mr. Sandberg's appeal letter, the City has commissioned numerous parking studies and updates (Attachment 7) over the past 20 years in order to identify parking solutions to address parking concerns within the Historic District. The most recent of these parking studies (October 18, 2018 Study) provided an update to existing parking conditions (parking supply, occupancy, and development). In addition, the 2018 Study included project parking "shortages" for future supply and demand and an approximate time frame for the need for an additional parking supply. Of note, the 2018 Study indicated that there were 801 on-street and off-street parking spaces within the commercial portion of the Historic District, with a weekday peak hour combined (on-street and off-street) parking space occupancy that peaks at 60 percent and a weekend peak hour combined occupancy that peaks at 59 percent.

With respect to future parking supply and demand, the 2018 Study modeled that the commercial portion of the Historic District may reach a parking saturation point by September of 2023 unless new parking solutions (parking structure, parking permits, etc.) were identified and implemented. However, there were many assumptions made with respect to the parking

saturation timeline in the 2018 Study that may no longer hold true including full development of the railroad block and increased commercial development in the Historic District. City staff has previously provided the Historic District Commission a copy of the 2018 Study as recently as August 19, 2020 as part of the 603 Sutter Street Mixed-Use project. However, City staff did not provide a copy of the 2018 Study to the Historic District Commission as part of the Barley Barn Tap House project given the limited nature of the project and the fact that the project is meeting their parking requirement.

C. APPEAL No. 3 – Historic Folsom Residents Association

On December 3, 2021, Michael Reynolds on behalf of the Historic Folsom Residents Association (HFRA), submitted a Notice of Appeal and associated background letter (Attachment 3) appealing the Historic District Commission's decision to approve the Barley Barn Tap House project. The appeal is considered timely due to the same inadvertent staff error declining to accept this appeal during the 10-day appeal timeframe since an appeal had already been filed by Mr. Delp.

In the appeal letter Mr. Reynolds states that the Barley Barn Tap House project would detrimental or injurious to neighbors and nearby businesses based on the parking as proposed and that the Commission was prevented from fully evaluating if the proposed project would or would not be detrimental or injurious to others because they were not provided copies of the three Historic District parking studies (2008, 2014, and 2018 Parking Studies), and the project applicant did not submit a parking impacts analysis. Lastly, Mr. Reynolds indicates in the appeal letter that City staff relied on past practices in evaluating the Conditional Use Permit and that specific examples of past practices were not provided to assist the Historic District Commission in evaluating the proposed project.

City Staff Response:

At the November 18, 2021 Historic District Commission meeting, the Commission discussed and debated a number of issues associated with the Barley Barn Tap House project at great length, including substantial discussions regarding parking. At the end of the meeting, the Commission made two motions, one to approve a Conditional Use Permit and the other to approve Design Review for the Barley Barn Tap House. Both motions were subject the findings (Findings A-I) and conditions of approval attached to the staff report. In particular, the Commission approved Finding G (Conditional Use Permit Finding) which states the following:

CONDITIONAL USE PERMIT FINDING

G. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE AND 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, SINCE THE PROPOSED USE IS COMPATIBLE WITH SIMILAR COMMERCIAL USES IN THE SURROUNDING NEIGHBORHOOD.

As previously discussed within this report, City staff determined that the Barley Barn Tap House project provides adequate parking to serve the proposed use taking into consideration the project includes 15 parking spaces at the Eagles Lodge location, has access to 195 public and private parking spaces with the 600 block area of Sutter Street, has access to 624 public parking spaces in other portions of the Sutter Street Subarea, and is providing a shuttle service (Sutter Surfer) to employees and customers. City staff did not provide the Historic District Commission with copies of the 2008, 2014, or 2018 Historic District Parking Implementation Plan Updates based on the limited extent of the project and the fact that the project is meeting their parking requirement. That being said, City staff has attached the aforementioned parking studies (Attachment 7) to this staff report as they are referenced in the appeal letters.

In evaluating the Barley Barn Tap House project, City staff relied on past practices in determining the parking requirements. Specifically, the City's past practice regarding required parking within the Sutter Street Subarea of the Historic District is that all new development projects which increase density (increased square footage) are required to provide on-site parking spaces at the parking ratios described previously in this report. However, City practice has also been those projects involving existing structures that do not result in an increase in density (increased building square footage) such as exterior tenant improvements and/or interior tenant improvements are not required to provide any additional on-site parking. Consistent with past City practice, staff has determined that the proposed project, which includes interior and exterior tenant improvements (project results in reduction in building square footage from 4,377 square feet to 3,799 square feet) to an existing commercial building is not required to provide any additional on-site parking spaces. The project is providing 15 parking spaces as mentioned throughout this report. A specific example of City staff implementation of this practice regarding parking was the conversion of the commercial building located at 608 Sutter Street (Donnelly House) from an office use to a restaurant/bar use (Hampton's) in 2013. A more current example of this practice is the ongoing conversion of the commercial building at located at 811 Sutter Street (Sutter Street Grill) from a restaurant use to service use (Maribou Hair Salon). In both of these specific cases, no additional parking

was required based on the change in use because they involve existing structures. In addition, City staff has not been able to document an instance where additional parking has been required within the Sutter Street Subarea simply for a change in use of a building.

Based on the foregoing, staff respectfully requests that the City Council **DENY** the appeals by Bob Delp, Folsom Railroad Block Developer, LLC, and the Historic Folsom Residents Association of the Decisions by the Historic District Commission Approving a Conditional Use Permit and Design Review for the Barley Barn Tap House project (PN 19-174) located at 608 ½ Sutter Street and Determination that the Project is Exempt from CEQA based on the following Findings;

CEQA FINDINGS

- A. THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15303, NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES, OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.
- B. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS NOT SIGNIFICANT IN THIS CASE.
- C. NO UNUSUAL CIRCUMSTANCES EXIST TO DISTINGUISH THE PROPOSED PROJECT FROM OTHERS IN THE EXEMPT CLASS.
- D. THE PROPOSED PROJECT WILL NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE.

CONDITIONAL USE PERMIT FINDING

- E. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE AND 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, SINCE THE PROPOSED USE IS COMPATIBLE WITH SIMILAR COMMERCIAL USES IN THE SURROUNDING NEIGHBORHOOD.

DESIGN REVIEW FINDINGS

- F. THE BUILDING MATERIALS, TEXTURES AND COLORS USED IN THE PROPOSED PROJECT ARE COMPATIBLE WITH SURROUNDING DEVELOPMENT AND ARE CONSISTENT WITH THE GENERAL DESIGN THEME OF THE NEIGHBORHOOD.

- G. THE PROPOSED PROJECT IS IN CONFORMANCE WITH THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES ADOPTED BY CITY COUNCIL.

CONCLUSION

The City Council concludes that the decisions of the Historic District Commission approving a Conditional Use Permit and Design Review and determining that the proposed Barley Barn Tap House project is exempt from CEQA are correct.

ATTACHMENTS

1. Letter of Appeal from Bob Delp, dated November 24, 2021
2. Letter of Appeal from Folsom Railroad Block Developer, LLC, dated December 1, 2021
3. Letter of Appeal from Historic Folsom Residents Association, dated December 3, 2021
4. Historic District Commission Staff Report, dated November 18, 2021
5. Historic District Commission Additional Information, dated November 18, 2021
6. Off-Site Parking Lease Agreement, dated October 15, 2021
7. Minutes from November 18, 2021 Historic District Commission Meeting
8. Historic District Parking Implementation Plan Updates, dated January 16, 2009, January 17, 2014, and October 18, 2018
9. Remy-Moose-Manley CEQA Response Letter, dated December 23, 2021
10. Applicant Response Letter, dated December 28, 2021
11. Bob Delp Appeal Hearing Procedure Letter, dated December 30, 2021
12. Additional Public Comment Letters
13. Barley Barn Tap House Economic Snapshot, received December 20, 2021

Submitted,



PAM JOHNS
Community Development Director

Attachment 1

**Letter of Appeal from Bob Delp
Dated November 24, 2021**

CITY OF FOLSOM

NOTICE OF APPEAL

NAME OF APPELLANT: Bob Delp

MAILING ADDRESS: [REDACTED]
Folsom, CA 95630

INTEREST IN MATTER: Resident and property owner

DAYTIME TELEPHONE: [REDACTED]

APN/PROJECT REF. NO. PN 19-174 (Barley Barn Tap House)

ACTION BEING APPEALED: HDC Design Review/CUP Approval & CEQA Exemption

DATE OF DECISION OR DATE PROJECT HEARD: November 18, 2021

REASON FOR APPEAL: Information considered by the Historic District Commission was insufficient for a fully informed decision. Issues associated with the Project, including zoning code interpretation, warrant consideration by the City Council. The Project does not qualify for a CEQA exemption. The project would adversely affect public safety and welfare.

[Signature]
 APPELLANT'S SIGNATURE

November 24, 2021
 DATE FILED

STAFF USE ONLY:

Date/Time Received: 11/24/2021 11:59am **Fee Paid:** \$479 **Res.** 10297

Admin. (staff decision) Appeal
 Owner Occupied \$233
 Other (deposit) \$468

Planning Comm. Decision Appeal
 Owner Occupied/Single Family Dwelling \$238
 Developer/other \$479

Tentative Hearing Date: _____ **Time Limit Waived:** w/a

Copies to: **Community Development Director (2)** _____
City Manager (2) _____
City Attorney (2) _____
City Clerk _____

Received by: Lydia J. Korplan

Updated June 2019

November 24, 2021

City of Folsom City Clerk's Office
Attn: Ms. Christa Freemantle, City Clerk
50 Natoma Street
Folsom, CA 95630
Hand Delivered
via email to cfreemantle@folsom.ca.us

SUBJECT: Barley Barn Tap House Project (PN 19-174) – Appeal of Historic District Commission Approval to City Council

Dear Ms. Freemantle:

I am appealing to the City Council the decision by the Historic District Commission (“HDC”) approving the Barley Barn Tap House Project (PN 19-174) design review and conditional use permit (“Project”), and the HDC’s determination that the Project is exempt from the California Environmental Quality Act (“CEQA”). The attached November 18, 2021, letter was submitted to the HDC prior to its November 18, 2021, hearing and is incorporated herein by this reference (Attachment 1). I reserve the right to bring additional information and arguments to the City Council on appeal.

I am appealing to the City Council for reasons including, but not limited to, those listed below.

1. Information and analysis provided in the staff report to the HDC was insufficient for meaningful consideration of the Project’s potential impacts and for the HDC to make a fully informed decision about the Project.
2. Issues associated with the Project, including interpretation of certain provisions of the Folsom Municipal Code (“FMC”), have broad policy implications for future projects in the Historic District and warrant consideration by the City Council.
3. The change in the type and intensity of *use* at the Project site should result in a requirement for the Project to provide parking in accordance with FMC Section 17.52.510(F) parking standards or for the Project applicant to obtain approval of a variance if such parking requirements are not met. FMC Section 17.52.510(F) states, “All *uses* must provide parking spaces at the following ratios:...” Although the applicable parking standard is based on building size, it is the change in *use* that results in the requirement to comply with the standard.
4. The *actual* parking demand that would be generated by the Project was not assessed or disclosed in the staff information presented to the HDC. An understanding the actual parking demand is essential for meaningful consideration of the Project impacts to Historic District businesses, visitors, and residents as a result of the increased parking burden. Without that assessment and information, the Council is not sufficiently informed for consideration of whether the Findings required for approval of a CUP can be made.
5. The number of parking spaces for persons with a disability that are required based on the Project’s *actual* parking demand and for compliance with FMC 17.57.050 has not been identified. The Project proposes to install an accessible lift to allow use of an existing handicapped parking space at an adjacent property separated by as much as 100 feet of travel between the parking space and Barley Barn. It is unclear that this concept would

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provide parking and access to the Project for persons with a disability without also reducing the availability of existing handicapped parking spaces that already serve existing businesses.

6. The existing daily and peak-hour vehicle trip volumes and estimated Project daily and peak-hour trip volumes on streets within the Project area (e.g., Scott, Bridge, Sutter, Figueroa, Mormon, Coloma, Leidesdorff, and Riley streets) have not been assessed or disclosed in the City's evaluation. Yet, an understanding of existing and Project-related vehicle trips is essential for meaningful consideration of the Project's traffic-related impacts to Historic District businesses, visitors, and residents and to understand if there are any locations and/or time periods during which Project trips would exacerbate traffic conditions in a manner that would affect motorist, bicyclist, and/or pedestrian circulation or safety (including, but not limited to, increased traffic volumes, changes in vehicle circulation patterns, and increased risk of vehicle/pedestrian collision). Without that assessment, the City Council would not be sufficiently informed for consideration of whether the Findings required for approval of a CUP can be made.
7. Issues surrounding the proposed use of the Eagles Lodge parking lot for the Project have not been seriously vetted. Staff statements at the HDC hearing suggested that staff acknowledges that there are at least three days each week that the lot is used by the Eagles. The frequency of special events and other circumstances that might also preclude use of the Eagles lot for Barley Barn parking on other days have simply not been addressed yet are important to understand in assessing whether the Eagles lot component of the Project has merit.
8. Although availability of the Eagles lot for use by the Project might be more limited than some have suggested, use of the Eagles lot by the Project would be an expansion of the existing use (e.g., more days and longer hours of use, increased simultaneous inbound/outbound vehicles, etc.) and requires meaningful evaluation in terms of required entitlements, design standards, circulation, and public safety. Issues warranting meaningful evaluation include:
 - a. The Eagles Lodge parking expansion of use should be considered in terms of FMC chapter 17.57 "Parking Requirements" associated with "change of occupancy or use" (17.57.030(C)) requirements and design standards. An assessment of required modifications to the Eagle's parking lot and the parking lot's interface with Canal Street for compliance with the FMC parking design standards is needed.
 - b. City-owned right-of-way (Canal Street) provides access to the Eagles Lodge parking lot and the expansion of use of the parking lot requires a design assessment to determine if and what modifications are required for the parking lot's ingress/egress to Canal Street and the Canal Street/Scott Street intersection.
 - c. The Project's expansion of use at the Eagles Lodge parking lot would exacerbate existing vehicle/pedestrian collision risk associated with 1) pedestrian movement along Canal Street between Bridge Street and Scott Street, 2) pedestrian circulation along Scott Street crossing Canal Street, and 3) pedestrian circulation across Scott Street between the Project (Barley Barn) and the Eagles Lodge parking lot. A meaningful evaluation of these issues is needed.

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9. The Project does not qualify for CEQA exemption. Assuming for the sake of argument that CEQA Guidelines section 15303, New Construction or Conversion of Small Structures, were applicable to the *design review* approval, there is no basis for extending that exemption to approval of the *CUP*. Issuance of the *CUP* is a discretionary action and subject to CEQA. Simply put, a *CUP* that allows for a substantial change in the *use* of the property cannot be excused from CEQA review using a CEQA exemption applicable to the conversion of a small structure. Nor can the section 15303 exemption be extended to other components of the Project that are unrelated to the conversion of the structure (e.g., installation of a lift that is not a part of the structure and is located 50 feet or more from the structure to be converted; expansion of use at a parking lot at a separate property and located 200 feet or more from the structure to be converted). An environmental document in compliance with CEQA must be prepared to evaluate and disclose the Project's potential impacts.
10. During the HDC's November 18, 2021, meeting, comments by the Project applicant's team asserted specific direct and indirect economic benefits of the Project and referenced IMPLAN modeling that was apparently performed for the Project. Documentation of that analysis was not provided for public review prior to the hearing, and it is unclear if any documentation was provided to the HDC. To the extent that economic factors may be considered by the City Council, documentation of any economic analysis used as the basis for the Council's consideration should be provided for public review prior to a Council hearing.

Thank you for processing this appeal.

Sincerely,



Bob Delp

[REDACTED]
Folsom, CA 95630
[REDACTED]
[REDACTED]

Attachments:

1. Bob Delp, November 18, 2021, letter subject: *Barley Barn Tap House Project (PN 19-174) – Comments to Historic District Commission*

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Attachment 1

**Bob Delp, November 18, 2021, letter subject:
Barley Barn Tap House Project (PN 19-174) – Comments to Historic District Commission**

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City of Folsom Historic District Commission
 50 Natoma Street
 Folsom, CA 95630
 via email to: Kelly Mullett - kmullett@folsom.ca.us

SUBJECT: Barley Barn Tap House Project (PN 19-174) – Comments to Historic District Commission

Dear Historic District Commissioners:

I am requesting that at your November 18, 2021, public hearing for the Barley Barn Tap House project (PN 19-174) (“Project”), the Historic District Commission (“HDC”) decline to approve the Project either by denying the Project or by declining to take an approval or denial action and instead direct staff to:

1. identify all relevant and necessarily entitlements, necessary for the Project and require a complete application(s) for all such entitlements,
2. prepare a clear and complete description of all aspects of the Project,
3. perform pedestrian safety analysis for the Project and seek input from the Traffic Safety Committee,
4. conduct environmental review of the Project in compliance with the California Environmental Quality Act (“CEQA”),
5. conduct a public workshop to receive input on the proposed Project and draft CEQA document,
6. prepare a revised staff report incorporating the above and provide a draft of the staff report and staff-recommended conditions of approval for public review and input,
7. finalize the staff report in consideration of public review and input on the draft,
8. provide proper hearing noticing, including posting of all parcels affected by the Project with public notices in compliance with the Folsom Municipal Code (“FMC”), and only then
9. return to the HDC for a public hearing on the Project.

To date, insufficient information is available to have a complete understanding of the Project. City staff have erroneously asserted that the Project does not require a Parking Variance. Staff have recommended use of an offsite parking lot that has dubious availability and capacity, and staff have not identified any entitlements or physical improvements that would be necessary for the use of the lot (but both would be necessary). Use of the lot would have the potential to create serious pedestrian safety issues associated with movement across Scott Street between the lot and Barley Barn. While there are many reasons to deny or decline to make a decision on the Project as currently presented, the use of the Eagles lot is in my opinion is at best poorly thought-out scheme and, worse, would create the potential for very dangerous pedestrian circumstances that appear to have been given little or no consideration thus far in the process.

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I. REQUIRED NOTICING FOR THE NOVEMBER 18, 2021, HDC HEARING DID NOT COMPLY WITH THE FMC

On August 10, 2021, City staff made certain public noticing commitments on behalf of the Community Development Department. The FMC also has noticing requirements. The commitments and the FMC requirements were not fully complied with for the November 18, 2021, HDC hearing. As of November 17, 2021, no signs were posted at the Project site notifying of the November 18, 2021, HDC Public Hearing. The HDC should request City staff input regarding public hearing noticing and address any deficiencies prior to holding a public hearing.

II. THE PROJECT DESCRIPTION IS UNCLEAR AND INCOMPLETE

The staff report provides incomplete and inconsistent information about the Project making it impossible to understand the entirety of the Project. If the HDC were to approve “the Project” at its November 18, 2021, hearing, it would not be possible for the HDC to accurately understand the full extent of what you are approving.

The Applicant’s project narrative (HDC packet pg. 126) states that the Project will include “an exterior accessible lift located within the Powerhouse Pub Patio area which will provide the accessible route from the accessible parking space to the proposed tap house. The size and configuration of this element will be determined at further development of the construction documents when the CASp (California Access Specialist) is engaged.”

Yet, the staff report does not discuss the lift, where it would be located, what it would look like, how it would be operated and maintained, how it would be powered, how much noise it would generate, how much lighting it would require, or what its hours of use would be. Furthermore, there is no Powerhouse Pub Patio area, and a previous staff-level approval of a patio is no longer valid as no building permit for that patio was issued and the approval period has expired. (See Attachment A of this letter.) Identification of even the basic location, design, and operational elements of such a lift cannot be deferred and must be described and evaluated as a component of the Project prior to an HDC decision.

The staff report discusses that the Project would include the use of an existing offsite parking lot at the Eagles Lodge. However, no information is provided with regard to any entitlements, zoning restrictions/permissions, and engineered design that would be necessary for the expansions of use of that lot. Although the existing use may be grandfathered in, the substantial increase in the intensity of that use is not. The Eagles Lodge property owner should be required to obtain a Conditional Use Permit and the CUP process should require improvements such as paving, striping, lighting, pedestrian walkways, etc. Furthermore, the Eagles Lodge parking lot is accessed by City right-of-way, and would therefore require an encroachment permit and consideration of improvements to the City right-of-way. No information has been provided as to what those improvements might need to consist of. Additionally, the capacity of the Eagles lot is overstated by staff, both in potential number of spaces and in the days/times it is currently used by the Eagles and therefore not available to Barley Barn.

The Eagles Lodge parking capacity is noted in the staff report as 15 spaces, but is noted on the Applicant’s drawings as at most 14 and even that is noted as “hypothetical” needing to be field verified. Furthermore, the proposed lease attached to the staff report allows the Eagles to not just continue using the lot but also to exclude Barley Barn use at the Eagles discretion. Staff is on record as having previously advised the HDC (at its August 4, 2021 meeting) that “The Eagles Lodge parking lot is infrequently used – there are events once a month or maybe once every two months when this parking lot is utilized to its full capacity.” That is incorrect. The Eagles Lodge holds events or open hours multiple times each week during which their lot is often filled, likely beyond capacity (double parked vehicles in the City right-of-way, etc.).

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Eagles Lodge Parking Availability – August 2, 2021

The Eagles lot parking scheme is dubious and, for reasons discussed below in this letter, potentially dangerous. At a minimum, this element of the Project should be eliminated unless and until it undergoes a meaningful evaluation and is subject to property approvals and conditions.

III. THE PROJECT DOES NOT QUALIFY FOR A CEQA CATEGORICAL EXEMPTION

Contrary to staff's recommendation in the staff report for the HDC's November 18, 2021, meeting, the Project does not qualify for an exemption from the California Environmental Quality Act ("CEQA").

FMC 17.52.390, "Environmental review", states, "Review by the historic district commission of applications for conditional use permits, sign permits, variances and design review is subject to the requirements of the California Environmental Quality Act (CEQA). The commission is authorized to hold public hearings on negative declarations, mitigated negative declarations, draft environmental impact reports and final environmental impact reports prepared on applications for the above permits or for design review. The commission shall not approve applications prior to considering the applicable environmental document and complying with the requirements of CEQA and any city procedures for preparation and processing of environmental documents."

The staff report for your November 18, 2021, meeting, claims one (as opposed to the two claimed in the August 4, 2021, staff report for the formerly proposed Folsom Prison Brews) CEQA categorical exemption class as the basis for staff's recommendation that the Project is exempt from CEQA— CEQA Guidelines section 15303, "New Construction or Conversion of Small Structures." The cited class is not applicable to the Project.

III.A The Project Does Not Qualify for a Class 3 CEQA Exemption

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The staff report for the November 18, 2021, HDC selectively cites CEQA Guidelines Section 15303, but a more complete read of 15303 leads to a conclusion that the Project does not qualify for a Class 3 CEQA exemption. The staff report states as follows in attempting to apply the Class 3 exemption (staff report pg. 23; packet pg. 71) (note that this is a quotation from the staff report, not CEQA):

The New Construction of Conversion of Smaller Structures Exemption (15303) consists of the construction or location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and, as relevant to this project, the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Examples of this exemption include but are not limited to: A store, motel, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 10,000 square feet (for up to four commercial buildings) in floor area on site zoned for such use. As described in this staff report, the proposed project includes minor alterations and modifications to an existing 4,377-square-foot commercial building located within an urbanized area, thus, the project qualifies for this exemption.

In fact, what CEQA Guidelines Section 15303 states is (emphasis added):

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and **the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.** ... Examples of this exemption include, but are not limited to:

... (c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, **and not exceeding 2500 square feet in floor area.** In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances **where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.**

There are several factors that exclude the Project from the Class 3 exemption; let's explore some of them.

1. "...the conversion of a **small structure...**". As cited above, the exemption considers a "small" structure as "not exceeding 2500 square feet in floor area." The staff report omits mention of the 2500 square feet criteria and instead attempts to apply the 10,000 square feet that is applicable only when there are multiple buildings under consideration. The Project does not consist of multiple buildings. It is one building that is 4,377 square feet (as cited in staff report), and clearly exceeds the criteria of a small structure as defined by CEQA. For this reason, the Project does not qualify for the Class 3 CEQA exemption.
2. "...where only **minor modifications** are made to the **existing structure...**". The Project proposes substantial modification to the existing structure. Additionally, the Project includes development of an outdoor courtyard, installation of fencing, installation of an accessible lift (details unknown as discussed in this letter), use of an off-site parking area that, although required improvements have not yet been identified, will undoubtedly require modification to be suitable for the proposed Project's use; and several public

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facility infrastructure modifications (see item 3, below). For this reason, the Project does not qualify for the Class 3 CEQA exemption.

3. "...where all necessary **public services and facilities are available...**". The staff report provides no discussion of the public services and facilities requirements for the Project. First, the staff report does discuss that the Project site is unable to provide parking required for the Project – that is one facility that is not available. Second, the Project includes an accessible lift to accommodate public access, that is another public facility that is not currently available. Third, the Project requires a new sewer line and sewer and water connection, as those facilities are not available (Attachment B), Fourth, the Project requires, or could require (this is not fully disclosed), an electrical transformer tie in and a 10 ft by 10 ft concrete pad with additional area to accommodate a new transformer (Attachment B). Fifth, the Project requires the replacement of a rotting and tilted electrical pole to provide for safety of Project patrons (Attachment B). Sixth, the Project may also include or result in the undergrounding of a segment of electrical utility line (Attachment B). Each of these public facility infrastructure modifications associated with the Project individually exclude the Project from being exempt CEQA. For this reason, the Project does not qualify for the Class 3 CEQA categorical exemption.

III.B The Project's Potential to Result in Significant Environmental Effects Disqualify the Project from *any* CEQA Categorical Exemption

As discussed above, the Project does not meet the criteria required for a CEQA categorical exemption. Furthermore, even if a categorical exemption class were applicable to the Project, the Project's potential to result in significant environmental effects and cumulative impacts makes the Project ineligible for any CEQA categorical exemption.

CEQA Guidelines section 15300.2 identifies "exceptions" to the exemptions which preclude application of an exemption under certain circumstances associated with a proposed project. Section 15300.2 exceptions and their applicability to the Project include:

15300.2 Exceptions

- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The staff report (pg. 24, HDC packet pg. 72) states:

City staff has determined that the cumulative impacts exception does not apply because of the cumulative impact of successive projects of the same type in the same place proposed project is not significant in this case, in that the project will not result in any adverse impacts with respect to building design, site design, parking, lighting, and noise or other environmental impacts potentially caused by the proposed use.

First, the City has not evaluated potential environmental impacts of the Project. Thus, staff report's assertion that "the project will not result in any adverse impacts" is not supported in the record, nor is it factual. In fact, as discussed below, in several instances the staff report

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acknowledged that impact will occur and simply downplays them and asserts that conditions of approval will minimize them but with no meaningful evaluation. As discussed herein, the Project would have the potential to result in significant impacts, therefore, it would also have the potential to result in cumulative impacts meaning that even if the Project were eligible for a categorical exemption (which, as discussed above, it is not), the cumulative impact exception to any such exemption would preclude the exemption's applicability to the Project.

The staff report (pg. 24, HDC packet pg. 72) states:

When analyzing this exception with respect to the proposed project, the City considered projects of the "same type" to be other projects with similar uses, such as those projects listed on the hours of operation chart that appears in another noise impacts section of this report. The City considered projects in the "same place" to be projects on Sutter Street.

The referenced "hours of operations" chart lists seven businesses within the 600 block of Sutter Street that each have bars that serve alcohol. The Project would be eighth. Although there are other businesses and other areas (not just alcohol serving and not just on the 600 block, but we can concede to the City's approach and focus on those for the purposes of discussion here).

On August 4, 2021, Assistant City Attorney Sari Dierking explained to the Historic District Commission during a hearing regarding the formerly proposed Folsom Prison Brews project (with the exception of building design, essentially the same as the currently proposed Project). Ms. Dierking advised the HDC in layman's terms that considering cumulative impacts for a CEQA exemption the issue is to determine whether there are, "*so many projects just like this one happening so that this one's sort of the straw that broke the camel's back; we can't keep doing this over and over again without making a huge impact on the environment.*" The Project would be at least the eighth alcohol serving business on the 600 block of Sutter Street. Just how strong is the camel's back?

The Project would exacerbate existing parking deficiencies associated with the existing businesses in this area of the Historic District. The Project would increase vehicle travel to and through the area in the commercial district as well as adjacent neighborhoods that lack sidewalks and experience substantial aggressive drivers cutting through the neighborhoods, and the Project would therefore exacerbate existing pedestrian safety issues. The Project would increase vehicle noise and increase outdoor noise, in an unquantified manner, that would contribute to and exacerbate existing noise that frequently already reaches adjacent neighborhoods into late hours of the night and early morning. The Project would substantially increase the use of the existing Eagles Lodge parking lot, increasing the noise, light, dust, vehicles crossing the pedestrian walkway as compared to the existing use, exacerbating these cumulative effects. For these reasons, the Project would result in cumulative impacts that must be evaluated under CEQA.

Furthermore, the staff report's approach of considering only existing bars and only those on the 600 block fails to consider other existing businesses within the 600 block, bars and other businesses within other areas of the Historic District Sutter Street Subarea, and other reasonably foreseeable projects such as the proposed 603 Sutter Street project which is a current active application with the City and would increase traffic, noise, light, etc., and would further exacerbate existing parking deficiencies and related impacts in the neighboring residential area including pedestrian safety risk.

The staff report (pg. 24, HDC packet pg. 72) states:

The proposed project involves the remodel of an existing commercial building and the re-use of an existing outdoor patio area.

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This description fails to acknowledge that the building would be substantially modified, the “re-use of the courtyard” would involve installation of fencing, tables, and other modifications, and fails to mention and consider other components of the Project such as the accessible lift, new sewer lines, electrical transformer, and substantial increase in use of an offsite currently gravel surfaced parking lot that will undoubtedly require improvements for safety and security (the staff report provides no discussion of offsite parking lot *improvements*, however, the existing lot does not meet City parking standards and will require improvements if it is to be used by the Project). Thus, the Project would not be limited to the mere remodeling of a building and use of outdoor patio and impacts associated with the entire Project have not been fully considered by the City for their potential contribution to cumulative impacts.

The staff report (pg. 24, HDC packet pg. 72) states:

In terms of parking, the proposed project is not required to provide any onsite parking spaces per established City practice. In addition, the applicant has entered into a lease agreement to provide 15 off-site parking spaces to further address any potential parking concerns.

Established City practice of not requiring onsite parking is inconsistent with the Folsom Municipal Code. More relevant here, however, is that it is that very practice that has created and, if perpetuated, will continue to exacerbate the existing parking deficiencies and public safety issues associated with neighborhood parking in the Project area. Furthermore, evidence in the staff report suggests that there are, at most, 14 hypothetical parking spaces at the proposed offsite location. Furthermore, the proposed offsite parking lot would only be available for Project use when it is not in use by its owner and that owner would retain the right to exclude Project use of the lot any time for any reason. Thus, the offsite parking lot component of the Project has limited value in providing parking.

Additionally, the offsite parking lot, when it is available for use, would create a situation that attracts vehicles to an already often congested segment of Scott Street and would create the potential for substantially increasing pedestrian risk conditions along Scott Street. Additional vehicles on Scott Street and additional pedestrians attempting to cross Scott Street between the lot and the Project would exacerbate pedestrian risk resulting in a significant Project impact and a substantial contribution to the existing cumulative risk. Thus, the Project would result in significant cumulative effects associated with public safety.

The staff report (pg. 24, HDC packet pg. 72) states:

In relation to noise and light, standard and project-specific conditions of approval have been placed on the proposed project to minimize any potential noise and light impacts.

The City has performed no meaningful impact analysis associated with potential noise and light impacts. Yet, the staff report acknowledges the need to apply conditions of approval to address such impacts, implicitly acknowledging that the Project would have the potential to result in noise and light impacts and, thus, proposes mitigation-like conditions attempting to address those impacts. Although the staff report discusses that these mitigations/conditions would minimize any potential effects, there is no analysis of what the pre-mitigated impacts would be, no analysis of the actual efficacy of the proposed mitigation, and no analysis of what the residual impacts would be. Even if the staff report is correct that conditions of approval would “minimize” the cumulative impacts associated with these minimized impacts is still not evaluated. In fact, the Project will have the potential to result in significant noise and light impacts and would have the potential to result in cumulative noise and light impacts. Furthermore, the City has made no

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attempt to evaluate noise and lighting impacts associated with the proposed use of the offsite parking lot, which would also contribute to the Project's project-specific and cumulative impacts.

The staff report (pg. 24, HDC packet pg. 72) states:

With respect to any other potential impacts caused by the proposed use, the conditions imposed on the project in the Conditional Use Permit are designed to minimize or eliminate any negative effects on the environment created by the proposed use.

This barren attempt at blanket coverage of "any other potential impacts cause by the proposed use" is insufficient evidence of anything, except perhaps the City's acknowledgement that there are "other potential impacts [that will be] caused by the proposed use." I agree.

The City's decisions to attempt a CEQA exemption for the Project has resulted in the City's failure to perform environmental impact evaluation of the Project. Therefore, the City has thus far failed to evaluate and disclose impacts that would be associated with the discretionary approval of a CUP and design review for the Project.

Potential impacts and substantial evidence of a fair argument that the Project may have one or more significant effects discussed below. Individually, each is sufficient to invalidate the use of a CEQA categorical exemption and sufficient to require that the City prepare a CEQA document for the Project. Furthermore, each of these Project impacts has the potential to substantially contribute to cumulative effects associated with past, present, and reasonably foreseeable projects (including the currently proposed 603 Sutter Street project its substantial increase in vehicle trips and parking demand) and require evaluation under CEQA.

Aesthetics. By developing a dominating building exterior inconsistent with the architecture of existing structures, the Project would have the potential to result in a substantial adverse change in the visual character of the Historic District, including views from adjacent private properties/businesses, views from adjacent public roadways and bicycle/pedestrian trails and walkways, and views from adjacent historic properties. Figure 2 on the following page illustrates views from offsite public areas that would have the potential to be adversely affected by the Project's modification of the existing structure. Other Project components having the potential to significantly alter the visual character of the Project area – including the development of an accessible lift, an outdoor patio that apparently would be somehow joined with a speculative outdoor patio at an adjacent property, modifications and signage that would be needed to facilitate use of the Eagles Parking lot, have not been fully described. These components must be clearly described and evaluated in compliance with CEQA.

Air Quality. Vehicle emissions associated with vehicle trips generated by the Project and fugitive dust associated with unpaved parking lot use are among the Project elements that would create the potential for significant impacts and must be evaluated. The Project proposes to use offsite parking lots to meet a portion of its increased parking demand. The Project's use would be in addition to use of the lots that already occurs due to existing uses. Use of the lots would increase in intensity and with more vehicles and greater frequency and density of use with the shared use proposed by the Project. One of the proposed lots is gravel/dirt surfaced and no improvements are proposed. Increased use of the lots by adding Project-related vehicles would increase fugitive dust emissions that will adversely affect adjacent properties. Air quality impacts of the Project must be evaluated in compliance with CEQA.

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Biological Resources. A recent CEQA document prepared by the City for a project approximately 200 feet from the Project site (603 Sutter Street Commercial Building Revised Initial Study/Mitigated Negative Declaration, July 2021) identified that valley oak and ornamental trees on that project site could provide nesting habitat for bird species found in the vicinity of the project. The study also the State-threatened Swainson's hawk has occurred in the project vicinity and that there is a noted occurrence within 0.5 miles of that project site. The study notes that Swainson's hawks generally forage within 10 miles of their nest tree, and more commonly within 5 miles; and that existing trees within that project parcel may serve as nesting trees. The Project site is less than 200 feet from the 603 Sutter Street project location. The proximity of the proposed Project to the 603 Sutter Street site and the Project site's proximity to woodland areas to the north and along Lake Natoma (also as near as 200 ft) clearly indicate that Project construction activities would have the potential to adversely affect protected nesting bird species in the same or similar manner as those of the 603 Sutter Street project. The 603 Sutter Street project identifies mitigation measures attempting to address the impacts, but no such provisions are provided for construction activities associated with the Project. Potential impacts to biological resources must be evaluated for the proposed Project and mitigation measures identified to avoid impacts to protected bird species. This analysis and mitigation requirements to avoid significant impacts to special-status species must be evaluated and documented in a CEQA document.

Land Use/Planning. The proposed leasing of the Eagles Lodge parking lot for use by another party must be assessed in terms of applicable General Plan policies and zoning requirements.

Noise. The Project would increase the intensity of use of the Project site and extend the hours of use (discussed above). The staff report identifies staff's concerns with potential noise impacts and recommends conditions of approval modifying the hours of operation and making other use restrictions. However, staff provides no evidence or evaluation to actually present the potential noise impacts associated with the Project or to assess and determine the efficacy of the recommended conditions of approval. Staff's identification of potential noise issues indicates that staff recognizes the potential for noise impacts yet provides no analysis of noise impacts associated with the site use, offsite vehicle trips, or offsite parking use – all of which are potentially significant noise components of the Project. An actual noise analysis must be conducted by a qualified acoustician for compliance with CEQA.

On August 4, 2021, during a presentation to the HDC regarding the then-proposed Folsom Prison Brews project, staff planner Steve Banks stated to the HDC, "noise and noise-related issues were evaluated at great length by City staff." Subsequent to that HDC meeting, the Community Development Direct advised that the Department does not have in-house capabilities to perform noise evaluations. The staff report for the November 18, 2021, HDC hearing states that "staff evaluated potential noise impacts associated with the proposed project," yet staff does not have the capability to perform noise evaluations. The staff report discusses hours of operation for the proposed tap house and discusses existing hours of operation for other businesses in the area, but the staff report neither cites a noise study nor presents any information resembling a noise impact evaluation.

Basic and fundamental information essential for a noise impact evaluation, such as existing and predicted with-project noise levels, is not provided in the staff report nor any supporting documentation. There is no discussion in the staff report "Noise Impacts"

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section (packet pgs. 57-59) of the predicted noise levels associated with the proposed tap house, nor is there any discussion of noise impacts associated with the Project's use of the Eagle Lodge parking lot. There is no discussion of anticipated vehicle trips and associated traffic noise levels that would result from the project. The distances to nearest residences cited in the staff report fail to acknowledge residential uses at 605 and 607 Sutter Street (both of which are within less than 100 feet of the project site and within 200 feet of the proposed outdoor patio) or residential uses in proximity to the Eagles Lodge parking lot component of the project. The staff report fails to discuss other noise-sensitive land uses, such as the existing outdoor dining areas at nearby restaurants.

Also, even though the staff report seemingly attempts to base the "evaluation" on hours of operation, there is no discussion of the City General Plan daytime and nighttime exterior standards or time periods for which those standards are based, which then fails to disclose the fact that the project's proposed hours of operations on Thursday, Friday, and Saturday extend into the nighttime period during which the General Plan standards recognize increased noise sensitivity. Instead, the staff report incorrectly suggests that the Project would not result in noise impacts because other bars and restaurants are also open late into the evening.

The Project would have the potential to result in significant noise impacts associated with construction activities, the proposed tap house use, the proposed use of the Eagles Lodge parking area, the proposed lift operation, and the increased vehicle trips and resulting traffic noise. A noise impact evaluation must be prepared and potential impacts and mitigation identified in compliance with CEQA.

Transportation/Public Safety. The Project would increase the intensity of the Project site use and of offsite parking lots use as compared to the existing business at the site. The staff report acknowledges the Project would increase parking demand, but provides no analysis of Project trip generation or impacts of vehicle circulation. CEQA no longer requires, or permits, a lead agency to identify traffic *congestion* as a Project impact; however, CEQA does require that a lead agency provide an analysis of impacts related to vehicle miles traveled (VMT) and public safety and hazards. Consideration of public safety impacts associated with vehicle circulation in the Historic District commercial and residential areas must be evaluated.

Discussed below as relates to findings necessary for issuing a Conditional Use Permit, the City must evaluate and acknowledge that exacerbation of the existing spillover parking of visitors and workers coming to the Historic District and parking in adjacent neighborhoods is already substantially adversely affecting the health, safety, and wellbeing of Historic District residents. Vehicles circulating in residential neighborhoods and vehicles parking on residential streets create risks, especially for bicyclists and pedestrians in Historic District neighborhoods. The Project's vehicle trip generation and parking demand must be evaluated and the increased/exacerbated risk to pedestrians and bicyclists resulting from increased vehicle movement and increased spillover parking in residential neighborhoods must be meaningfully evaluated.

Furthermore, the proposed use of the Eagle Lodge parking lot and pedestrian movement between that lot and the Barley Barn site would require pedestrian crossing of the busiest segment of Scott Street, which is often congested and/or traveled at unsafe speeds. The discussion of pedestrian access in the staff report fails to even acknowledge this connection, and no evaluation of pedestrian access and safety associated with the Eagle Lodge lot component of the Project has been performed.

November 18, 2021

For any one of the reasons discussed above, the Project does not qualify for a CEQA categorical exemption. Furthermore, even if it did, three exceptions to that exemption would preclude the use of a categorical exemption. Therefore, the City must prepare and circulate a CEQA environmental document for public review prior to proceeding with a Project decision.

IV. THE PROJECT WOULD SUBSTANTIALLY ADVERSELY AFFECT THE HEALTH, SAFETY, AND COMFORT OF THE GENERAL PUBLIC, AND THE FINDINGS REQUIRED FOR ISSUANCE OF A CUP CANNOT BE MADE

FMC 17.60.040 requires for CUPs that, "The findings of the planning commission [in this case, the HDC] 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."

The staff report discusses pedestrian circulation, but is limited to merely describing how people would walk from adjacent parking areas to the proposed business (the discussion does not consider pedestrian movement between the Eagles lot and Barley Barn site) and provides no indication that staff considered public and pedestrian safety, health, or welfare.

Pedestrians and bicyclists on Historic District residential streets are subject to existing risk from drivers and are especially at risk compared to other areas of the City due to factors including but not limited to: 1) absence of sidewalks along many Historic District residential streets, 2) substantial use of neighborhood streets for vehicle travel through the Historic District, 3) substantial use of neighborhood streets for parking which forces pedestrians and bicyclists to share the same street sections as motor vehicles, 4) the relatively high proportion of businesses and visitation to the Historic District which results in increased neighborhood traffic through extended periods of daytime, nighttime, and early morning hours as compared to other neighborhoods in the City, 5) a relatively high proportion of alcohol serving businesses in the Historic District commercial areas increasing the likelihood of driver intoxication and contributes the extended night and early morning trips in Historic District neighborhoods, 6) the continuing and worsening patterns of illegal, aggressive, distracted, inattentive, and otherwise dangerous driver behavior throughout the City, including the Historic District.

It is well known, but not addressed in the staff report, that workers and visitors to the Historic District commercial area often park on streets in the residential neighborhoods in the 400-600 blocks south and east of Sutter Street. These parked vehicles result in making the residential streets narrower and more dangerous for pedestrians. As the residential streets become loaded with vehicles, drivers and pedestrians have less ability to negotiate around each other creating increased risk to pedestrians. When drivers are focused on finding parking, they often drive more hurriedly/aggressively and less conscientious of pedestrians. There is limited street lighting in the neighborhoods making pedestrians more difficult to see. With the exception of a short segment on the east side of Scott St, south and east of the Sutter/Scott Street intersection there are no connected sidewalks in the residential neighborhoods, and pedestrians must walk in the street.

Furthermore, and as discussed above, the proposed use of the Eagle Lodge parking lot and pedestrian movement between that lot and the Barley Barn site would require pedestrian crossing of the busiest segment of Scott Street, which is often congested and/or traveled at unsafe speeds. The direct path between the Barley Barn site and the Eagles lot is mid-block on Scott Street (between Sutter and Riley streets) and pedestrians would likely seek to cross there where no crosswalk is available. The discussion of pedestrian access in the staff report fails to even

November 18, 2021

acknowledge this connection, and no evaluation of pedestrian access and safety associated with the Eagle Lodge lot component of the Project has been performed. The City's Traffic Safety Committee has not been given an opportunity to meet and discuss the Project and made recommendations to City decision-makers.

Speeding, distracted driving, right-of-way violations, and DUIs were recently cited in the Local Road Safety Plan adopted by the City Council as the leading causes of fatal and severe injury collisions in the City of Folsom. The Project would increase vehicle trips to and from the Historic District and would substantially exacerbate the existing public safety risk associated with motor vehicle operation. The staff report provides no discussion of these issues and the related effects of the Project on the health, safety, and comfort of the general public.

For these and other reasons, the Project would substantially adversely affect the health, safety, and comfort of the general public and the findings required for issuing a CUP cannot be made.

V. THE PROJECT REQUIRES A PARKING VARIANCE, AND HAS NOT APPLIED FOR AND DOES NOT QUALIFY FOR SUCH A VARIANCE

The Project would increase the intensity of use and increase the parking demand associated with the Project site as compared to existing conditions. The staff report provides no information regarding the existing site use entitlement or allocation of existing parking. Yet, the staff report asserts "City policy" associated with parking, stating that "*City policy has also been that development projects that do not result in an increase in density...are not required to provide any additional on-site parking.*" Although requested, City staff has provided no documentation of when and how the City Council adopted such a policy – and there is no evidence that such a policy exists.

The staff report does not provide information regarding existing entitlements/use permits/conditions of approval associated with either of the two private lots at which the Project presumes could be used to meet the Project's parking demand. Evidence of such entitlements are required components to be included as a component of a project application (17.52.310(C)), yet they are not provided. For a meaningful analysis of the proposal, the proposed off-site parking areas and their existing entitlements, and parking allocations, must be identified in order to allow an assessment of whether their proposed use for parking from another project has any merit.

The Project narrative included in the staff report acknowledges the increased demand and additional parking required, yet the Project does not provide a feasible mechanism to actually provide additional parking that would be available during all days and times of Project operation. The Project proposes use of the Eagles Lodge property to meet some of the Project's increased parking demand. Yet this proposed approach is fundamentally flawed in terms of providing ensured parking capacity. According to a lease provided in the staff report, the Eagles Lodge would continue to utilize its parking area and, in fact, the lease presented includes language expressly allowing the Eagles Lodge to preclude use by the Project.

The Project's parking requirements must be determined and the Project should not be approved unless and until such approval includes an application for and approval of a parking variance through a public hearing process at which a City decision making body is able to consider whether the Project meets the findings required for such variance.

VI. CONCLUSION

To date, insufficient information is available to have a complete understanding of the Project. City staff have erroneously asserted that the Project does not require a Parking Variance. Staff have recommended use of an offsite parking lot that has dubious availability and capacity, and

November 18, 2021

staff have not identified any entitlements or physical improvements that would be necessary for the use of the lot (but both would be necessary). Use of the lot would have the potential to create serious pedestrian safety issues associated with movement across Scott Street between the lot and Barley Barn. While there are many reasons to deny or decline to make a decision on the Project as currently presented, the use of the Eagles lot is in my opinion is at best poorly thought-out scheme and, worse, would create the potential for very dangerous pedestrian circumstances that appear to have been given little or no consideration thus far in the process.

Please require that a more complete description of the Project be developed which comprehensively identify all required entitlements, conduct the necessary safety and environmental analysis, and invite the community to engage in discussion of the Project's potential benefits and challenges before making an approval decision.

Sincerely,



Bob Delp
Historic District Resident
Folsom, CA 95630
[REDACTED]

Attachments:

- A. Email Correspondence – Delp to Johns 9/30/2021 “Re: 614 Sutter Street Patio (PN 18-219) Approval is Null and Void
- B. Email Correspondence – Banks and Konet et al, 10/14/2020 “FW: Folsom Prison Brews Update and Questions_2020-10-08”

November 18, 2021

Attachment A

**Email Correspondence – Delp to Johns 9/30/2021 “Re: 614 Sutter Street Patio (PN 18-219)
Approval is Null and Void**

Re: 614 Sutter Street Patio (PN 18-219) Approval Is Null and Void**Bob Delp** <bdelp@live.com>

Thu 9/30/2021 7:16 AM

To: Pam Johns <pjohns@folsom.ca.us>**Cc:** Sari Dierking <sdierking@folsom.ca.us>**Pam:**

Per my message below, can you please confirm that the City's records have been adjusted to reflect the expiration of the 2018 staff-level approval for hardscape/landscape work at 614 Sutter Street and that any future similar proposal would be presented for review and approval by the HDC through a public hearing process?

Thank you,

-Bob Delp

Bob Delp

916-812-8122

bdelp@live.com**From:** Bob Delp**Sent:** Sunday, September 12, 2021 9:20 AM**To:** Pam Johns <pjohns@folsom.ca.us>**Cc:** Sari Dierking <sdierking@folsom.ca.us>**Subject:** 614 Sutter Street Patio (PN 18-219) Approval Is Null and Void**Ms. Johns:**

At the August 4, 2021, Historic District Commission (HDC) meeting during a presentation regarding the proposed Folsom Prison Brews project, Steve Banks advised the HDC that the Folsom Prison Brews applicant had received separate staff-level approval of hardscape and landscape improvements on the adjacent Powerhouse Pub property (614 Sutter Street). As discussed below, records indicate that this approval is null and void and I am requesting that the record be adjusted accordingly.

In materials I received as a result of a public records request for entitlements associated with properties including 614 Sutter Street, I have reviewed a September 11, 2018, staff letter approving PN 18-219 Site Design Review of a proposed excavated landscaped patio at 614 Sutter Street. FMC 17.52.350 states that, "an approval by the historic district commission shall be null and void unless the applicant submits a complete application for a building permit within one year from the date of approval" and allows that the HDC may grant a 1-year extension of an approval if specific actions are taken by the applicant, including a written request for such extension at least 60 days prior to the initial expiration. Staff-level approvals (which are to be limited to *design* decisions only) are allowed by delegation of HDC's authority and are therefore subject to the same requirements and expiration terms of an approval granted by the HDC.

I see no evidence in the records provided that a building permit application has been submitted for the patio improvements. Without such an application having been submitted prior to September 11, 2019, the 2018 approval is null and void. The record for PN 18-219 should be adjusted to reflect that expiration.

In addition to acknowledging that the approval is null and void, I am requesting that any future proposal for a development in the Historic District that would consume 1 or more existing parking spaces and/or in any manner expand any commercial use (the patio would have done both) be publicly noticed and brought to the HDC for consideration and not be permitted by staff-level review. In fact, since the matter of the patio was not merely a "design" issue and also involved grading, expansion of use, and elimination of existing parking, a staff-level approval was in conflict with FMC Section 17.52.395(B) which limits HDC delegation of its authority to staff to matters of design only (delegation is allowed only if "approval of the design of the project is the only matter within the jurisdiction of the historic district commission").

Nor in the record for PN 18-219 did I see any evidence that staff presented the approval to the HDC as required by the FMC. Perhaps this occurred and was not included in the records I received, however, please be reminded that FMC Section 17.52.395(E) requires that "the planning, inspections and permitting department shall review the design of all approved projects with the historic district commission at its regular monthly meeting. Such review will allow the commission to provide input to the department concerning the appropriateness of the approvals and help the commission and the department develop a consistent approach to design review."

Thank you,
-Bob

Bob Delp
916-812-8122
bdelp@live.com

November 18, 2021

Attachment B

Email Correspondence – Banks and Konet et al, 10/14/2020 “FW: Folsom Prison Brews Update and Questions_2020-10-08”

From: [Steven Banks](#)
To: [Reggie Konet](#)
Subject: FW: Folsom Prison Brews Update and Questions_2020-10-08
Date: Wednesday, October 14, 2020 2:00:00 PM
Attachments: [North of 50 Development Impact and Permit Fees for \(2020.07.01\).pdf](#)
[Impact Fee Estimate Data Sheet.pdf](#)

FYI

From: Daniel Wolfe <dwolfe@folsom.ca.us>
Sent: Wednesday, October 14, 2020 2:00 PM
To: Steven Banks <sbanks@folsom.ca.us>; Bryan Holm <bholm@folsom.ca.us>
Subject: RE: Folsom Prison Brews Update and Questions_2020-10-08

From: Steven Banks <sbanks@folsom.ca.us>
Sent: Wednesday, October 14, 2020 1:33 PM
To: Daniel Wolfe <dwolfe@folsom.ca.us>; Bryan Holm <bholm@folsom.ca.us>
Subject: FW: Folsom Prison Brews Update and Questions_2020-10-08

Hi guys,

Would you be able to help answer some of the utility questions below associated with the Folsom Prison Brews project?

Thanks,

Steve

From: Steven Banks
Sent: Thursday, October 8, 2020 12:46 PM
To: Daniel Wolfe <dwolfe@folsom.ca.us>
Subject: FW: Folsom Prison Brews Update and Questions_2020-10-08

Hi Dan,

The applicant for the Folsom Prison Brews project was forwarded me with a list of questions, some of which I may need your assistance with (see below No. 1, No. 2, and No. 3).

Thanks,

Steve

From: Reggie Konet <konetarchitecture@gmail.com>
Sent: Thursday, October 8, 2020 10:44 AM
To: Steven Banks <sbanks@folsom.ca.us>
Cc: Murray Weaver <powerhousepub@aol.com>

Subject: Folsom Prison Brews Update and Questions_2020-10-08

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.

RE: Folsom Prison Brews
PN18-174

Good morning Steve,

I hope this email finds you well.

Murray and I met with my MEP engineers yesterday at the site. The SMUD agent did not show up and never responded to my invites.

But we did have a productive meeting and I'd like to ask you the following questions.

1. For our new waste line, we may tie into the existing connection at the WEST side of the building, or we may tie into the waste line downhill from the building to the NORTH. If so, what is the sewer connection fee for a new connection?

Each Parcel shall have it's own water and sewer connection. If the parcel has an existing connection it may use it. It may not tie into a service on a different parcel. Same goes for water. A fee schedule is attached. I can give you an estimate if you fill out the data sheet and send it back to me.

2. For our new electric, we will need to tie into a transformer. There is an existing one at the EAST edge of parking lot. Do you feel that SMUD will allow us to do so? If we have to provide our own new transformer, it needs to be located on a 10' x 10' conc pad with the additional clear floor area. This would drastically reduce Murray's outdoor patio area.

That is between you and SMUD. The city does not get involved unless we are inspecting new service improvements for code compliance.

3. CITY UTILITIES PLAN. Do you have access to the underground utility location map? Location, size of pipes, easements, etc.

We get you the utility maps that we have on file. Please be aware that they are not always 100% accurate.

4. Remind me again on the time schedule for the HDC review? How far are they backed up?

5. Last but not least, the elec pole that is on the northwest edge between this property and the Powerhouse Pub is rotting and tilted. I realize that SMUD comment 1 states that if it needs to be moved for the project, the cost is on Murray. BUT, we do not need to move it for this project. ALTHOUGH, we are very concerned about

the safety of Murray's properties due to the condition of this pole. Also, it is the last above grade pole. The continuation of the lines are buried at that point moving east. So we thought it may behoove the Historic District to request SMUD to bury the lines at this point going west to the next pole. It would eliminate our concern of safety and it would benefit the aesthetic of the Historic District entry point. Many folks park in that lot and walk up the stairs toward Sutter Street. This particular pole is visually detrimental. Is there something we could do to request action on SMUD's part to perform this work?
PLEASE SEE MURRAY'S LETTER attached.

Thank you so much, Steve. I realize how busy you are and I greatly appreciate your assistance.

REGGIE KONET, AIA

CA LIC #33835
NY LIC #031827

KONET ARCHITECTURE

c 916.835.4222

www.houzz.com/pro/reggiekonet/

**255 American River Canyon Drive
Folsom, CA 95630**

Attachment 2

**Letter of Appeal from Folsom Railroad Block Developer,
LLC, Dated December 3, 2021**

CITY OF FOLSOM

NOTICE OF APPEAL

NAME OF APPELLANT: FOLSOM RAILROAD BLOCK DEVELOPER LLC
 MAILING ADDRESS: [REDACTED]
FOLSOM, CA. 95630
 INTEREST IN MATTER: LANDOWNER
 DAYTIME TELEPHONE: [REDACTED]
 APN/PROJECT REF. NO. PN 19-174 BARLEY BARN TAP HOUSE
 ACTION BEING APPEALED: HDC USE PERMIT APPROVAL
 DATE OF DECISION OR DATE PROJECT HEARD: NOVEMBER 10, 2021
 REASON FOR APPEAL: FAILURE BY HDC TO ADEQUATELY
CONSIDER IMPACTS

SEE ATTACHED

Craig M. Anselberg
 APPELLANT'S SIGNATURE
 FOR APPELLANT

12/3/21
 DATE FILED

STAFF USE ONLY:

Date/Time Received: _____ Fee Paid: _____ Res. 9600

Admin. (staff decision) Appeal
 Owner Occupied \$239
 Developer/other \$479

Planning Comm. Decision Appeal
 Owner Occupied \$239
 Developer/other \$479

Tentative Hearing Date: _____ Time Limit Waived: _____

Copies to: Community Development Director _____
 City Manager (2) _____
 City Attorney (2) _____
 City Clerk _____

Received by: _____

1024 Iron Point Road
Ste. 100 #1280
Folsom, CA 95630

LAW OFFICES OF
CRAIG M. SANDBERG

Tel: (916) 357-6698
Email Craig@Sandberglaw.net

December 3, 2021

City Clerk
City of Folsom
Attn: Christa Freemantle
50 Natoma Street
Folsom, CA 95630

Via email: cfreemantle@folsom.ca.us

Rc: Barley Barn Tap House Appeal (PN 19-174)

Dear Ms. Freemantle:

This office represents Folsom Railroad Block Developers, LLC, appealing the approval of the above described project by the Historic District Commission on November 18, 2021. Although an appeal has already been filed by other parties we have been advised that it would be appropriate for us to submit an appeal as well.

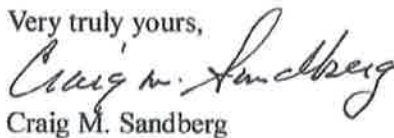
Our primary concern is the parking analysis and conclusions made for this project. It is no secret that there is a parking problem in the Historic District, which has long been an area of concern. City staff did a presentation to the City Council in February, 2008, describing the need for a strategy for accommodating the need for additional parking in the District. Later the same year, the City commissioned Kimley-Horn and Associates to prepare the *Historic District Parking Implementation Plan Update*, dated December 9, 2008. The Implementation Plan provided a comprehensive review of the on-street and off-street parking available in the Historic District together with the planned expansion of parking facilities. The conclusion was that in 2008 the parking inventory was generally adequate to accommodate the then existing uses in the Historic District but in order to accommodate approved uses, such as the Railroad Block Master Plan and other growth in the Historic District, additional parking facilities would be needed. Specifically, a new parking structure on Trader Lane, without which there will be no more parking capacity. Accordingly, the Implementation Plan suggested changes to the parking requirement ratios and financing strategies to construct new facilities. None of the suggested changes, nor financing strategies were implemented and accordingly, no new facilities have been constructed. The Implementation Plan has since been updated in 2014 and again in 2018, which confirmed the concern raised in the 2008 study that with expected growth the available parking would become inadequate. Attached is a graphic taken from the 2018 update which depicts the supply of parking in relation to the growth of the Historic District based on historic trends. Although you probably do not need a graph to realize the parking has become a problem in the Historic District, the graph clearly shows that the saturation point has been reached. This reality is reflected in comments from other business owners expressing their concerns about the proposed expanded use, together with the appeal filed on behalf of the neighbors.

City Clerk
City of Folsom
December 3, 2021
Page 2

The City has spent considerable time and money studying the parking issue in the Historic District and yet, none of this information was presented to the HDC. These referenced studies should have been "Exhibit A" in the discussion, however they were not presented and it appeared based on comments at the hearing that members of the Commission were completely unaware of them.

The applicant is, of course, aware that parking would be an issue and offers to increase the parking supply through a lease of 15 parking spaces at the Eagles Lodge. Unfortunately, there is no guaranty that these spaces will be available at any given time as they will be shared with Lodge visitors. Even if this was a viable approach it would not provide enough parking to accommodate the proposed use. Utilizing the standard 1 space per 350 square feet for parking generation is not applicable here as the possible occupancy of the facility increases dramatically with the proposed change of use. Hence the need for a special use permit, to weigh the impacts of a change in use regardless of whether the building is enlarged. The City Council has full discretion in considering the appeal of a use permit and we believe that for the preservation of the Historic District and the surrounding neighborhoods, the project should not go forward.

Very truly yours,



Craig M. Sandberg

cc: Client

Steve Banks, via email - sbanks@folsom.ca.us

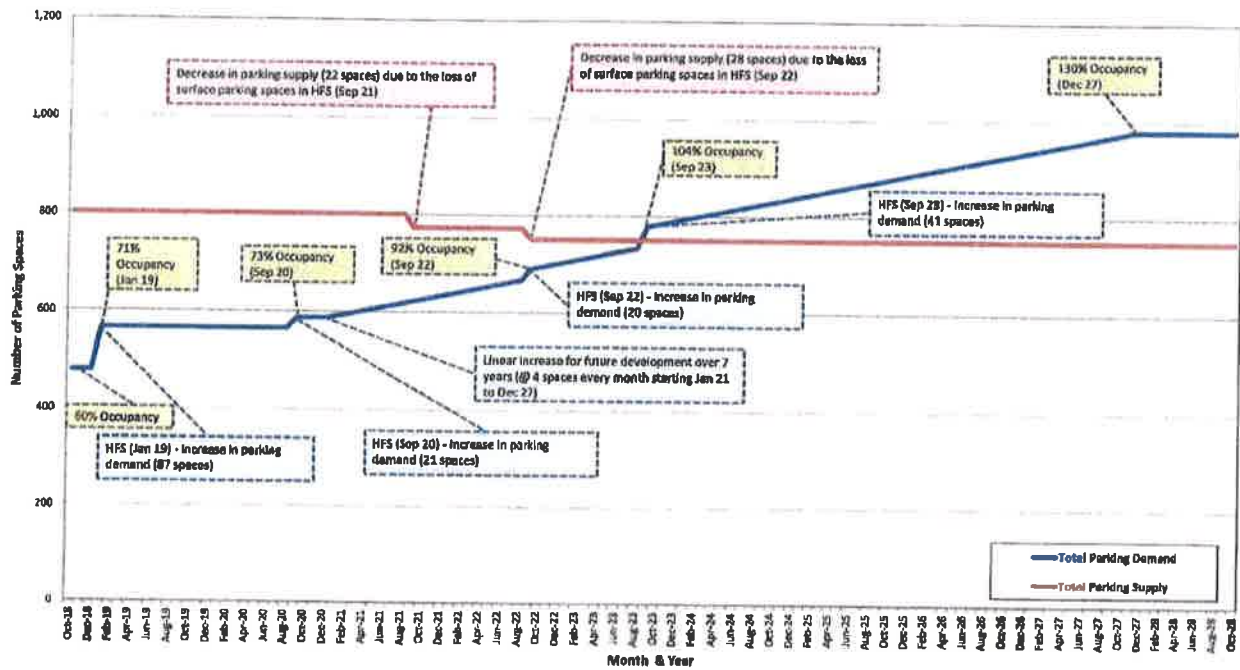


Figure 6 - Weekend Parking Supply and Demand Timeline (No Trader Lane Structure)

Attachment 3

Letter of Appeal from Historic Folsom Residents Association Dated December 3, 2021

CITY OF FOLSOM

FOLSOM CITY CLERK'S DEPT
3 DEC '21 PM 4:00

NOTICE OF APPEAL

NAME OF APPELLANT: Michael J. Reynolds HFRA President

MAILING ADDRESS: [REDACTED]
Folsom, CA. 95630

INTEREST IN MATTER: President of Historic Folsom Residents Assoc

DAYTIME TELEPHONE: [REDACTED]

APN/PROJECT REF. NO. PN 19-174 Bowley Barn Tap House

ACTION BEING APPEALED: HDC Granting of Conditional Use Permit

DATE OF DECISION OR DATE PROJECT HEARD: Nov 18, 2021 HDC

REASON FOR APPEAL: See Attached

Michael J. Reynolds
APPELLANT'S SIGNATURE

12/3/2021
DATE FILED

STAFF USE ONLY:

Date/Time Received: 12/3/2021 Fee Paid: na Res. 10297

Admin. (staff decision) Appeal
Owner Occupied \$233
Other (deposit) \$468

Planning Comm. Decision Appeal
Owner Occupied/Single Family Dwelling \$238
Developer/other \$479

Tentative Hearing Date: 1/11/2022 Time Limit Waived: _____

Copies to: Community Development Director (2) _____
City Manager (2) _____
City Attorney (2) _____
City Clerk _____

Received by: Lydia Konopka

Per Folsom Municipal Code Section 17.52.510, the Historic District Commission, before issuing a conditional use permit, 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 or injurious 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.” Almost all of the public comments on this project from both neighbors and nearby businesses identified parking as an issue that would be “detrimental or injurious” to them if this conditional use permit were approved, yet this detrimental effect was not debated under the code section.

The Historic District Commission was prevented from fully evaluating if the proposed project would or would not be detrimental or injurious to others. The Barley Barn project would convert the business type from retail business to an entertainment business which should trigger an analysis per city definition. The three parking studies sponsored by the city in 2008, 2013 and 2018 already demonstrate there is a lack of parking relative to the existing businesses but those studies were not submitted as a part of the staff report, nor did the applicant submit a parking impacts analysis.

City staff relied on past practice regarding issuance of conditional use permits repeatedly throughout the report in discussing this project. Past practice can serve as a guide, but cannot be a response in and of itself. City staff did not augment the past practices claim with any specific examples of application of past practices. Providing the Historic District Commissioners with specific examples would have allowed the Commissioners to put this particular project in context with those stated past practices in order to make an independent determination as to whether or not this particular request for a conditional use permit aligned with those past practices.

In addition to the above, we reserve the right to bring additional information and arguments forward in the de novo hearing before Folsom City Council.

Sincerely,



Mike Reynolds
President
HFRA



Cindy Pharis
Board Member
HFRA



Laura Fisher
Board Member
HFRA



Jennifer Lane
Board Member
HFRA



Bonnie Darrah
Board Member
HFRA



Carrie Lane
Board Member
HFRA

Attachment 4

Historic District Commission Staff Report Dated November 18, 2021



**CITY OF
FOLSOM**
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 3
Type: Public Hearing
Date: November 18, 2021

Historic District Commission Staff Report

50 Natoma Street, Council Chambers
Folsom, CA 95630

Project: Barley Barn Tap House
File #: PN 19-174
Request: Conditional Use Permit and Design Review
Location: 608 ½ Sutter Street
Parcel(s): 070-0061-011
Staff Contact: Steve Banks, Principal Planner, 916-461-6207
sbanks@folsom.ca.us

Property Owner
Name: Weaver Trust
Address: 4800 Manzanillo Street
Fair Oaks, CA 95628

Applicant
Name: Regina Konet
Address: 8931 River Palm Court
Fort Meyers, FL 33919

Recommendation: Conduct a public hearing and upon conclusion approve a Conditional Use Permit and Design Review for development and operation of a craft beer establishment (Barley Barn Tap House) within an existing 4,377-square-foot building located at 608 ½ Sutter Street subject to the findings (Findings A-I) and conditions of approval attached to this report (Conditions 1-30).

Project Summary: The proposed project includes a request for approval of a Conditional Use Permit to allow for the development and operation of a craft beer establishment (Barley Barn Tap House) within an existing 4,377-square-foot building located at 608 ½ Sutter Street. Barley Barn Tap House is proposing to serve craft beers and food, both of which will be provided by off-site vendors. Live entertainment is proposed on a limited basis within the interior of the building. The proposed project also includes a request for Design Review approval for exterior and interior remodeling of the existing building to create a historic rural barn design theme.

Table of Contents:

- 1 - Description/Analysis
- 2 - Background
- 3 - Conditions of Approval
- 4 - Vicinity Map
- 5 - Site Plan, dated September 16, 2021
- 6 - Off-Site Parking Plan, dated September 16, 2021



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

AGENDA ITEM NO. 3
Type: Public Hearing
Date: November 18, 2021

- 7 - Demolition Plans, dated September 16, 2021
- 8 - Building Elevations, dated September 16, 2021
- 9 - Building Renderings, dated received September 27, 2021
- 10 - Color and Materials Exhibits
- 11 - Signage Details, dated September 16, 2021
- 12 - Site Details
- 13 - Floor Plans, dated September 16, 2021
- 14 - Project Narratives, dated received September 22, 2021
- 15 - Off-Site Parking Lease Agreement, dated October 15, 2021
- 16 - Public Comments Received Regarding Folsom Prison Brews Project
- 17 - Public Comments Received Regarding Barley Barn Tap House Project
- 18 - Site Photographs

Submitted,

A handwritten signature in blue ink, appearing to read "Pam Johns", with a long horizontal flourish extending to the right.

PAM JOHNS
Community Development Director

ATTACHMENT 1 DESCRIPTION/ANALYSIS

APPLICANT'S PROPOSAL

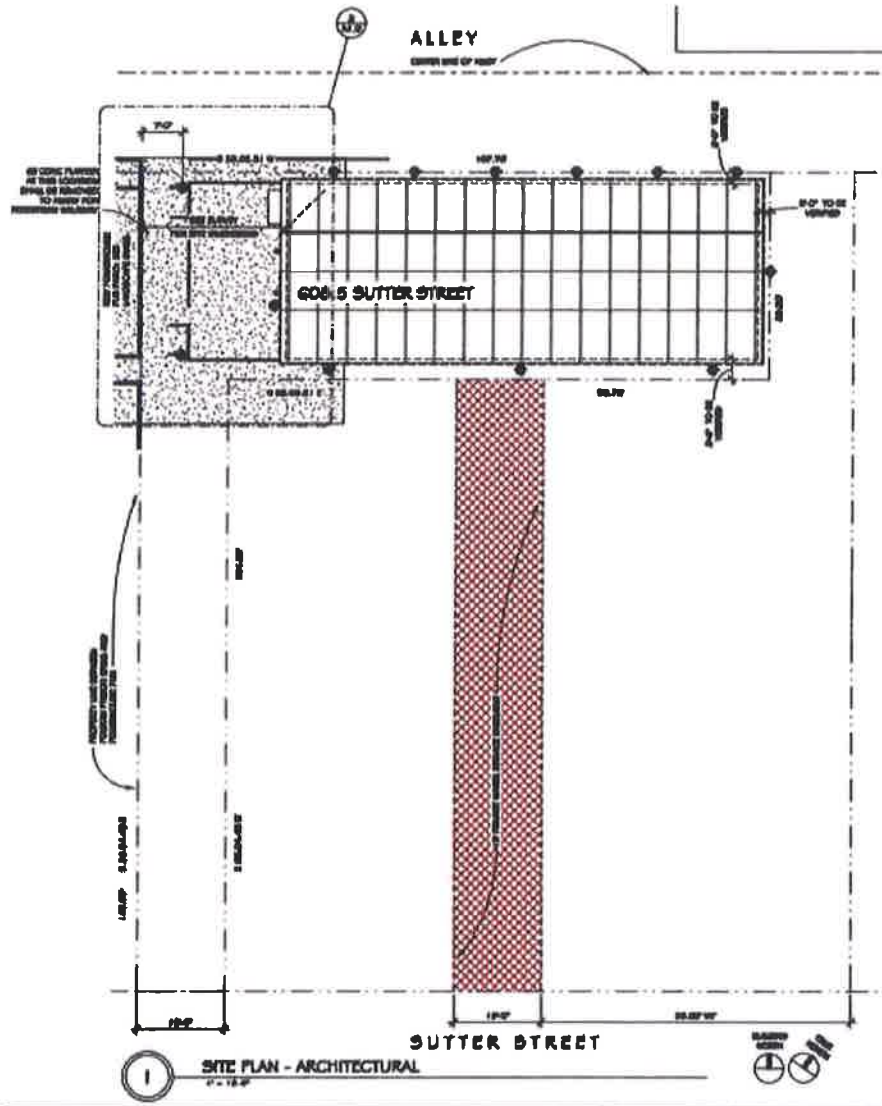
The applicant, Regina Konet (Konet Architecture), is requesting approval of a Conditional Use Permit and Design Review for development and operation of a craft beer establishment (Barley Barn Tap House) within an existing 4,377-square-foot building located at 608 ½ Sutter Street. The proposed interior layout of Barley Barn Tap House includes 2,433 square feet of floor area on the first level including a large central area with moveable tables and seating, a bar area, a cooler room, and restroom facilities. The second floor of the building, which will be reduced from 1,944 square feet to 1,366 square feet, will be utilized for storage purposes only. The resulting total square footage of the building will be 3,799 square feet. Barley Barn Tap House will also include a fenced outdoor patio (approximately 480 square feet in size) which is located on the west side of the building. In terms of operational characteristics, Barley Barn Tap House has proposed serving craft beers and food, both of which will be provided by off-site local vendors. Live entertainment is proposed on a limited basis in the interior of the building. Proposed hours of operation are Sunday to Wednesday, 11:00 a.m. to 10:00 p.m., and Thursday to Saturday, 11:00 a.m. to 12:30 a.m.

The proposed project also includes a request for Design Review approval for exterior and interior modifications to the existing building in order to create a rural vernacular which is reminiscent of the historic barns throughout California. The proposed building materials include vertical reclaimed wood siding, aluminum clad wood-framed windows, aluminum clad wood-framed glass entry doors, a pair of steel egress doors, galvanized metal gooseneck light fixtures, vintage signage painted on wood, faux dutch doors to emulate horse stables, and corrugated metal roofing. The color scheme is predominantly rustic brown in nature due to the extensive use of the reclaimed wood siding. The roofing material will be a reddish-gray tint to emulate an aged metal roof with an appealing patina. The doors and windows will be a dark brown color.

Vehicle access to the project site is provided by existing roadways including Sutter Street, Scott Street, and Riley Street. Pedestrian access to the project site is provided by existing sidewalks and pedestrian walkways. Parking to serve the Barley Barn Tap House project is proposed to be provided by utilizing existing public and private parking options in the immediate project area including the Powerhouse Pub parking lot (21 spaces), the adjacent Historic District Parking Lot (72 spaces), and the Folsom Electric Building parking garage (51 spaces). In addition, the applicant has entered into a lease agreement to utilize 15 parking spaces located within the nearby Eagles Lodge parking lot for exclusive use by Eagles Lodge members and customers and employees of Barley Barn Tap House. The proposed site plan is shown in Figure 1 on the following page:

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FIGURE 1: PROPOSED SITE PLAN



POLICY/RULE

The Folsom Municipal Code (FMC Section 17.52.510(A)(1)(c)) states that bars, taverns, and similar uses are required to obtain approval of a Conditional Use Permit from the Historic District Commission. The Folsom Municipal Code (FMC Section 17.52.400) also requires that all new structures and alterations to existing structures located within the Historic District obtain Design Review approval from the Historic District Commission.

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ANALYSIS

General Plan and Zoning Consistency

The General Plan land use designation for the project site is HF (Historic Folsom) and the zoning designation for the project site is HD (Historic District, Sutter Street Subarea of the Commercial Primary Area). Pursuant to Section 17.52.510 of the Folsom Municipal Code, bars, taverns, and similar uses located within the Sutter Street Subarea of the Historic District are required obtain a Conditional Use Permit from the Historic District Commission. Staff has determined that the proposed project is consistent with the General Plan land use designation and the zoning designation upon approval of a Conditional Use Permit by the Historic District Commission. In addition, staff has determined that the proposed project, which does not alter the building footprint or location of the existing structure, meets all applicable development standards (building height, building setbacks, etc.) established for the Sutter Street Subarea of the Historic District.

Land Use Compatibility

The Barley Barn Tap House project site, which is comprised of a single 0.12-acre parcel, is located at 608 ½ Sutter Street. The project site is bounded by Sutter Street to the south with commercial development beyond, a Historic District parking lot to the north with Riley Street beyond, commercial development to the west with Riley Street beyond, and commercial development to the east with Scott Street beyond.

As described above, the project site is located within an area that is predominantly commercial in nature, with numerous restaurants, bars, and retail businesses located adjacent and in close proximity to the project site. In particular, there are eight restaurants and bars located within the 600 block of Sutter Street including Citizen Vine, Inspired Living, J. Wild's Livery & Feed, Mystic Dining, Plank Craft Kitchen and Bar, Powerhouse Pub, Scarlet's Saloon, and Sutter Street Steakhouse. The closest residential land uses to the project site are single-family residences situated approximately 270 feet to the east on Scott Street and approximately 320 feet to the south on Figueroa Street. Based on this information, staff has determined that proposed project is compatible with the surrounding land uses. Detailed discussions regarding parking, pedestrian circulation, fencing, lighting, trash/recycling, signage, landscaping, and noise are contained within subsequent sections of this staff report.

Conditional Use Permit

As previously stated within this report, the Folsom Municipal Code, (Section 17.52.510) requires that bars, taverns, and similar uses obtain a Conditional Use Permit if the use is located within the Sutter Street Subarea of the Historic District. In this particular case, the applicant is requesting approval of a Conditional Use Permit to operate Barley Barn Tap House within an existing commercial building located at 608 ½ Sutter Street.

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,

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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”.

In evaluating the Conditional Use Permit for Barley Barn Tap House, staff considered implications of the proposed project relative to parking, pedestrian circulation, fencing, lighting, trash/recycling, signage, landscaping, and noise.

Parking

As shown on the submitted site plan (Attachment 5), the project site does not currently provide any on-site parking spaces nor are any on-site parking spaces proposed given the limitations of the subject parcel’s relatively small parcel size and the existing commercial building footprint. As is the case with many businesses located within the Sutter Street Subarea, the project site has relied on adjacent and nearby public parking options to serve the various businesses that have occupied the existing 4,377-square-foot commercial building since it was constructed in 1958. Existing nearby parking options anticipated to serve the proposed project include 21 parking spaces located within the adjacent Powerhouse Pub parking lot (under same private ownership as subject property), 72 parking spaces located in the adjacent public Historic District Parking Lot, and 51 parking spaces located within the Folsom Electric Building parking garage. In addition to the existing parking options in the project vicinity, the proposed project includes the provision of 15 shared off-site parking spaces at the Folsom Eagles Lodge site (Attachment 6), approximately 220 feet to the east of the subject parcel.

The Folsom Municipal Code (FMC, Section 17.52.510) requires that all retail, office, restaurant, museum, and similar uses provide one parking spaces per 350 square feet of building space. The City’s past practice regarding required parking within the Sutter Street Subarea of the Historic District is that all new development projects which increase density (increased square footage) are required to provide on-site parking spaces at the parking ratios described above. However, City practice has also been that development projects that do not result in an increase in density (increased building square footage) such as exterior tenant improvements, interior tenant improvements, and similar projects are not required to provide any additional on-site parking. Consistent with past City practice, staff has determined that the proposed project, which includes interior and exterior tenant improvements (project results in reduction in building square footage from 4,377 square feet to 3,799 square feet) to an existing commercial building is not required to provide any on-site parking spaces. It should be noted that if the proposed project were subject to the aforementioned parking requirements, 11 on-site parking spaces would have been required.

While the proposed project is not required to provide any on-site parking spaces per established City practice, City staff and the applicant recognize that the existing building’s change in land use from a retail business to a craft beer establishment has the potential to result in a higher demand for parking. To address this concern, the applicant has entered into a lease agreement to utilize 15 parking spaces located within the nearby

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Eagles Lodge parking lot (approximately 200 feet to the east of the subject property across Scott Street) for exclusive use by Eagles Lodge members as well as customers and employees of Barley Barn Tap House. In addition to securing 15 off-site parking spaces to serve Barley Barn Tap House, the applicant has indicated that they will offer a complimentary shuttle service (Sutter Surfer) to transfer customers to and from the Historic District parking structure and other public parking lots within the district and the project site. To ensure that adequate parking is continuously provided for the proposed project, staff recommends that the lease agreement for the 15 parking spaces at the Eagle Lodge property remain in effect as long as Barley Barn Tap House or any subsequent establishment operating at this location pursuant to the Conditional Use Permit remains in business. Condition No. 28 is included to reflect this requirement.

Pedestrian Circulation

Access to the project site is provided by a combination of public sidewalks and private pedestrian pathways. Public sidewalks are located along the street frontages of Sutter Street, Scott Street, and Riley Street respectively. A privately-owned pedestrian pathway (approximately 15 feet in width) provides access to the project site directly from Sutter Street and directly from the Historic District public parking lot located north of the project site. The applicant is proposing to maintain the private pedestrian pathway and continue to allow public use of the pathway to access the project site and the adjacent Historic District public parking lot to the north.

Fencing

As shown on the submitted site plan, the applicant is proposing to create a 480-square-foot enclosed outdoor patio area on the western side of the project site adjacent to the primary building entrance. The outdoor patio area is proposed to be enclosed with 42-inch-tall decorative metal fencing (black finish) with two access gates. Staff recommends that the final location, height, design, materials, and color of the proposed fencing and gates be subject to review and approval by the Community Development Department to ensure consistency with the Historic District Design and Development Guidelines. Condition No. 29-8 is included to reflect this requirement.

Lighting

As shown on the submitted building elevations (Attachment 8) and color and materials exhibit (Attachment 10), the applicant is proposing to use pole-mounted lights and building-attached gooseneck arm-style lighting fixtures to illuminate the building, pedestrian pathways, and the outdoor patio area. The proposed lighting poles and light fixtures have been designed to complement the rural farm-style design theme of the building while also being consistent with the recommendations of the Design and Development Guidelines. In addition, the lighting has been 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

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designed to be shielded and directed downward onto the project site and away from adjacent properties and public rights-of-way. Condition No. 16 is included to reflect these requirements.

Trash/Recycling

There are currently multiple existing public trash and recycling enclosures located in the Historic District parking lot adjacent to the project site to the north. The applicant is proposing to utilize the existing trash and recycle enclosures to dispose of trash and recycling products generated by the proposed project. The City's Solid Waste Division has determined that the existing trash/recycling enclosures have sufficient capacity to accommodate the demand created by the proposed project.

Signage

The applicant is proposing to install a painted-on project identification sign on the west building elevation above the front entry doors. The proposed painted-on wall sign, which is approximately 33 square feet in size (18-inch-tall letters with Playbill Font), includes two lines of copy that reads "Barley Barn Tap House". The two lines of copy (painted white) are proposed to be painted directly onto a wood siding backdrop (painted red) to mimic historic "ghost signage". Painted wall signs were historically called "ghost signs" because they faded with time if they were not regularly painted and became less visible. The painted-on wall sign is proposed to be indirectly illuminated by two gooseneck-style light fixtures.

The Historic District Design and Development Guidelines (DDGs) provide sign allowances based on the frontage width of the business. In this particular case, the proposed project has a frontage width of approximately 80 feet, thus the project is permitted a maximum of 50 square feet of sign area. Staff has determined that the proposed sign area is consistent with the maximum allowable sign area established by the Design and Development Guidelines by providing 33 square feet of sign area whereas 50 square feet of sign area are allowed.

With respect to sign design, the Design and Development Guidelines state that sign materials may be wood, metal, or other historically appropriate combination of materials. The Guidelines also state the sign styles and lettering should be compatible with the period in which the building was built, but that simple contemporary graphic styles may be appropriate as well. In addition, the Guidelines indicate that sign illumination must be subdued and indirect and may not create excessive glare. Staff has determined that the proposed painted-on wall sign is consistent with the design, material, and illumination recommendations of the Design and Development Guidelines. Staff recommends that the owner/applicant obtain a sign permit prior to installation of the painted-on wall sign. Condition No. 30 is included to reflect this requirement.

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Landscaping

The project site includes a number of existing landscape planters located around the perimeter of the building and along the pedestrian walkway. The applicant is not proposing to install any new landscaped areas and is proposing to maintain the existing landscaping located in the planters throughout the project site. Staff recommends that the applicant be responsible for on-site landscape maintenance throughout the life of the project. Condition No. 15 is included to reflect this requirement.

Noise Impacts

Based on the relatively close proximity of the project site to single family residences (approximately 270 feet and 320 feet to the east and south respectively), staff evaluated potential noise impacts associated with the proposed project. Potential new noise sources associated with the proposed project may include noise generated inside Barley Barn Tap House and noise generated in the patio area outside Barley Barn Tap House. As described in the project narratives (Attachment 14), Barley Barn Tap House has proposed serving craft beers and food, all of which will be provided by off-site local vendors. Live entertainment is proposed on a limited basis in the interior of the building. Proposed hours of operation are Sunday to Wednesday, 11:00 a.m. to 10:00 p.m., and Thursday to Saturday, 11:00 a.m. to 12:30 a.m. The following table shows the Barley Barn Tap House proposed closing times as compared to other restaurants and bars located within the 600 block of Sutter Street:

TABLE 1: CLOSING TIME COMPARISON TABLE

	M	TU	W	TH	F	S	SU
Barley Barn Tap House	10 pm	10 pm	10 pm	12:30 am	12:30 am	12:30 am	10 pm
Powerhouse Pub	2 am	2 am	2 am	2 am	2 am	2 am	2 am
Scarlett's Saloon	2 am	2 am	2 am	2 am	2 am	2 am	2 am
Cltizen Vine	9 pm	9 pm	9 pm	9 pm	10 pm	10 pm	7 pm
Plank Craft Kitchen and Bar	Closed	Closed	9 pm	9 pm	10 pm	10 pm	9 pm
Mystic Dining	9 pm	9 pm	9 pm	9 pm	11 pm	11 pm	9 pm
Sutter Street Steakhouse	Closed	9 pm	9 pm	9 pm	9 pm	9 pm	9 pm
J. Wilds Livery & Feed	9 pm	9 pm	9 pm	9 pm	10 pm	10 pm	9 pm

As described in the project narrative and shown in the Closing Time Comparison Table above, the applicant is proposing hours of operation in which the closing time for the business extends into the late evening Sunday thru Wednesday and early morning hours Thursday thru Saturday. Staff has determined that the proposed hours of operation are compatible with the hours of operation for other restaurant/bar businesses currently located within the 600 block of Sutter Street. In addition, staff has determined that the proposed hours of operation are similar to the hours of operation for other bar-type establishments located along different blocks of Sutter Street to the west including but noted limited to Samuel Horne's Tavern (12:00 a.m.) and Fat Rabbit (1:00 a.m.).

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The applicant is proposing to have live entertainment (solo, duet, or trio-type performers) on a limited basis within the interior of the building. The interior of the building will not have a stage or raised platform as the proposed entertainment is anticipated to be more subtle in nature according to the applicant. To ensure that the proposed project does not result in significant noise-related impacts associated with live entertainment and other aspects of the business, staff recommends that the following measures be implemented to the satisfaction of the Community Development Department (Condition Nos. 18-28).

- Current occupancy loads shall be posted at all times, and the owner/applicant shall have an effective system to keep count of the number of occupants present at any given time. This information shall be provided to public safety personnel upon request.
- A Conditional Use Permit Modification shall be required if the operation of the business deviates from the Historic District Commission's approval. No approvals are granted in this Conditional Use Permit except as provided. Any intensification or expansion of the use approved and conditioned herein will require a Conditional Use Permit Modification by the Historic District Commission. In any case where the conditions to the granting of a Conditional Use Permit have not been, or are not, complied with, the Historic District Commission shall give notice to the permittee of intention to revoke such permit at least ten days prior to a hearing thereon. Following such hearing the Historic District Commission may revoke such permit.
- The owner/applicant shall maintain full compliance with all applicable laws ABC laws, ordinances, and state conditions. In the event that a conflict arises between the requirements of this Conditional Use Permit and the ABC license, the more stringent regulation shall apply.
- All entertainment (as defined in Chapter 5.90 of the Folsom Municipal Code) shall be subject to an Entertainment Permit. No entertainment shall occur on the proposed outdoor patio. Occasional outdoor events may be requested via the Special Event Permit process, subject to City approval.
- Compliance with the City of Folsom's Noise Control Ordinance (Folsom Municipal Code Chapter 8.42) and General Plan Noise Element shall be required.
- Hours of operation (including private parties) shall be limited as follows:
 - Sunday-Wednesday: 11:00 a.m. to 10:00 p.m.
 - Thursday-Saturday: 11:00 a.m. to 12:30 a.m.

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No expansion of business hours beyond what is stated above shall be permitted without prior approval being obtained from the Historic District Commission through a Conditional Use Permit Modification.

- Barley Barn Tap House shall be limited to the sale and consumption of beer, non-alcoholic beverages, and food products. No sale or consumption of spirits shall be permitted.
- Doors and windows to the outdoor patio area shall be closed at all times when music is being played.
- No audio speakers, music, televisions, or screens shall be permitted on the outdoor patio, the building exterior walls, windows, or any other exterior architectural elements.
- No dancing shall be permitted anywhere in the premises including the outdoor patio area. In addition, there shall be no structurally designated or raised dance floor or bandstand.

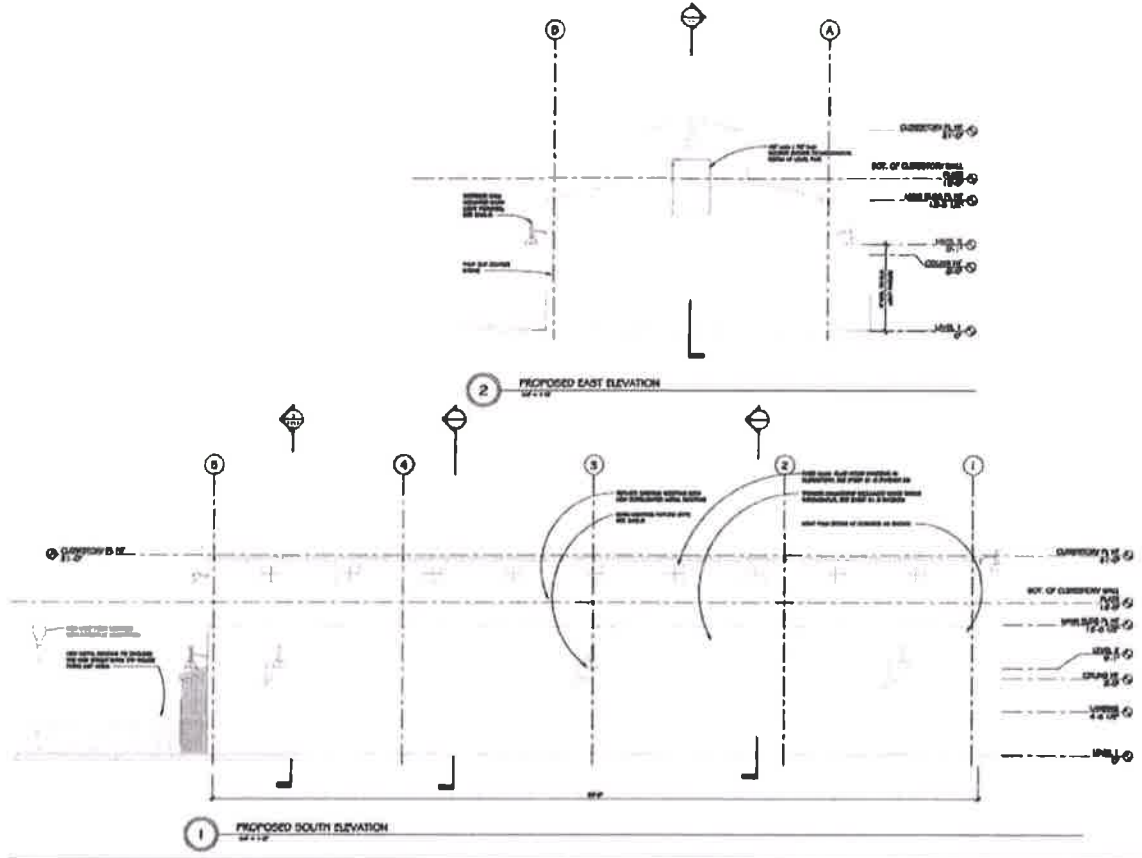
Architecture/Design

As described in the project narratives, the applicant is requesting Design Review approval for exterior and interior modifications to an existing 4,377-square-foot commercial building located at 608 ½ Sutter Street. As stated by the applicant, the intent of the project is to create a rural design theme that is reminiscent of the historic barns found throughout California. Distinct architectural features include a clerestory with windows added to the upper portion of the existing structure to allow more natural light to enter the building, custom folding entry doors, faux stable dutch doors to emulate horse stables, vintage signage panels, gooseneck light fixtures, and a lean-to shed.

In support of the rural barn design theme, proposed building materials include vertical reclaimed wood siding, aluminum clad wood-framed windows, aluminum clad wood-framed glass entry doors, a pair of steel egress doors, faux dutch doors, galvanized metal gooseneck light fixtures, vintage signage panels, and corrugated metal roofing. The color scheme is predominantly rustic brown due to the extensive use of the reclaimed wood siding. Additional colors include reddish gray for the roofing materials and dark brown for the doors and windows. Proposed building elevations and color renderings are shown in the Figures on the following pages.

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FIGURE 3: BUILDING ELEVATIONS (EAST AND SOUTH)



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FIGURE 4: BUILDING RENDERING (NORTHWEST)



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FIGURE 5: BUILDING RENDERING (SOUTHWEST)



The Sutter Street Subarea encompasses Folsom's original central business district, the area first zoned for historic preservation. Retail shops and restaurants have predominated in recent history. The Subarea is intended to become a more "complete" downtown, serving convenience shopping, service, and community needs of Folsom residents and visitors. Overall, the Sutter Street Subarea represents a mixture of development that is representative of the 1850 to early 1900s timeframe. The Folsom Municipal Code (FMC, Chapter 17.52, Historic District) serves as regulatory document for development within the Historic District. In addition, the Historic District Design and Development Guidelines (Design Guidelines), which were adopted on October 1, 1998, provide architectural guidance for development activity within the Sutter Street Subarea.

The purpose and intent of Chapter 17.52 (Historic District) of the Folsom Municipal Code is to preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950; maintain, restore, and reconstruct historic structures and sites within the historic district; encourage an active business climate

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which promotes the development of a diverse range of businesses compatible with the historic district as it developed between the years 1850 and 1950; ensure that new residential and commercial development is consistent with the historical character of the historic district as it developed between the years 1850 and 1950; and increase the awareness, understanding, and appreciation of the history of the city

In conjunction with the regulations imposed by Chapter 17.52 of the Folsom Municipal Code, the Historic District Design and Development Guidelines limit new construction in the Historic District to architectural styles extant in California from 1850 to 1950, a limitation intended to encourage the diversity which is the charm of old Folsom while preventing construction of modern buildings which would be discordant. The overall concept is to maintain a traditional small town at the heart of a modern, developing City.

The Historic District Design and Development Guidelines include a number of goals and policies intended to inform and guide development within the Historic District. The first Goal (Goal 1: Community Identity) of the Design and Development Guidelines is to preserve and enhance the historic, small-town atmosphere of the 98-block Historic District area. Policy 1.1 associated with Goal 1 states that external design features, both public and private, shall be consistent with design of the time period from 1850 to 1950. As noted in the project description and shown in the submitted plans, the proposed building is modeled after rural barns found throughout California from the mid 1800's to the early 1900's. Shown below and on the following page are two examples of historic barns that represent the rural vernacular the applicant is hoping to achieve with the proposed project.

FIGURE 6: PHOTOGRAPH OF CAMARILLO RANCH HOUSE (1905)



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FIGURE 7: PHOTOGRAPH OF COOPER MOLERA BARN (Est. 1850's)



The Design and Development Guidelines state that the goal of any remodeling project such as the proposed project is to maintain or improve a structure's value to the owner and the community by achieving good design and historic appropriateness, to the greatest extent feasible. In evaluating a request to remodel a structure, the Design Guidelines indicate that the Historic District Commission shall consider the following factors:

1. The property owner's and community's benefit.
2. The structure's architectural and historical value.
3. Resources available for historic authenticity purposes, such as historical and architectural documentation, materials availability, and financing.

In reviewing the proposed project, staff identified two potential benefits to the property owner and community. The first benefit would be the introduction of a unique business (craft beer establishment) that would allow local beer producers the opportunity exhibit and sell their products. In addition, consumers would have the opportunity to try local products within a unique venue on Sutter Street. The second benefit would be to acknowledge and recognize the rural ranching history of Folsom with development of a

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rural barn-style structure on the site. One of the most notable ranch properties in Folsom was the Broder Family Ranch (1878), which included an Italianate-style home, a barn, and several other buildings. While the proposed project is not designed to mimic the architecture of the barn that was located on the Broder Family Ranch property, it does include some similar design elements.

With regard to architectural and historical value, the existing 4,377-square-foot commercial building, which was built in 1958, is constructed of vertical wood slats with sliding wood doors and a corrugated metal roof. The existing building is not considered a historically significant structure and does not include building materials that would be considered historically significant. In addition, the existing building is not listed on the City's Cultural Resource Inventory List.

In reviewing the design of the proposed project, staff took into consideration the recommendations of the Design and Development Guidelines relative to architectural design and features, building materials, and building colors. With respect to architectural design and features, the proposed project is maintaining most of the existing building shapes and forms with exception of the new clerestory with windows added on top of the existing roof structure. Other distinct architectural features included with the project are custom folding entry doors, faux stable dutch doors to emulate horse stables, vintage signage panels, gooseneck light fixtures, and a lean-to shed.

With respect to building materials, the primary building material utilized will be vertical reclaimed wood siding. Additional proposed building materials include aluminum clad wood-framed windows, aluminum clad wood-framed glass entry doors, a pair of steel egress doors, faux dutch doors, galvanized metal gooseneck light fixtures, vintage wood signage panels, and corrugated metal roofing.

The Design Guidelines encourage the use of high quality, commercial-grade durable materials that are complementary to the historic context. Wood siding and wood-framed windows are high-quality building materials that are utilized on numerous buildings throughout the Sutter Street Subarea. The Design and Development Guidelines also state that roofs shall be constructed of traditional materials including fireproof wood shingles, wood shakes, corrugated metal, composition fiberglass shingles, clay tiles, and other materials supported by historic evidence. The proposed corrugated roofing material is consistent with the roof material recommendations of the Design Guidelines. Staff has determined that the other supplemental building materials utilized for the doors, windows, and lighting are appropriate materials for use in the Sutter Street Subarea.

The color scheme for the remodeled building is predominately rustic brown due to the extensive use of the reclaimed wood siding. Additional colors include reddish gray for the roofing materials and dark brown for the doors and windows. The Design Guidelines recommend that bland color schemes be avoided where the color values are all the same or very similar. Staff has determined that the proposed color scheme is consistent with the Design Guidelines in that the colors of the reclaimed wood siding and the corrugated

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metal roofing include a blending of colors that creates an appropriate level of visual interest.

In summary, staff has determined that the proposed project has successfully met the architectural and design recommendations for remodeling of existing structures in the Historic District as suggested by the Historic District Design and Development Guidelines. In addition, staff has determined that the proposed building design, building materials, and building colors are also consistent with the recommendations of the Design and Development Guidelines. Staff forwards the following design recommendations to the Commission for consideration:

1. This approval is for exterior and interior modifications associated with the Barley Barn Tap House project. The applicant shall submit building plans that comply with this approval, the attached site plan, demolition plans, building elevations, building rendering, color and materials exhibit, floor plans, and signage, lighting, and door exhibits dated September 16, 2021 and September 27, 2021.
2. The design, materials, and colors of the proposed Barley Barn Tap House project shall be consistent with the submitted building elevations, building rendering, material samples, and color scheme to the satisfaction of the Community Development Department.
3. 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.
4. All Conditions of Approval as outlined herein shall be made as a note or separate sheet on the Construction Drawings.
5. The final location, design, height, materials, and colors of the fencing and gates associated with the outdoor patio area shall be subject to review and approval by the Community Development Department.
6. The design of the glass front entry door on the west building elevation be modified to reflect a more historic appearance by limiting glass to the upper half of the door with the bottom half of the door being a solid material to the satisfaction of the Community Development Department.
7. The owner/applicant shall create an aged appearance by adding gray tint to the enclosed concrete patio area, coordinate the wrought iron fencing around the outdoor patio area by installing fencing panels between wood posts, and preserve to the greatest extent possible the decorative wall tile on the retaining wall located along the private walkway and incorporate these walls tiles at another location on the project site to the satisfaction of the Community Development Department.

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These recommendations are included in the conditions of approval presented for consideration by the Historic District Commission (Condition No. 29).

PUBLIC COMMENT

The Community Development Department received numerous comment letters (Attachment 16) from residents as well as the Heritage Preservation League (HPL) and the Historic Folsom Residents Association (HFRA) expressing concerns regarding a number of issues associated with the previously proposed version of the project (Folsom Prison Brews) including the bar/brewery use, architecture, site design, parking, noise, and landscaping. Staff has included these comments as an attachment to the staff report as some of them as still applicable to the proposed project (Barley Barn Tap House).

The Community Development Department also received comment letters (Attachment 17) from residents as well as the Heritage Preservation League (HPL) and Historic Folsom Residents Association (HFRA) expressing concern and raising questions regarding a number of similar topics associated with the revised project (Barley Barn Tap House). In addition, there were residents and businesses who submitted letters in support of the proposed project.

In relation to the proposed craft brewery use, there were a number of comments expressing concern with the addition of another bar-type establishment within the 600 block of Sutter Street and the potential impacts it may have relative to parking, noise, and lighting. Along those same lines, there were comments noting concern about the increased concentration of bar-type businesses within the 600 block of Sutter Street and the Sutter Street Subarea as a whole. The City of Folsom does not currently have any rules or regulations in place governing the concentration of business that sell alcoholic beverages. In addition, the State of California (Department of Alcohol and Beverage Control) is the agency responsible for issuance of a license for the sale of alcoholic beverages to bars and restaurants. A condition of approval (Condition No. 20) has been placed on the proposed project requiring the owner/applicant to maintain full compliance with all applicable laws ABC laws, ordinances, and state conditions.

With respect to architecture and design, the Heritage Preservation League (HPL) stated that while the proposed design is not typical for early barns that were construction in the region, similar barn designs were used at other locations throughout the United States during the 1850-1900 timeframe. The HPL concluded in their comment letter that the proposed barn design theme is appropriate for the Sutter Street Subarea. However, the HPL recommended that the applicant consider making a number of design modifications to ensure an authentic barn design including replacing the glass folding entry door with a wide barn door, replacing the small front entry door with a more historic entry door, and exposing the roof rafters.

In response to the HPL's design-related comments, the applicant stated that the objective with the proposed bi-fold entry doors is to provide as much natural light and ventilation for the building as possible (which will assist the project in meeting its Title 24 Building

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Code requirements). The applicant also commented that the proposed bi-fold doors will provide the largest opening into the interior of the building possible, while not impeding the required access to the electrical panels or the utility services that are both located on the outside of the west building elevation. The applicant indicated that barn-style doors would need uninterrupted wall space in order to be rolled out and that amount of space is not available to accommodate this on the project site. The applicant also stated that the barn-style doors would provide a thermally broken closure, meaning that they are not air-tight (like the proposed bi-fold doors) and would not meet California energy code requirements.

With respect to HPL's request that the small glass front entry door on the west building elevation be replaced with a more historic looking door, the applicant stated that they are open to modifying the design with the acknowledgement that the door is required to be fire-rated to meet National Fire Protection Association (NFPA) requirements as well as building code egress requirements. As a result, staff recommends that the design of the glass front entry door on the west building elevation be modified to reflect a more historic appearance by limiting glass to the upper half of the door, with the bottom half of the door being a solid material to the satisfaction of the Community Development Department. Condition No. 29-6 is included to reflect this requirement.

With regard to HPL's request to expose the roof rafters on the building by eliminating the fascia boards, the applicant commented that while this would enhance the barn-style appearance of the building, it is not feasible due to the fact that extending the rafters would not be compliant with current building code requirements due to the existing building being located on the northern property boundary. The applicant noted that the rafters on the new clerestory feature could be exposed, but it would not enhance the overall appearance of the building if rafters were only exposed on a portion of the building.

In terms of site design, the HPL expressed concern that the large concrete patio might detract from the overall impression of historic development as historic districts typically use natural stones or decomposed granite to provide a level surface. In addition, the HPL has suggestions regarding the perimeter fencing proposed around the outdoor patio area. The HPL recommended a few modifications to address their site design concerns including tinting the existing concrete patio area to create an aged appearance, adding wood post and wood panels to the perimeter wrought-iron patio fencing, and preserving the existing decorative tiles on the retaining walls adjacent to the pedestrian walkway.

In response to HPL's comments regarding the project's site design, the applicant stated that they are willing to make the suggested modifications relative to the color of the concrete patio, the enhancement of the outdoor patio fencing, and attempting to preserve the decorative tiles that cover the retaining wall along the private walkway. As a result, staff recommends that the applicant create an aged appearance by adding gray tint to the enclosed concrete patio area, coordinate the wrought iron fencing around the outdoor patio area by installing fencing panels between wood posts, and preserve to the greatest extent possible the decorative wall tiles on the retaining wall located along the private

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walkway and incorporate these walls tiles at another location on the project site to the satisfaction of the Community Development Department. Condition No. 29-7 is included to reflect these requirements.

The HPL, HFRA, and residents expressed concerns regarding potential parking impacts associated with the proposed project. In particular, concerns were raised regarding lack of existing parking options within the 600 block of Sutter Street, the increased parking demand associated with the proposed project, and the effectiveness of the parking lease agreement (lease agreement with the Eagles Lodge) submitted by the applicant. A number of suggestions were made to address the potential parking impacts including requiring the project applicant to participate in a funding mechanism to provide an additional public parking facility, reevaluating the current parking requirements for the Sutter Street Subarea, and requiring the applicant to submit a business plan that describes all potential parking impacts. The City is actively involved in evaluating and implementing district-wide parking solutions that were recommended by the Historic District Ad Hoc Parking Committee. The parking section of this staff report provides detailed analysis of the parking requirements and impacts associated with the proposed project.

Potential noise impacts were commented on in a number of letters that were submitted to the City, particularly in relation to the live entertainment aspect of the proposed project and the proposed business hours. The Noise Impacts section of this staff report contains a detailed discussion regarding the live entertainment component of the proposed business (including proposed business hours) and the extensive list of requirements and conditions that have been placed on the project to minimize potential noise impacts to surrounding businesses and residents.

The HPL made a number of comments regarding the proposed signage and lighting associated with the proposed project. With respect to signage, the HPL stated that the proposed sign type (block letters painted on wood) is appropriate for Sutter Street Subarea. However, the HPL recommends that the painted-on wall sign be relocated to the northern building elevation and that a blade sign be placed on the western building elevation. The HPL also states that the proposed painted-on wall sign exceeds the maximum allowable sign area for the western building elevation. Staff is supportive of the proposed size and location of the painted-on wall sign as this is the primary building entrance.

The HPL commented that the proposed gooseneck light fixtures are consistent with the design of light fixtures found in the 1850-1900 timeframe. However, the HPL is concerned that the level or intensity of illumination associated with the gooseneck light fixtures might be too great and not be consistent with the lower-level light intensity found on historic light fixtures. Staff has included a condition of approval on the project that requires 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. In addition, this condition requires that all lighting be

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designed to be shielded and directed downward onto the project site and away from adjacent properties and public rights-of-way.

The HPL and a number of residents commented that the proposed project should not be exempt from review under the California Environmental Quality Act and that an Initial Study and Negative Declaration/Mitigation Negative Declaration should be prepared for the proposed project. City staff reviewed these comments and confirmed that the proposed project does qualify for an exemption from CEQA. Specifically, staff determined that the proposed project is categorically exempt under Section 15303 New Construction or Conversion of Small Structures, of the California Environmental Quality Act (CEQA) Guidelines. In addition, staff determined that none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption(s) in this case.

The New Construction or Conversion of Smaller Structures Exemption (15303) consists of the construction or location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and, as relevant to this project, the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Examples of this exemption include but are not limited to: A store, motel, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 10,000 square feet (for up to four commercial buildings) in floor area on site zoned for such use. As described in this staff report, the proposed project includes minor alterations and modifications to an existing 4,377-square-foot commercial building located within an urbanized area, thus, the project qualifies for this exemption .

City staff has also determined that none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption(s) in this case. Exceptions listed within Section 15300.2 include; (a) Location, (b) Cumulative Impact, (c) Significant Effect (d) Scenic Highway (e) Hazardous Waste Sites, and (f) Historical Resources.

ENVIRONMENTAL REVIEW

The project is categorically exempt under 15303 New Construction or Conversion of Small Structures, of the California Environmental Quality Act (CEQA) Guidelines. Based on staff's analysis of this project, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption(s) in this case.

As referenced previously within this report, the exceptions listed within Section 15300.2 include; (a) Location, (b) Cumulative Impact, (c) Significant Effect (d) Scenic Highway (e) Hazardous Waste Sites, and (f) Historical Resources. A description of the most applicable of these exceptions is listed below with a brief response as to why each of these exceptions do not apply to the proposed project.

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(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

In analyzing whether this exception applies, both the "same type" and the "same place" limitations should be considered. When analyzing this exception with respect to the proposed project, the City considered projects of the "same type" to be other projects with similar uses, such as those projects listed on the hours of operation chart that appears in another noise impacts section of this report. The City considered projects in the "same place" to be projects on Sutter Street.

City staff has determined that the cumulative impacts exception does not apply because of the cumulative impact of successive projects of the same type in the same place proposed project is not significant in this case, in that the project will not result in any adverse impacts with respect to building design, site design, parking, lighting, and noise or other environmental impacts potentially caused by the proposed use. With respect to building architecture and site design, the proposed project involves the remodel of an existing commercial building and the re-use of an existing outdoor patio area, both of which have been designed to comply with the Historic District Design and Development Guidelines. In terms of parking, the proposed project is not required to provide any on-site parking spaces per established City practice. In addition, the applicant has entered into a lease agreement to provide 15 off-site parking spaces to further address any potential parking concerns. In relation to noise and light, standard and project-specific conditions of approval have been placed on the proposed project to minimize any potential noise and light impacts. With respect to any other potential impacts caused by the proposed use, the conditions imposed on the project in the Conditional Use Permit are designed to minimize or eliminate any negative effects on the environment created by the proposed use.

City staff has determined that the cumulative impact of the proposed project is not significant in that the project will not result in any adverse impacts with respect building design, site design, parking, lighting, and noise. With respect to building architecture and site design, the proposed project involves the remodel of an existing commercial building and the re-use of an existing outdoor patio area, both of which have been designed to comply with the Historic District Design and Development Guidelines. In terms of parking, the proposed project is not required to provide any on-site parking spaces per established City practice. In addition, the applicant has entered into a lease agreement to provide 15 off-site parking spaces to further address any potential parking concerns. In relation to noise and light, standard and project-specific conditions of approval have been placed on the proposed project to minimize any potential noise and light impacts.

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(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

CEQA Guidelines section 15300.2(c) states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. This is commonly referred to as the “unusual circumstances exception.”

The unusual circumstances exception to the use of a categorical exemption applies only when both unusual circumstances exist and there is a reasonable possibility that the project will have a significant effect on the environment due to those unusual circumstances. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1104.)

Whether unusual circumstances exist to distinguish this project from others in the exempt class is a factual question. The answer to that factual question must be supported by substantial evidence.

In making this decision, the Commission should consider whether the proposed project's circumstances differ significantly from the circumstances typical of the type of projects covered by the exemption, namely, other small structures in the Historic District that are either converted from one use to another or newly constructed. The exception applies only if the claimed unusual circumstance relates to the proposed action under consideration; it does not apply if the unusual circumstances are part of the existing conditions baseline. (*Bottini v. City of San Diego* 27 Cal.App.5th 281; *World Business Academy v. State Lands Commission* (2018) 24 Cal.App.5th 476, 498; *North Coast Rivers Alliance v. Westlands Water District* (2014) 227 Cal.App.4th 832, 872.)

Another consideration is whether there is a reasonable possibility of a significant effect on the environment due to the unusual circumstances. (*Berkeley Hillside Preservation*, 60 Cal.4th at p. 1115.) The Commission answers this question by determining if there is any substantial evidence before it that would support a fair argument that a significant impact on the environment may occur as a result of the proposed project. (*Id.*) A reasonable possibility of a significant impact may be found only if the proposed project will have an impact on the physical environment. If there is no change from existing baseline physical conditions, the exception does not apply. (*North Coast Rivers Alliance v. Westlands Water District* (2014) 227 Cal.App.4th 832, 872.) The exception also does not apply if the project will have only a social impact and will not result in a potentially significant change to the physical environment. (*Santa Monica Chamber of Commerce v. City of Santa Monica* (2002) 101 Cal.App.4th 786, 801; *City of Pasadena v. State* (1993)

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14 Cal.App.4th 810, 826.)

The question is not whether the project will have an adverse impact on some persons, but whether it will adversely affect the environment of persons in general due to unusual circumstances. (*San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District* (2006) 139 Cal.App.4th 1356, 1392.

After analyzing the unusual circumstances exception in association with this project, the City determined that no unusual circumstances exist to distinguish this project from others in the exempt class. While an argument could be made that the small parcel size and the location of the parcel within the public parking lot are unusual circumstances, both of those conditions exist at this time. The presence of bars and restaurants on Sutter Street is not uncommon, so any impacts associated with the proposed use itself are not unusual. In addition, parking impacts associated with new businesses on Sutter Street are not unusual.

The City also determined that there is not a reasonable possibility of a significant effect on the environment due to any claimed unusual circumstances for this project. Any possibility of a significant impact on the physical environment allegedly caused by proposed project would not be the result of any claimed unusual circumstances. As mentioned above, the proposed use is not unusual, so any possible significant effects associated with that use are not sufficient to support the exception in this case. In addition, as stated above, parking impacts associated with new businesses on Sutter Street are not unusual. Even so, as described in detail in other sections of this report, the project applicant has secured a lease for 15 shared parking spots at the nearby Eagle's Lodge in an attempt to address any potential parking-related impacts and the City has conditioned the project to require those parking spots to remain available for the life of the Conditional Use Permit. As a result, the City has determined that any possible significant effects related to parking are not unusual and do not require application of the exception for this project.

(f) **Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The subject property, which is located at 608 ½ Sutter Street (APN: 070-0061-011-0000), is developed with an existing 4,377-square-foot commercial building which was built in 1958. The existing building is constructed of vertical wood slats with sliding wood doors and a corrugated metal roof. The existing building is not considered a historically significant structure and does not include building materials that would be considered historically significant. In addition, the existing building is not listed on the City's Cultural Resource Inventory List nor any other State or Federal historic or cultural resource

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inventory or list.

RECOMMENDATION

Staff recommends approval of the proposed project, subject to the conditions of approval included in this report.

HISTORIC DISTRICT COMMISSION ACTION

Move to approve a Conditional Use Permit and Design Review (PN 19-174) for Barley Barn Tap House, which includes development and operation of a craft beer establishment within an existing 4,377-square-foot building located at 608 ½ Sutter Street subject to the findings (Findings A-I) and conditions of approval attached to this report (Conditions 1-30).

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. THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15303, NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES, OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.
- D. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS NOT SIGNIFICANT IN THIS CASE.
- E. NO UNUSUAL CIRCUMSTANCES EXIST TO DISTINGUISH THE PROPOSED PROJECT FROM OTHERS IN THE EXEMPT CLASS.
- F. THE PROPOSED PROJECT WILL NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE.

CONDITIONAL USE PERMIT FINDING

- G. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE AND 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, SINCE THE PROPOSED USE IS COMPATIBLE WITH SIMILAR COMMERCIAL USES IN THE SURROUNDING NEIGHBORHOOD.

DESIGN REVIEW FINDINGS

- H. THE BUILDING MATERIALS, TEXTURES AND COLORS USED IN THE PROPOSED PROJECT ARE COMPATIBLE WITH SURROUNDING DEVELOPMENT AND ARE CONSISTENT WITH THE GENERAL DESIGN THEME OF THE NEIGHBORHOOD.
- I. THE PROPOSED PROJECT IS IN CONFORMANCE WITH THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES ADOPTED BY CITY COUNCIL.

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ATTACHMENT 2 BACKGROUND

BACKGROUND

The existing 4,377-square-foot commercial building, which was built in 1958, is constructed of vertical wood slats with sliding wood doors and a corrugated metal roof. The existing building is not considered a historically significant structure and does not include building materials that would be considered historically significant. In addition, the existing building is not listed on the City's Cultural Resource Inventory List. The existing commercial building is currently occupied by an art and crafts store (Artfully Rooted) that provides an eclectic mix of artistic décor, furniture, fashion, vintage, antiques, and repurposed items. A photograph of the existing commercial building is shown in Figure 4 below:

FIGURE 4: COMMERCIAL BUILDING AT 608 ½ SUTTER STREET



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GENERAL PLAN DESIGNATION	HF, Historic Folsom
ZONING	HD, Sutter Street Subarea of the Commercial Primary Area
ADJACENT LAND USES/ZONING	<p>North: Public Parking Lot (HD) with Riley Street Beyond</p> <p>South: Sutter Street with Commercial Development (HD) Beyond</p> <p>East: Commercial Development (HD) with Scott Street Beyond</p> <p>West: Commercial Development (HD) with Riley Street Beyond</p>
SITE CHARACTERISTICS	The L-shaped project site, which is approximately 0.12-acres in size, is developed with a 4,377-square-foot building (currently occupied by Artfully Rooted) and associated site improvements including a paved patio area, pedestrian walkways, and landscaped planters.
APPLICABLE CODES	<p><u>FMC</u> Chapter 15.52; HD, Historic District</p> <p><u>FMC</u> Section 17.52.300, Design Review</p> <p><u>FMC</u> Section 17.52.660, Demolition</p> <p><u>FMC</u> Chapter 17.57, Parking Requirements</p> <p><u>FMC</u> Chapter 17.60, Use Permits</p> <p>Historic District Design and Development Guidelines</p>

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Attachment 3

Proposed Conditions of Approval

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CONDITIONS OF APPROVAL FOR BARLEY BARN TAP HOUSE CONDITIONAL USE PERMIT AND DESIGN REVIEW 608 ½ SUTTER STREET (PN 19-174)				
Cond. No.	Mitigation Measure	GENERAL REQUIREMENTS	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"> 1. Site Plan, dated September 16, 2021 2. Off-Site Parking Plan, dated September 16, 2021 3. Demolition Plans, dated September 16, 2021 4. Building Elevations, dated September 16, 2021 5. Building Renderings, dated received September 27, 2021 6. Color and Materials Exhibits 7. Signage Details, dated September 16, 2021 8. Site Details 9. Floor Plans, dated September 16, 2021 10. Project Narratives, dated received September 22, 2021 11. Off-Site Parking Lease Agreement, dated October 15, 2021 <p>The project is approved for the development of the 3,799-square-foot Barley Barn Tap House project. Implementation of the project shall be consistent with the above-referenced items as modified by these conditions of approval.</p>	B	CD (P)(E)
2.		<p>Building plans, and all applicable 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.</p>	B	CD (P)(E)(B)

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3.		<p>The project approvals (Conditional Use Permit and Design Review) granted under this staff report shall remain in effect for one year from final date of approval (November 18, 2022). If the Conditional Use Permit has not been exercised within the identified time frame prior to the expiration date and the applicant has not demonstrated substantial progress towards the development of the project, respectively, these approvals shall be considered null and void without further action. The owner/applicant may file an application with the Community Development Department for a permit extension not less than 30 days prior to the expiration date of the permit, along with appropriate fees and necessary submittal materials pursuant to <u>Chapter 17.60 of the Folsom Municipal Code</u>.</p>	B	CD (P)
4.		<p>If the Community Development Director finds evidence that conditions of approval for Barley Barn Tap House have not been fulfilled or that the use has resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or has a substantial adverse impact on public facilities or services, the Director will refer the use permit to the Historic District Commission for review. If, upon such review, the Historic District Commission finds that any of the above-stated results have occurred, the Commission may modify or revoke the Conditional Use Permit.</p>	OG	CD (P)
5.		<p>This Conditional Use Permit shall be deemed revoked without further action by the Historic District Commission if the operation of the facility in the manner described in the Conditional Use Permit ceases for any consecutive period of six (6) months.</p>	OG	CD
6.		<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"> • The City bears its own attorney’s fees and costs; and • The City defends the claim, action or proceeding in good faith <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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7.		Compliance with all local, state and federal regulations pertaining to building construction and demolition is required.	OG	CD (B)
8.		If any archaeological, cultural, or historical resources or artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be suspended in that location until a qualified professional archaeologist assesses the significance of the discovery and provides recommendations to the City. The City shall determine and require implementation of the appropriate mitigation as recommended by the consulting archaeologist. The City may also consult with individuals that meet the Secretary of the Interior’s Professional Qualifications Standards before implementation of any recommendation. If agreement cannot be reached between the project applicant and the City, the Historic District Commission shall determine the appropriate implementation method.	B	CD (P)(E)(B)
9.		In the event human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made the necessary findings as to the origin and disposition pursuant to Public Resources Code 5097.98. If the coroner determines that no investigation of the cause of death is required and if the remains are of Native American Origin, the coroner will notify the Native American Heritage Commission, which in turn will inform a most likely decedent. The decedent will then recommend to the landowner or landowner’s representative appropriate disposition of the remains and any grave goods.	B	CD (P)(E)(B)
DEVELOPMENT COSTS AND FEE REQUIREMENTS				
10.		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.	B	CD (P)(E)
11.		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.	B	CD (P)(E)

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12.		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.	B	CD (P)(E)
13.		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, Quimby, 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
14.		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)
LANDSCAPE REQUIREMENT				
15.		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.	OG	CD (P)(E)
LIGHTING REQUIREMENT				
16.		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. In addition, all lighting shall be designed to be shielded and directed downward onto the project site and away from adjacent properties and public rights-of-way.	B	CD (P)
NOISE REQUIREMENT				
17.		Compliance with Noise Control Ordinance and General Plan Noise Element shall be required. Hours of construction operation shall 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. No construction is permitted on Sundays or holidays. Construction equipment shall be muffled and shrouded to minimize noise levels.	B	CD (P)(E)

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CONDITIONAL USE PERMIT REQUIREMENTS				
18.		Current occupancy loads shall be posted at all times, and the owner/applicant shall have an effective system to keep count of the number of occupants present at any given time. This information shall be provided to public safety personnel upon request.	B, OG	FD NS (B)
19.		A Conditional Use Permit Modification shall be required if the operation of the business deviates from the Historic District Commission's approval. No approvals are granted in this Conditional Use Permit except as provided. Any intensification or expansion of the use approved and conditioned herein will require a Conditional Use Permit Modification by the Historic District Commission. In any case where the conditions to the granting of a Conditional Use Permit have not been, or are not, complied with, the Historic District Commission shall give notice to the permittee of intention to revoke such permit at least ten days prior to a hearing thereon. Following such hearing the Historic District Commission may revoke such permit.	OG	CD, PD
20.		The owner/applicant shall maintain full compliance with all applicable laws ABC laws, ordinances, and state conditions. In the event that a conflict arises between the requirements of this Conditional Use Permit and the ABC license, the more stringent regulation shall apply.	OG	CD (P)
21.		All entertainment (as defined in Chapter 5.90 of the <u>Folsom Municipal Code</u>) shall be subject to an Entertainment Permit. No entertainment shall occur on the proposed outdoor patio. Occasional outdoor events may be requested via the Special Event Permit process, subject to City approval.	OG	CD (P)
22.		Compliance with the City of Folsom's Noise Control Ordinance (<u>Folsom Municipal Code Chapter 8.42</u>) and General Plan Noise Element shall be required.	OG	CD (P)
23.		Hours of operation (including private parties) shall be limited as follows: <ul style="list-style-type: none"> o Sunday-Wednesday: 11:00 a.m. to 10:00 p.m. o Thursday-Saturday: 11:00 a.m. to 12:30 a.m. No expansion of business hours beyond what is stated above shall be permitted without prior approval being obtained from the Historic District Commission through a discretionary Conditional Use Permit Modification.	OG	CD (P)
24.		Barley Barn Tap House shall be limited to the sale and consumption of beer, non-alcoholic beverages, and food products. No sale or consumption of spirits shall be permitted.	OG	CD (P)
25.		Doors and windows to the outdoor patio area shall be closed at all times when music is being played.	OG	CD (P)
26.		No audio speakers, music, televisions, or screens shall be permitted on the outdoor patio, the building exterior walls, windows, or any other exterior architectural elements.	OG	CD (P)

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27.		No dancing shall be permitted anywhere in the premises including the outdoor patio area. In addition, there shall be no structurally designated or raised dance floor or bandstand.	OG	CD (P)
28.		The owner/applicant shall ensure that a lease agreement for the 15 parking spaces at the Eagle Lodge property remain in effect as long as Barley Barn Tap House or any subsequent establishment operating at this location pursuant to the Conditional Use Permit remains in business.	OG	CD (P)

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ARCHITECTURE/SITE DESIGN REQUIREMENTS				
29.		<p>The project shall comply with the following architecture and design requirements:</p> <ol style="list-style-type: none"> 1. This approval is for exterior and interior modifications associated with the Barley Barn Tap House project. The applicant shall submit building plans that comply with this approval, the attached site plan, demolition plans, building elevations, building rendering, color and materials exhibit, floor plans, and signage, lighting, and door exhibits dated September 16, 2021 and September 27, 2021. 2. The design, materials, and colors of the proposed Barley Barn Tap House project shall be consistent with the submitted building elevations, building rendering, material samples, and color scheme to the satisfaction of the Community Development Department. 3. 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. 4. All Conditions of Approval as outlined herein shall be made as a note or separate sheet on the Construction Drawings. 5. The final location, design, height, materials, and colors of the fencing and gates associated with the outdoor patio area shall be subject to review and approval by the Community Development Department. 6. The design of the glass front entry door on the west building elevation be modified to reflect a more historic appearance by limiting glass to the upper half of the door with the bottom half of the door being a solid material to the satisfaction of the Community Development Department. 7. The owner/applicant shall create an aged appearance by adding gray tint to the enclosed concrete patio area, coordinate the wrought iron fencing around the outdoor patio area by installing fencing panels between wood posts, and preserve to the greatest extent possible the decorative wall tile on the retaining wall located along the private walkway and incorporate these walls tiles at another location on the project site to the satisfaction of the Community Development Department. 	I, B	CD (P)

SIGN REQUIREMENT			
30.		The owner/applicant shall obtain a sign permit prior to installation of the painted-on wall sign.	CD (P)
31.		<u>The owner/applicant shall make a good faith effort to improve the Eagles Lodge parking lot area with paving and striping with the voluntary approval of the Eagles Lodge (This condition was added by the Historic District Commission at its November 18, 2021 meeting).</u>	CD (P)(E)

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD	Community Development Department Planning Division Engineering Division Building Division Fire Division	I	Prior to approval of Improvement Plans
(P)		M	Prior to approval of Final Map
(E)		B	Prior to issuance of first Building Permit
(B)		O	Prior to approval of Occupancy Permit
(F)		G	Prior to issuance of Grading Permit
PW		Public Works Department	DC
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 4

Vicinity Map



CITY OF FOLSOM

Vicinity Map



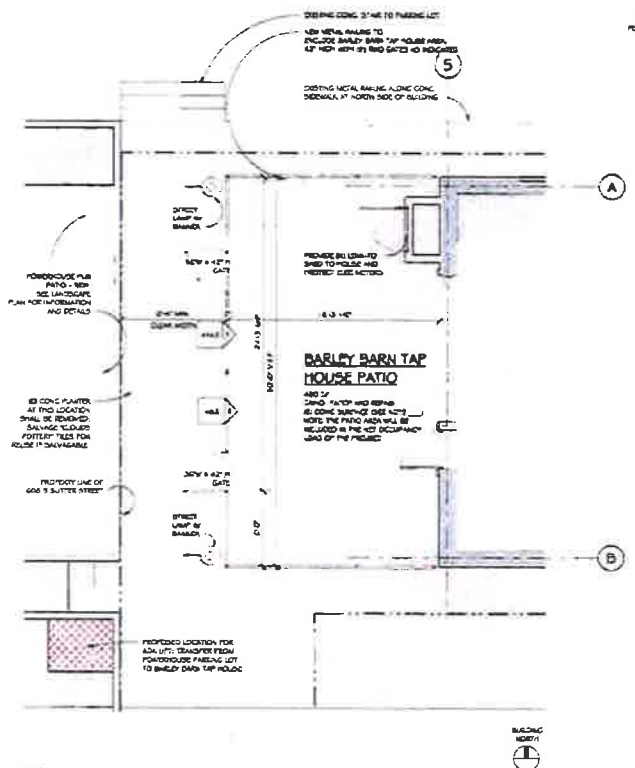
Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 5

Site Plan, dated September 16, 2021



3 EXISTING OVERHEAD VIEW

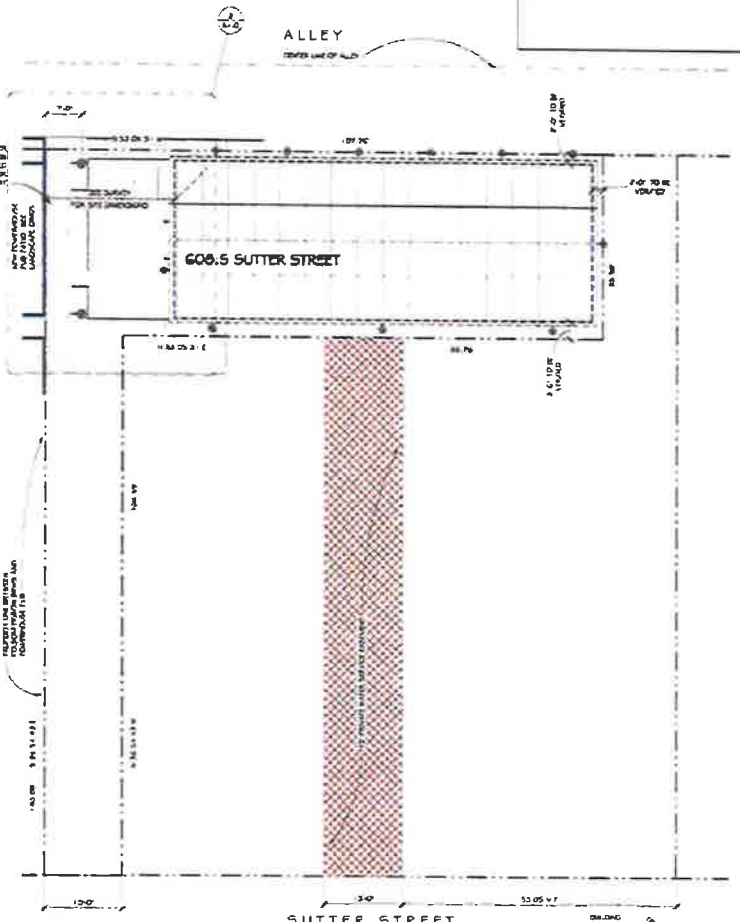


2 FOLSOM PRISON BREWS PATIO PLAN

- SITE PLAN NOTES:**
1. ALL SITE AND BUILDING LOCATION INFORMATION TO BE VERIFIED BY LICENSED SURVEYOR OR CIVIL ENGINEER. THE INFORMATION OBTAINED ON THIS DRAWING WAS DERIVED FROM THE SURVEY BY WILLIAM D. PASCARELLI LICENSED LAND SURVEYOR, DATED 12/22/21.
 2. ZONAL DESCRIPTION: PARCEL 11, 608.5 SUTTER STREET, FOLSOM, CA. APN: 00611111.
 3. LOT SIZE: 0.1238 ACRES.
 4. FOR LANDSCAPE INFORMATION AND DRAWING, SEE LANDSCAPE PLAN BY THE SRA LANDSCAPE, METCAL, SPILLER, LA. 51 G-385 1372 OR INFO@SRADESIGNS.COM.

SHEET LEGEND

	EXISTING BLDG FOOTPRINT
	NEW PROPOSED BLDG FOOTPRINT
	PROPOSED PUB UTIL
	PROPERTY LINE



1 SITE PLAN - ARCHITECTURAL

KONET ARCHITECTURE
 KERRIE KONET, AIA
 255 AMERICAN RIVER CANYON DR
 FOLSOM, CA 95630
 916-835-4322
 konetarchitecture@gmail.com
 CA Arch License #C33835

www.konetarchitecture.com

NOT FOR CONSTRUCTION

ATTENTION: ANY USES, STRUCTURES, UTILITIES, OR ADJUSTMENTS TO THIS PLAN MUST BE APPROVED BY THE APPLICANT WITH ALL NEARBY 991177 FOR THIS CONTRACTOR'S RECORDS. ANY CHANGES TO THIS PLAN MUST BE APPROVED BY THE APPLICANT AND THE ARCHITECTURE FIRM'S ARCHITECTS. REVIEWED BY: KERRIE KONET, AIA.

No.	Description	Date
1	Initial Approval	12/22/21

Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070-0061-011-0000

SITE PLAN - ARCHITECTURAL

Author: KERRIE KONET
 Designer: KERRIE KONET
 Checker: MURRAY WEAVER
 Date: 12/22/21

A1.0
 AS ISSUED

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 6

Off-Site Parking Plan, dated September 16, 2021



2 POWERHOUSE PARKING LOT - EXISTING
1:10" = 1' 0"

REQUIRED PARKING:

THERE SHALL BE 6 PARKING SPACES PROVIDED FOR THE PROPOSED BARLEY BARN TAP HOUSE. 3000 SF NET OCCUPANT LOAD DIVIDED BY 500 = 6 SPACES. ONE SPACE SHALL BE AN ACCESSIBLE VEHICLE SPACE.

POWERHOUSE PARKING LOT EXISTING

NOTES:
1. CURRENTLY, THERE ARE 20 STANDARD PARKING SPACES AND (1) ONE ACCESSIBLE PARKING SPACE.
THE OWNER SHALL CONVERT (1) ONE EXISTING STANDARD PARKING SPACE IN THE POWERHOUSE PARKING LOT INTO AN ACCESSIBLE VEHICLE PARKING SPACE IN ORDER TO PROVIDE THE REQUIRED ACCESSIBLE PARKING SPACE FOR THE BARLEY BARN TAP HOUSE.
IN ORDER TO ACCOMMODATE THE 18 STANDARD PARKING SPACES NEARBY TO THE PROPOSED BARLEY BARN TAP HOUSE, THE CONVERTED SPACE SHALL BE A STANDARD PARKING SPACE. NEARBY DELIMITED ROAD SIDE PARKING SPACES SHALL BE THE ONLY LOT WHICH WILL ALLOW AN ACCESSIBLE ROUTE TO THE BARLEY BARN TAP HOUSE OFFICE.

ALL WORK TO BE FIELD VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION AND DURING THE PROJECT. CONFORMANCE WITH 90115 CALIFORNIA BUILDING CODE CHAPTER 118. IF ANY DISCREPANCIES ARE FOUND BETWEEN THE DRAWINGS AND SITE CONDITIONS, THE CONTRACTOR SHALL ALERT THE ARCHITECT IMMEDIATELY FOR CORRECTION. IF ARCHITECT HAS NOT BEEN NOTIFIED AND WORK CONTINUES, THE ARCHITECT WILL NOT BE HELD LIABLE FOR ANY CONSEQUENCES OF THIS WORK.



1 EAGLES LODGE PARKING LOT - EXISTING
1:10" = 1' 0"

EAGLES LODGE PARKING LOT - EXISTING

NOTES:
1. THE NORTHERLY SIDEWALK OF THE EXISTING EAGLES LODGE IS APPROXIMATELY 115 FEET IN LENGTH. THIS DISTANCE COULD POSSIBLY ALLOW FOR 10 STANDARD PARKING SPACES WHICH WOULD BE 9 FEET 10 INCHES WIDE. THIS STATEMENT TO BE FIELD VERIFIED.
2. THE PARKING ROW ALONG THE NORTH END OF THE EAGLES LODGE IS APPROXIMATELY 145 FEET IN LENGTH. THIS DISTANCE COULD POSSIBLY ALLOW FOR 3 STANDARD PARKING SPACES WHICH WOULD BE 9 FEET 10 INCHES WIDE AND (1) ONE ACCESSIBLE VEHICLE SPACE WHICH WOULD BE 12 FEET 11 INCHES WIDE WITH AN ACCESSIBLE WALK OF 5 FEET 10 INCHES WIDE.
THIS STATEMENT TO BE FIELD VERIFIED.

THEREFORE, THE TOTAL NUMBER OF POSSIBLE PARKING SPACES WITHIN THE EXISTING EAGLES LODGE LOT WOULD BE 13 STANDARD SPACES + 1 ACCESSIBLE SPACE = 14 TOTAL SPACES. THIS STATEMENT TO BE FIELD VERIFIED.
3. THERE IS NO WORK INCLUDED TO UPGRADE OR IMPROVE THE EXISTING EAGLES LODGE LOT. BY THIS CONTRACT, THE ABOVE INFORMATION AND THE NEIGHBORING EAGLES LODGE PARKING SPACES THEREIN ARE FOR INFORMATIONAL PURPOSES ONLY. THE ARCHITECT IS NOT PROVIDING ANY REPRESENTATION FOR ANY IMPROVEMENTS TO THE EXISTING EAGLES LODGE LOT. THE ARCHITECT HAS NOT CONDUCTED ANY FIELD SURVEY OR SURVEY OF ANY KIND. ALL DIMENSIONS AND FIELD VERIFICATION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION. THE ARCHITECT SHALL NOT BE HELD LIABLE FOR ANY CONSEQUENCES OF THIS WORK.

KONET ARCHITECTURE
 AEGEIE KONET, AIA
 255 AMERICAN RIVER CANYON DR
 FOLSOM, CA 95630
 916-833-0322
 konetarchitecture@gmail.com
 CA Arch License #C31353

www.konetarchitecture.com

NOT FOR CONSTRUCTION

THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION OF ANY STRUCTURE OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF KONET ARCHITECTURE. ANY REPRODUCTION OR TRANSMISSION OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF KONET ARCHITECTURE IS STRICTLY PROHIBITED.

No.	Description	Area
1	As Shown	1,100
2	As Shown	1,100
3	As Shown	1,100
4	As Shown	1,100
5	As Shown	1,100
6	As Shown	1,100
7	As Shown	1,100
8	As Shown	1,100
9	As Shown	1,100
10	As Shown	1,100
11	As Shown	1,100
12	As Shown	1,100
13	As Shown	1,100
14	As Shown	1,100
15	As Shown	1,100
16	As Shown	1,100
17	As Shown	1,100
18	As Shown	1,100
19	As Shown	1,100
20	As Shown	1,100

Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Succor Street
 Folsom, CA 95630
 APN: 070-0061-011-0000

PARKING LOTS AND DATA

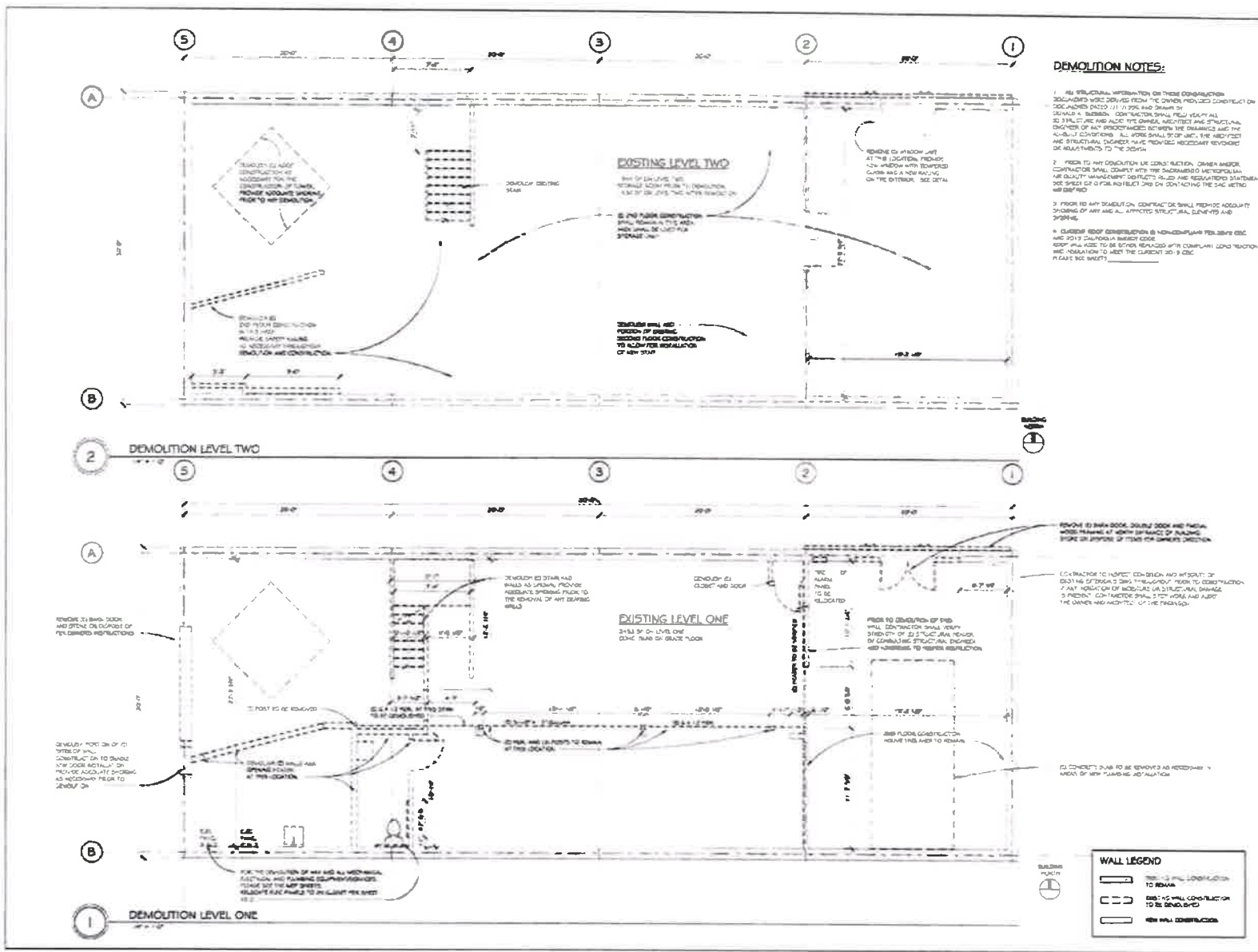
Project Number	20180120
Date	01/11/2022
Author	Reggie Konet, AIA
Checker	Cherise

X1.0
 11/11/2022 11:17 AM

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 7

Demolition Plans, dated September 16, 2021



KONET ARCHITECTURE
 REGGIE KONET, AIA
 251 AMERICAN RIVER CANYON DR
 FOLSOM, CA 95690
 916-835-4322
 www.konetarchitecture.com
 CA Arch License PCMS5

www.konetarchitecture.com

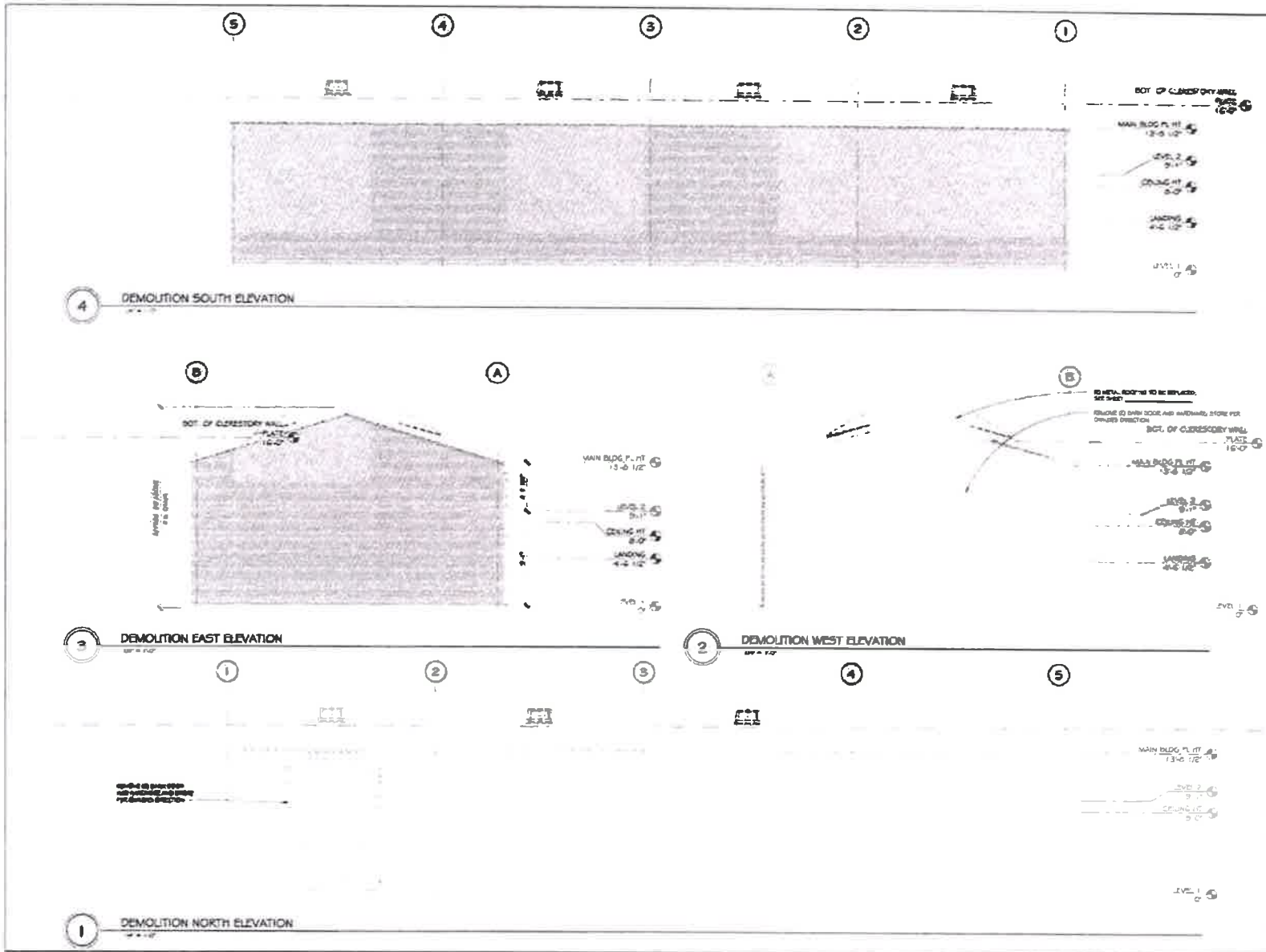
NOT FOR CONSTRUCTION

NO.	DESCRIPTION	DATE
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2	Issue for Review	01/11/2022
3	Issue for Review	01/11/2022
4	Issue for Review	01/11/2022
5	Issue for Review	01/11/2022
6	Issue for Review	01/11/2022
7	Issue for Review	01/11/2022
8	Issue for Review	01/11/2022
9	Issue for Review	01/11/2022
10	Issue for Review	01/11/2022

Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070-0061-011-000G

DEMOLITION PLANS

A2.0



KONET ARCHITECTURE
 BEGGIE KONET, AIA
 250 AMERICAN RIVER CANYON DR
 FOLSOM, CA 95630
 916-938-4323
 Licensed Architect - State of California
 CA Arch License #C25875
 www.konetarchitecture.com

NOT FOR CONSTRUCTION

These drawings were prepared by the architect for the purpose of obtaining a permit. They are not to be used for any other purpose without the written consent of the architect.

No.	Description	Date

Murray Wolff
BARLEY BARN TAP HOUSE
 509 1/2 Sutter Street
 Folsom, CA 95630
 APN: 050-009-011-0000

DEMOLITION ELEVATIONS

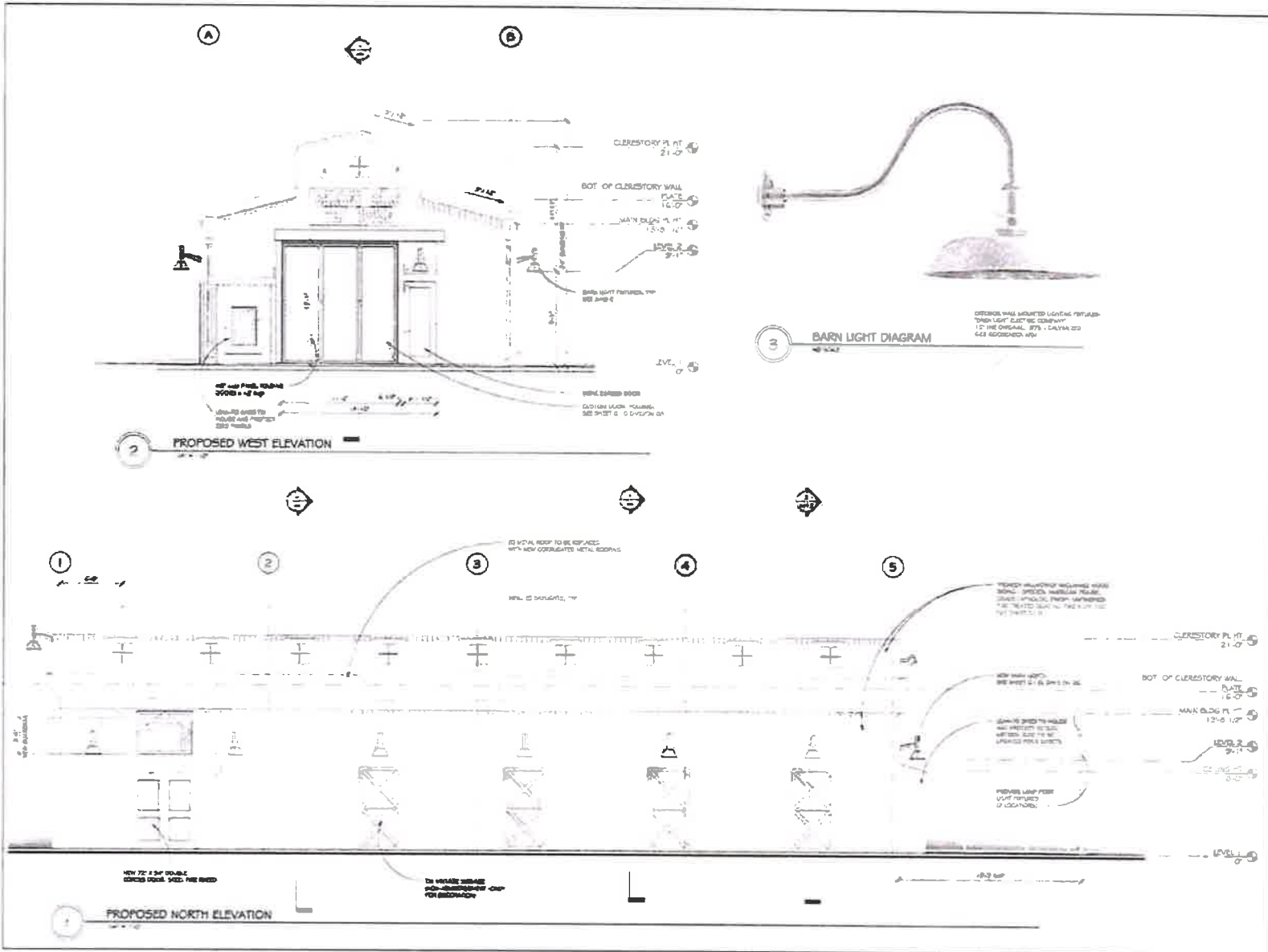
Scale: 1/8" = 1'-0"

A3.0

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 8

Building Elevations, dated September 16, 2021



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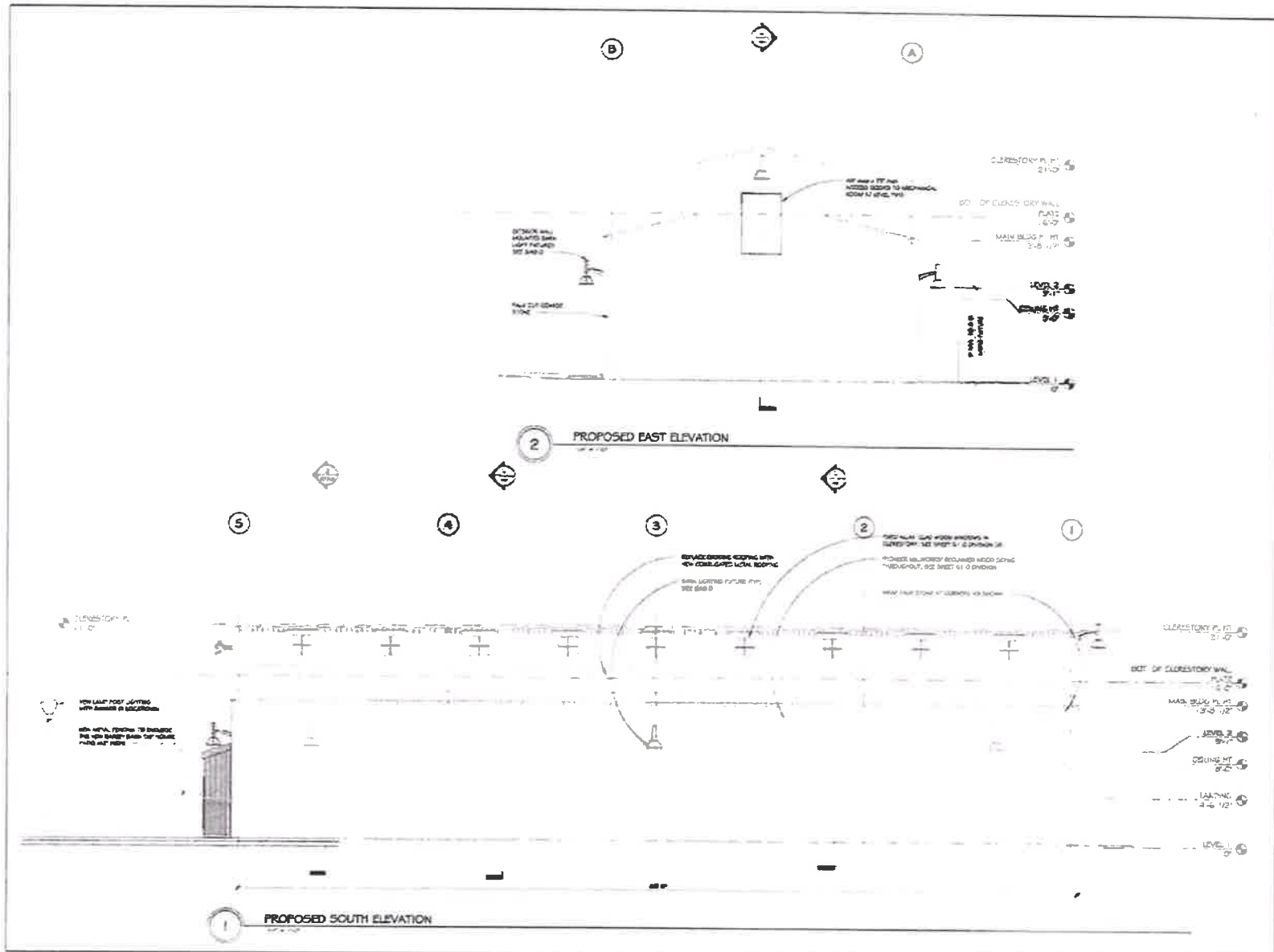
NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION

Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070-0061 001-0000

PROPOSED NORTH & WEST ELEVATIONS

A9.0



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NOT FOR CONSTRUCTION

NO.	REVISION	DATE

Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070 0061-011-0000

PROPOSED SOUTH & EAST ELEVATIONS

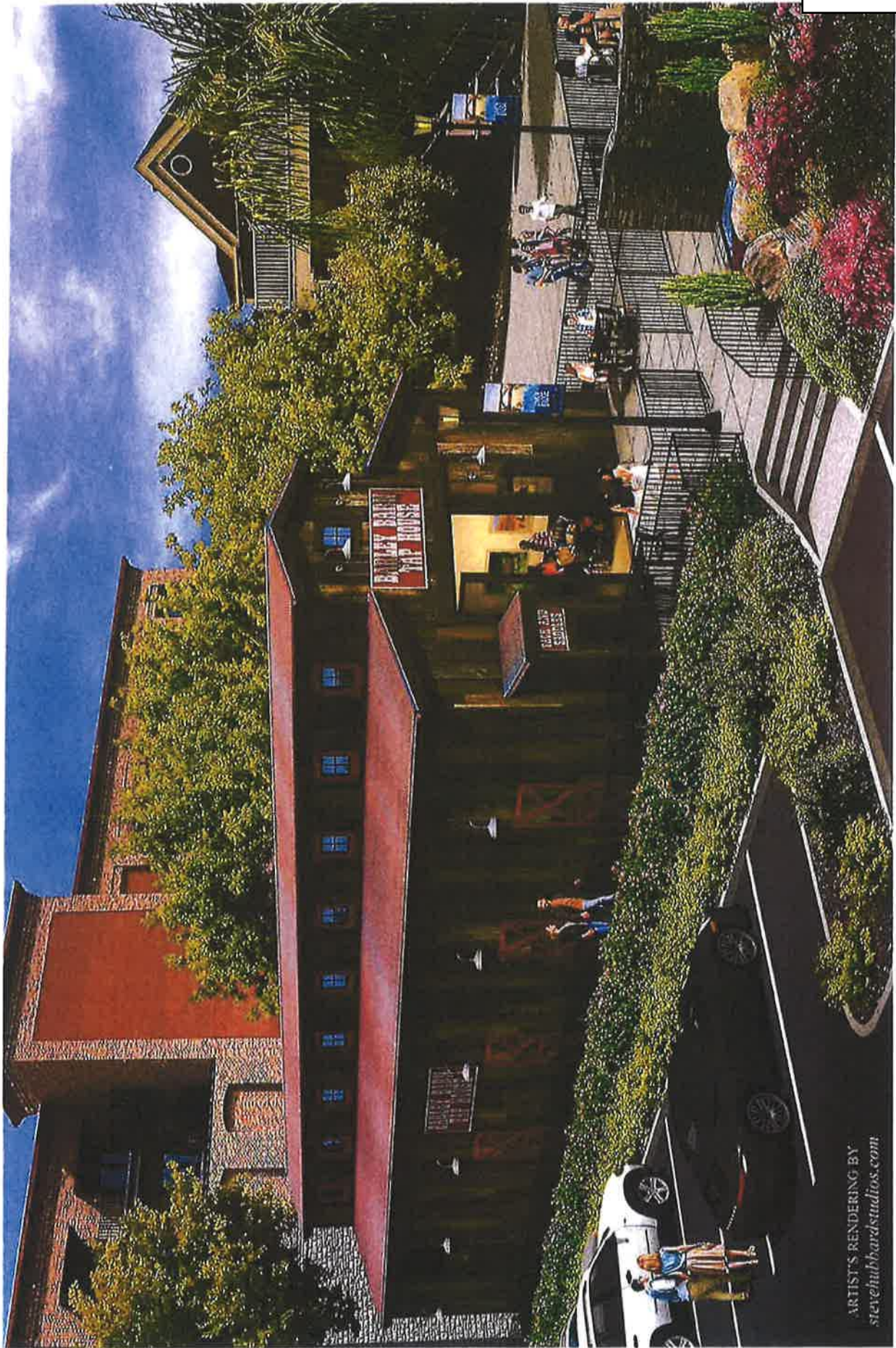
DATE PLOTTED	30/08/2022
USER	REGGIE KONET
PROJECT	BARLEY BARN, AIA
SCALE	1/8" = 1'-0"

A10.0

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 9

Building Renderings
Dated Received, September 27, 2021



ARTIST'S RENDERING BY
stevhubbardstudios.com



Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 10

Color and Materials Exhibits



CORRUGATED METAL ROOFING



RECLAIMED WOOD SIDING
BY PIONEER MILLWORKS



ALUM. CLADDING COLOR FOR
ENTRY DOORS BROWN

BARLEY BARN TAP HOUSE
608-1/2 SUTTER STREET, FOLSOM, CA 95630
OWNER: MURRAY WEAVER 916-862-1327
ARCHITECT: REGGIE KONET 916-835-4222

BARLEY BARN TAP HOUSE
ENTRY FOLDING DOORS
COLOR = BROWN



PELLA® BIFOLD DOORS



Make an impressive statement.

Create outdoor living at its finest. Pella bifold patio doors fold neatly to make a beautiful opening to the outside – and extend living spaces beyond the walls. Whether your project calls for the fine, thoughtful details of traditional design or the clean lines on contemporary products, you can create your desired look with the flexible design of Pella Architect Series bifold doors.

Versatile style.

Enjoy added design flexibility of an expansive door, or size down to create a pass-through window. Tracks can be straight or meet at a 90-degree corner.

The perfect finishing touch.

Choose from a broad range of hardware styles and finishes to create a seamless look across your Pella project. Concealed multipoint locks provide easy operation and unparalleled aesthetic.

The best limited lifetime warranty for wood patio doors.*

Built to last, Pella aluminum clad wood patio doors are backed by the Pella Limited Lifetime Warranty.



Choose different hardware finishes for the exterior and interior to perfectly complement your look.



* Based on comparing written limited warranties of leading national wood window and wood patio door brands. See Pella written Limited Warranty for details, including exceptions and limitations, at pella.com/warranty, or contact Pella Customer Service at 877-473-5527.



Create a sleek design.

Elegant interior finishes.

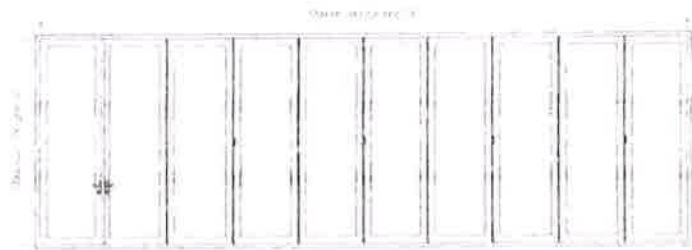
Complement home décor with an impressive collection of wood interiors including rich Mahogany and distinctive Douglas Fir. Pine interiors are available unfinished, primed or prefinished in your choice of 16 stain or paint colors.

Beautiful, long-lasting exteriors.

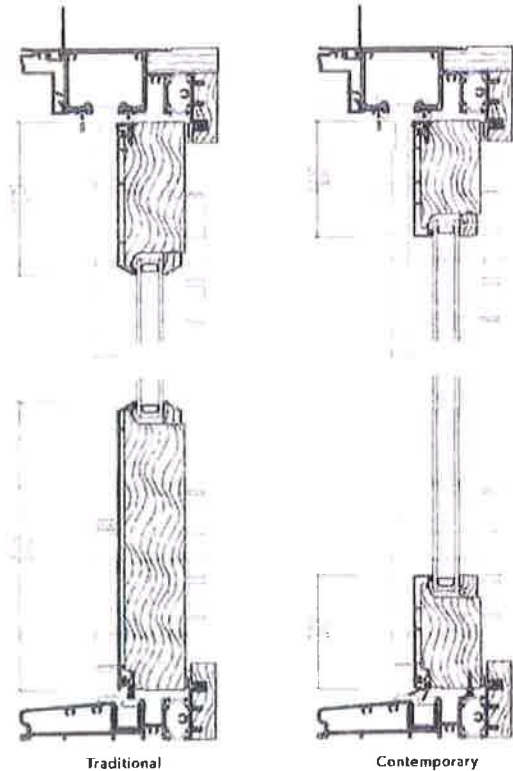
Customize the exterior color or choose one of 27 standard colors and select from a variety of exterior aluminum cladding.

Built-in peace of mind.

Add integrated Pella[®] Insynctive[™] security sensors and give homeowners the ability to monitor doors from virtually anywhere with the Pella Insynctive mobile app or a rugged, professionally monitored system.



Bifold panel sizes range from 14-1/4" x 48" to 42" x 117-3/8".
Using 10 door panels, the maximum opening is 26'.



Traditional

Contemporary

Energy Ratings

Dual Pane with Argon
Triple Pane with Argon

U-Factors

27 - 50
24 - 32

SHGC

12 - 53
11 - 38

Performance Ratings²

Standard Sill - Out-Swing
Standard Sill - In-Swing
Low-Profile and Flush Sills

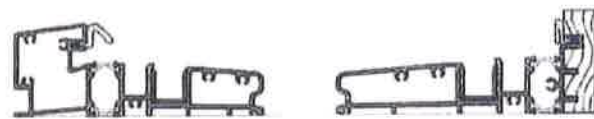
Up to 8'

PG25
NC

Up to 10'

PG35
NC

Sill Types Available



Standard Sill - In-Swing

Standard Sill - Out-Swing



Flush Sill

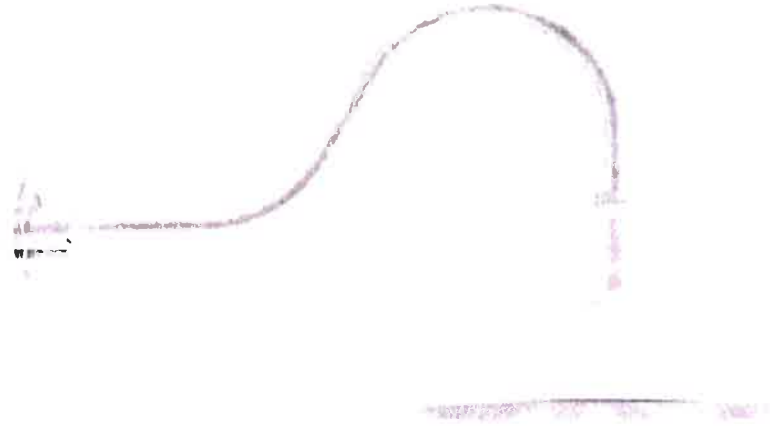


Low-Profile Sill

Figure 200 - 01 - 2022. © 2022 Pella Products, Inc. All rights reserved. Pella, the Pella logo, and Insynctive are trademarks of Pella Products, Inc. All other trademarks are the property of their respective owners. Pella Products, Inc. is not responsible for the accuracy of the information provided in this document. Pella Products, Inc. reserves the right to change specifications without notice. Pella Products, Inc. is not responsible for the accuracy of the information provided in this document. Pella Products, Inc. reserves the right to change specifications without notice.

Product of the United States of America

BARN LIGHT ELECTRIC COMPANY
16" THE ORIGINAL
975 - GALVANIZED
G22 GOOSENECK ARM



Based on designs from the early 20th century, The Original™ is an iconic, stylish, and dependable gooseneck light. This straightforward look features a tall neck that fans out into a sleek RLM warehouse shade. Affixed to any one of our traditional gooseneck arms, The Original™ offers the perfect dimensions and aesthetic for any space. Popular in classically styled homes, gooseneck lighting also complements ultra-modern urban lofts, trendy businesses, and more.

The Original™ is constructed the old-fashioned way: completely by hand, using commercial-grade materials. Customization options for this gooseneck light include multiple finish options – powder coat, copper or brass, and our signature high-gloss porcelain – and rugged guards.

- Hand built with an American-made RLM warehouse shade, this quality industrial wall lighting is a lasting gooseneck option.
- Made-to-order, learn more about the process [here](#).
- Learn more about The Original™ Warehouse Gooseneck Light over on our [blog](#)!

CSA Listed Wet Location

Number of Sockets 1

DIMENSIONS

MAX WATTAGE PER SOCKET

COPPER & BRASS

PORCELAIN ENAMEL

LEAD TIMES & RETURNS

FINISH CARE & MAINTENANCE

Delivering unmatched strength, engineered for lasting durability.¹

Pella's Proprietary Fiberglass vs. Andersen Fibrex² *

Resists dents. **100x** more impact-resistant

Resists bends. **10x** stronger

Resists breaks. **20x** the tensile strength

Product Specifications

Window & Patio Door Style	Min. Width	Min. Height	Max. Width	Max. Height	Performance Class & Grade	Performance Values			Frame/Inset
						U-Factor	SNGC	STC	
Vent Awning	20"	17-1/2"	59-1/2"	59-7/2"	LC50	0.18-0.48	0.14-0.55	29-37	Stock Frame, Standard Fin, Off-Set Fin, Integral Fin
Fixed Awning	13-1/2"	11-1/2"	71-1/2"	79-1/2"	LC50	0.14-0.49	0.18-0.63	28-30	
Vent Casement	17-1/2"	20"	37-1/2"	19-1/2"	LC40-LC50	0.26-0.45	0.18-0.55	25-32	
Fixed Casement	13-1/2"	11-1/2"	71-1/2"	79-1/2"	LC45-LC50	0.22-0.46	0.20-0.62	27-33	
Vent Double-Hung	17-1/2"	29-1/2"	47-1/2"	77-1/2"	LC30-LC50	0.25-0.49	0.19-0.58	26-29	
Vent Single-Hung	17-1/2"	23-1/2"	47-1/2"	77-1/2"	LC40-LC50	0.24-0.51	0.19-0.59	26-32	Block Frame, Standard Fin, Off-Set Fin, Integral Fin, Flush Frame
Sliding Window (DK, RD)	23-1/2"	11-1/2"	71-1/2"	71-1/2"	LC30-LC50	0.25-0.50	0.19-0.59	26-33	
Sliding Window (RDR)	47-1/2"	17-1/2"	107-1/2"	71-1/2"	LC30-LC50	0.25-0.50	0.19-0.59	26-32	
Road Sash and Frame	13-1/2"	13-1/2"	71-1/2"	71-1/2"	CW35-CW50	0.22-0.50	0.20-0.62	27-33	
Fixed Frame Direct Set	11-1/2"	11-1/2"	143-1/2"	143-1/2"	CAS	0.14-0.48	0.18-0.69	28-36	
Sliding Patio Door (One Panel)	27"	71-1/2"	49"	95-1/2"	LC30-LC50	0.25-0.48	0.19-0.61	27-32	Block Frame
Sliding Patio Door (Two Panels)	47-1/2"	71-1/2"	95-1/2"	95-1/2"	LC30-LC50	0.25-0.48	0.19-0.61	27-32	

Window sizes available in 1/8" increments. Maximum width based on one supply. Maximum min. and height cannot exceed the maximum square footage. Special orders available.

Glass & Additional Energy Efficiency Upgrades

InsulShield® Low-E Glass*

Pella Impervio products offer energy-efficient options that will meet or exceed ENERGY STAR guidelines in all 50 states.⁹

Advanced Low-E Insulating dual- or triple-pane glass with argon

Advanced Comfort Low-E Insulating dual-pane glass with argon

Natural Rich Low-E Insulating dual- or triple-pane glass with argon

SunDeflect™ Low-E Insulating dual- or triple-pane glass with argon

Additional Glass Options

Clear insulating glass

Tempered glass

Laminated (non-impervio-resistant), tinted or obscure glass also available on select products

STC Sound Transmission Class (improved double-pane sound control glass)¹⁰

Tygra® Film¹¹

Foam Insulation Options

Optional foam-insulated frame and sash are available to increase energy efficiency.

* See back cover for details.

Color & Finishes

Frame Colors

Dual-color frames allow your homeowner to choose a different color for the exterior with a White interior. Our long-lasting powder-coat finish resists chipping and fading and meets AAMA 624, which is the highest rated fiberglass coating among leading national competitors.

Single-Color: White, Tan, Brown, Black, Morning Sky Grey

Dual-Color: White interior with Tan Exterior, White interior with Brown Exterior, White interior with Black Exterior, White interior with Morning Sky Grey Exterior

Window Hardware

Casement & Awning

The patent-pending Easy-Slide Operator is a revolutionary way to operate casement and awning windows. Simply slide to open, without the effort of cranking. With track-in venting technology, the window will open to an exact location. Or select the fold-away crank, that folds neatly away, against the window frame. No other solution will interfere with roomside window treatments.

Easy-Slide Operator, Fold-Away Crank

Color-Matched Finishes: White, Tan, Brown, Black, Morning Sky Grey

Additional Finishes: Satin Nickel

Sliding, Single & Double-Hung

Pella's cam-action lock pulls the sashes against the weatherstripping for a tighter seal.

Cam-Action Lock

Color-Matched Finishes: White, Tan, Brown, Black, Morning Sky Grey

Additional Finishes: Bright Bronze, Oil-Rubbed Bronze, Satin Nickel, Matte Black

* See back cover for details.

BARLEY BARN TAP HOUSE - FR COATING FOR SIDING

01/11/2022 Item No. 15.



NATIONS #1 FLAME RETARDANT

HEAVY DUTY - MAXIMUM PROTECTION COMMERCIAL, INDUSTRIAL, MILITARY AND RESIDENTIAL USE

A Superior Class "A" Intumescent Flame Retardant

Fire Kote 100™ Heavy Duty water and resin based application. As a coating and a penetration agent it automatically reacts with fire and heat. It changes the chemicals in the wood and reverses the fire process.

Universal Fire Shield's exclusive Trade Secret formula is un-matched in performance and safety. Nitrogen is produced under high heat and fire displacing oxygen therefore reversing the ignition process.

Fire Kote 100™ comes with a 100% money back guarantee for performance and it protects like no other product. Fire Kote 100™ is the Nations number one seller. It out performs all other products on the market world wide. A clear coating that enhances and protects all natural wood surfaces. Can be a spray-on, rolled or brushed on or dipped to apply.

**WHEN ONLY THE BEST IS
GOOD ENOUGH!**

UNISHIELD INTERNATIONAL, LLC

3544 WATERFIELD PKWY - LAKELAND, FL 33803

1-800-608-5699 - www.firechemicals.com - info@universalfiresshield.com



RECOMMENDED FOR:

All unfinished wood and wood material surfaces.

Plywood, OSB board, Man made board, Lumber, Timbers, I-Beams, Ship lap, Paneling, Decks, Doors, Window frames, Fencing, Cabinets, Furniture, Post, Sheds, also styrafoam sheets can be treated.

FIRE KOTE 100™

Renders most woods non-combustible.



UNIVERSAL FIRE-KOTE 100™

NATIONS #1 FLAME RETARDANT



APPLICATIONS: COMMERCIAL, INDUSTRIAL AND MILITARY

An exclusive heavy duty formula flame inhibiting chemical un-matched by any other product on the market. A SUPERIOR HEAVY DUTY GRADE. Fire Rated Class "A". Specifically formulated for maximum protection. EXTERIOR AND INTERIOR Woods, Lumber, Leaves, Straw, Rope, Fiberboard. Paperboard. Corrugated box board, fabric materials such as canvas and other materials. Meets Military and NFPA 30 standards for packaging. Fire-Kote 100™ formula has met the test, Southwest Research and other testing agencies. Universal Fire-Kote 100™ meets and exceeds the ASTM E-84, (UL 263 same tunnel test) UBC 42-1 and NFPA 255 for surface burning characteristics for applied coatings, NFPA 703, ESTM E-108. Can be applied to most porous surfaces. For other uses contact our home office. Recommended for professional applicators. Most powerful fire retardant known. When only the best is good enough always demand Fire Kote 100™. On wood surfaces 5 year exterior and 25 year interior.

UNIVERSAL PROTECTIVE TECHNOLOGIES, UNIVERSAL FIRE-SHIELD, LLC™

are leaders dedicated to setting standards for Fire Prevention Chemicals through our on going research and development. It is our resolve to educate and inform the Public, Contractors, Industrial users, manufacturer and Architects. Environmentally safe flame retardant chemicals.

UNIVERSAL FIRE-KOTE 100™ Trade Secret Formula - ZB MSDS=Phosphoric Acid 18%, Formaldehyde 2%. This is an aqueous based resin liquid coating and penetrant. Total Solids =49.1%, weight per gallon 9.1 lbs., specific gravity = 1.33, PH factor =5.5, Flash Point Non-flammable, Color =Blue tint clear at 78 degrees F Slight haze at 50 degrees F. and lower, Volatility= no petroleum or lead, Fungus= anti-fungus, Bacteria=mildly resistant, Linear shrinkage=None, Moisture absorption=None, Corrosion=Mildly when in solution, Preservative=excellent, Pest resistant= excellent. These chemicals comply with all United States Federal Regulations. Meets or exceeds national, city, county and state fire codes.

APPLICATION PROCEDURE:

Can be applied by brush, roll coater, paint roller. Pressure spray at 50-250 psi. is recommended for commercial applications. For best results apply Fire-Kote 100™ two coats. Allow to dry slightly between coatings. Application rate 200 sq. ft. to one gallon. Applicator of chemical should wear protective clothing, eye ware, neoprene gloves and an appropriate mask the same type as for paints or chemicals for inclosed areas. Good ventilation is recommended. Allow to dry between coatings. Clean up over spray as soon as possible, clean up equipment as soon as possible with water and detergent soap or bleach. Mildly toxic during application phase only. **KEEP OUT OF REACH OF CHILDREN. DO NOT TAKE INTERNALLY.** If chemical gets into eyes wash out immediately flood with water. SAME PRECAUTIONS AS FOR PAINT AND STAIN.

Classified: FIRE RETARDANT COATING, SURFACE BURNING CHARACTERISTICS OF APPLIED COATING . FIRE-KOTE 100™ Superior Heavy Duty Grade. Fire Rated Class "A"

Yellow Pine, Redwood, Plywood, Cedar, Manufactured Board. Flame Spread =10, Smoke developed =50, Number of coats = 2, Rate per coat (ft2/gal) 360, Flash point= 0, clear liquid coating , no flash. Meets or exceeds ASTM E-84, (U.L. 723 same tunnel test), NFPA 255, NFPA 703, ASTM E-108, UBC 42-1 .

Universal Fire-Shield Chemicals™ meet or exceed existing and current federal, state, industrial, national and local fire codes.



Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 11

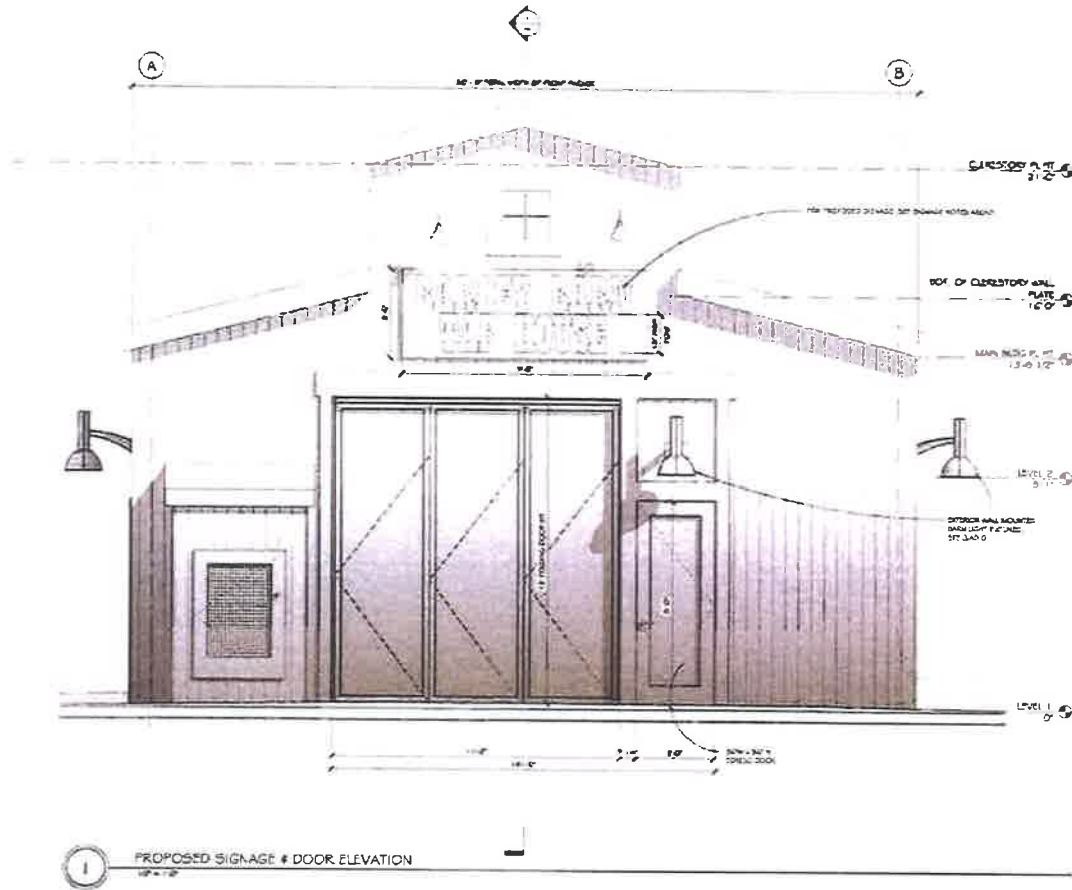
Signage Details, dated September 16, 2021



2 SAMPLE SIGNAGE APPLICATIONS
 THREE COLORWAYS OF TRY
 FOR THE SIGNAGE SHOWN
 ARE SHOWN LEFT ON
 A 1/8" BACKGROUND

SIGNAGE AND ENTRY DOOR NOTES:

1. THE PROPOSED SIGNAGE AS DETAIL IN DRAWING SHALL BE A METAL SIGN MOUNTED ONTO THE WOOD SIGNAGE TO MAKE IT MORE DURABLE. THE COLOR SHALL BE CUSTOMARY WHITE BACKGROUND AND
2. THE TOTAL WIDTH OF THE FINAL PACKAGE TO BE INSTALLED SHALL BE THE PROPOSED SIGNAGE TO BE 10' 0" EITHER THEREFORE THE SIGNAGE IS LESS THAN 10' 0" OF THE FINAL PACKAGE
3. THE WINDOW AND DOOR UNITS AT THE ENTRY SHALL BE PROVIDED BY THE ARCHITECT. UNITS SHALL BE ALL NEW GLASS, WOOD TRIM, SLIDING GLASS SHALL BE PROVIDED.



1 PROPOSED SIGNAGE & DOOR ELEVATION
 1/8" = 1'-0"

KONET
 ARCHITECTURE
 BANGU, KONET, LALA
 355 AMERICAN RIVER CANYON DR
 FOLSOM, CA 95640
 916-937-4212
 800-548-8800 (toll-free)
 CA Arch License: AC 23635

www.konetarchitecture.com

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION	BY	CHECKED

Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070-0061 01 0000

SIGNAGE & DOOR
 ELEVATION AND DETAILS

Project Number:	02020-01
Date:	1/11/2022
Design:	Konet, LALA
Drawn:	Konet, LALA
Checked:	Konet, LALA
Scale:	1/8" = 1'-0"
A14.0	

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 12

Site Details



ascension-lift.com (520) 881-3993

the Virtuoso

blending safety and functionality to deliver exceptional accessibility

The Lift That Started It All...

The Ascension Virtuoso vertical platform lift is unmatched for safe, attractive, and quiet wheelchair access.

Key features include full rigid safety skirting, an electro-hydraulic drivetrain, and a sleek, low profile. The Virtuoso is perfect for locations where image counts, such as stages and orchestra pits.

Vertical Travel:	12" to 60"
Capacity:	750lbs
Platform Size:	36" wide x 54" long
Lift Size:	48" wide x 63" long
Required Space:	52" wide x 64" long



Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 13

Floor Plans, dated September 16, 2021

KONET ARCHITECTURE
 REGGIE KONNET, AIA
 255 AMERICAN RIVER CANYON DR
 FOLSOM, CA 95630
 P: 916.822.4322
 konet@konetarchitecture.com
 CA Arch License #C 18613

www.konetarchitecture.com

NOT FOR CONSTRUCTION

Project Name	Barley Barn Tap House
Project Address	608 1/2 Sutter Street, Folsom, CA 95630
Project APN	070-0061-011-0000
Client	Murray Weaver
Architect	Reggie Konnet, AIA
Scale	AS BUILT
Date	01/11/2022

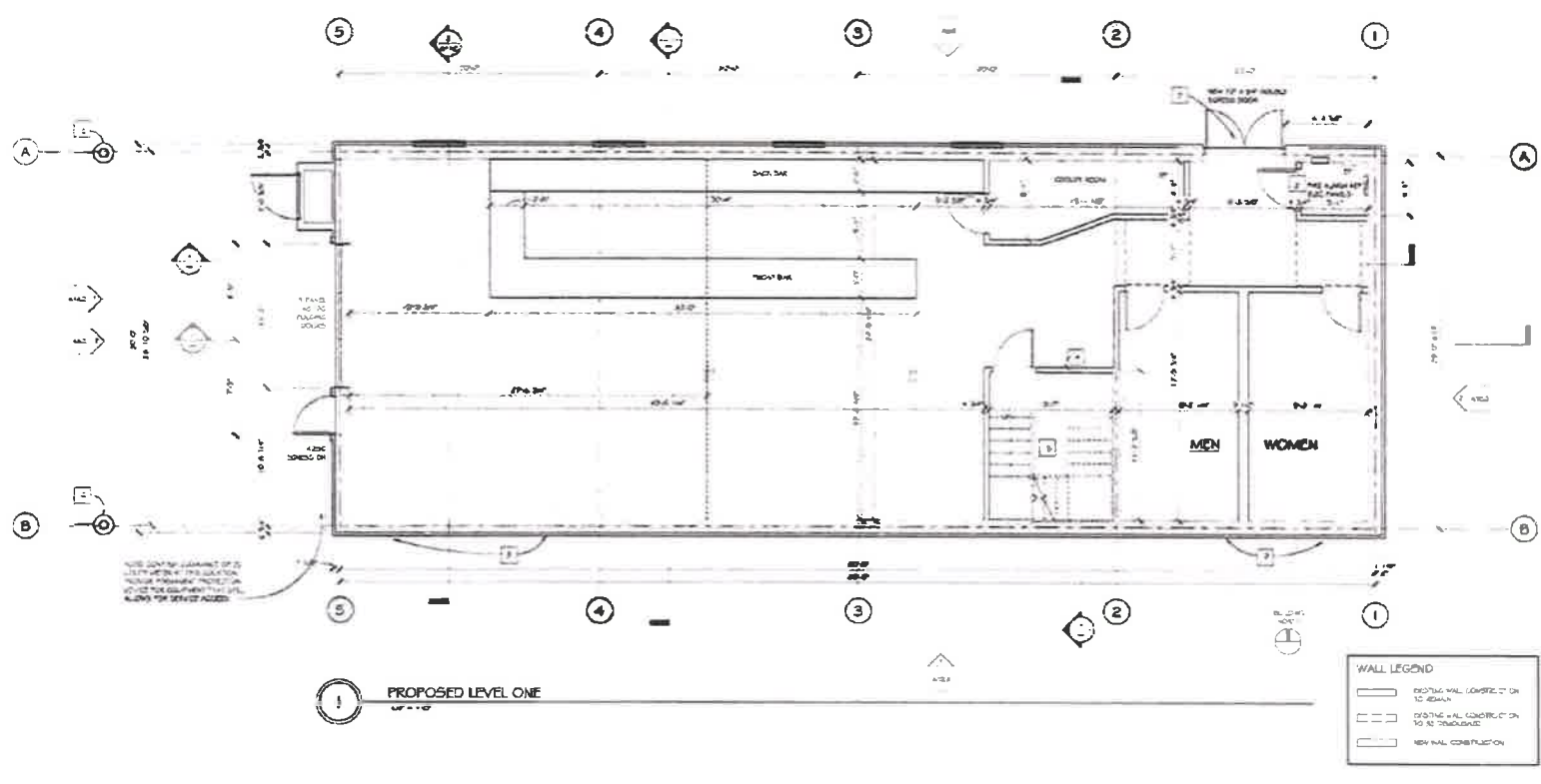
Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070-0061-011-0000

PROPOSED LEVEL ONE PLAN

Project Number	2022-01-15
Client	Murray Weaver
Architect	Reggie Konnet, AIA
Scale	AS BUILT
Date	01/11/2022

A5.0

- LEVEL ONE NOTES:**
1. CONTRACTOR TO VERIFY EXISTING DIMENSIONS AND BEHOLD OF ANY AS-BUILT IN THE FIELD PRIOR TO COMMENCEMENT. IF ANY DISCREPANCIES ARE FOUND, NOTIFY ARCHITECT IMMEDIATELY FOR RESOLUTION. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY DISCREPANCIES OR OMISSIONS IN THE FIELD PRIOR TO COMMENCEMENT.
 2. PROVIDE TO THE FIELD ALL NECESSARY DIMENSIONS FOR PLUMB AND FINISHING. DIMENSIONS SHALL BE MEASURED TO THE FACE UNLESS OTHERWISE NOTED. DIMENSIONS SHALL BE MEASURED TO THE FACE UNLESS OTHERWISE NOTED. DIMENSIONS SHALL BE MEASURED TO THE FACE UNLESS OTHERWISE NOTED.
 3. ALL NEW WORK SHALL BE WITH ITS PROPER FINISHES.
 4. PROVIDE TO THE FIELD TO SET AND FINISH FLOORING AT THE LOCATION.
 5. PROVIDE TO THE FIELD TO SET AND FINISH WALLS AT THE LOCATION. SEE SHEET A-1 FOR ADDITIONAL INFORMATION.
 6. PROVIDE TO THE FIELD TO SET AND FINISH CEILING AT THE LOCATION. SEE SHEET A-1 FOR ADDITIONAL INFORMATION.



KONET ARCHITECTURE
 BEGGIE KONET, AIA
 233 AMERICAN RIVER CANYON DR
 FOLSOM, CA 95630
 916-423-4222
 konetarchitecture@gmail.com
 CA Arch License #C31815

www.konetarchitecture.com

NOT FOR CONSTRUCTION

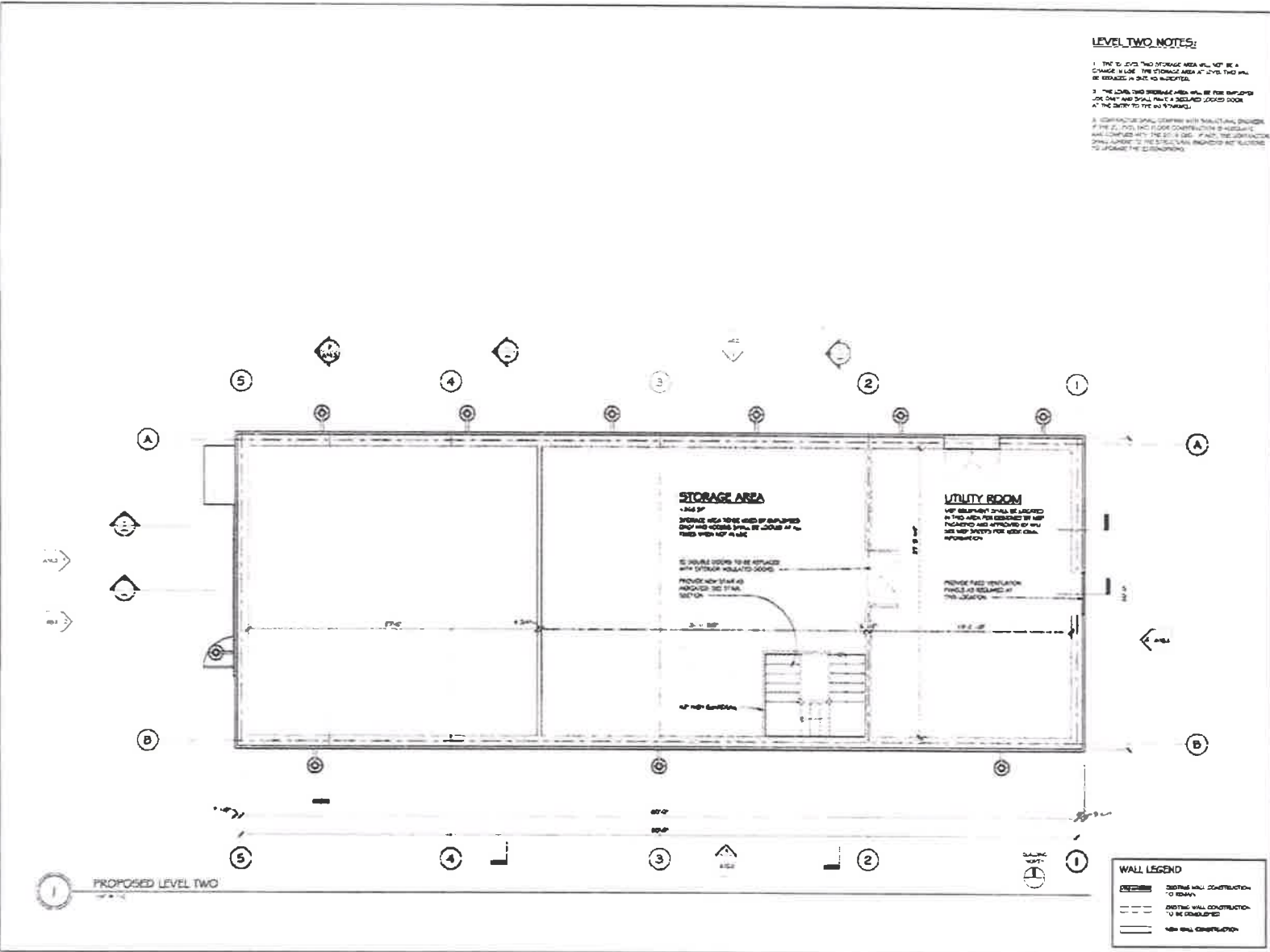
NO.	DESCRIPTION	DATE

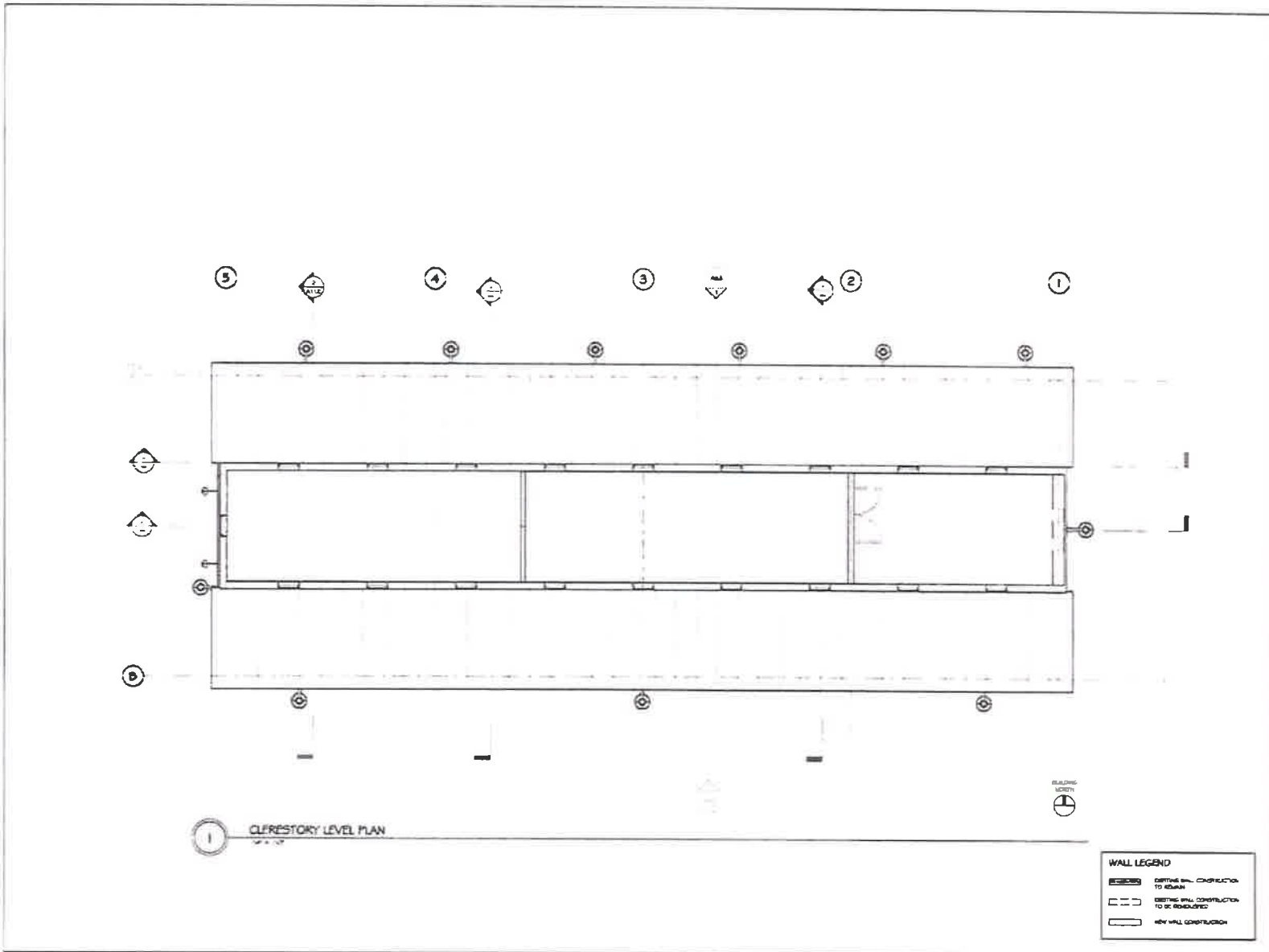
Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070-0061-011-0000

PROPOSED LEVEL TWO PLAN

Scale: 1/8" = 1'-0"

A6.0





KONET ARCHITECTURE
 REGGIE KONET, AIA
 215 AMERICAN RIVER CANYON DR
 FOLSOM, CA 95630
 916-432-4222
 konetarchitecture@gmail.com
 CA Arch License #C29833
 www.konetarchitecture.com

NOT FOR CONSTRUCTION

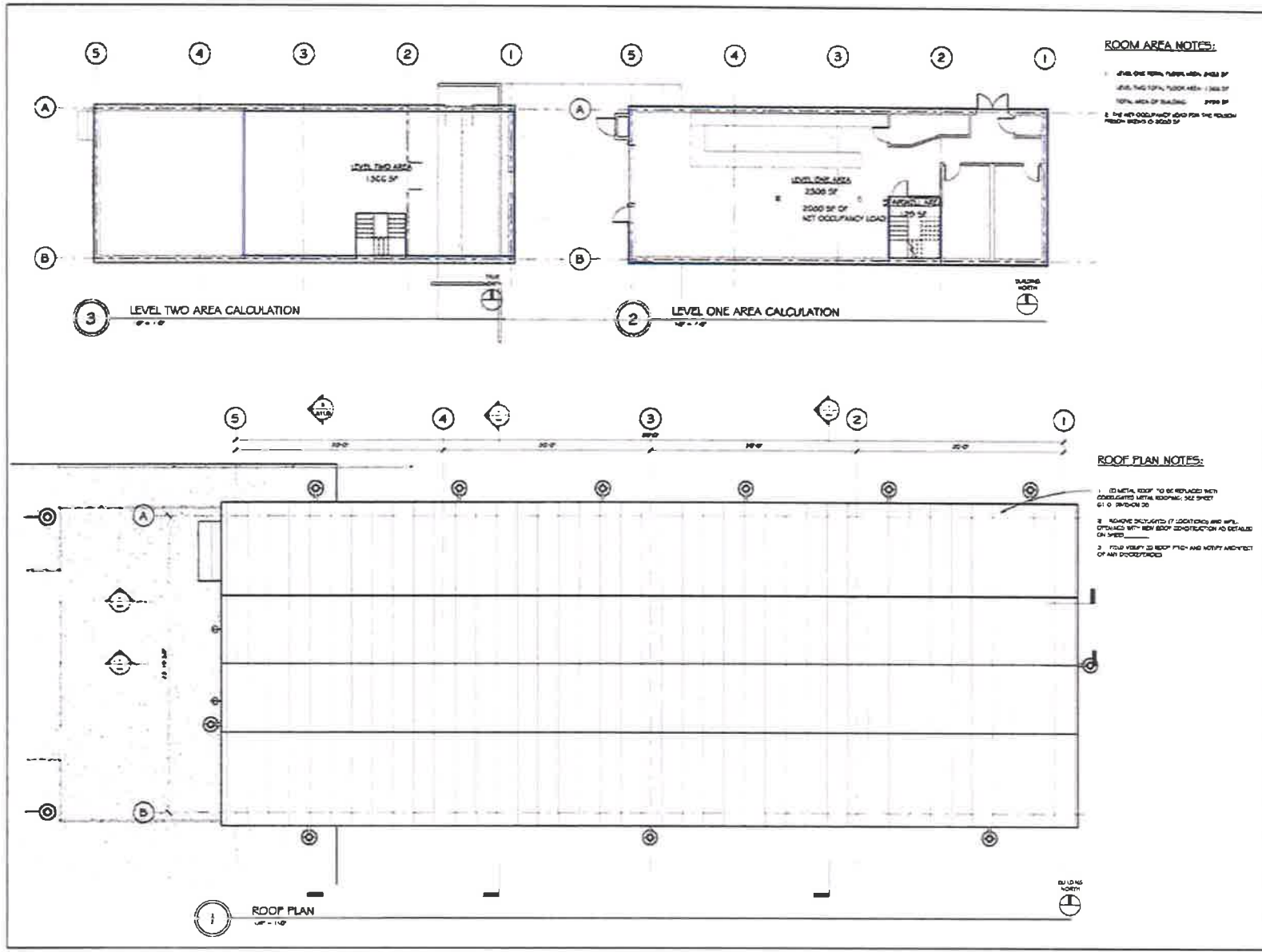
THIS PLAN IS AN INSTRUMENT OF SERVICE PREPARED BY KONET ARCHITECTURE FOR THE CLIENT. IT IS THE CLIENT'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES. KONET ARCHITECTURE IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR DELAYS. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. KONET ARCHITECTURE SHALL NOT BE RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR DELAYS. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

NO.	DESCRIPTION	DATE

Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070-0061-011-0000

CLEFRESTORY LEVEL PLAN

Scale: 1/8" = 1'-0"
 Date: 01/11/2022
 Author: Reggie Konet, AIA
 Checker: [Signature]
A7.0
 VR: TJB



ROOM AREA NOTES:

1. LEVEL ONE TOTAL FLOOR AREA: 2100 SF
2. LEVEL TWO TOTAL FLOOR AREA: 1300 SF
3. TOTAL AREA OF BUILDING: 3400 SF
4. THE NET OCCUPANCY LOAD FOR THE ROOF AREA: 2500 SF

ROOF PLAN NOTES:

1. ALL METAL ROOF TO BE REPLACED WITH CORRUGATED METAL ROOFING, 302 SHEET 6' 0" SPACING @ 20
2. ROOFING INDICATED BY LOCATIONS AND WILL BE REPLACED WITH NEW ROOF CONSTRUCTION AS DETAIL ON SHEET
3. FROM VISUAL TO ROOF PITCH AND NOTIFY ARCHITECT OF ANY DISCREPANCIES

KONET ARCHITECTURE

REGGIE KONET, AIA
 253 AMERICAN RIVER CANYON DR
 FOLSOM, CA 95640

916-853-8223
 konetarchitect@protonmail.com
 CA Arch. License #C13903

www.konetarchitecture.com

NOT FOR CONSTRUCTION

ATTENTION: ALL UNLAWFUL WORK SHALL BE REMOVED AND RECONSTRUCTED TO MEET ALL APPLICABLE CODES AND REGULATIONS. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.

NO.	DESCRIPTION	DATE

Murray Weaver
 BARLEY BARN TAP HOUSE
 608 1/2 Sutter Street
 Folsom, CA 95630
 APN: 070-0061-011-0000

PROPOSED ROOF PLAN

Scale: 1/8" = 1'-0"
 Date: 01/11/2022
 Project: Barley Barn Tap House
 Drawing: A8.0

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 14

Project Narratives

Dated Received September 22, 2021

BARLEY BARN TAP HOUSE -- project narrative

PN

The project we are proposing, the Barley Barn Tap House, is reminiscent to the historic fruit warehouses and the historic rural barn vernacular.

The existing building footprint will remain as it is but there will be a clerestory mass added to the upper portion of the building. The clerestory will not increase the area of the building but will increase the volume of the building.

The clerestory will provide partial natural light from above. The clerestory windows will be located at a distance greater than 5 feet from any property line, and therefore, shall adhere to Table 705.8 of the 2019 California Building Code.

The north façade will retain the exit at the east end of the wall, but the doors will be replaced with code compliant egress doors. The window above these doors will be replaced with fixed, safety glass windows and a guard rail will be added.

On the lower portion of the north façade there will be a row of barn lights that illuminate faux stable dutch doors that were common in horse stables. These doors shall not be operable.

The roof overhang on the north side of the building will adhere to the 2019 California Building Code Table 705.2 Minimum Distance of Projection. For fire separation distance 0 to 2 feet, projections are not permitted. The building is approximately 2 feet or less from the north property line per the survey obtained.

The existing pedestrian walkway which allows foot travel between the Historic Folsom lower parking lot to Sutter Street will continue to be utilized as such but with improvements to lighting.

On the west side of the building, there will be an outdoor seating area which will be enclosed with a 42" high powder coated aluminum fence which will be black to resemble wrought iron fencing. The outdoor patio will not impede the pedestrian walkway from Sutter Street to the north parking lot.

The west façade of the building will have a lean-to shed of which will resemble a tack room cabinet but functionally it will house the electrical panels in a secure method.

There will be an exterior accessible lift located within the Powerhouse Pub Patio area which will provide the accessible route from the accessible parking space to the proposed tap house. The size and configuration of this element will be determined at further development of the construction documents when the CASp (California Access Specialist) is engaged.

The proposed Barley Barn Tap House will offer parking to its patrons as follows:

- the Powerhouse Parking lot which contains 21 parking spaces* and is under the same ownership;
- the adjacent Folsom Historic Parking lot adjacent to the building which contains 69 standard parking spaces + 3 accessible parking spaces;
- the Steakhouse covered parking lot which contains 23 standard parking spaces + 2 accessible parking spaces;
- the Eagles Lodge parking lot which contains 14 parking spaces (the Project Owner has entered an exclusive lease with the Eagles Lodge to use this lot).

*The Owner is proposing to convert (1) one standard parking space in the Powerhouse Parking lot into (1) one accessible van parking space. This new accessible space will be dedicated for the Barley Barn Tap House patrons. There is currently (1) one existing accessible parking space in this lot. Therefore, there will be a total of (2) two accessible parking spaces in the Powerhouse Parking lot.

In addition to the mentioned upgrades, the Applicant currently provides a complimentary shuttle service, the "Sutter Surfer", which transfers Sutter Street patrons to and from the parking garage and the other various parking lots. This service reduces the neighborhood parking.

The business model will focus on the popular craft beer industry by involving all beer producers and aficionados, both local and national, and by creatively exhibiting and offering their beverages. Food will be sold using the resources of the adjacent Wild's BBQ (formerly Chicago Fire) and other restaurants in the near vicinity.

The interior layout of the proposed Barley Barn Tap House will provide movable seating and tables throughout and seating at the bar. A small stage area will be identified for limited entertainment in accordance with the City of Folsom's Entertainment Permit.

Hours of operation will be as follows:

Sunday – Wednesday: 11am to 10 pm

Thursday – Saturday: 11am to 12:30am

The Barley Barn Tap House is an appropriate building type of which will be presented in a unique setting that offers food, beverage, and light entertainment.

Reggie Konet, AIA NCARB
Konet Architecture
CA Arch Lic#C33835
2021-09-22

BARLEY BARN TAP HOUSE – OWNER'S NARRATIVE

INTRODUCTION

This project was recommended for approval by City staff with conditions and presented at the August HDC before being continued prior to a vote. Since that time applicant has revised the project with the following changes.

THE CONDITIONS CONTAINED IN THE STAFF RECOMENDATION FOR APPROVAL WILL BE FULLY MET

These include omitting the request for a full "hard " liquor license and instead employ the use of a beer only, ABC Type 40 license. This license, consistent with the Tap House theme, will allow minors on premises without the necessity of a full service on site kitchen, although the location of the Barley Barn will in effect be many restaurants in one because applicant intends to have food service by the many restaurants less than a 3 minute walk away on Barley Barn premises , waterfall deck and patio areas .These include Wilds BBQ, Hacienda ,Pizzeria Classico Citizen Vine, Plank , Sutter Steakhouse and others.. Delivery services by the venues, Door Dash, Grub Hub, and others will be used to facilitate this popular function. This will be a significant assistance to these restaurants creating an additional customer base for them without adding to the high concentration of food service places already in the locale.

Hours of operation will be reduced from applicant's original request to : Sunday to Wednesday 11 am to 10:00 pm
Thursday to Saturday 11 am to 12:30 am

These hours of operation are the minimum necessary for financial viability since high profit hard liquor and food sales are now omitted from the business model. They are also consistent with other similar venues on Sutter Street and recent HDC approvals.

ENTERTAINMENT

The historic district is home to a variety of public and private live music venues and genres. These include the Sutter St Amphitheater and associated performances like the Thursday Music Series, weekend street musicians, private venues like Powerhouse , Folsom Hotel, Hacienda , Gaslight, and others. Applicant wishes to also provide limited entertainment not to be confused by a full band "club" type stage performance i.e., PowerHouse or Folsom Hotel , but a solo, duet or trio type offering in keeping with a Tap House theme. No raised stage type area is contemplated for this more subdued performance type.

It should be noted strict sound ,security and safety requirements are mandated by all Sutter St entertainment venues in their Entertainment Permit .Applicant is practiced at responsible hospitality measures including security staffing, cameras ,neighborhood cleanup, well light exterior grounds ,well-marked ride sharing pick up locations, and continued operation of the Sutter Street Surfer Free Shuttle.

ARCHITECTURE

Applicant received a variety of negative comments regarding the Folsom Prison Brews architectural theme and association with Folsom State Prison. Therefore a completely new theme was chosen for the Tap House in accordance with public comments and all Folsom Codes including adherence to Section 17.52.To provide an historical observance the building will be themed in the iconic old western barn type structure that was so prevalently used in and around Folsom A typical raised loft and large entry doors will be constructed as if to accommodate wagons, livestock or crops common to the barn construction of the day. Windows will be provided to copy those needed to provide light for the packing sheds like the Earl Fruit Co. or DiGiorgio Fruit Co . Actual reclaimed barnwood will be used for external siding depicting a truly old authentic look for the building A detailed Architectural report will be included in this narrative.

Murray Weaver Owner

2021-09-22

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 15

Off-Site Parking Lease Agreement
Dated October 15, 2021

EAGLES #929 PARKING LOT LEASE

Landlord: Eagles Lodge #929, Fraternal Order of Eagles

Tenant: Murray Weaver

Property: Parking Lot located at 215 Scott Street, Folsom, California

- A. Eagles Lodge #929 is the owner of that certain real property, which is located at 215 Scott Street, Folsom, California. This real property consists of a lodge or clubhouse, landscaping, and approximately 15 parking spaces. The parking lot is mainly graveled, not paved.
- B. Murray Weaver is the owner of a building which is located at 608 ½ Sutter Street, Folsom, California. Mr. Weaver desires to locate a business to be known as the Barley Barn Tap House in that building.
- C. The real property at 608 ½ Sutter Street abuts a public parking lot which is currently accessible by the customers and patrons of businesses located in the building on that property. Mr. Weaver wants to provide additional parking for patrons of his 608 ½ Sutter Street establishment at the Eagles' parking lot, and the Eagles are willing to lease their parking lot to Mr. Weaver for that purpose upon the terms and conditions herein stated.

In consideration of these facts and circumstances, Eagles Lodge #929 and Murray Weaver agree to the following:

1. Tenant will pay the sum of \$500, on the first of each month, beginning September 1, 2021, to Landlord, as rent for the use of the Parking Lot owned by Landlord. This lease shall continue for a term of 20 years, unless sooner terminated by the parties in accordance with the terms of this lease. As additional rent, Tenant will provide Landlord with a minimum of four (4) free admittances per month to any event held by Powerhouse Entertainment.
2. During the term of this lease, Landlord retains use of this parking lot for the convenience of its members and guests, in a manner consistent with the Tenant's rights under this Lease.
3. In the event of a request from Landlord, Tenant shall provide a parking lot attendant on Friday and Saturday evenings from 5pm until 10pm. This obligation to provide an attendant shall commence upon the opening of the Barley Barn Tap House at 608 ½ Sutter Street. Tenant will post, at Tenant's sole risk and expense a sign that states: "Parking Exclusively for Members of Eagles #929 and customers of Barley Barn Tap House. All others will be towed at Owner's expense. CVC, Section 22658(A)."
4. Tenant or his designee will maintain general liability insurance coverage for not less than one million dollars with Eagles #929 named as an additional

insured. Tenant hereby agrees to hold Landlord and its property harmless from and against all claims, suits, or the like which may be brought against it by reason of Tenant's leasehold or its actions upon Landlord's subject property.

- 5. Landlord and Tenant agree that the parking lot is being rented on an "as is" basis and that Landlord disclaims any and all warranties, express or implied.
- 6. This lease may be terminated by either party upon the giving of one year's written notice of termination to the other party. Landlord may terminate this lease, in the event of non-payment of rent for a continuous period of 45 days from and after the due date, upon 30 days written notice of said non-payment of rent and election to terminate by Landlord to Tenant.
- 7. This agreement constitutes the entire agreement of the parties and supersedes any prior or contemporaneous agreements or understandings between the Landlord and the Tenant.
- 8. Any and all notices and communications required under this agreement shall be given to each of the parties as follows:

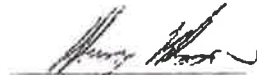
Landlord:

Sarah Woods
c/o Eagles Lodge #929
215 Scott Street
Folsom, CA. 95630

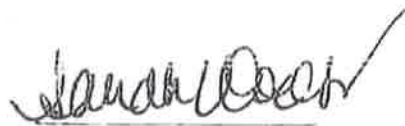
Tenant:

Murray Weaver
608 1/2 Sutter Street
Folsom, CA. 95630

Dated: October 15, 2021



Murray Weaver, Tenant
Barley Barn Tap House
608 1/2 Sutter Street
Folsom, CA. 95630



Sarah Woods, Landlord
Eagles Lodge #929
215 Scott Street
Folsom, CA. 95630

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 16

Public Comments Received Regarding Folsom Prison Brews Project

**HERITAGE PRESERVATION LEAGUE OF FOLSOM
PROJECT APPLICATION REVIEW**

May 30, 2019

PROJECT: The conversion of a 2,433 square-foot barn-like building to a 'beer house', the installation of an 840 square-foot outdoor patio and serving area at 608 ½ Sutter Street in the Sutter Street Commercial Subarea (PN18-174).

REQUEST: Conditional Use Permit, Design Review and Parking Variance (for 20 off-site parking spaces).

PROJECT

HISTORY: Application Circulated by City on May 23, 2019 and feedback requested by June 7.

PROJECT REVIEW:

Background

Before comments were prepared regarding the current application, HPL considered the history of the project site and previous reconstructions in the Sutter Street Commercial Subarea.

During the late half of the 1800s, the Odd Fellows Hall and the Natoma Company's Fruit Drying House were located in the general vicinity of 608 ½ Sutter Street. Around the same time a small jail was located on the north side of Leidesdorff Street (across from the railroad block). All these buildings later burned down. The 'pottery barn' building in the current application has been on the property since the late 1990s.

Historic buildings have at times been recreated in the Central Business District of Historic Folsom. As an example, a replica of blacksmith shop and a wagon shed have been built in Pioneer Village. The recently completed Roundhouse building is located on the same footprint as the previous repair shops for Sacramento Valley Railroad.

Architecture

The applicant is proposing to cover the walls of the former pottery barn with a stone veneer, replace the corrugated fiberglass roof cover with standing seam sheet metal and add a raised tower that resembles the guard towers of the original Folsom State Prison. Only the raised tower would include windows. As a general impression, the uninterrupted 'prison walls' lacks interest and variety, and the reproduction of a Folsom Prison guard tower appears out of context with the surrounding neighborhood.

At the west entrance (facing the patio), the applicant is proposing to install a detached archway with concealed lighting that will 'wash' over the rock façade. A row of skylights are proposed on each side of the ridgeline and the roof overhang is minimal. These details are not consistent with the pre-1900 design theme of the Sutter Street Commercial Subarea

It is HPL's conclusion that the proposed building remodel will look 'staged' and could make the 600-block appear less historic. As an alternative, the applicant may consider a remodel that resembles a meeting hall or a winery building. Should the applicant decide to continue the 'prison theme', HPL recommends that the tower feature is changed (to no longer resemble a historic guard tower at Folsom

State Prison), windows are incorporated along the facades, the archway at the west entrance is incorporated with the wall and all floodlights are eliminated. In addition, the selected sky lights should have a low profile and non-reflective glass.

Site Design

An outdoor seating area is proposed to be installed on the west side of the beer house. This area will be fenced off to allow for outdoor serving of alcohol. As a result, the existing private walkway that connects Sutter Street with the parking area at Scott Street appears to be cut off. The outdoor seating area also encroaches across the west property boundary and impacts the parking area of Powerhouse Pub.

The submitted Landscape Plan does not clearly demonstrate how the future pedestrian circulation system will work or where all the retaining walls and fences will be located. A new pedestrian path to the Scott Street parking area has been proposed along the west side of the fenced seating area, but the plan does not indicate if this path will be open to the public. The Landscape Plan also seems to provide the opportunity to connect the existing walkway from Sutter Street could to the Powerhouse Pub property.

HPL recommends that the applicant should be encouraged to continue a pedestrian connection from Sutter Street to the lower parking area. More information about the proposed site changes on the Powerhouse Pub property also seems necessary (to answer the question if existing parking spaces will be lost and if a dumpster enclosure will be added). The board has assumed that an encroachment permit will be processed before the outdoor seating area can extend across the shared boundary.

Parking

Per the city's Municipal Code, the beer house is required to provide 7 parking spaces for the indoor space (1 space per 350 square-feet) and no parking space for outdoor seating. Because the earlier anticipated parking structures have not been constructed in the Sutter Street Commercial District, the low parking requirements in this area has caused parking congestion in the surrounding residential areas.

The City has started a parking study for the Historic District and established a Committee to identify solutions for the existing parking shortage. HPL therefore recommends that before this project moves forward, the applicant should provide the City with an actual number of indoor and outdoor seats that has been planned for the beer house.

Regarding the proposed parking agreement with Eagles Lodge, HPL recommends that the applicant should identify the parking area assigned to Prison Brews in addition to the location and design of signs that will direct patrons to the off-site parking spaces.

Landscape Plan

Because the project site is facing a public alley, HPL has assumed that the applicant will be required to maintain the existing landscape strip in the buildings 'frontage area'. The planter that separates the property from the parking lot driveway should therefore be included with the landscape plans.

Signs

The name of the beer house is shown on the archway to the west entrance, but the application does not provide any design details about this sign. A sign permit needs to be processed for all on- and off-site signs.

SUMMARY OF RECOMMENDATIONS:

1. Revise the building design to resemble a pre-1900 meeting hall, winery building or city jail. HPL recommends that the new design is based on the following standards:
 - a) If a raised tower feature is added it should not resemble the guard towers at Folsom State Prison.
 - b) Windows should be incorporated with the building facades.
 - c) Avoid non-historic details such as a detached archway with concealed flood lights.
 - d) Use skylights with a low-profile and non-reflective glass.
2. Submit a Site Plan that demonstrates where all new retaining walls, fences and walkway connections will be located, in addition to all proposed site changes at Powerhouse Pub.
3. Identify the parking area assigned to Prison Brews on the Eagle Lodge property and describe how this area will be marked.
4. Provide the City with an actual number of indoor and outdoor seats that has been planned for the beer house
5. Submit a set of planting and irrigation plans that include the building frontage area within the alley (north of the building).
6. Submit a sign permit application for all building and site signs within and outside the property.

In addition, HPL recommends that the applicant is encouraged to keep a public walkway connection between Sutter Street and the public parking lot.

Steven Banks

From: Adena Blair <adenacblair@yahoo.com>
Sent: Monday, June 10, 2019 7:34 AM
To: Steven Banks
Cc: John Shaw; rebmngt@aol.com; Paul Keast; Dori Keast; Mike and Shannon Berenkwitz; Becky Shaw; Laura Fisher; Justin Gilhuly; Deino Trotta; Cindy Pharis; Mike Reynolds; Deborah Grassl; Dean Handy; Terry Sorensen
Subject: Comments regarding the Folsom Prison Brews Project

I reside at 607 Figueroa St.
I am opposed to this project for the following reasons:

Historically, to my knowledge, there was never any structure resembling a prison on Sutter St. This building will go against the historic guidelines and change the environment of Sutter St from one of fairly well preserved history to something more akin to a theme park.

The number of individuals visiting such an establishment will severely impact the neighborhoods nearby, because we already have a parking issue. Allowing 20 spaces from the Folsom Eagles DOES NOT INCREASE the number of available spaces in the historic district. Where are the Eagles going to park?

We need the city to disallow any further parking variances for Historic District businesses until we have the recommendation and actions of the Ad Hoc Parking Committee in place. The city has acknowledged we have a parking issue by establishing the Ad Hoc Committee, therefore they should be agreeable to putting a hold on any further parking variances for the time being.

Lastly, I understand that this place would be serving alcohol. I feel that this becoming another issue in the historic district business area. What is the limit of numbers of alcohol permits in this area? I feel that any such establishments must also serve meals, and not just alcohol. There needs to be a limited number of permits per businesses in any specific area of Folsom. I do not want to see Folsom to gain a reputation as a party town, and it seems to be on it's way to becoming another Chico.

I am not opposed to development, however I believe it needs to be thoughtful, balanced, and include family oriented businesses, to retain our reputation as a great town to raise a family, including in the historic district.

Respectfully,
Adena Blair

Steven Banks

From: rebmngt@aol.com
Sent: Friday, June 7, 2019 7:38 AM
To: Steven Banks
Cc: shanjean1@aol.com; adenacblair@yahoo.com; jpshawman@gmail.com; mrpdk@comcast.net; lkatfisher@aim.com; jgilhuly@gmail.com
Subject: Folsom Prison Brews

Good Morning Mr. Banks,

I am resident of the Historic Folsom Neighborhood. I have recently been informed on the proposed Folsom Prison Brews project {PN 19-174}. I would like to respectfully request that this project be denied on the following grounds;

1) As you know, Sutter Street's commercial district is 4 blocks long with approximately 90 commercial businesses. In that distance there are 16 food establishments serving alcohol and 10 wine and spirits establishments. This averages to 1 alcohol serving establishment to every 4 commercial businesses. Our lovely historic downtown is being turned into liquor and party central. As you know, the residents near the Sutter Street corridor have been having serious problems with noise, public drunkenness, trash and human waste in our yards and this will not help the problem.

2) The City Counsel has recently established an AD-HOC committee to find a solution for the serious Sutter Street parking problem. Another high parking use liquor establishment will only add to the problem. Although I respect the submitter's proposal to lease parking space at the Eagles lodge, this is only a temporary fix and will not be a permanent solution to a huge problem. A lease can be revoked anytime and the customers will have to use the existing parking. Also, the existing parking lot's behind the Sutter Steak house and Traders Lane are the best areas for new parking structures.

3) The Folsom Prison Brews project will require more variances to be issues from the City in violation of the Historic District Guidelines.

Again, I respectfully ask the City to deny this project!

Thank you.

Sincerely,

Mike Brenkwitz
603 Figueroa St.

Kelly Mullett

From: Kelly Mullett
Sent: Wednesday, August 4, 2021 1:54 PM
To: Kelly Mullett
Subject: FW: Folsom Prison Brew Letter

I strongly oppose the proposed Brew Pub concept for the former art barn location in historic Folsom. This would literally be adding gas to an already existing fire.

Parking is challenging already.

This area is already dense with establishments that offer alcohol. I witness drunk, disorderly and distraught behavior and individuals regularly in the 600 block already as a result of the existing offering.

Emergency calls have increased in recent years to this area as have assaults.

A strong NO from me and my business.

Terry Commons
Owner - Mystique Dining
611 Sutter St.
916-757-3705



MYSTIQUE DINING
A VINTAGE DRINKING EXPERIENCE
Terry Commons
611 SUTTER STREET, FOLSOM, CA

August 4, 2021

City of Folsom Historic District Commission
 50 Natoma Street
 Folsom, CA 95630
 via email to: Kelly Mullett - kmullett@folsom.ca.us

SUBJECT: Folsom Prison Brews Project (PN 19-174) – Comments to Historic District Commission

Dear Historic District Commissioners:

I am opposed to the proposed Folsom Prison Brews project (PN 19-174) (“Project”) and request that the Historic District Commission (“HDC”) deny the Project. Additionally, for reason outlined in the attached email correspondence, this Project does not have a complete application on file with the City, staff have provided incomplete and inconsistent information to me and other members of the public making it impossible to actually understand the entirety of the Project, and the hearing was not properly noticed. The process has denied, and continues to deny, meaningful public participation, and the HDC should refuse to conduct a hearing until the proper process is followed.

The Project proposes to install an ADA lift, or ramp, or maybe neither or maybe both of those things between the Project site and the Powerhouse Pub parking lot¹ and the Project proposes to create a faux representation of Folsom Prison and increase the intensity of use of at least three properties in Folsom’s Historic District. The proposed exterior design of the building conflicts with the City of Folsom Municipal Code (“FMC”) which specifically states the City’s intent to “*preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950.*” (FMC section 17.52.010) Furthermore, the proposed use would intensify the use of the Project site and adjacent public and private parking lots and the Project would generate substantially more vehicle trips, during substantially longer hours of operation, and a substantial increase in the demand for parking as compared to the existing use of the site. This will not just exacerbate existing parking and traffic circulation-related conflicts, but it will also substantially worsen existing public health and safety issues associated with motor vehicle operation and parking in the Sutter Street commercial area and on streets in the adjacent residential neighborhood.

Staff opines that the Project design is intended to, “create a design theme that honors the local history associated with the Folsom State Prison,” yet staff provides no discussion or evidence to support the notion that a faux replica of the prison has any historic relevance to the Historic District. For better or worse, the City has already invested substantial resources in paying homage to Johnny Cash’s song “Folsom Prison Blues” and Cash’s performance at the prison in 1968. The Johnny Cash trail, the planned trail art commemorating Cash’s song and live performance, and the trail’s bridge over Folsom Lake Crossing (which is designed to resemble elements of the prison architecture) are appropriately located outside of the Historic District.

Simply put, a building with a prison design has no place in the Historic District and would create a theme park-like sore in this most important area of the City of Folsom. It is unclear why staff would bring a project like this to the HDC with a recommendation for approval; however, I expect individual Commissioners will have no problem denying this project in short order.

¹ See attached email correspondence regarding multiple version of parking plan drawings.

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There may very well be a business opportunity for a tap room focused on craft beer sales at the Project location. With proper planning, building design, parking provisions, public safety protocol (including focused and permanent motor vehicle law enforcement in the Historic District), and meaningful public involvement, a tap room project could have merit and could be acceptable to this community. The current Project does not accomplish this and the Project cannot simply be "conditioned" with a few random tweaks into a project that does.

The remainder of this letter provides additional input regarding why the Project should, and legally must, be denied; but, in short, please deny the Project.

1. THE PROJECT DOES NOT QUALIFY FOR AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND AN ENVIRONMENTAL DOCUMENT MUST BE PREPARED PRIOR TO CONSIDERING PROJECT APPROVAL

Contrary to staff's recommendation in the staff report for the HDC's August 4, 2021, meeting, the Project does not qualify for an exemption from the California Environmental Quality Act ("CEQA").

FMC 17.52.390, "Environmental review", states, "*Review by the historic district commission of applications for conditional use permits, sign permits, variances and design review is subject to the requirements of the California Environmental Quality Act (CEQA). The commission is authorized to hold public hearings on negative declarations, mitigated negative declarations, draft environmental impact reports and final environmental impact reports prepared on applications for the above permits or for design review. The commission shall not approve applications prior to considering the applicable environmental document and complying with the requirements of CEQA and any city procedures for preparation and processing of environmental documents.*"

The staff report for your August 4, 2021, meeting, claims two CEQA categorical exemption classes as the basis for staff's recommendation that the Project is exempt from CEQA – CEQA Guidelines section 15301, "Existing Facilities," and CEQA Guidelines section 15303, "New Construction or Conversion of Small Structures." Neither of the cited classes is applicable to the Project.

1.A The Project Does Not Qualify for a Class 1 CEQA Exemption

In relevant part, CEQA Guidelines section 15301 states, "*Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. ... The key consideration is whether the project involves negligible or no expansion of use.*"

The Project would substantially expand the use of the Project site. The staff report includes scant information on the existing use of the project site and building; however, the staff report does acknowledge that the Project would result in increased use and parking and discusses, "City staff and the applicant recognize that the **existing building's change in land use from a retail business to a craft beer establishment is likely to result in a higher demand for parking.**" Staff proposes several schemes for providing additional parking to meet this higher demand, clearly indicating that there is, in fact, an anticipated expansion of use in terms of customer visitation and parking demand.

One method of examining the Project's expansion of use is to consider the Project hours of operation as compared to the existing site use. The Project's proposed hours of operation are

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substantially longer each day than the existing small, local retail use of the property. As shown in Table 1, below, as proposed and as conditioned by staff's recommendation, the Project would result in more than a four-fold increase in the number of hours of operation each week – from just 20 hours a week under existing conditions to 91 or 83 hours as proposed and as conditioned, respectively. This expansion of use is not negligible, instead it is substantial in terms of the potential to result in parking, public safety, environmental and other impacts.

Table 1. Existing and Proposed Hours of Operation

Day of Week	Hours of Operation		
	Existing Business (Artfully Rooted)	Project as Proposed	Project as Conditioned by Staff Recommendation
Monday	0 hrs Closed	11 hrs 11am – 10pm	11 hrs 11am – 10pm
Tuesday	0 hrs Closed	13 hrs 11am - midnight	11 hrs 11am – 10pm
Wednesday	0 hrs Closed	13 hrs 11am - midnight	11 hrs 11am – 10pm
Thursday	5 hrs Noon – 5pm	15 hrs 11am – 2am	13 hrs 11am – midnight
Friday	5 hrs Noon – 5pm	15 hrs 11am – 2am	13 hrs 11am – midnight
Saturday	6 hrs 11am – 5pm	15 hrs 11am – 2am	13 hrs 11am – midnight
Sunday	4 hrs 11am – 4pm	9 hrs 11am – 10pm	11 hrs 11am – 10pm
Total Hours per Week	20 hours	91 hours	83 hours

The staff report acknowledges the Project's potential to cause noise, lighting, parking and other impacts. In fact, staff proposes conditions of approval in an attempt to reduce these impacts. As discussed further below, the staff report provides no actual analysis of impacts and staff's attempts at reducing impacts through conditions of approval are largely ineffective in terms of addressing impacts (staff does not evaluate their efficacy); nevertheless, the mere fact that staff proposes mitigation-like conditions of approval for Project impacts is a clear indication that the Project's expansion of use is not merely negligible. For reasons including those presented here, the Project does not qualify for a CEQA Class 1 exemption.

1.B The Project Does Not Qualify for a Class 3 CEQA Exemption

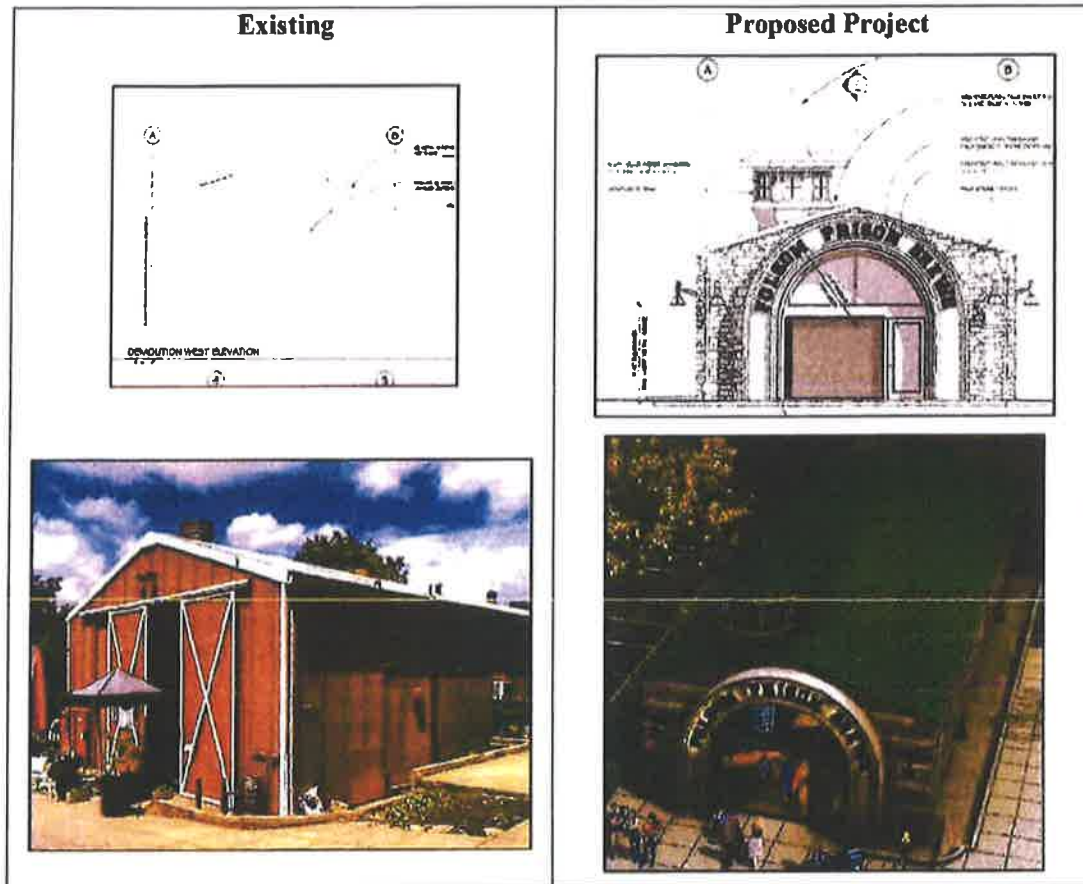
In relevant part, CEQA Guidelines section 15303 states, "*Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.*"

The Project would substantially modify the exterior of the existing structure. As shown on Figure 1, "Existing and Proposed Exterior Structure Design Modifications," the appearance of the structure would be changed from that of a red barn with wood-appearance siding, sliding large barn door entry, and a white metal roof, to the proposed Project design of a faux granite walled structure with an arched train-station style entrance, topped with a large dominant turret looking rooftop feature. In short, the building's exterior structure would be converted from a pastoral barn appearance to an institutional prison appearance. In fact, the substantial

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modification of the exterior of the structure is directly intended and necessary to achieve the proposed Project's gimmicky theme. Given the Project's substantial modifications to the structure exterior, the Project does not qualify for a Class 3 exemption.

Figure 1. Existing and Proposed Exterior Structure Design Modifications



1.C The Project's Potential to Result in Significant Environmental Effects Disqualify the Project from *any* CEQA Categorical Exemption

The Project fails to meet the criteria required for a CEQA exemption under each of the categorical exemption classes identified by staff and is therefore not exempt from CEQA. Furthermore, even if one of these or another categorical exemption class were applicable to the Project, the Project's potential to result in significant environmental effects make the Project ineligible for any CEQA categorical exemption.

CEQA Guidelines section 15300.2 identifies "exceptions" to the exemptions which preclude application of an exemption under certain circumstances associated with a proposed project. Section 15300.2 exceptions and their applicability to the Project include:

15300.2 Exceptions

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

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c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

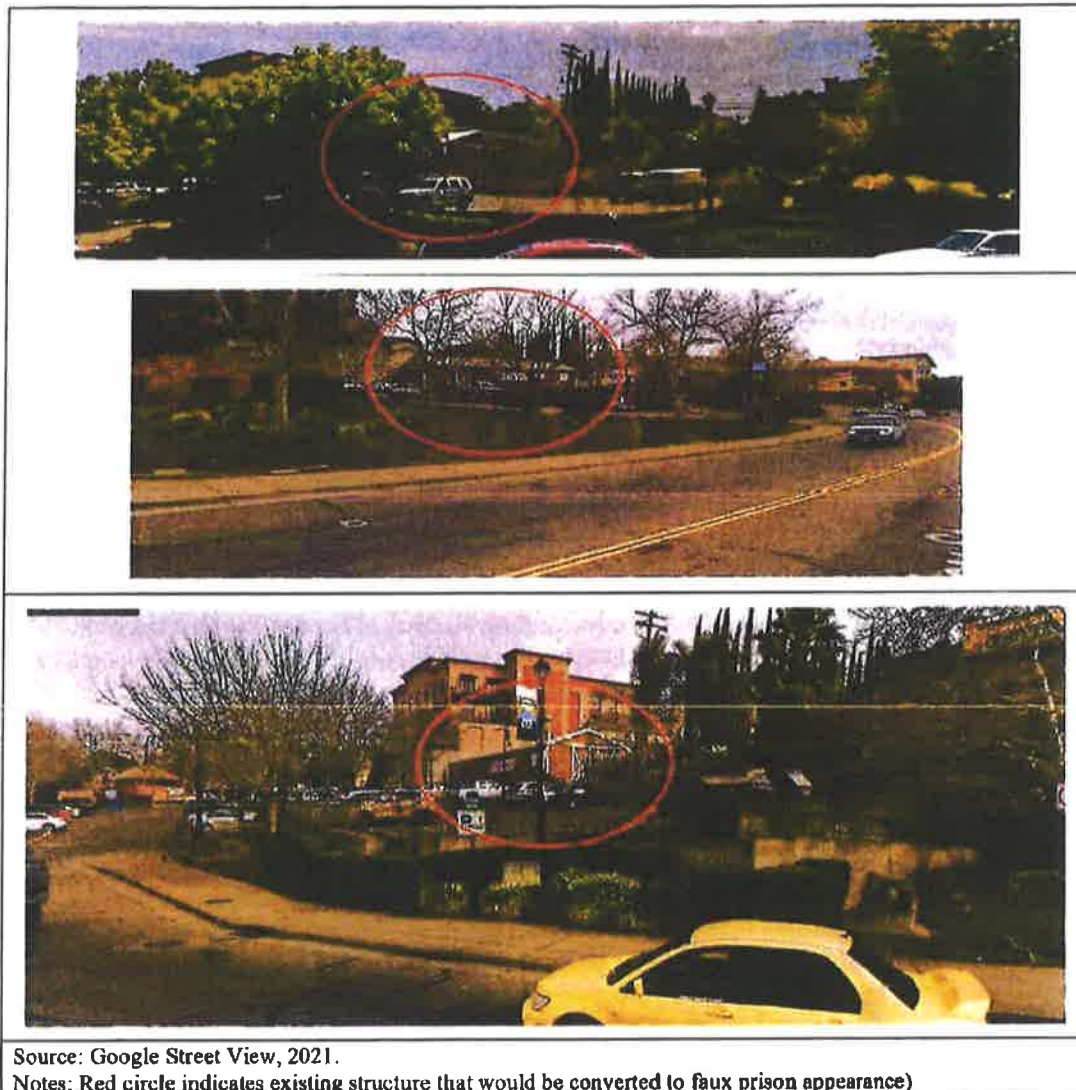
The City has performed no environmental impact evaluation of the Project and, therefore, has failed to evaluate and disclose impacts that would be associated with the discretionary approval of a CUP and design review for the Project. Potential impacts and substantial evidence that a fair argument exists that the Project may have one or more significant effects that must be evaluated under CEQA are discussed below. Individually, each is sufficient to invalidate the use of a CEQA categorical exemption and sufficient to require that the City prepare a CEQA document for the proposed Project. Furthermore, each of these Project impacts has the potential to substantially contribute to cumulative effects associated with past, present, and reasonably foreseeable projects (including the currently proposed 603 Sutter Street project its substantial increase in vehicle trips and parking demand) and require evaluation under CEQA.

Aesthetics. By developing a dominating building exterior inconsistent with the architecture of existing structures, the Project would have the potential to result in a substantial adverse change in the visual character of the Historic District, including views from adjacent private properties/businesses, views from adjacent public roadways and bicycle/pedestrian trails and walkways, and views from adjacent historic properties. Figure 2 on the following page illustrates views from offsite public areas that would have the potential to be adversely affected by the Project.

Air Quality. Vehicle emissions associated with vehicle trips generated by the Project and fugitive dust associated with unpaved parking lot use are among the Project elements that would create the potential for significant impacts and must be evaluated. The Project proposes to use offsite parking lots to meet a portion of its increased parking demand. The Project's use would be in addition to use of the lots that already occurs due to existing uses. Use of the lots would increase in intensity and with more vehicles and greater frequency and density of use with the shared use proposed by the Project. One of the proposed lots is gravel/dirt surfaced and no improvements are proposed. Increased use of the lots by adding Project-related vehicles would increase fugitive dust emissions that will adversely affect adjacent properties.

Biological Resources. A recent CEQA document prepared by the City for a project approximately 200 feet from the Project site (603 Sutter Street Commercial Building Revised Initial Study/Mitigated Negative Declaration, July 2021) identified that valley oak and ornamental trees on that project site could provide nesting habitat for bird species found in the vicinity of the project. The study also the State-threatened Swainson's hawk has occurred in the project vicinity and that there is a noted occurrence within 0.5 miles of that project site. The study notes that Swainson's hawks generally forage within 10 miles of their nest tree, and more commonly within 5 miles; and that existing trees within

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Figure 2. Views Toward Project from Riley Street

Source: Google Street View, 2021.

Notes: Red circle indicates existing structure that would be converted to faux prison appearance)

that project parcel may serve as nesting trees. The Project site is less than 200 feet from the 603 Sutter Street project location. The proximity of the proposed Project to the 603 Sutter Street site and the Project site's proximity to woodland areas to the north and along Lake Natoma (also as near as 200 ft) clearly indicate that Project construction activities would have the potential to adversely affect protected nesting bird species in the same or similar manner as those of the 603 Sutter Street project. The 603 Sutter Street project identifies mitigation measures attempting to address the impacts, but no such provisions are provided for construction activities associated with the Folsom Prison Brew project's demolition, remodel, landscaping components. Potential impacts to biological resources must be evaluated for the proposed Project and mitigation measures identified to avoid impacts to protected bird species. This analysis and mitigation proposals must be evaluated and documented in a CEQA document.

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Cultural/Historic Resources. The Project is located in the Folsom Historic District, a historic area of local important, and in proximity to other individual properties of state/federal and/or local historical significance as listed in the City of Folsom Cultural Resources Inventory (1998), including:

- Folsom Hydroelectric National Historic Landmark, CA-Sac-429H
- Powerhouse 1 , NRHP Property, CHL, est. 1895
- Powerhouse 2, NRHP Property, CHL
- Twin Mines/ Gray Eagle Mine
- Livermore sawmill foundation remnants and mill pond
- 701 Sutter Street, Murer Gas Station, circa 1920
- 707, 709, 711 , 713 Sutter Street, Commercial buildings, circa 1860
- 607 Sutter Street, original library, circa 1915
- Rainbow Bridge, NRHP eligible, factual 1917
- Steel Truss Bridge, factual 1983-1930

The Project's cultural modification of creating a faux-prison design of inconsistent character with the historic architecture and goals of the Historic District would have the potential to result in significant adverse impacts to the Historic District, generally, as well as one or more individual historic resources within and adjacent to the Historic District. The CEQA statute advises that a resource need not be listed on a state or federal register to be deemed a significant resource.

Land Use/Planning. The Project's design as a faux prison would conflict with the FMC Purpose and Intent to "preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950" and to "ensure that new...commercial development is consistent with the historical character of the historic district" (FMC 17.52.010[2] and [5]). The Project's incompatibility with the character of the Historic District and the Project's conflict with the FMC is grounds for project denial. At a minimum, to consider approval, the Project's conflicts must be evaluated and disclosed in a CEQA document.

Noise. The Project would increase the intensity of use of the Project site and extend the hours of use (discussed above). The staff report identifies staff's concerns with potential noise impacts and recommends conditions of approval modifying the hours of operation and making other use restrictions. However, staff provides no evidence or evaluation to actually present the potential noise impacts associated with the Project or to assess and determine the efficacy of the recommended conditions of approval. For instance, staff recommends that dancing be prohibit, yet provides no evidence of noise levels associated with dancing (unless staff is concerned about traditional Irish or tap dancing, I'm not sure dancing in and of itself is a particular noisy activity). Furthermore, staff recommends reducing the hours of operation from proposed 2am to midnight on certain nights; however, staff provides no rationale for how noise levels at midnight are somehow more acceptable than those at 2am and staff makes no mention of the City General Plan day/night distinguish time of 10pm which would be a more rational criteria for hours of operation. Regardless, staff's identification of potential noise issues indicates that staff recognizes the potential for noise impacts yet provides no analysis of noise impacts associated with the site use, offsite vehicle trips, or offsite parking use – all of which are potentially significant noise components of the Project. An actual noise analysis must be conducted by a qualified acoustician for compliance with CEQA.

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Transportation/Public Safety. The Project would increase the intensity of the Project site use and of offsite parking lots use as compared to the existing business at the site. The staff report acknowledges the Project would increase parking demand, but provides no analysis of Project trip generation or impacts of vehicle circulation. CEQA no longer requires, or permits, a lead agency to identify traffic *congestion* as a Project impact; however, CEQA does require that a lead agency provide an analysis of impacts related to vehicle miles traveled (VMT) and public safety and hazards. Consideration of public safety impacts associated with vehicle circulation in the Historic District commercial and residential areas must be evaluated.

Discussed below as relates to findings necessary for issuing a Conditional Use Permit (CUP), the City must evaluate and acknowledge that exacerbation of the existing spillover parking of visitors and workers coming to the Historic District and parking in adjacent neighborhoods is already substantially adversely affecting the health, safety, and wellbeing of Historic District residents. Vehicles circulating in residential neighborhoods and vehicles parking on residential streets create risks, especially for bicyclists and pedestrians in Historic District neighborhoods. The Project's vehicle trip generation and parking demand must be evaluated and the increased/exacerbated risk to pedestrians and bicyclists resulting from increased vehicle movement and increased spillover parking in residential neighborhoods must be meaningfully evaluated.

For the reasons discussed above, the Project does not qualify for a CEQA exemption. Prior to conducting a public hearing at which approval of the Project can be considered, the City must prepare and circulate for public review.

2. THE PROJECT WOULD SUBSTANTIALLY ADVERSELY AFFECT THE HEALTH, SAFETY, AND COMFORT OF THE GENERAL PUBLIC, AND THE FINDINGS REQUIRED FOR ISSUANCE OF A CUP CANNOT BE MADE

FMC 17.60.040 requires for CUPs that, *"The findings of the planning commission [in this case, the HDC] 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."*

The staff report discusses pedestrian circulation, but is limited to merely describing how people would walk from adjacent parking areas to the proposed business and provides no indication that staff even considered public and pedestrian safety, health, or welfare.

Pedestrians and bicyclists on Historic District residential streets are subject to existing risk from drivers and are especially at risk compared to other areas of the City due to factors including but not limited to: 1) absence of sidewalks along many Historic District residential streets, 2) substantial use of neighborhood streets for vehicle travel through the Historic District, 3) substantial use of neighborhood streets for parking which forces pedestrians and bicyclists to share the same street sections as motor vehicles, 4) the relatively high proportion of businesses and visitation to the Historic District which results in increased neighborhood traffic through extended periods of daytime, nighttime, and early morning hours as compared to other neighborhoods in the City, 5) a relatively high proportion of alcohol serving businesses in the Historic District commercial areas increasing the likelihood of driver intoxication and contributes the extended night and early morning trips in Historic District neighborhoods, 6) the continuing and worsening patterns of illegal, aggressive, distracted, inattentive, and otherwise dangerous driver behavior throughout the City, including the Historic District.

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It is well known, but not addressed in the staff report, that workers and visitors to the Historic District commercial area often park on streets in the residential neighborhoods in the 400-600 blocks south and east of Sutter Street. These parked vehicles result in making the residential streets narrower and more dangerous for pedestrians. As the residential streets become loaded with vehicles, drivers and pedestrians have less ability to negotiate around each other creating increased risk to pedestrians. When drivers are focused on finding parking, they often drive more hurriedly/aggressively and less conscientious of pedestrians. There is limited street lighting in the neighborhoods making pedestrians more difficult to see. With the exception of a short segment on the east side of Scott St, south and east of the Sutter/Scott Street intersection there are no connected sidewalks in the residential neighborhoods, and pedestrians must walk in the street.

Speeding, distracted driving, right-of-way violations, and DUIs were recently cited in the Local Road Safety Plan adopted by the City Council as the leading causes of fatal and severe injury collisions in the City of Folsom. The Project would increase vehicle trips to and from the Historic District and would substantially exacerbate the existing public safety risk associated with motor vehicle operation. The staff report provides no discussion of these issues and the related effects of the Project on the health, safety, and comfort of the general public.

For these and other reasons, the Project would substantially adversely affect the health, safety, and comfort of the general public and the findings required for issuing a CUP cannot be made.

3. THE PROJECT REQUIRES A PARKING VARIANCE, AND HAS NOT APPLIED FOR AND DOES NOT QUALIFY FOR SUCH A VARIANCE

The Project would increase the intensity of use and increase the parking demand associated with the Project site as compared to existing conditions. The staff report provides no information regarding the existing site use entitlement or allocation of existing parking. Yet, the staff report asserts "City policy" associated with parking, stating that "*City policy has also been that development projects that do not result in an increase in density...are not required to provide any additional on-site parking.*" Although requested, City staff has provided no documentation of when and how the City Council adopted such a policy – and there is no evidence that such a policy exists.

Although requested (see attachments), the City has provided no information regarding existing entitlements/use permits/conditions of approval associated with either of the two private lots at which the Project and staff presumes could be used to meet the Project's parking demand. Evidence of such entitlements are required components to be included as a component of a project application (17.52.310(C)), yet they have not. For any meaningful analysis of the proposal, the proposed off-site parking areas and their existing entitlements, and parking allocations, must be identified in order to allow an assessment of whether their proposed use for parking from another project has any merit. (See attached email correspondence regarding the lack of a complete application, lack of information necessary to understand and evaluated the full project, and failure of required public hearing noticing.)

The Project narrative included in the staff report acknowledges the increased demand and additional parking required, yet the Project does not provide a feasible mechanism to actually provide additional parking. The Project proposes use of the Eagles Lodge property to meet some of the Project's increased parking demand. Yet this proposed approach is fundamentally flawed in terms of providing any actual ensured added parking capacity. According to a lease provided in the staff report, the Eagles Lodge would continue to utilize its parking area and, in fact, the lease presented includes language expressly allowing the Eagles Lodge to preclude use by Folsom Prison Brews. The proposal has no merit.

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The Project's parking requirements must be determined and the Project cannot be approved unless and until such approval includes an application for and approval of a parking variance through a public hearing process. It is unlikely that the Project would not meet the findings required for such variance; which hopefully is not the reason the need for a parking variance has been ignored by staff.

Neither the applicant nor staff has provided any basis to indicate that existing lots currently used by others can in any way offset the increased demand for parking that would be generated by Folsom Prison Brews. The Eagles Lodge lease retains the right for the Eagles Lodge to continue use and allows the Eagles Lodge to deny use for Folsom Prison Brews, therefore, it is meaningless in terms of meeting any of the Folsom Prison Brews parking demand.

A proper analysis would identify whether any parking spaces are dedicated to the existing use at the Project site and would identify not just the parking space requirement associated with the FMC 1space/350sqft requirement, but would also discuss the actual parking demand and times of use of the existing business at the property. This has not been done and the HDC has no basis on which to make a meaningful decision regarding the Project's parking impacts.

Because there is no evidence to substantiate any existing parking allocation for the existing use, the Project cannot rely on the proposed parking scheme. Because the Project would not provide the additional parking necessary to meet the increased parking demand it would generate, the Project would not comply with the FMC parking requirements and requires an application for and HDC consideration of a parking variance.

4. IF APPROVED, THE CITY MUST OBTAIN FINANCIAL ASSURANCE FOR SUBSEQUENT REMOVAL OF THE BUILDING TO AVOID THE LONG-TERM PRESENCE OF THE INCOMPATIBLE BUILDING DESIGN

Since the Project proposes a structure that is inconsistent and in conflict with the FMC design requirements and the Historic District design objectives, if the building is somehow approved and developed, the City should ensure funding is available to provide for its removal once the CUP is revoked or the business otherwise ceases to operate. The project would create a building design that is very specific to the proposed use and schtick of the proposed name and type of business. The building will be an eyesore and should be removed immediately upon revocation or abandonment of the CUP. With buildings designed consistent with the Historic District character, it is reasonable to expect that the buildings can serve a variety of future commercial uses. However, since it is unlikely that a subsequent business would be inclined to occupy a prison-themed building (Folsom Prison *Shoes*, maybe?), it would be in the City's best interest to include a condition of approval that 1) requires the permittee to remodel the building to a design consistent with the Historic District (to be approved by the HDC) and 2) requires the permittee to obtain and maintain a financial assurance mechanism (bond, letter of credit, etc.) naming the City as the beneficiary and in an amount sufficient to provide funds for the City to remodel (or simply demolish) the building in the event the permittee is unable or unwilling to do so upon termination of the CUP.

5. CONDITIONS OF APPROVAL ARE INEFFECTIVE AND REQUIRE ADDITIONAL CONSIDERATION WITH MEANINGFUL PUBLIC INPUT

In April 2021, I requested that the City's ongoing (then and now) zoning code update provide for public review of staff's draft proposed conditions of approval prior to staff finalizing their recommended conditions of approval. I also suggested that process could be implemented immediately and not wait for the zoning code update process to be completed. Staff declined my request, so that process has not occurred. Instead, staff produced an 87-page staff report a mere

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August 4, 2021

6 days prior to the HDC's August 4th hearing and included 30 conditions of approval. Many of the conditions of approval would be ineffective, at best, in their apparently intended outcome. **I urge the HDC to NOT attempt to substantially rework conditions of approval during its August 4th hearing. If the HDC is inclined to pursue Project approval, please provide for a process to allow additional discussion and public input on the HDC's proposed changes before making a final approval decision.**

Sincerely,



Bob Delp
Historic District Resident
Folsom, CA 95630
bdelp@live.com

Attachments:

1. Email Correspondence with Sari Dierking, Assistant City Attorney, regarding Project Application Materials
2. Email Correspondence with Steve Banks, City Planner, regarding Project Hearing Notices

August 4, 2021

Attachment 1
Email Correspondence with Sari Dierking, Assistant City Attorney, regarding Project
Application Materials

Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]**Bob Delp <bdelp@live.com>**

Wed 8/4/2021 11:42 AM

To: Sari Dierking <sdierking@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; daronbr@pacbell.net <daronbr@pacbell.net>

Cc: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>; Mike Reynolds <mjrhrfra@gmail.com>; HPLBoard <hplboard@hplfolsom.org>; Paul Keast <mrpdk@comcast.net>; loretta@shaunv.com <loretta@shaunv.com>; kevin.duewel@gmail.com <kevin.duewel@gmail.com>; kcolepolicy@gmail.com <kcolepolicy@gmail.com>; Steven Wang <swang@folsom.ca.us>; danwestmit@yahoo.com <danwestmit@yahoo.com>; Kelly Mullett <kmullett@folsom.ca.us>; ankhelyi@comcast.net <ankhelyi@comcast.net>

Ms. Dierking: Yesterday, you directed me to Project application materials on the City's Pending Development Applications webpage. I downloaded the site plans and reviewed them and noticed that Sheet X1.0 notes "ADJACENT OR NEAR TO THIS NEW PARKING SPACE WILL BE THE ADA LIFT WHICH WILL ALLOW AN ACCESSIBLE ROUTE TO THE FOLSOM PRISON BREWS ENTRANCE." Until then, I had no idea an ADA lift was part of the project, and it is not discussed in the staff report. Then, in then preparing my comments regarding that lift, I see that sheet X1.0 in the staff report is different than the version on the PDA webpage that you directed me to. The staff report version is difficult to read and at first glance seems to be the same as the Sheet X1.0 on the PDA webpage, but instead of referencing an ADA lift and it references an accessible aisle. Neither a lift nor an aisle between these two properties appears to be addressed in the staff report. Adding to the confusion, the version on the PDA webpage is marked "HDC Review Set" (dated July 22, 2021) whereas the version in the staff report is not marked HDC review version and the date is illegible. I don't know, just hours before a schedule hearing to approve the proposed monstrosity, whether a ramp, a lift, or nothing is proposed between the two properties. I'm guessing that very few people know, including the HDC.

"Frustrating" would be an understatement. In my busy schedule, I am trying to provide meaningful review and input on this proposal and am constantly roadblocked by the incomplete, unclear, inconsistent project documents that staff is circulating and directing me to. It is simply unconscionable that City staff put well-meaning citizens through such a maze - and the thought of this mess of a project record being presented at a hearing has disaster written all over it. I am asking again that someone with the authority to do so put the brakes on this project and postpone the hearing until some semblance of organization is provided.

Thank you.

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>**Sent:** Wednesday, August 4, 2021 5:19 AM**To:** Sari Dierking <sdierking@folsom.ca.us>

Cc: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>; Mike Reynolds <mjrhrfra@gmail.com>; HPLBoard <hplboard@hplfolsom.org>; Paul Keast <mrpdk@comcast.net>; loretta@shaunv.com <loretta@shaunv.com>; kevin.duewel@gmail.com <kevin.duewel@gmail.com>; kcolepolicy@gmail.com <kcolepolicy@gmail.com>; Steven Wang <swang@folsom.ca.us>; danwestmit@yahoo.com <danwestmit@yahoo.com>; Kelly Mullett <kmullett@folsom.ca.us>; ankhelyi@comcast.net <ankhelyi@comcast.net>; Elaine Andersen <eandersen@folsom.ca.us>;

daronbr@pacbell.net <daronbr@pacbell.net>

Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Ms. Dierking:

The plan set on the City's Pending Development Applications website to which you referred me for the project application not only does not represent a complete application (as outlined in my email below), but the plan set itself is incomplete based on the Sheet Index of the plan set itself (see below for list of the sheets identified on the Title Sheet but not included in the plan set). The missing sheets would provide important information about the project and are omitted from the publicly available plan set, and it's unclear if the City has these sheets but omitted them from the posted version or if the City simply does not have the sheets. A project approval that includes approval of the plan set could inadvertently (or perhaps intentionally by staff) approve these missing site plan sheets and notes that they might include. That is unacceptable as the HDC would be approving elements and details that have not been made available to them let alone made available to the public

Furthermore, the plan set includes a sheet (X1.0) entitled "Parking Lots and Data" and present information and proposed modifications at two other properties "Powerhouse Parking Lot - Existing" and Eagles Lodge Parking Lot - Existing". Neither a location map nor the APNs or addresses of these two properties are identified, however, the drawings and notes clearly indicate proposed modifications/use of these properties as part of the Folsom Prison Brews proposal. Thus, the City must treat these as part of the project.

A landscape plan is required, but has not been provided. However, sheet A1.0 of the plan set includes two notes regarding landscaping plans, noting, "*4. FOR LANDSCAPE INFORMATION AND DRAWING, SEE LANDSCAPE PLAN BY FIVE STAR LANDSCAPE, MICHAEL SHULAR LA, 916-989-3372 OR INFO@MSLADESIGN.COM*" and noting (on the adjacent property but apparently a component of the proposed project), "*POWERHOUSE PUB PATIO - NEW: SEE LANDSCAPE PLAN FOR INFORMATION AND DETAILS.*" No landscape plan for the project site or for the adjacent property for which landscaping is apparently also proposed (based on the sheet note above and based on a rendering in the staff report). The landscape plan must be provided for public review, but also should have been provided to the City before staff proceeding with processing this project.

The Title Sheet (T1.0) includes an index listing the following sheets all of which are NOT included in the plan set on the City's Pending Development Applications webpage and have not otherwise been made available to the public:

G2.0 CA STATE AND REGIONAL REGULATIONS
 A4.0 FOUNDATION PLAN - ARCHITECTURAL
 A7.0 PROPOSED ROOF PLAN
 A10.0 BUILDING SECTIONS
 A11.0 WALL SECTIONS & ARCH DETAILS
 A12.0 ENLARGED FLOOR PLANS
 A13.0 INTERIOR ELEVATIONS
 S1.0 GENERAL NOTES
 S2.0 FOUNDATION PLAN
 S2.1 ROOF FRAMING PLAN
 S2.2 EXTERIOR ELEVATIONS
 S3.0 FOUNDATION DETAILS
 S3.1 ROOF DETAILS
 S3.2 SHEAR WALL & TYPICAL WOOD DETAILS

S3.3 SIMPSON STRONG WALL DETAILS
E1.0 ELECTRICAL PLAN & ELECTRICAL LEGEND

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Tuesday, August 3, 2021 7:17 PM
To: Sari Dierking <sdierking@folsom.ca.us>
Cc: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>
Subject: Re: 8-4-21 Historic District Commission Packet (Folsom Prison Brews Application)

Ms. Dierking: Thank you for your feedback. In your response you state that existing records responsive to my request to see the complete application are available on the Pending Development Applications website. I have reviewed that information several times, most recently five minutes ago, and if the information posted on the website is the entirety of the application, then the City does not have a complete application for this project and must stop processing (and never should have started) until the application is complete. The webpage includes only the project plan set and a one-page project narrative, both of which are unsigned.

The following are required for design review, and **are not provided and no checklist of required content is provided** on the referenced webpage.

1. A completed and signed application form including name, address and telephone number of the applicant (no application form whatsoever is provided, signed or unsigned). A completed and signed application must be submitted for the requested CUP and for Design review - neither has been submitted.
2. Fees - Yes, I am requesting to see record of the fees required and date(s) the fees were paid.
3. Agent Authorization
4. Radius Map
5. Radius List
6. Vicinity Map - On plan set, but does not identify either of the project's proposed private parking lot use locations.
7. Project Narrative - a signed/dated project narrative is not provided. As noted above, there are now two project narratives floating around - one on the Pending Development Applications webpage and one in the staff report, and there is no indication of which is part of the application.
8. Environmental Information Form
9. Landscaping Plans - landscaping/courtyard is shown on project renderings, and apparently would require grading and stairway construction, but no landscape plan or other information on grading is provided
10. Design Guidelines/Development Standards - Some design info is on plan set, but info on compliance with HD Design Guidelines/FMC standards

Regarding existing entitlements: I must be misunderstanding you. Are you saying that the City does not have any record of entitlements for the three properties in question (the project site, and the two proposed parking locations, both of which as I understand currently have uses that serve alcohol and therefore are required to have CUPs)? Understanding existing entitlements is crucial for understanding how those existing entitlements relate to changes due to the proposed project. It would have been

impossible for staff to conduct a meaningful evaluation of the project if staff does not have any information about existing entitlements. Please clarify.

Thank you for your assistance.

Bob Delp
916-812-8122
bdelp@live.com

From: Sari Dierking <sdierking@folsom.ca.us>
Sent: Tuesday, August 3, 2021 4:59 PM
To: bdelp@live.com <bdelp@live.com>
Cc: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>
Subject: FW: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Dear Mr. Delp,

The City of Folsom is in receipt of your Public Records Act request for the following records regarding the proposed Folsom Prison Brews project:

1. The complete application with all FMC-required application materials.
2. FMC 17.52.310 "Design review submittal requirements" item C, "A copy of **all entitlements granted for the property by the city, including conditions of approval** and the environmental documentation" as related to:
 - a. the existing use at the project site; and
 - a. the existing uses at other properties identified for use by the project for offsite parking, including any existing entitlements and conditions (e.g., use permits, conditions of approval, parking allocations, parking restrictions) associated with the Eagles Lodge property and use.
3. The City's application content checklist (for design review and for CUPs) and all of the required content.

Existing records responsive to items 1 and 3 have been posted to the City's website under Pending Development Applications, with the following exceptions:

- Site photographs are included with the staff report.
- Records reflecting payment of the application fee are not on the website. Please confirm whether you are requesting these specific records.
- The material samples and color board is available for public inspection at the Community Development Department counter during regular business hours. It will also be available for public inspection at the Historic District Commission meeting tomorrow night at 5 pm.

After a diligent search and a reasonable inquiry, no records responsive to items 2(a) or 2(b) were found.

Sincerely,
Sari Dierking

Sari Myers Dierking
Assistant City Attorney

City Attorney's Office
50 Natoma Street, Folsom, CA 95630
O: 916.481.6025
F: 916.351.0536



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From: Bob Delp <bdelp@live.com>
Sent: Saturday, July 31, 2021 9:24 AM
To: Steven Banks <sbanks@folsom.ca.us>
Cc: Michael Reynolds <mjrhfra@gmail.com>; Paul Keast <mrpdk@comcast.net>; HPLBoard <hplboard@hplfolsom.org>; loretta@shaunv.com <loretta@shaunv.com>; Pam Johns <pjohns@folsom.ca.us>; Kelly Mullett <kmullett@folsom.ca.us>
Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Thank you, Steve. Regarding the Folsom Prison Brews item, can you please provide or post to the City's Pending Development Applications' website a copy of the complete application with all FMC-required application materials? I'm particularly interested in the items required by FMC 17.52.310 "Design review submittal requirements" item C, "A copy of all entitlements granted for the property by the city, including conditions of approval and the environmental documentation" as related to the existing use at the project site and as related to the existing uses at other properties identifies for use by the project for offsite parking, including any existing entitlements and conditions (e.g., use permits, conditions of approval, parking allocations, parking restrictions) associated with the Eagles Lodge property and use. I think the City has an application content checklist (for design review and for CUPs) so that checklist and all of the required content would be most helpful.

Thank you,
-Bob

Bob Delp
916-812-8122
bdelp@live.com

From: Steven Banks <sbanks@folsom.ca.us>
Sent: Friday, July 30, 2021 1:05 PM
To: HPLBoard <hplboard@hplfolsom.org>; Paul Keast <mrpdk@comcast.net>; Michael Reynolds <mjrhfra@gmail.com>; bdelp@live.com <bdelp@live.com>; loretta@shaunv.com <loretta@shaunv.com>
Subject: 8-4-21 Historic District Commission Packet

Good afternoon,

Attached you will find the Historic District Commission packet for August 4th.

Below is the **Webex** information for the meeting should you want or need to participate remotely.

Call-In: 1-415-655-0001
Meeting Number: 182 793 3916
Meeting Password: 693 383 23

Thank you!

Kelly Mullett

Administrative Assistant

Community Development Department

50 Natoma Street, Folsom, CA 95630

O: 916.461.6231

F: 916.355.7274



FOLSOM
CITY OF FOLSOM



www.folsom.ca.us

August 4, 2021

Attachment 1

Email Correspondence with Steve Banks, City Planner, regarding Project Hearing Notices

Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]**Bob Delp** <bdelp@live.com>

Tue 8/3/2021 7:51 PM

To: Steven Banks <sbanks@folsom.ca.us>**Cc:** Pam Johns <pjohns@folsom.ca.us>; Sarl Dierking <sdierking@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>**Steve:**

Thank you for your feedback, however, I think it is reasonable for me to request and obtain evidence, not simply a staff statement, that the hearing noticing requirements have been complied with. As you know, notices for a CUP hearing must be provided a minimum of 10 days prior to the hearing, and evidence of that noticing is important to me and others in this community as well as for the project record. Based on the notification methods referenced in your reply below, can you please provide the following which I'm sure must be readily available to you:

1. date of notice posting at 608 1/2 and by who (City staff or applicant)
2. date that notice was published in the Sacramento Bee (publications typically provide proof of publication that should be easy for you to forward to me)
3. date on which public notices were mailed to property owners within 300 feet
4. map used for determining the 300-ft distribution
5. list of persons/property addresses (or APNs) to whom the notice was mailed

Also, if you have any basis for staff's determination that noticing is not required the Eagles Lodge parking component of the project, I would very much like to know what that basis is. The Eagles Lodge parking lot is clearly a part of the project - both the applicant proposes its use and staff's recommended conditions of approval for the CUP *require* its use, so it seems obvious that residents and businesses near that location who stand to be directly affected by the increased activity (noise, dust, etc.) deserve the same hearing notifications as required for any project site.

Thank you,
-Bob

Bob Delp
916-812-8122
bdelp@live.com

From: Steven Banks <sbanks@folsom.ca.us>

Sent: Tuesday, August 3, 2021 4:18 PM**To:** Bob Delp <bdelp@live.com>**Cc:** Pam Johns <pjohns@folsom.ca.us>; Sari Dierking <sdierking@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>**Subject:** RE: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Good afternoon Bob,

Thank you for your questions regarding the public noticing process and requirements for the Folsom Prison Brews project (PN 19-174). City staff reviewed the public noticing conducted for the proposed project, which included posting of public notice on the project site at 608 ½ Sutter Street, printing of the public notice in the Sacramento Bee, and mailing of the public notice to all property owners located

within 300 feet of the subject property, and determined that the proposed project has been noticed properly in accordance with the requirements of the Folsom Municipal Code and State Law. In addition, City staff also determined that posting of a public notice at the Eagles Lodge property is not required.

Best regards,

Steve

Steven Banks
Principal Planner
City of Folsom
(916) 461-6207
sbanks@folsom.ca.us

From: Bob Delp <bdelp@live.com>
Sent: Monday, August 2, 2021 11:34 AM
To: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>
Cc: Michael Reynolds <mjrhra@gmail.com>; Paul Keast <mrpd@comcast.net>; HPLBoard <hplboard@hplfolsom.org>; loretta@shaunv.com; Kelly Mullett <kmullett@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; daronbr@pacbell.net; kcolepolicy@gmail.com; ankhelyi@comcast.net; Kelly Mullett <kmullett@folsom.ca.us>; danwestmit@yahoo.com; kevin.duewel@gmail.com
Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

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Pam and Steve:

With the very limited amount of time the public has been given to review and comment on the Folsom Prison Brews project and staff's recommendation in an 86-page staff report, the need for your timely feedback with the project application materials and other information requested in my emails below is critical to allowing meaningful opportunity for public input in advance of and at the HDC public hearing.

Furthermore, as of yesterday there was no public notice posted at the Eagles Lodge property. Since the project as proposed (and as conditioned per staff's recommended conditions of approval) would use the Eagles Lodge for parking, the hearing notice must be posted at the Eagles Lodge property and must be mailed to property owners within 300 feet of that property. The staff report provides no evidence that the required noticing has been provided. In the absence of that notification, property owners near a property that is a component of the project and at which the project would create the potential for increased noise, dust, and traffic circulation/safety issues associated with the increased use of parking at the Eagles Lodge property have not had sufficient opportunity to meaningfully participate in the project review process.

Unless you are able to provide documentation verifying that all required public notices have been timely made, please remove the Folsom Prison Brews project from the August 4 HDC meeting agenda.

Also, the public notice that is posted at the proposed Folsom Prison Brews location (I saw the notice yesterday, but no information has yet been provided of when it was posted) references that "the environmental review documents" are available for public review at the City. My understanding is that staff is asserting the project is exempt from CEQA (I will document why the project *is not exempt* from CEQA in written comments to the HDC) and I do not see any environmental documents or studies referenced in the staff report. Can you let me know what environmental documents have been prepared and is it possible for you to post those on the City's Pending Development Applications' website so they can be reviewed online?

I am doing my best to understand the project and prepare meaningful input to the HDC; however, cannot do so without the requested information.

Thank you in advance for your help with this.

-Bob

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Saturday, July 31, 2021 10:53 AM
To: Steven Banks <sbanks@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>
Cc: Michael Reynolds <mjrhfra@gmail.com>; Paul Keast <mrpdk@comcast.net>; HPLBoard <hplboard@hplfolsom.org>; Joretta <joretta@shaunv.com> <joretta@shaunv.com>; Kelly Mullett <kmullett@folsom.ca.us>
Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Pam and Steve:

The Folsom Prison Brews staff report states that "City policy has also been that development projects that do not result in an increase in density...are not required to provide any additional on-site parking." Can you provide supporting document for when and by what mechanism that policy has been adopted by the City Council or other City authority? Also, the staff report doesn't discuss so can you provide an explanation of how staff defines "density" in its application of this policy and how staff interprets "additional on-site parking" in this context?

Since it's understood that the FMC 1space/350sf standard does not reflect actual parking demand generated by various commercial uses, has staff generated parking demand estimates for the existing use and for the proposed use to compare the actual anticipated change in parking demand that would result from the project? Parking spillover in the nearby neighborhood areas (and related traffic and pedestrian safety effects) adversely affects the health, safety, comfort, and general welfare of those of us who reside and work in the area. Therefore, changes in actual parking demand and induced spillover to residential neighborhoods is a key factor in determining whether the finding necessary for issuing a CUP can be made.

Thanks for in advance for any input you can provide.

-Bob

Bob Delp
916-812-8122
bdelp@live.com

From: Bob Delp <bdelp@live.com>
Sent: Saturday, July 31, 2021 9:24 AM
To: Steven Banks <sbanks@folsom.ca.us>
Cc: Michael Reynolds <mjrhfra@gmail.com>; Paul Keast <mrpdk@comcast.net>; HPLBoard <hplboard@hplfolsom.org>; loretta@shaunv.com <loretta@shaunv.com>; Pam Johns <pjohns@folsom.ca.us>; Kelly Mullett <kmullett@folsom.ca.us>
Subject: Re: 8-4-21 Historic District Commission Packet [Folsom Prison Brews Application]

Thank you, Steve. Regarding the Folsom Prison Brews item, can you please provide or post to the City's Pending Development Applications' website a copy of the complete application with all FMC-required application materials? I'm particularly interested in the items required by FMC 17.52.310 "Design review submittal requirements" item C, "A copy of all entitlements granted for the property by the city, including conditions of approval and the environmental documentation" as related to the existing use at the project site and as related to the existing uses at other properties identifies for use by the project for offsite parking, including any existing entitlements and conditions (e.g., use permits, conditions of approval, parking allocations, parking restrictions) associated with the Eagles Lodge property and use. I think the City has an application content checklist (for design review and for CUPs) so that checklist and all of the required content would be most helpful.

Thank you,
 -Bob

Bob Delp
 916-812-8122
bdelp@live.com

From: Steven Banks <sbanks@folsom.ca.us>
Sent: Friday, July 30, 2021 1:05 PM
To: HPLBoard <hplboard@hplfolsom.org>; Paul Keast <mrpdk@comcast.net>; Michael Reynolds <mjrhfra@gmail.com>; bdelp@live.com <bdelp@live.com>; loretta@shaunv.com <loretta@shaunv.com>
Subject: 8-4-21 Historic District Commission Packet

Good afternoon,

Attached you will find the Historic District Commission packet for August 4th.

Below is the Webex information for the meeting should you want or need to participate remotely.

Call-In: 1-415-655-0001
Meeting Number: 182 793 3916
Meeting Password: 693 383 23

Thank you!

Kelly Mullett
 Administrative Assistant

Community Development Department
 50 Natoma Street, Folsom, CA 95630
 O: 916.461.6231
 F: 916.355.7274

Kelly Mullett

From: Kelly Mullett
Sent: Tuesday, August 3, 2021 5:01 PM
To: Kelly Mullett
Subject: RE: PUBLIC COMMENTS PN19-174, wrong address, omitted COMMENTS

From: LJ Laurent <lilaurent@att.net>
Sent: Tuesday, August 3, 2021 10:15 AM
To: Sarah Aquino <saquino@folsom.ca.us>
Cc: Steve Krahn <skrahn@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>; The HFRA <thefra@gmail.com>; Mike Brenkwitz <rebmngt@aol.com>; Adena Blair <adenacblair@yahoo.com>; Lydia Konopka <lkonopka@folsom.ca.us>; Shannon Brenkwitz <shanglean1@aol.com>; John Shaw <jpshawman@gmail.com>; Laura Fisher <lkatfisher@aim.com>; Justin Gilhuly <jgilhuly@gmail.com>; Debra <arm@artpass.net>; Deino Trotta <deino@gingerwood.com>; Cindy Pharis <crpharis@att.net>; Ken Cusano <kcusano@folsom.ca.us>; Lauren Ono <lono@folsom.ca.us>; Rick Hillman <rhillman@folsom.ca.us>; Supervisor Sue Frost <supervisorfrost@saccounty.net>; Ben Fuentes <fuentesben@comcast.net>
Subject: PUBLIC COMMENTS PN19-174, wrong address, omitted COMMENTS

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To: Sarah Aquino Vice Mayor
 Folsom City Officials, Clerk, Lawyer, City Engineer,
 Planner Steve Banks
cc: Asst. City Clerk for Clerk FILE PN19 174; FFD Chief, Fire Marshal Ono; FPD Chief
From: Laurette Laurent
 August 3, 2021

Re: PN19-174 Official Public Comment re FMC 17.52.120 to
 Folsom City Attorney/Office, City Engineer -- IGNORED completely.

Sarah, there is no way to contact Historic Preservation League, yet it appears to be a city official group. **Please send this directly to Beth Kelly and all members** of this city group. Otherwise it will appear there is some desire to stifle Public Comments -- officially, by the city stifled. Clearly this city council is somehow connected to the Control of Public Comments and Access to Public Comments made directly to Licensed city staffers who are paid to Certify & Sign that there is Legal Compliance with all laws. Myself, I am dealing with a disability, and suspect this is part of the reason city staff believe they can ignore my Research Reports. However, I have remedies available right now, and will use them if my Comments continue to be Omitted as a policy.

Sarah,

My Comments to City Engineer Krahn and City Attorneys Wang & assistant, were explicitly incorporated into this Applications STAFF REPORT without the Folsom Muni

Code Laws I cited In their Entirety. In other cases, FMC subsections were cited as if they were Legally binding despite violating State Enabling Legislation Govt. Code 65000 et seq. and as if a "subsection" can revoke or Override a Definition, a General Law, or Standards. It's as if Negation was dumped into 17.52 -- at will, in the dark, at the discretion of unknown persons acting without Public knowledge.

Clearly this case is riddled with issues. Creating new subsections at will is just the tip of the iceberg. *Creating a second City Council which can REZONE and grant EXCEPTIONS* to Title 17 at will, is offensive, improper, and destructive to any democracy and Safety & Equal Treatment under Law.

This is a formal objection that again, **my email comments were totally omitted. My email to Planner Steve Banks is OMITTED** from Public Comments shown in Agenda Attachment, in re Legal Issues governing, among other issues: "Change of Use"; Legal Definition of historic district group AKA "commission" or a 2nd "plan commission" with Separate set of Land Use Standards and INFRASTRUCTURE and FIRE STANDARDS, and ADA Compliance." My email did note that Formal Complaints were filed with proper oversight authorities and persons.

To keep this simple, my formal email to City Lawyer/his office and City Engineer were NOT given direct Responses. It's as if those Licensed City Employees considered their License Obligations as Irrelevant and NOT binding to their Clients -- of which I am one.

This is a huge Issue, which will absolutely force residents opposed to such city actions outside State and Federal laws, to be Cause for Complaints. Why does our current Mayor refuse to demand our Licensed Legal & Engineering Law experts provide him with Sealed, Signed Official Reports? Why have lawyers and engineers if elected officials never use their LICENSE APPROVALS to ensure FULL legal compliance per their License Requirements.

If you look carefully, **actual screen shots of FMC 17.52.120 are utilized in my Email, to ensure subsequent, secret alterations or Misquoting is prevented. The duties of the h.d. group are clearly defined, and they DO NOT** include Change of Land Use which to you is called "REZONE" of parcel. They do NOT include a State of California Enabled Right under State law, to grant Rezones, Exceptions, Enforcement of Standards to a second and totally separate Plan Commission.

State Law allows one Plan Commission which can [1] Hold **Public Hearings** [2] Address **Questions & Answers** between Licensed city staff and public, and [3] **Make a formal Recommendation to city council** for a Legislative action to alter Land Use, Bulk Standards, Access Standards, Street Standards, Infrastructure Standards and [4] Use this process to inform and **RECOMMEND to City Council** the Action/Legislation enacted by CITY COUNCIL. Council must determine whether CEQA Compliance is Satisfied as "fulfilled to proper legal Standards and applicable local, county, state and federal laws.

1. Where is the Discussion of California Fire Code Compliance?

2. Access for ALL FIRE ENGINES and Fire Water TRUCKS in the event hydrant pressure is < 4,000 PSI during this drought?
3. Where is hard Proof this former factory and its entire vehicular and pedestrian access points meet Americans with Disabilities Act requirements?
4. Where does California Govt. Code 65000 et seq state a city can HAVE & USE two different sets of Standards and Regulations for Land Uses?
Where does it state an OVERLAY of extra aesthetic issues such as 17.52, can be converted into granting another non-elected group the POWER to REZONE, to change Land Uses? To WAIVE City STANDARDS?

There are other Questions which ONLY an Elected Body can Decide, upon and with the signed Advice of Legal Council, and Seal of City Engineer.

- [1] The so-called lease do not prove signator for "Eagles" has any Legal Authority to enter into such a Lease.
- [2] Street Address does not match the old Clouds Pottery factory.
- [3] Street FRONTAGE is less than 19 feet of pedestrian only access.
- [4] Parking will end up destroying historic RESIDENCES.
- [5] Ignoring Fire Code and ADA will result in direct harms to persons/properties, not to mention Health Safety & Welfare.
- [6] There is NO Finding of Fact to prove new owner did not create his own Hardships by over-reaching and seeking exceptions to critical Fire, Access, Bulk Standards, Parking Standards/Laws.

NO CITY CAN HAVE TWO SEPARATE SETS OF STANDARDS which permit exceptions to State, Federal, County Laws.
Staff with Licenses are PAID to protect residents & others from Life-threatening Uses, Configurations, First Responder Access.

categorically exempt under Section 15303 (New Construction of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines (Project Planner: Josh Kinkade/Applicant: Pamela

PUBLIC HEARING

2. PN 19-174, Folsom Prison Brews Conditional Use Permit, Design Review and Project is Exempt from CEQA

A Public Hearing to consider a request from Konet Architecture for approval of a Conditional Use Permit for development and operation of a craft beer establishment (Folsom Prison Brews) in an existing 4,377-square-foot building located at 608 1/2 Sutter Street. The zoning classification is M-1 (Manufacturing - Light), while the General Plan land-use designation is M-1 (Manufacturing - Light). The project is categorically exempt under Section 15301 Existing Facilities, and 15303 Conversion of Small Structures, of the California Environmental Quality Act (CEQA) Guidelines. (Project Planner: Steve Banks/Applicant: Konet Architecture)

HISTORIC DISTRICT COMMISSION / PRINCIPAL PLANNER REPORT

The next Historic District Commission meeting is scheduled for **August 18, 2021**. Additional items may be added to the agenda; any such additions will be posted on the bulletin board at least 72 hours prior to the meeting. Persons having questions on any of these items should contact the Planning Department during normal business hours (8:00 a.m. to 5:00 p.m.) at 1000 Natoma Street, Folsom, California, prior to the meeting. The phone number is (916) 355-7274.

In compliance with the Americans with Disabilities Act, if you are a disabled person and need a related modification or accommodation to participate in the meeting, please contact the



		Thursday-Saturday: 11:00 a.m. to 12:00 a.m.
		No expansion of business hours beyond what is stated above shall be permitted w approval being obtained from the Historic District Commission through a discreti Conditional Use Permit Modification.
14.		Folsom Prison Brews shall be limited to the sale and consumption of beer, non-al beverages, and food products. No sale or consumption of spirits shall be permitte
15.		Doors and windows to the outdoor patio area shall be closed at all times when mu played.
16.		No audio speakers, music, televisions, or screens shall be permitted on the outdoo building exterior walls, windows, or any other exterior architectural elements.
17.		No dancing shall be permitted anywhere in the premises including the outdoor pat addition, there shall be no structurally designated or raised dance floor or bandstai

Historic District Commission
Folsom Prison Brews (PN 19-174)
August 4, 2021

28.		The owner/applicant shall ensure that a lease agreement for the 15 parking spaces Lodge property remain in effect as long as Folsom Prisons Brews or any subsequi establishment operating at this location pursuant to the Conditional Use Permit re business.
-----	--	--

Historic District Commission
Folsom Prison Brews (PN 19-174)
August 4, 2021

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD	Community Development Department Planning Division Engineering Division Building Division Fire Division	I	Prior to approval of Improvement Plans
(P)		M	Prior to approval of Final Map
(E)		B	Prior to issuance of first Building Permit
(B)		O	Prior to approval of Occupancy Permit
(F)		G	Prior to issuance of Grading Permit
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	QG	On-going requirement
PD	Police Department		



How very "expedient" there is NO MENTION of this 503c Organizations OFFICERS:

Browser tabs: (6) Safari, 6378, SAC Asse, 19 of, 6378, 608

Address bar: folsom.californiafoe.com

Navigation: Settings, Imported From Fire, FMC Title 17.00A, Brought impacts



- Home
- Officers
- Events
- News
- Hall Rentals
- Contact Us

Officers

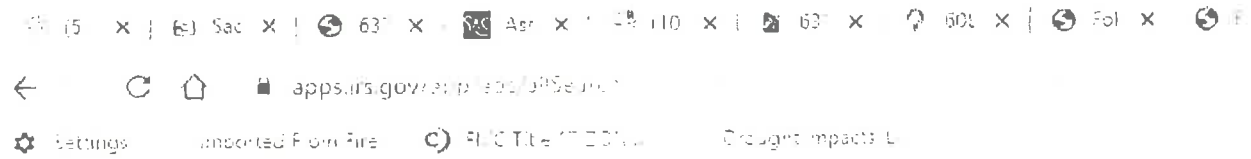
Office:

Officer:

Proudly powered by WordPress



Even the IRS has no record of Eagles Folsom Aerie 929



Results for Tax Exempt Organizations Search

Select Database ⓘ

Search All ▼

Search By ⓘ

Organization Name ▼

Search Term ⓘ

Eagles Folsom Aerie 929

City

folsom

State

CA ▼

Country

United States ▼

Search **Reset** [Search Tips](#)

• **Your search did not return any results. Please try again.**



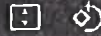
Fifteen Spaces for a huge 4K sq foot building is not exactly providing OFF-STREET PARKING to City Code Standards, is it?
 Lease Agreement is shot full of omissions, exceptions, closures, NO EVIDENCE of this 503c3 group's Status or Land Use Compliance either.
How much more "questionable" could Applications "facts" be?



637630874703773299

114 / 128

110%



Folsom Prison Brews - Lessor

- 1 Folsom Prison Brews will pay to Eagles \$6000 per year @ \$500 per month for use of the Eagles lot from the operational opening of Folsom Prison Brews until permanently changed to a new use by Eagles or Folsom Prison Brews ceases to
- 2 Signs at Folsom Prison Brews expense will be posted stating "Eagles Members - Prison Brews parking ONLY: all others will be towed at owners' expense." 22 Folsom Prison Brews shall, at the request of the Eagles, provide a parking lot at Friday & Saturdays from 6pm- 10pm to ensure parking conditions are enforced
- 3 Eagles, at their discretion, may continue to charge for public parking whenever the
- 4 Eagles, at their discretion may close their lot for special Eagles events
- 5 Folsom Prison Brews will maintain general liability insurance coverage for not less than \$1,000,000 with a "hold harmless" and additionally insured designation for the
- 6 Folsom Prison Brews shall provide to the Eagles a minimum of 4 free admittance per month event held at Powerhouse Entertainment

Folsom Prison Brews
608 1/2 Sutter St. Folsom

M. Wilson

12/1/20

Sarah W.

Eagles Folsom CA #

215 Scott St. Folsom

Sarah W.



**Google shows 608.5 Sutter St. as a different structure.
WHICH IS RIGHT Folsom City Engineer & Surveyor?**

SACRAMENTO COUNTY Assessor Parcel Viewer

070-0061-011

Parcel Details | Layers | Measure | Search Results | Select Parcels | Recent Sales | Legend

A summary of the most recent property tax bill is available on the e-PropTax site.

Tax Rate Area Code 04-018
 Jurisdiction Used on Most Recent Tax Roll FOLSOM
 Last Roll Year 2020

ASSESSOR'S ROLL VALUES
 as of June 25, 2021

Tax Roll Year	2021
Land Value	\$283,918
Improvement Value	\$504,565
Personal Property Value	\$0
Fixtures	\$0
Homeowner's Exemption	-\$0

1" = 74'

Why doesn't City Engineer Krahn quote First Responder Chiefs INPUT to him. Folsom has a Fire Marshal who, in normal law-abiding cities, would have to issue a formal Report, with signatures.

Why didn't he Consult FMC-adopted universal FIRE CODE for MINIMUM ACCESS? Why was he totally SILENT on SAFETY?

This Parcel has less than 19 foot wide access but a Pedestrian Walkway. The closest Street Frontage is Sutter St., and it IS NOT even a LEGAL COMMERCIAL ZONE street FRONTAGE.

SACRAMENTO COUNTY
Assessor Parcel Viewer

070-0051-011

Parcel Details
Layers
Measure
Search Results
Select Parcels
Recent Sales
Legend

as of June 25, 2021

Tax Roll Year	2021
Land Value	5293,818
Improvement Value	5504,565
Personal Property Value	50
Fixtures	0
Homeowner's Exemption	-50
Other Exemption	-50
Net Assessed Value	5783,333
Property tax bill information	Link to ePropTax information

Additional information regarding Assessor's roll values can be obtained by contacting the Assessor's Office at 916-875-6700 or assessor@sacounty.net

LAND INFORMATION

ZONING

Zoning: HD - HISTORIC DISTRICT

OWNER INFORMATION

In case you doubt me, Sarah, here's FMC text preserved via Pictures for my Comments to city lawyers, engineers, staff.

17.52.120 Duties of the historic district commission.

The historic district commission shall have the following duties and responsibilities

- A. Oversee the implementation of the provisions of this chapter;
- B. Develop and recommend design guidelines to the city council for the historic district;
- C. Prepare and maintain a survey of the historic structures within the historic district;
- D. Provide assistance to residents, property owners and business owners in relation to the provisions of this chapter.
- E. Provide advisory review, upon the request of another city commission, committee, any city department, or as directed by the city council, of projects or programs affecting or relating to the historic district;
- F. Recommend to the city council amendments to adopted city plans or codes in the interest of furthering the purposes of this chapter;
- G. Review the design and architecture of any new structure, or alteration to any existing structures within the historic district, as further defined in this chapter;
- H. Determine the historical significance of structures as further defined in this chapter;
- I. Review applications for sign permits, conditional use permits, variances, land divisions and mergers within the historic district;
- J. Make recommendations to the city council regarding programs and incentives to encourage and to support the preservation, maintenance, and rehabilitation of historic structures; and
- K. Carry out such other duties relating to the historic district as may be assigned by the city council. (Ord. 890 § 2 (part), 1998)

Comments in HPL attachment to Agenda:

NOTE: my Public Comments tacitly refuted, but omitted verbatim on FMC 17.52 as it pertains to all these applications?

Historic Preservation League cites city laws/regs is shown below. Why doesn't this city group state "there is not conformity to Folsom Municipal Code Parking Regulations" and treating this old old area as if it were a second, 2nd class city, is harming Residents greatly? Parking Per the city's Municipal Code, the beer house is required to provide 7 parking spaces for the indoor space (1 space per 350 square-feet) and no parking space for outdoor seating. Because the earlier anticipated parking structures have not been constructed in the Sutter Street Commercial District, the low parking requirements in this area has caused parking congestion in the surrounding residential areas. The City has started a parking study for the Historic District and established a Committee to identify solutions for the existing parking shortage. HPL therefore recommends that before this project moves forward, the applicant should provide the City with an actual number of indoor and outdoor seats that has been planned for the beer house. Regarding the proposed parking agreement with Eagles Lodge, HPL recommends that the applicant should identify the parking area assigned to Prison Brevs in addition to the location and design of signs that will direct patrons to the off-site parking spaces.

COMMENT: Folsom HPL should make Formal Demands to City Engineer and City Attorney for Certified Signed Engineering Law and CA/Folsom FMC Law Compliance is CERTIFIED by our Licensed Professionals. This was always part of Folsom City Charter "Duties" of Licensed staff, until FMC was put ONLINE ONLY. Suddenly the print version was stripped of Critical items of Charter and Duties.

QUESTIONS? Always welcome, as Folsom Residents are tired of being unheard, ignored, and having their Rights and Safety violated by elected officials and the Licensed Staff whom they could demand do their License Duties -- their License ENFORCEMENT Duties.

bcc's

----- Forwarded Message -----

From: The HFRA <thehfra@gmail.com>

To: The HFRA <thehfra@gmail.com>

Sent: Monday, August 2, 2021, 08:13:48 PM PDT

Subject: **Upcoming Historic District Commission Meeting**

13

Hello Members

We are encouraging all members to join and provide feedback at the upcoming HDC meeting this Wednesday, August 4th at 5 PM.

The HFRA Board will address the Commission with specific concerns on the new project; Folsom Prison Brews regarding but not limited to; proposed design, proposed building materials and parking.

Agenda Link:

<https://www.folsom.ca.us/home/showpublisheddocument/7146/637630874703773299>

Thank you and we hope to see you there.

Sincerely,

The HFRA Board



Public Comment Regarding Folsom Prison Brews Project

August 3, 2021

Greetings Commissioners

I rise to speak today in support of the Folsom Prison Brews project at 608 ½ Sutter St.

I am Gary Richard, a 30 year resident of Folsom, a Realtor that has sold a large number of commercial properties on Sutter St. And yes, the applicant is my client. I am also the driver of the Sutter Surfer.

But it is not from that experience I'm coming from. It is my experience as the Design Chair of the Folsom Historic District Association during the Sutter St. Revitalization Project and serving on the City's Streetscape Revitalization Committee in that capacity. As member of the Main Street Project Committee, an economic revitalization exercise for Sutter St. And my insight as the Founder and Chairman of the Folsom Historical Society's 6th Annual Golf Tournament.

Many will or have spoken on the merits of this application and I agree with their comments. Today, I am addressing the public comments submitted by the Heritage Preservation League of Folsom. This small group does not represent the larger views of the historical community, their comments are unfounded in fact and law. This small group has conveniently ignored the fact that this project is in the Entertainment District, has purposely misrepresented Folsom Code and is attempting to usurp the authority of this Commission and has accused the city staff of ignoring the law.

I'll address the parking issue, the Heritage Preservation League comments complain about the parking but what have they done besides image non existent land and money for parking.

ReMax Gold Folsom, 2340 E. Bidwell St., Folsom, CA 95630
916-214-4221 direct 916-239-6534 fax 916-984-8778 office

Gary.Richard@norcalgold.com
www.GaryRichard.remaxgold.com
CA.DRE LIC.# 01502446



On the other hand, the applicant has taken a proactive approach by developing and funding a unique parking solution in the Sutter Surfer, a free shuttle designed to encourage increased use of the parking structure. Mr. Weaver has served on the City's Parking Advisory Committee, a 6 month process and has found an inventive solution for additional parking with the Fraternal Order of the Eagles. As I mentioned earlier, not only is this group trying to usurp this Commission's authority but they now want to tell my loyal brothers and sisters of the Eagles what to do with their parking lot.

This applicant and his team have worked closely with the City Staff and made several revisions upon receiving community input, including from members of this group.

He has followed the code and is acting in good faith.

Mr. Weaver has incorporated an iconic design that will further enhance the Sutter St Streetscape.

In closing, I encourage the Commission to approve this project and reject all comments and input from the Heritage Preservation League of Folsom.

Thank you for your time. I would be happy to answer any questions or provide additional insight.

Gary Richard, CPRES

ReMax Gold Folsom, 2340 E. Bidwell St., Folsom, CA 95630
916-214-4221 direct 916-239-6534 fax 916-984-8778 office
Gary.Richard@norcalgold.com
www.GaryRichard.remaxgold.com
CA.DRE LIC.# 01502446

THE POWELL LAW OFFICE
 303 DEAN WAY
 FOLSOM, CA 95630
 (916) 712-1465
thepowelllawoffice@gmail.com
douglas.powell@twinriversusd.org

August 3, 2021

HISTORIC DISTRICT COMMISSION
 CITY OF FOLSOM
 50 NATOMA STREET
 FOLSOM, CA 95630

RE: **FOLSOM PRISON BREWS**

To Whom It May Concern,

By way of introduction, I am a long-time Folsom resident (previously living in the historic district, and currently a few blocks away from it). I have had a Northern California law practice for around 30 years, and am a local middle school English teacher. I am also a good friend of one of Folsom's brightest, and finest, business owners, Mr. Murray Weaver. I am writing you to voice my excitement and enthusiasm regarding his new business project, to be known as FOLSOM PRISON BREWS, and to offer a counter-narrative to some inaccurate remarks made by some in the community.

Unfortunately, I have read some unfair, disparaging comments that are critical of his new project, and I think they need to be addressed in short order. Apparently, the Heritage Preservation League of Folsom (hereinafter, the "HPLOF") has seen fit to criticize the project, requesting, inter alia, ". . . that the City of Folsom place a moratorium on and refrain from approving any parking variances for new or future projects (i.e. not currently approved) in Folsom's Historic District until the newly formed Folsom Historic District Parking Solutions Ad Hoc Committee provides their recommendations and the City takes action on them."

HPLOF continues, stating that: "*The reason for this request is that we feel there have been too many recent requests for parking variances, which clearly shows an urgent need to address inadequate parking now. For example, the recent variance request for the Folsom Prison Brews project requested parking associated with the Eagles Lodge. The project notice did not even adequately explain how this parking agreement would provide adequate parking on a day-to- day basis or in the future, without conflicting with the Lodge's needs.*"

Finally, the HPLOF website also suggests that: "*In addition, at this time, there is also a concern that once Scott's Seafood occupies their building, parking in the nearby parking structure will defacto become Scott's restaurant parking, thus eliminating many parking spaces for other businesses.*"

Too many recent requests for parking variances? Says who? As quoted above, HPLOF states that, "*We feel there have been too many recent requests for parking variances, which clearly shows an urgent need to address inadequate parking now*"? (emphasis added). The "*feeling*" of HPLOF is unfortunately irrelevant, to my mind, and not based on any empirical evidence. Based on that "*feeling*", they abruptly jump to the conclusion that it "*clearly shows an urgent need to address inadequate parking now.*" That kind of knee-jerk, baseless conclusion is what I find troubling, and erroneous. For example, there is not even a variance being requested at this time. In short, all of HPLOF criticisms of the FOLSOM PRISON BREWS are meritless.

From my personal objective perspective, this HPLOF parking space critique appears to be much ado about nothing. For example, CLOUD'S POTTERY was in the FOLSOM PRISON BREWS building for years, managed by another close friend (Jeff Cloud) and to my knowledge, there was never a parking problem there. Further, on the other end of the street, Scott's Seafood Restaurant is now up and running, and is already one of my favorite new establishments in Folsom. There is no parking shortage whatsoever, whenever I decide to drive, instead of walk, to downtown Folsom. In short, the amount of parking from the top of Sutter Street to the bottom is more than ample, and I can attest to this from personal experience, as well from the experience of family and friends. Downtown Folsom is extremely user friendly, to say the least, and is a well-known go-to destination in Northern California. HPLOF's complaints are – in short – unfair.

Finally, on a personal note, Mr. Murray Weaver - the developer of FOLSOM PRISON BREWS - is a local treasure, and has been for over 20 years. His well-known benevolence, selfless devotion to this city (and its business community in the Folsom Historic District), generosity, professional acumen, and kindness, is legendary. He is highly respected by this entire neighborhood, and I for one am quite confident that any business he manages will be run professionally, smoothly, successfully, and with a view towards benefitting our beautiful and unique city. Parking has not been – and will not be - an issue, so please, take the above into consideration when you address the groundless, spurious complaints of HPLOF. There many very good reasons why this project has overwhelming local support, despite the protestations from HPLOF. In fact, if the above HPLOF comments were taken into serious consideration historically, NO projects would have been built the last decade - their uninformed, biased criteria are arbitrary, and unhelpful. If you have any comments, or if I can answer any of your questions, please do not hesitate to contact me at your convenience at the above coordinates.

Sincerely

A handwritten signature in blue ink that reads "Douglas E. Powell". The signature is stylized, with a large, looped initial "D" and "P" that are connected. The name "Douglas E. Powell" is written in a cursive script below the initials.

Douglas E. Powell, Esq.
ATTORNEY AT LAW



8/2/2021

To the Historic District Commission of the City of Folsom

After reviewing the documented intent of Mr. Murry Weaver at 608 1/2 Sutter Street/APN 070/0061-011, I directly oppose this project.

Parking is currently very difficult for our patrons in the 600 block of Sutter Street and with this additional type of business and the number of possible patrons in this high occupancy location, it will be nearly impossible for our guests to find adequate parking close enough to want to visit us and other like businesses in the 600 block. Additionally, there is mention of adding a food truck in the lower parking lot that will make it even more difficult.

The hours of operation and safety are also a big concern. I have heard many comments from tenants in the 600 block regarding late night safety problems and drunks vomiting and vandalizing their property due to an abundance of inebriated customers from the already existing Powerhouse location. In my opinion this will only increase the safety issues in this corner of the 600 block and concerns for vandalism on my restaurant will leave me stressed every night.

I feel so strongly about these concerns that I would likely close my restaurant operation when this brewery opened rather than endure a slow death to it due to the above stated concerns.

Sincerely,

Michael Sanson
Owner
Plank Craft Kitchen + Bar
680 Sutter St. Folsom CA 95630
916-260-5333

Citizen Vine

Pouring for the People

8/2/2021

To whom it may concern:

I have reviewed the proposed project for 608 ½ Sutter Street (current Artfully Rooted building) in detail and have various concerns regarding the proposed business to enter into that space. Due to these concerns, I oppose this type of business for the 600 Block of Sutter St & the Historic District.

The first area of concern is around parking. As we already know the parking situation on our end of Sutter St. (600 Block) is already an issue. On the weekends, parking is already forcing customers to park in local neighborhoods. The building space at 608 ½ Sutter is well over 4,000 sqft, and this will carry a large occupancy, while offering no additional parking spaces near its location. I saw the suggestion of providing leased parking spaces at the Elks Lodge across the street, however customers are going to pull into the lot that is closest to where they are going and it will be hard for customers to determine that they can park across the street, which will then leave those Elks Lodge lease spaces marked with signs that will discourage others from parking there, compounding the parking issues.

The second area of concern to me that is even more critical, is the overall effect that this type of business will have on the 600 block. This concept of a Taphouse right next door to the current Powerhouse/Scarlet's, is basically a ½ block of daily, Night Club Party Vibe. With both locations offering spirits, the customers from one location will flow to the other outside. This is proven by the suggestion of having a Food Truck in the lot that would basically be between the 2 locations. Inebriated customers will be hanging out in the parking lot, getting food, going from the Tap House (that also wants an outdoor dining area) to Powerhouse. With 2 businesses selling alcohol, that are promoting this outdoor vibe, it will become a large, drunk block party on the weekends.

Currently businesses on the 600 Block rely on our customers being able to park in the lower lot. The walkway that allows customers to reach these businesses, will now have late night intoxicated customers in this area. Our customers are not going to feel safe walking this area at night and neither will our staff. They will be less likely to patron our businesses if the area seems less safe at night.

I do feel like retail would be a better fit for this space or a restaurant that doesn't have hours till midnight & 2am.

Concerned Business Owner,
Lisa Gomez
Citizen Vine

Item: PN 19-174, Folsom City Brews

My name is Paul Keast, a Folsom resident in the Historic District on Mormon Street. I am not opposed to another bar in the Historic District as a business.

I do oppose the development and design of Folsom Prison Brews on 2 grounds:

1. The lease for parking is very weak and has little provision for future guaranteed parking spaces.
2. The building exterior design does not meet the intent of the Historic District guidelines.
 - a. I think it trivializes the people and environment of Folsom Prison.

1. The parking solution:

Notice the Development Condition states that 15 spaces are clearly mandated.

Notice the Lease states: "partial use."

This seems to be a poorly structured lease to ensure lifetime access, as noted in the condition, to the noted spaces. The lease must guarantee the identified parking spaces at all times.

Also, the Conditions tie the parking spaces to the life of the FPB business. If the parking spaces are permanently or temporarily no longer available, (as noted below in the conditions) then FPB must stop operations.

Parking in the Historic Business District and residential district is a critical concern for residents and all businesses as you must know.

Condition 28 : The owner/applicant shall ensure that a lease agreement for **the 15 parking spaces at the Eagle Lodge** properly remain in effect as long as Folsom Prison Brews or any subsequent establishment operating at this location pursuant to the Conditional Use Permit remains in business.

Item 1 of the Lease:

".....@ \$500 per month for the **partial** use of the Eagles lot from the operational opening of Folsom Prison Brews until the lot is permanently changed to a new use by the Eagles.. "

2. The FPB planned exterior is a likeness of Folsom Prison, complete with a replica guard tower. The design is not in line with the Historic District Guidelines of **preserving** historic city buildings. Rather, it is an obvious and insulting attempt to cash in on a theme that denigrates the people that work and are incarcerated in the prison.

Folsom Prison is a stark and dangerous place to work and be incarcerated. At least 93 inmates have been **executed** there. A significant number of guards have been **killed** on duty at the prison. As recently as November 25, 2020, guards had to shoot and **kill** an inmate due to violence in the prison.

Does the city of Folsom need to have a business design in the Historic District that does not align to the District Design Guidelines and mocks the life stories of people that work, died and are incarcerated at Folsom Prison?

I hope you believe it to be no.

Please do not allow the guard tower design of this project as it is not appropriate for the Historic District.

Regards, Paul Keast

**HERITAGE PRESERVATION LEAGUE OF FOLSOM
PROJECT APPLICATION REVIEW**

August 1, 2021 (Project Review - Plans dated 03.15.21)

PROJECT: The conversion of 4,377 square-foot two-story barn-like building to a 'beer house', the installation of an outdoor patio and serving area and potential provision of a food truck at 608 ½ Sutter Street in the Sutter Street Commercial Subarea (PN18-174).

REQUEST: Design Review, Parking Review and Conditional Use Permit

**PROJECT
HISTORY:**

HPL provided review comments regarding the original application on May 30, 2019.

The following review was originally based on the project updates that have been Posted on the City's website since February 18.

HPL has also addressed some of the new information that was first introduced in the latest Staff Report.

ATTACHMENTS: 1. City regulation not Complied with by Folsom Prison Brews
2. Comments Regarding the Staff Report
3. Proposed Findings of Denial

BACKGROUND

During the late half of the 1800s, the Odd Fellows Hall and the Natomas Company's Fruit Drying House were located in the general vicinity of 608 ½ Sutter Street. Around the same time a small jail was located on the north side of Leidesdorff Street at Wool Street (across from the railroad block). All these buildings later burned down or were removed. The 'pottery barn' building in the current application has been on the property since 1958, per the assessor's office. The existing walkway from Sutter Street to the Scott Street parking lot is lined by ceramic tiles produced at the barn (by Cloud's Pottery).

Historic buildings have at times been recreated in the Central Business District of Historic Folsom. As an example, replicas of a blacksmith shop and a wagon shed have been built in Pioneer Village. The recently completed Roundhouse building is located on the same footprint as the previous repair shops for Sacramento Valley Railroad. All these buildings have a historic connection to the property they are located on.

CONCEPT

It is the applicant's intent to create a version of the existing perimeter wall, gate and guard tower at Folsom State Prison, relying on Policy 2.6 of Chapter 2 of the Design and Development Guidelines, which calls for the City "to maintain, restore, and reconstruct sites which represent the history of the Folsom area". Folsom Prison is one of eleven resources cited in the policy. Folsom Prison is undeniably an icon of Folsom's history, but it does not need to be maintained, restored, or reconstructed. It still exists, and it is under the stewardship of the state. The prison has no connection to the project site, and the prison is not located in the Historic District.

The project concept is in direct contradiction to the most basic premise of FMC 17.52 and the Council-adopted Design and Development Guidelines. The premise is first stated in FMC 17.52.010 Purpose and Intent. Out of seven stated purposes, the first purpose is: "To preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950." The fifth purpose is "To ensure that new residential and commercial development is consistent with the historical character of the historic district as it developed between the years 1850 and 1950." The principle is repeated multiple times, with details of appropriateness added, throughout the Design and Development Guidelines. The premise is further refined to delimit construction in the Sutter Street Subarea to the 1850-1900 timeframe.

Since the Prison itself was under construction at that time, groundbreaking taking place in 1878, historians would concur that building a prison replication on Sutter Street would have been considered quite inappropriate between 1850 and 1900 (even between 1850 and 1950) in the City's central business district, especially considering the project's proximity to Folsom's Nob Hill. It was an out-of-town industrial use. In fact, the tower and gate this project replicates were not completed until 1910; a decade after the Sutter Street Subarea's timeframe.

Recommendation

- Change the name of the business, and use an alternative design concept that is connected to the history of the project site and is appropriate to the Sutter Street Commercial District before year 1900.

ARCHITECTURE

The applicant is proposing to cover the walls of the former pottery barn with a gray Turkish lime stone veneer (described as 'granite' in the project narrative), replace the corrugated fiberglass roof cover with corrugated metal roof panels and add a raised tower that resembles the guard towers of the existing Folsom State Prison. As a general impression, the irregular pattern of the stone walls does not reflect historic masonry techniques, and the reproduction of a Folsom Prison guard tower is out of context with the surrounding neighborhood. In addition, the uninterrupted stone facades lack interest and variety

At the west entrance (facing the patio), the applicant is proposing to construct a fiberglass archway intended to resemble the stone archway in the perimeter wall of Folsom State Prison. Because this feature protrudes two feet from the façade and covers virtually the entire width of the building, it creates the impression of a stand-alone gateway. The arch will be built around a standard entrance door and a wide folding door. Two rounded windows will fill the space above the door. The only additional windows are located in the raised tower. A row of skylights are proposed on each side of the ridgeline and the roof overhang is minimal. All these design details are not consistent with the pre-1900 design theme of the Sutter Street Commercial Subarea.

It is HPL's conclusion that the proposed building remodel will look 'staged', will detract from the 600 block's historicity and will not do honor to the City's prison heritage. As an alternative, the applicant may consider a remodel that resembles a meeting hall or a winery building. Should the applicant decide to develop a new design, HPL recommends: 1) that the tower feature be removed or changed to no longer resembling a historic guard tower at Folsom State Prison; 2) that windows be incorporated along the facades, and; 3) that the entrance on the west frontage be in scale with the width of the building. HPL has noted that the project no longer includes roof-mounted sky lights.

The applicant has reported that food service is required for the proposed use. However, in lieu of installing a permanent kitchen in the brew pub, the applicant has proposed to provide delivery services from nearby eateries and to potentially park a food truck outside Powerhouse Pub during business hours. If the applicant in the future decides that a food-truck should be a regular part of the project, a new application will need to be submitted to the City. Before a food truck is scheduled to service the brew pub the Historic District Commission should have the opportunity to consider the site requirements and design specifications of this addition. The Commission may also want to consider the impacts of potential customers from Sutter Street.

Recommendations

- Revise the building design to resemble a pre-1900 meeting hall or winery building.
(If a raised tower feature is added it should not resemble the guard towers at Folsom State Prison.)
- Incorporate windows with the building facades where possible. The north wall of the building fronts on a public right-of-way and is therefore not constrained from including windows and doors. Walls which may be constrained because of lack of setback from the property line need other differentiation to avoid blank walls.
(Winery buildings often had stone facades and arched windows.)
- Use façade materials that reflect the pre-1900 design concept of the Sutter Subarea:
(Avoid irregular sized lime stones for the building facades and reduce the glass area of the doors in the entrance.)
- Before a portion of the parking area for Powerhouse Pub is reserved for a food truck a detailed project proposal needs to be submitted to the City. All design issues and parking impacts need to be reviewed and considered by the Historic District Commission.

SIGNS

The front entrance to the brew pub is located along the west side. This side of the building is 30 feet wide and per Zoning Code the length of signs should be limited to 75% of the building facade. Black sign letters with back lighting are proposed to be mounted along the front archway. The proposed sign area is 35 square feet (based on a letter height of 1.33 feet and a sign length of 26.5 feet).

Individual letters offset from the façade were not used pre-1900 and are not described in the sign codes for the Sutter Street Subarea. As specified in Chapter 5 of the DDG's the main building frontage is facing the alley right-of-way within the Scott Street parking lot. Based on the length of the building the sign allowance would be 50 square feet. The west side of the building does not meet the definition of a secondary building frontage (facing a street or public area) but based on the proposed location of the front entrance it could possibly qualify as eligible for half of the front sign area, or 25 square feet.

Recommendations

- For better consistency with existing codes and guidelines for signage, consider installing a building sign along the north façade (the main frontage) and a blade sign at the main entrance along the west façade.

- If a sign is installed along the west façade, the sign area should not exceed 25 square feet and the length of the sign should not exceed 22.5 feet.
(The Design Guidelines does not allow for excluding spaces between words from the estimated sign area.)
- Install the sign letters on a background and illuminate the sign with goose-neck lights.
(The background of the sign should be considered a part of the sign area.)

SITE DESIGN

As a part of the application in 2019, a large outdoor seating area was proposed on the west side of the beer house. This fenced in area extended across the west property line and also cut off pedestrian travel between Sitter Street and the Scott Street parking lot. It is HPL's understanding that the applicant is now proposing to install two separate seating areas that will allow the existing access path to remain (see Figure 4, Building Rendering). As previously, the west portion of the seating area will be located within the Powerhouse Pub property.

According to the staff report, the encroaching part of the seating area has now already been approved under a separate application (see page 63). As a result, the current submittal no longer provides a complete picture of the project impacts. Because the proposed project will include improvements on the Powerhouse Pub property, and these site changes have not yet been installed, HPL recommends that the applicant should be required to provide an expanded Site Plan that includes both properties and provides information about the overall pedestrian circulation system (including walkways, retaining walls, ramps and patio areas). The Site Plan should also demonstrate if the new site improvements will eliminate some of the existing parking spaces at Powerhouse Pub.

A new Landscape Plan has not been included with the revised set of plans. When a Landscape Plan is prepared, the green area in front of the building (within the public alley) should be included.

Recommendations

- Request the submittal of a detailed Site Plan that includes both properties that are impacted by the Brew Pub project (614 and 608 ½ Sutter St.) and clearly demonstrates how the future pedestrian circulation system will work and where the enclosed outdoor seating areas will be located.
(The site plan should show how the Powerhouse Pub property will be connected to the project site.)
- Specify if this project will use the patio area on both sides of the pedestrian walkway (between Sutter Street and the Scott Street parking lot) for outdoor serving.
- Request the submittal of a Landscape Plan that shows how the frontage area within the alley will be landscaped.

PARKING

The lack of public parking spaces in addition to the low parking requirements for the Sutter Street Subarea has negatively impacted the surrounding residential areas and businesses. In 2019, the City established the Historic District Parking Solutions Ad Hoc Committee to identify potential solutions. On June 23, 2020 the Committee published its findings. A year later, there has been little action towards

implementing the identified short- or long-term priorities that could ease the existing parking problem. Even if the Zoning Code does not require that new parking spaces are provided when existing structures are modified, the proposed brew pub will intensify the previously approved building use. A parking review of the availability and equitable distribution of parking is therefore appropriate (see Section 4.17.02 of the Design and Development Guidelines in Attachment 1).

Per the Zoning Code, a newly constructed 4,377 square-foot building would be required to provide 13 parking spaces for the indoor space (1 space per 350 square-feet) and no parking space for outdoor seating. The applicant has suggested that these parking spaces will be available off-site, in public and private parking lots and at the Eagles Lodge on the east side of Scott Street. With the exception of the Eagles Lodge, the existing spaces are already heavily used.

The applicant has provided a lease agreement for the shared use of 15 parking spaces at the Eagles Lodge. However, the agreement does not specify how the parking spaces will be divided and what time of the day the parking area at Eagles Lodge will be available. It is also not clear how the patrons of the brew pub will be directed to the off-site parking lot. Reliance on such an agreement can therefore only be considered a temporary, stopgap measure until the City honors its commitment to address the parking issues. HPL has concluded that the intensified use of the former 'Pottery Barn' will increase the already existing parking problems in the vicinity of the project site.

As noted above, the applicant does not intend to install a kitchen in the brew pub. Instead, take-out meals will be delivered to the pub and a food truck may be parked in front of the building. This solution requires a designated parking space and an adjacent area reserved for customers. Information about all potential impact to public/private parking areas should be added to the application package.

Recommendations

- Before any intensified use can be approved for the property at 608 1/2 Sutter Street, the applicant should commit to participate financially in any City provision of an additional public parking facility at the east end of the Sutter Street Subarea.
- As a part of the Zoning Code Update, the City needs to consider if the current parking requirements for the Sutter Street Subarea should be increased.
- The applicant should provides a business plan that describes all potential impacts on parking *(Including information about where delivery trucks, food trucks and occasional live performers can park,)*

CONDITIONAL USE PERMIT

The applicant has requested to add a small stage for live entertainment inside the brew pub. Three nights a week the pub is proposing to stay open until 2:00 a.m and two nights a week the pub would close at midnight. The folding entrance door in addition to the outdoor seating area mean that noise from the brew pub could become an issue for the residential neighborhoods south of the project site.

Noise from the Powerhouse is already a problem for the residential neighborhood in the project vicinity. Based on the location and requested use of the project site, you could describe it as an annex to the Powerhouse. Besides noise, light and glare from the outdoor seating area could also impact the existing

neighboring development.

As noted above, permanent use of a food truck may need to be considered by the Historic District Commission. Besides the aesthetic and parking questions, HPL questions whether permitting an inexpensive food truck instead of a permanent kitchen means that the City is endorsing unfair competition with similar businesses.

While not strictly a part of this application, HPL is aware of ongoing concerns among residents and business owners about increasing the concentration of alcoholic beverage licenses. In licensing businesses to serve alcohol, the state does not consider whether the concentration is too great. Instead this decision is deferred to the local jurisdiction. The Historic District Commission may wish to request that the City Council should take up this issue.

Recommendations

- To help the City and the Historic District Commission determine if the existing use of Sutter Street's 600-block should be intensified in this manner, the project should be required to prepare a noise study.
(The study should anticipate the potential noise levels if live performances are held simultaneously at both the Powerhouse and at Folsom Prison Brews.)
- A neighborhood meeting to discuss the impact of the project on the residential neighborhoods should also be organized prior to a hearing before the Historic District Commission. Feedback from this meeting should be incorporated with the future staff report.
- In view of resident and business concerns, HPL recommends that the Historic District Commission request the preparation of an ordinance to address the desirable concentration of alcoholic beverage licenses.

OVERALL PROJECT RECOMMENDATION

City Staff has concluded that the proposed project "meets all applicable development standards" established for the Sutter Street Subarea of the Historic District. However, even if the numerical standards regarding building height and setbacks have been satisfied, HPL has identified many deviations from the District's design standards (see Attachment 1).

HPL urges the Historic District Commission to deny this project and to make a finding in support of the foundational principle of the Historic District; authenticity.

FINAL THOUGHTS

Beyond the particulars of this project's design, HPL sees a danger in this type of project to the Historic District's long-term success. Sutter Street's experiment with focusing on entertainment a few years ago led to serious business, residential, and policing impacts that resulted in the City's Entertainment Ordinance. While the ordinance has abated the worst of the impacts, moving in the direction of amusement-park concepts such as Folsom Prison Brews will likely renew the impacts and at the same time cause decline of the Historic District's lasting overall draw.

When the memory of Johnny Cash fades like Rudolph Valentino's, the history of California embodied in Folsom's preservation of a small, working historic town will continue to be a draw, if it is still

recognizable. "Artifacts," such as Historic Folsom, from the beginning of a culture are the rarest because people don't recognize their value until most are gone. Folsom began with California and has been from its earliest beginning a player on the California stage and a microcosm of the trends and developments of the state. If anyone doubts, just visit the Folsom History Museum. As every year passes, and depending on how good a caretaker the City is, the cohesive development of Folsom's first 100 years will become rarer and rarer. The same forces that inspired this project are at work in every jurisdiction, and most will succumb to the lure of increasing profits by attracting attention. Preserving history isn't nearly as exciting a concept as building something newer and bigger. Remember, even though the hare drew more attention, the patience and persistence of the tortoise won the race. Folsom's past two decades of tortoise-reminiscent support for maintaining the authenticity of the Historic District has paid off in terms of maintaining housing stock and business vibrancy. It really paid off during the pandemic. People came to buy something, anything, just to support Sutter Street. They love Historic Folsom. They may not know why they love it, but when "it" is gone, they'll be gone too.

Attachment 1

City Regulation
(Not Complied with by Folsom Prison Brews)

FOLSOM PRISON BREWS

Following are sections of City regulations with which this project fails to comply, emphasis added.

Folsom Municipal Code 1752 H-D, HISTORIC DISTRICT

17.52.010 Purpose and Intent.

B.1 To preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950

B.3 To encourage an active business climate which promotes the development of a diverse range of businesses compatible with the historic district as it developed between the years 1850 and 1950.

B.5 To ensure that new residential and commercial development is consistent with the historical character of the historic district as it developed between the years 1850 and 1950.

The intent that the Historic District be preserved and enhanced as a small town of the era 1850-1950 is set forth first in this section, repeated twice within it, and reiterated multiple times in the remainder of the Historic District regulations. A mock prison building is not consistent with development that would have occurred in that era.

17.52.140 Historic district boundaries

This section provides a legal description of the boundaries of the Historic District. The area described is the 98 blocks laid out by Theodore Judah in 1856.

Folsom Prison is located outside those boundaries.

17.52.330 Plan evaluation

D. Compatibility of building materials, textures and colors with surrounding development and consistency with the general design theme of the neighborhood.

An amusement park concept is not consistent with any other development in the neighborhood, nor with any other development in the remainder of the Historic District.

17.52.400 Design standards

B. The design and development guidelines shall provide guidance to the historic district commission and the director of the planning, inspections and permitting as to the intent of the city council in carrying out the provisions of this chapter....

D. Exceptions to the design standards stated herein or in any subsequently adopted design and development guidelines may be permitted by the historic district commission when unique individual circumstances require the exception in order to comply with the purposes of this chapter....

17.52.510 Sutter Street subarea special use and design standards

B. Design concept. The design concept for this subarea is to preserve existing pre-1900 buildings and require new or replacement structures to be of a pre-1900 design, unless a post-1900 building is unique and/or representative of 1850-1950 architectural styles. The Historic District Commission may approve new construction of post-1900 design on an exception basis if it finds that the architecture is an outstanding design which represents a structure or use which formerly existed in historic Folsom or which represents a typical design and use extant in similar California towns between 1900 and 1950.

This section limits appropriate design in this subarea to a 50-year design period, 1850-1900. Exceptions may be granted for outstanding design representative of the era. This project does not meet the above criteria to be granted as an exception.

Historic District Design and Development Guidelines

Chapter 2 Goals and Policies

Goal 1 Community Identity: To preserve and enhance the historic small-town atmosphere of the 98-block Historic District area

Policy 1.1 External design features, both public and private, shall be consistent with design of the time period from 1850 to 1950.

Policy 1.2 New construction, rehabilitation, and remodeling or other modification of structures shall be designed to be consistent with the architectural styles used during the development of Historic Folsom between 1850 and 1950. Design criteria established for the various locations within historic Folsom shall reflect the growth of the town from its earliest pre-1900 architectural styles in and around Sutter and Figueroa Streets to the later post-1900 styles used in the blocks near the eastern borders of the Historic District.

Policy 1.4 Since the Historic District plays a central role in determining the character of the City of Folsom, every project within the Historic District, at every stage of approval and construction, should be marked by an attention to quality, which will serve as a benchmark to the rest of the community.

Every element of this project, from concept through materials, is "faux."

Goal 2: Preservation of Historic Sites: To maintain, restore, and reconstruct sites which represent the history of the Folsom area.

Policy 2.6: Projects that portray Folsom's historic importance are encouraged. Facets of Folsom's history which should be portrayed and interpreted within the Historic District include, but are not limited to: railroading, Maidu encampment, Chinese settlement, Negro Bar mining, dredging, mine tunnels, Pony Express, water delivery, powerhouse and related structures, Folsom Prison, Rainbow Bridge.

This project does not maintain, restore or reconstruct the Prison because the Prison still exists. There are many other ways to portray and interpret Folsom Prison's history other than creating an amusement-park version of it. For example, the Folsom History Museum has a sizable display on its history, and the Museum gift shop carries books that tell its story. Through the years various businesses have included historic photos of the Prison as part of their decor. These are respectful means of portraying and interpreting the Prison's contribution to Folsom's history.

Goal 3: Economic Development: To encourage an active business climate which promotes development of a diverse range of businesses compatible with the 1850-1950 timeframe of the Historic District

Policy 3.1 Businesses which could have been present from 1850-1950 shall be encouraged, particularly if they are designed and managed in accordance with the styles of that era. Businesses which promote tourism are also encouraged, such as antique and gift shops, galleries, restaurants, and inns. Businesses which could not have been present in that era may be permitted if they are compatible with and will not detract from the historical character of the Historic District.

This design is not in accordance with the styles that would have been present on the main business thoroughfare of Folsom or any other Mother Lode town between 1850 and 1900.

Goal 4: Circulation: To facilitate movement of vehicles, transit systems, pedestrians, and bicycles through the historic district in such a way as to provide adequate access for local and through traffic without excessive traffic impacts on the character of the Historic District area and to facilitate adequate parking.

Policy 4.6: Adequate public parking shall be provided in proximity to commercial uses.

Policy 4.7: Transportation System Management measures shall be included in all developments with the Historic District.

Because the Sutter Street Subarea parking standard was based on its similarity to a shopping center having a balance of uses, each with varying parking demand, technically this project does not require additional parking. If it were located elsewhere within the City, it would be required to provide one space per three seats, a number which can be used to gauge the additional parking impact on an area already saturated with similar uses and no longer balanced out with uses having lower parking demand and different peak times of parking use. Based on square footage, it would require 11 spaces; based on number of seats, it would require 24 spaces. The applicant recognizes the parking issue and has made an effort to mitigate his project's demand by reaching an agreement with the Eagles Lodge and providing a shuttle, although shuttle hours are not specified. At best, since the applicant does not own the Eagles property, any such agreement can only be considered a temporary stopgap measure until the City honors its commitment to provide adequate parking for the Historic District. At present a number of the employees

and patrons of Sutter Street's 600 block park in the residential area, including the applicant's two other drinking establishments.

See also Goal 5, Section 3.03, Section 4.17.02, Section 5.02.01(d)(4), Section 6.01.01(b)(3), and Section 6.03.03 below.

Goal 5: Residential Quality of Life: To retain the diverse, historic small-town atmosphere of the residential areas within the Historic District.

Policy 5.3. The residential areas should be protected from the impact of the commercial areas to the extent feasible. Special events such as craft fairs may cause unavoidable temporary noise, parking, or similar impacts.

Overall, commercial uses have greater impacts on residential uses than vice versa. While recognizing that residential areas should tolerate temporary impacts, this goal calls out the need to protect residential quality of life. As noted above, the impact of commercial parking in the residential area has become permanent, and it will not become temporary until sufficient proximate parking is provided.

Chapter 3 Development Plan Concept

3,01 Land Use

3.01.02 Land Uses in the Historic District

3.01.02(a) Historic Commercial Primary Area

3.01.02(a)(1) Sutter Street Subarea of the Historic Commercial Primary Area

....Retail shops and restaurants have predominated in recent history, and it is hoped that a more "complete" downtown can be achieved, one which is attractive to specialty shoppers and tourists but which also fills needs for services such as banking, venues for performing arts, upstairs residential units, and other businesses that one might find in a small town center....Buildings recently constructed in the district have tended away from authentic historical design; the intent of these Design and Development Guidelines is to reverse that trend in favor of greater historical accuracy....

This project threatens both the balance and historical accuracy called for in this section.

3.03 Infrastructure

3.03.03. Parking

... As part of the Railroad Block master planning process, the consultant team, citizens committee, and staff were tasked with the responsibility to assure that the preservation of the City's railroad heritage was not achieved at the expense of foreclosing the ability to provide adequate parking for the Subarea. Exhaustive study of potential sites and development scenarios resulted in identification of five sites and preliminary strategies to achieve the number of spaces needed in a cost-effective manner, including three parking structures and two surface lots, evenly distributed through the commercial area. There is the potential that one of the lots may require acquisition of additional land and/or construction of a structure, depending on actual buildout...

Pending completion of specialized study, the strategy is to construct structures on the Leidesdorff Street hotel site, the Railroad Block, and Trader's Lane, in that order, using the Redevelopment tax-increment stream to issue bonds to finance their construction. Participation of property owners may also be necessary. Timing of construction is dependent on both financing and demand, but the phasing intent is: 1) to build the hotel structure first, to address existing demand, 2) to build the Railroad Block structure in concern with development of the Block, avoiding conflict with the lid and bridge construction project, 3) to build the surface lot at Reading Street in conjunction with the light rail project on the Railroad Block, as an interim park-and-ride lot until the line is extended toward the Broadstone area or across the river and the buildout rate of the Sutter Street Subarea requires, 4) to build the Trader's Lane structure at a time when there is sufficient economic stability and the proximate parking for the merchants to withstand a large construction project in the heart of the shopping district, and 5) to re-evaluate the demand and the potential for land acquisition and construction of additional parking in the 500-600 blocks in light of actual development trends in the future.

The existing parking shortfall issues were called out above. This section describes the parking solutions envisioned when the Historic District regulations were adopted in 1998. Five sites were identified. In the intervening years multiple parking studies commissioned

by the City have reached largely the same conclusions: more parking is needed, distributed equitably throughout the Sutter Street Subarea.

Chapter 4. Property Development Policies District-Wide

4.11 Remodeling

....The goal of any remodeling is to maintain or improve a structure's value to the owner and the community by achieving good design and historic appropriateness, to the greatest extent feasible.. In evaluating a remodeling request, the Historic District Commission shall consider:

1. The property owner's and community's benefit.
2. The structure's architectural and historical value
3. Resources available for historic authenticity purposes, such as historical and architectural documentation, materials availability, and financing.

4.11.01 Guidance for remodeling

4.11.01(a) Preference

Returning a building to its original, pre-1950 appearance.

4.11.01(b) Second preference

Good design of the "right" era for the Subarea, with exceptions only for continuing a building's original or existing style.

This section calls for good design and historic appropriateness, not a gimmick. To remodel the barn is appropriate since it was built in 1958, after the 1850-1900 design era of Sutter. It took less than a half hour of research at the Folsom History Museum to find that the Prison features this remodel imitates likewise did not exist between 1850 and 1900. There is no benefit to the community of a remodel that simply exchanges one out-of-era building for another out-of-era building, one that would never have been built during the actual era. The brewpub concept is not uniquely beneficial to the community as craft beers are available from at least two existing establishments on Sutter Street.

4.14 Construction

4.17 Density and Intensity of Use

4.17.02 Commercial intensity

...It should be understood that the goal is not to maximize the development potential of the historic area but to preserve the existing structures and the scale and type of development typical of Folsom's past....Besides meeting the standards and intent of the individual Subarea, a proposed project must be considered in the context of available parking, taking into account any on-site parking and the availability and equitable distribution of off-site parking and the availability and equitable distribution of off-site parking.

This section states that the City's first responsibility is to make decisions based on maintaining the success of the City as a whole, not on maximizing the profit potential of an individual property. It also requires that the project be considered in the context of availability and equitable distribution of parking.

Chapter 5 Property Development Policies by Primary Area

5.02. Historic Commercial Primary Area

5.02.01. Sutter Street Subarea of the Historic Commercial Primary Area

5.02.01(c) Design concept

The design concept for the Sutter Street Subarea is to... 2) require new or replacement structures to be of a pre-1900 design.

This section reiterates the concept that new or replacement structures are to be of a pre-1900 design.

5.02.01(d) Standards

5.02.01(d)(4) Parking

All uses must provide parking spaces conforming to City standards as established by this document, the Folsom Municipal Code and any other adopted City ordinances, policies and requirements.

The parking requirement may be met by providing spaces on-site (if found appropriate through the design review process) or on nearby property controlled for that purpose for the life of the use. The typical means of providing required parking in this Subarea is

property-owner and/or business-owner financial participation in community-planned-and-operated parking facilities, established under the aegis of the City of Folsom or its Redevelopment Agency and subject to the design review process.

Besides parking issues discussed above, this section requires financial participation of private owners in provision of City-provided parking. This applicant acknowledges his proposal's impact on the existing parking shortage but offers only temporary, stopgap measures to address it and makes no offer to participate in a permanent solution., this in spite of the considerable existing impacts of his two similar businesses.

Chapter 6. Implementation of Folsom Municipal Code 17.52 and Design and Development Guidelines

6.03. Incentive Programs, Projects and Implementation Measures

6.03.01 Programs and Projects

6.03.01(b) Infrastructure and other construction projects

6.01.01(b)(3) Parking

Provision of public parking is critical to the Sutter Street Subarea, and the City shares with affected properties and businesses the burden of providing adequate parking....

6.03.03 Implementation Measures

.... The general goals of provision of parking in the Sutter Street Subarea and enabling the long-term maintenance of potential facilities to be installed throughout Historic Folsom were identified as essential to the long-term success of the preservation of the Historic District and achievement of the goals stated herein....

These sections "put into writing" the City's assumption of responsibility for providing and maintaining adequate parking, in concert with private properties and businesses, terming parking facilities to be essential to long-term preservation of the Historic District.

Appendix D

A.1.b. New construction

To retain and enhance the attributes that make the Historic District unique while providing a basis for change....

A.1.d. Materials

To ensure that for remodeling work, materials appropriate to the building traditions of the era in which the building was built or remodeled are used.

The faux prison concept is in direct conflict with the goal of retaining and enhancing the District's already defined uniqueness. Additionally, while inauthentic materials are often appropriate, they need to accurately reproduce the appearance of the historic materials they intend to replace. For example, the Turkish limestone reproduction does not resemble the granite prison walls, particularly in its irregular pattern and lack of mortar joints.

B.2 Building Design

B.2.c. New construction design

Design context. In any new construction, the context for design evaluation will be the buildings along the same street adjacent to the property being developed or the predominant style for the Subarea.

Design principles. New construction details and materials should follow the patterns and principles of the historic architectural design.

Articulation. Windows, doors, cornices and other architectural elements shall be designed with respect to the entire facade and shall relate to the adjacent buildings. The proportions of elements shall work together to relate the facade to a human scale.

Since the proposal completely redesigns every visible feature of the existing building, it is appropriate to consider it in relation to the guidance for new construction. This proposal bears no design relation to buildings along the same street nor to the predominant style of the Subarea nor to the patterns and principles of the historic architectural design.

Attachment 2

Comments Regarding the Staff Report for Folsom Prison Brews

HPL Comments Regarding the Staff Report for Folsom Prison Brews

P. 47, paragraph 1

Staff concludes that the project "meets all applicable development standards (building height, building setbacks, etc.) established for the Sutter Street Subarea of the Historic District. The project meets the numerical standards of the Subarea but does not meet all the criteria for the Subarea. See Attachment 1.

P. 49, paragraph 1

What are the hours of operation of the proposed shuttle?

The proposed Condition 28 unfairly subjugates any future plans the Eagles Lodge may have to this location's use of their parking.

P. 49, paragraph 2

What will happen to the tiles made by Cloud's Pottery which now line the pedestrian pathway? It would be unfortunate if this project should erase all traces of a business that anchored this block of Sutter Street for decades.

P. 50, paragraph 1

This paragraph does not address the existing odor problem of the trash facilities.

P. 51-52, Table 1 and subsequent paragraphs

HPL agrees with staff that the proposed hours of operation are more indicative of a continuation of the applicant's existing adjacent businesses than of a craft beer pub. Staff's proposed hours of operation should actually be further shortened, to be more consistent with typical hours of brewpubs in the region. HPL disagrees with staff that the proposed craft beer operation fills a "unique niche." There are at least three businesses on Sutter Street that serve craft beer. HPL agrees with staff that sale of spirits will worsen noise, and other, impacts.

P. 52, third bullet point

What is the occupancy load?

P. 52, last bullet point

Given the proposed folding doors, the prohibition on outdoor entertainment will be extremely difficult to enforce. Does opening the doors constitute outdoor entertainment? The proposed folding doors should be omitted, for this reason and because folding glass doors are not consistent with historic commercial development.

p. 56, paragraph 1

The staff report quotes the intention that the Subarea is intended to become a more "complete" downtown, serving convenience shopping, service, and community needs of Folsom residents and visitors. Instead of providing a use which is missing, this proposal increases a type of use which is already well represented.

P. 57, paragraph 2 and final paragraph

There are respectful ways to portray and interpret Folsom's history, and other ways which are "modern" and "discordant". There is beauty in Folsom Prison's historic architecture, but it is "discordant" to make a party atmosphere out of it.

P. 59

In regard to the three principles to be considered in a remodeling project: First, only the owner stands to benefit from this project. There is no benefit to the community from a project that is "faux" throughout, from concept to materials. Second, neither the existing 1958 building nor the proposed remodel has architectural and historical value. Third, the Folsom History Museum is replete with resources available for historic authenticity purposes, there are many more authentic materials available than are proposed in this project, and it is hard to imagine that financing a project in Folsom is a significant barrier. To reiterate, the craft beer concept is not unique, and this proposal disrespects both the Prison and the people who work there and those who are incarcerated there.

P. 60, paragraph 1

Use of the City's Cultural Resource List to determine whether a building is historic does not take into account the fact that about 90% of the City's historic resources are not yet listed on it. The Preliminary Cultural Resource List is a much better indicator.

p. 60, paragraph 2

The proposed tower cannot be compared favorably with the tower at 302 Riley Street or with the clock tower on the parking structure or with the tower at the old fire station in the 700 block. Two are actually historic and the third is designed with attention to historic authenticity of design.

p. 60, paragraph 3

HPL agrees with staff that the entry feature is too large. The architect has indicated that the size is necessary to provide light for the building. Light can be provided by windows on the facade adjacent to the public right-of-way or by fixed, flush skylights.

P. 60, final paragraph

Staff concludes that "most" of the buildings materials are appropriate. HPL concludes that "most" are not appropriate, as previously discussed.

p. 61, paragraph 2

While the color scheme may create "visual interest", it further detracts from the proposal's authenticity. The stated model for the project, the historic part of the Prison, has a neutral color scheme, and historic corrugated roofs were likewise neutral in color.

P. 61, paragraph 3

HPL disagrees with staff's determination that the project "has successfully met the architectural and design recommendations" for remodeling.

P. 62, item 3

There are no parapet walls to conceal roof-mounted mechanical equipment. Where is the mechanical equipment located?

P. 62, final paragraph

Perhaps the architect was unaware that the building fronts on a public right-of-way. Has staff consulted with the City's building and fire inspection staff? If for some reason windows are not to be permitted, the existing door would violate the same code and should be removed instead of replaced.

Pp. 62-63

While HPL appreciates that the applicant has made changes in response to our comments, our overall objection remains: the concept and many of its materials are not historically appropriate to the Sutter Street Subarea.

Pp. 64-65

HPL recommends denial of this project. To assist the Historic District Commission we have created draft findings for denial (see Attachment 3) Of course the City Attorneys should assist with rewording as they see fit.

Attachment 3

Proposed Findings for Denial

HPL recommends denial of this project. To assist the Historic District Commission we have created draft findings for denial.

(The City Attorneys will need to assist with rewording as they see fit.)

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 NOT CONSISTENT WITH THE GENERAL PLAN AND THE CITY CODE IN THAT IT IS NOT IN KEEPING WITH THE GOAL, STATED MULTIPLE TIMES AND IN MULTIPLE PLACES, OF MAINTAINING THE HISTORIC DISTRICT AS A SMALL-TOWN OF THE ERA 1850 TO 1950, FURTHER SPECIFYING THAT THE ERA TO BE MAINTAINED FOR THE SUTTER STREET SUBAREA IS 1850 TO 1900.

CEQA FINDINGS

- C. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS SIGNIFICANT IN THIS CASE IN THAT MULTIPLE PROJECTS OF THE SAME TYPE IN THE SAME BLOCK EXIST AND HAVE ALREADY BEEN PERMITTED AND CONSTRUCTED TO THE POINT THAT THE LACK OF AVAILABLE AND EQUITABLY DISTRIBUTED PARKING, PER SECTION 4.17.02 OF THE CITY COUNCIL-ADOPTED DESIGN AND DEVELOPMENT GUIDELINES OF THE HISTORIC DISTRICT DOES NOT PERMIT APPROVAL OF ANOTHER PROJECT OF THE SAME TYPE IN THE SAME BLOCK.

- D. THE PROPOSED PROJECT WILL CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE, SPECIFICALLY THE FOLSOM HISTORIC DISTRICT, PARTICULARLY THE SUTTER STREET SUBAREA OF THE FOLSOM HISTORIC DISTRICT, IN THAT THE PROPOSED PROJECT CONCEPT IS NOT IN COMPLIANCE WITH MULTIPLE PROVISIONS OF THE FOLSOM MUNICIPAL CODE AND THE ADOPTED DESIGN AND DEVELOPMENT GUIDELINES, INCLUDING ITS APPENDICES, FOR THE FOLSOM HISTORIC DISTRICT.

CONDITIONAL USE PERMIT FINDING

E. THE ESTABLISHMENT, MAINTENANCE AND OPERATION OF THE USE APPLIED FOR WILL, 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, AND BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD AND TO THE GENERAL WELFARE OF THE CITY, SINCE THE PROPOSED USE IS NOT COMPATIBLE WITH RESIDENTIAL USES IN THE SURROUNDING NEIGHBORHOOD WITH REGARD TO REASONABLE EXPECTATIONS OF RESIDENTIAL QUALITY OF LIFE. FURTHER, THE USE IS NOT COMPATIBLE WITH COMMERCIAL USES IN THE SURROUNDING NEIGHBORHOOD IN THAT THE CONCEPT, DESIGN, AND MATERIALS UNDERMINE THE BLOCK'S HISTORIC AUTHENTICITY ON WHICH THOSE USES HAVE DEPENDED FOR THEIR SUCCESS.

DESIGN REVIEW FINDINGS

F. THE BUILDING MATERIALS, TEXTURES AND COLORS USED IN THE PROPOSED PROJECT ARE NOT COMPATIBLE WITH SURROUNDING DEVELOPMENT AND ARE NOT CONSISTENT WITH THE GENERAL DESIGN THEME OF THE NEIGHBORHOOD.

G. THE PROPOSED PROJECT IS NOT IN CONFORMANCE WITH THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES ADOPTED BY CITY COUNCIL.

Kelly Mullett

From: Kelly Mullett
Sent: Monday, August 2, 2021 11:07 AM
To: Kelly Mullett
Subject: FW: Folsom Brews Proposal - Project Number: PN 19-174 – 608 ½ Sutter Street

From: Casey Kempenaar <caseykempenaar@gmail.com>
Sent: Friday, July 30, 2021 4:01 PM
To: Steven Banks <sbanks@folsom.ca.us>
Cc: Scott Johnson <sjohnson@folsom.ca.us>; Pam Johns <pjohns@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>
Subject: Folsom Brews Proposal - Project Number: PN 19-174 – 608 ½ Sutter Street

Some people who received this message don't often get email from caseykempenaar@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.

Dear Historic District Commission:

I have reviewed the proposed Folsom Brews project at the former Clouds Pottery Building. The proposal includes a façade modification as well as establishment of a Tap House, which will require review and approval from this HDC.

I believe the proposed use of a tap house would be a great addition to the Historic District. While I believe the use is appropriate, I am concerned with the proposed architecture and overall appearance of the building. The current proposal mimics architecture from Folsom Prison, including stone veneer and granite accents. Further, a large fiberglass turret is proposed to mimic the features of the prison (and the more recent construction of the Johnny Cash Trail Bridge).

I encourage you to reject the proposed design and direct the applicant to come back with something more suitable to the historic district. I urge this for two distinct reasons:

1. The proposal is inconsistent with the design intent and vision of the Historic District.
2. The connection to Folsom Prison has been overplayed over recent years and not directly connected to the historic district

Inconsistent with Historic District Vision and Design Guidelines

While the existing building does not appear to be historic, it is surrounded by historic buildings and very visible to visitors coming into the Historic District. While Folsom Prison is a historic feature of our broader Folsom community, the connection to the historic district is less distinct.

The proposed tower element appears tacked on and is proposed to be constructed of fiberglass. This is inconsistent with the Design Guidelines of the Historic District:

To recognize that traditional high quality commercial grade materials (such as brick and ceramic tile) are appropriate to the historic context. These materials age gracefully, are durable and lend a sense of permanence to the building.

New construction must be compatible with the existing Subarea and responsive to the period and predominant building styles.

Avoid contemporary materials not appropriate in restoration. Use of materials not in existence when a storefront was built is discouraged in its "restoration."

Fiberglass does not achieve these values required by the Guidelines or more recent construction in the District (such as Scotts and Sutter Street Steakhouse Building). Further, the design is not responsive to the predominant building styles of the district (the prison is about one mile away from the historic district the way the crow flies).

Design principles. New construction details and materials should follow the patterns and principles of the historic architectural design.

While the design is technically following details of a historic structure of Folsom Prison, that historic structure is not generally visible to the public nor is it a part of the historic district.

Connection to Folsom Prison has been Overplayed

Clearly Folsom Prison has its place in Folsom History; however, Folsom has so much more to offer. Huge marketing efforts and recent projects continue to overplay the importance of the Prison in the community. We have the Johnny Cash Trail (for his connection to the Prison), we have the Johnny Cash Bridge (made to look like the Prison Architecture), the Prison Museum we have the Johnny Cash Art Trail, to name a few.

While these are all great amenities and valuable efforts, shouldn't we focus more on what else is important to our community? The Historic District, Schools, and Open Spaces are the top reasons folks move to Folsom – Not the Prison.

This location is very visible as you come into the district- Is the prison really the tone we want to set for visitors coming to shop and dine?

Conclusion

This location has such great potential to be an amenity for the community. . The applicant should go back to the drawing board and come up with a design more suited to the historic district. Follow the district guidelines, incorporate design features integral to the architecture, incorporate some outdoor seating and make this a building representative of the Historic District- not the Prison.

Thank you for your consideration.

Sincerely,

Casey Kempenaar

Kelly Mullett

From: folsomcandy@sbcglobal.net
Sent: Friday, July 30, 2021 12:44 PM
To: Kelly Mullett
Subject: HDC Meeting agenda item 2 PN 19-174

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Kelly, Below are my written comments on the above item.

Others will be pointing out the many ways this project does not comply with Sect. 17.52 and the DDG's for the Historic District. In my opinion this is a structure that would not have been built in the Sutter Street area pre-1900 as the code requires. I feel the decision boils down to if you want to preserve and enhance an authentic Historic District or if you want to build a Disneyland Frontierland in Folsom.
Candy Miller

Kelly Mullett

From: Kelly Mullett
Sent: Wednesday, August 4, 2021 4:44 PM
To: Kelly Mullett
Subject: FW: FW: HDC Letter

From: Rich <rich@sutterstreetsteakhouse.com>
Sent: Wednesday, August 4, 2021 3:33 PM
To: Judy Collinsworth <judy@historicfolsom.org>
Subject: HDC Letter

½

To Whom it may concern;

½

After a detailed review of the proposed project at 608 ½ Sutter Street, I am writing this letter in opposition of said project as it currently stands.

Let me first state that I am a staunch supporter of locally owned small business and free enterprise.½

However, in no way do I see the current proposal being synergistic, or mutually beneficial to the Historic District as a whole, and for those fortunate to still be on the 600 block, it will be a scourge to their operations in an already difficult climate.

½

I fully endorse the DETAILED comments submitted from the HPL and FHDA, in regards but not limited to; concept, architecture, signage, site design, & conditional use, the area's most concerning to me are;

½

Parking: or lack thereof, 13 spaces allocated/zoned for a project of this size is far from adequate, I know because I live it and hear it everyday from our customers. As well as the ones who choose not to be our customers because they couldn't find parking. The idea of using an offsite location is the pure definition of a stopgap measure, ensuring those now displaced vehicles move into other unwelcome areas of the HD.

Safety: Adding a business concept with a primary alcohol component injects the likelihood for continued issues with vandalism, public intoxication, fighting, noise and general nuisance to both private property owners, and businesses alike. In a block already wrought with said issues again, I can speak from firsthand knowledge. The open-outdoor nature of the proposal only encourages more of these issues with less oversight. No matter how many more company policies I implement in my business to keep my employees and customers safe, that burden should not be passed downstream.

½

Food Truck: Having a food truck taking away valuable parking real estate, while simultaneously positioning possibly inebriated customers in the direct vicinity of moving vehicles, sounds like liability. Compounded by the likely influx of more litter, trash and mess left behind.½

As business we already must deal with the general public utilizing the parking garages, spaces, and dumpster areas as their personal trash can and bathroom facilities.½ On a separate but similar vein, the prospect of having an outside (non HD) food vendor seems to be a direct conflict of interest to those already with food operations on the block/street.½ As well as not being in tune with the overall spirit, vibrancy and pride that all of us have grown to nurture in the Historic District ½

½

I would like to personally encourage, and warmly welcome anyone interested, to come for a site visit with me during the proposed hours of operations. To witness, in real time and have a discussion regarding the concerns all of us have on the 600 block.

Thank you for your time and consideration.

½

Rich Veale

Executive Chef / Owner

Sutter Street Steakhouse

604 Sutter St. Suite 150 | Folsom, Ca | 95630

Ph 916.351.9100| Fax 916.351.9300

rich@sutterstreetsteakhouse.com

½

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 17

Public Comments Received Regarding Barley Barn Tap House Project



WEST OF CHICAGO RESTAURANTS, INC.

604 Sutter Street, Suite 200 • Folsom, CA 95630 • Office 916 294-7496 • Fax 916 358-9492

August 2, 2021

Historic District Commission,

My name is Eric Schnetz, I am founder and CEO of Chicago Fire (four area locations) and J wild's Livery and Feed. I have operated Chicago Fire and now J Wild's at the site, 614 Sutter Street since 2003.

Please accept this letter as evidence of my enthusiastic support of the proposed Folsom Prison Brews business concept. I believe I am in a unique position to comment on this proposal as it is in very close proximity to my existing restaurant and because I am a long-term tenant of the project's owner, Murray Weaver.

I think the historic theme of the tap house will be a great addition to the Historic District just as J Wild's has been. The more businesses that embrace and promote Folsom's history the more successful the street will be a whole. Given the number of new restaurants that have opened in the district it makes sense to add a casual drinking and entertainment space versus yet another restaurant. This will help support food sales in the restaurants within the near vicinity of Folsom Prison Brews. From my perspective as a tenant of Mr. Weaver's for over 18 years, I have the utmost confidence in his experience and ability to run a successful and professional operation.

This is a very exciting opportunity to turn a tired retail space into a strong local draw for the Folsom Historic District. With all the new construction on the West end of Sutter Street, it would be a nice balance to see some new high-quality improvements to the 600 Block.

Please do not hesitate to contact me for any further feedback or information.

Regards,

Eric Schnetz

C.E.O. West of Chicago Restaurants Inc.

Steven Banks

From: powerhousepub@aol.com
Sent: Friday, November 5, 2021 10:30 AM
To: rholderness@holdernesslaw.com; holdernesslaw@gmail.com; Steven Banks
Subject: Fwd: BARLEY BARN TAP HOUSE SUMMARY

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SUPPORT LETTER BARLEY BARN TAP HOUSE

-----Original Message-----

From: Amber Felts <amber@shoopsphotography.com>
To: powerhousepub@aol.com <powerhousepub@aol.com>
Sent: Fri, Nov 5, 2021 9:01 am
Subject: Re: BARLEY BARN TAP HOUSE SUMMARY

Murray,

This looks great! It seems like you are working very hard at taking feedback and adjusting to public concerns. I love the changes you have made and I look forward to seeing this project come to life!

Amber Shoop Felts

Shoop's Photography/The Studios on Sutter

w: <http://shoopsphotography.com>

m: 916.804.8578 (text ok)

a: 805 Sutter Street, STE 220 & 240, Folsom, CA 95630

On Oct 28, 2021, at 11:24 AM, "powerhousepub@aol.com" <powerhousepub@aol.com> wrote:

Amber, So this is the new version of the Tap House we are working on at 608 1/2 Sutter St. Im reahing out to various folks to get their input and hopefully support.

I'll be getting a package to FHDA but wanted to get your input individully as well.

Renderings in separate email.

Thanks Murray

BARLEY BARN TAP HOUSE – OWNER’S NARRATIVE INTRODUCTION

This project was recommended for approval by City staff with conditions and presented at the August HDC before being continued prior to a vote. Since that time applicant has revised the project with the following changes.

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, November 1, 2021 10:55 AM
To: holdernesslaw@gmail.com; Steven Banks
Subject: Fwd: Barley Barn Tap House, Rendering One, Final Exports

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-----Original Message-----

From: moe hirani <moehirani@hotmail.com>
To: powerhousepub@aol.com <powerhousepub@aol.com>
Sent: Sat, Oct 23, 2021 10:29 am
Subject: RE: Barley Barn Tap House, Rendering One, Final Exports

Hello Murray,

Thanks for sharing the revised rendering of the Folsom Taproom. I have to say this was more along the line of what I had in mind when we first discussed a design that would maintain the existing footprint and keeping the " Barn" look with all the building lines minimally altered.

I will certainly be open to more discussions to the taproom concept that you have proposed, which I believe will succeed and compliment other businesses' in the Historic District.

Regards,

Moe.

Sent from [Mail](#) for Windows

From: powerhousepub@aol.com
Sent: Tuesday, October 19, 2021 9:56 AM
To: moehirani@hotmail.com
Subject: Fwd: Barley Barn Tap House, Rendering One, Final Exports

Mo, pls have a look at the revised vintage barn theme for the "beer only" Tap House. Would appreciate your thoughts and support.

Thanks, Murray

**HERITAGE PRESERVATION LEAGUE OF FOLSOM
PROJECT APPLICATION REVIEW
THE BARLEY BARN TAP HOUSE**

October 14, 2021 (Project Review - Plans issued 09.15.21)

PROJECT: The conversion of 4,377 square-foot two-story barn-like building to a 'beer house', the installation of an outdoor patio and serving area and provision for food delivery at 608 ½ Sutter Street in the Sutter Street Commercial Subarea (PN18-174).

REQUEST: Design Review, Parking Review and Conditional Use Permit

**PROJECT
HISTORY:**

The brew pub was originally named Folsom Prison Brews. HPL provided comments regarding this application on May 30, 2019 and on August 1, 2021.

After the applicant changed the theme of the brew pub, new plans were submitted to the City on September 15, 2021. This review is based on the revised design.

BACKGROUND

The earlier proposed building design resembled a downsized replica of the perimeter wall, gateway and guard tower at Folsom State Prison. This concept is not connected to the project site and as a result, it was not well received by the community. As an alternative, the applicant is now proposing to maintain the barn theme of the existing building.

GENERAL COMMENTS

The recently prepared set of plans is not complete, and the applicant has not yet submitted a Materials and Color Board. HPL recommends that actual samples of the proposed roof and wall materials should be provided to the Historic District Commission for review at the time of the project hearing.

DESIGN CONCEPT

The proposed barn style is not typical for the early barns that were constructed in the Gold Country or in the Greater Sacramento Area. However, similar designs were used in the United States, during the 1850-1900 time-frame. HPL therefore considers the design theme appropriate for the Sutter Street Subarea.

ENVIRONMENTAL REVIEW

During the previous entitlement process, issues have been raised regarding the projects need for environmental review. It has been the consensus that based on the size of the building, the change of land use and the cumulative impacts on the surrounding neighborhood, the project would not qualify for a categorical exemption. The City's Attorney's Office has therefore committed to subject the application to further CEQA analysis in order to determine if an Initial Study will be required.

Recommendation

- Before the project is presented to the Historic District Commission, the City should complete any environmental review that may be required under State Law.

SITE PLAN

Outside the west building façade is a 480 square foot patio area designated for outdoor seating. This area is in close proximity to a larger patio with outdoor seating on the Powerhouse Pub property. Large concrete surfaces can detract from the overall impression of historic development. Many historic districts therefore use natural stones or decomposed granite to provide a level surface.

As an alternative, HPL recommends that concrete used for the patio outside the brew pub could be tinted gray (similar to the concrete used for other infill projects along Sutter Street). In addition, HPL recommends that the iron fencing around the outdoor seating area could be installed between wood posts in order to be more compatible with the barn theme.

Because 'Cloud's Pottery Barn' is a part of the more recent history of the 600-block, HPL recommends that as much as possible of the decorative tiles (manufactured at Cloud's) along the private walkway between Sutter Street and the Scott Street parking lot should be preserved.

Site Plan Recommendations

- Create an 'aged' look by adding a gray tint to the concrete used for patio areas around the barn building.
- Coordinate the wrought iron fencing around the outdoor patio area with the barn building by installing the fence panels between wood posts.
- Preserve as much as possible of the decorative tiles that cover the retaining wall next to the private walkway from Sutter Street to the public parking area by Scott Street.

ARCHITECTURE

The proposed aged wood siding and metal roof should make the building resemble a barn, but material samples will be required before the Historic District Commission can make a final determination. In order to stay consistent with the barn theme, HPL also recommends that the folding glass door along the west façade should be replaced by a sliding barn door. The main door along the same façade should also not be dominated by glass. If more daylight is required inside the west end of the beer pub, windows can be added.

Historic barn buildings typically have open rafters. The proposed wide fascia boards therefore are in conflict with the barn theme.

Architectural Recommendations

- Replace the large folding glass door along the west elevation with a wide barn door that is hanging from an overhead rail.
- Select a more historic entrance door for the west façade, with glass limited to the upper half of the door.
- Expose the roof rafters by eliminating the fascia boards.

SIGNS AND OUTDOOR LIGHTING

As specified in Chapter 5 of the Design and Development Guidelines (DDG's), the main frontage of a building is the side that is facing a public right-of-way. The north side of the Barley Barn is facing both the alley right-of-way and a public parking lot. Based on the length of the building, this façade could have a sign area of 50 square-feet.

The west side of the proposed barn building can be considered the secondary building frontage (facing a

public area). Per the DDG's, the sign allowance for a secondary frontage is half the area of the main frontage. The brew pub could therefore install a 25 square-foot sign along the west building façade.

A single sign with an area of 33 square-feet has been proposed above the west entrance doors. This sign exceeds the sign allowance by 8 square feet. However, the proposed type of sign (block letters painted on wood) is appropriate for the barn building and the Sutter Street Subarea.

The proposed outdoor light fixtures are also consistent with the 1850-1900 time frame. However, one important aspect is the intensity of the light. Gas lights and early light fixtures had low intensity and a warm tone. As typical for commercial projects the applicant should provide a photometric study that specifies the level of light at the proposed project site after all building and site lights have been installed.

Sign and Lighting Recommendations

- For better consistency with existing codes and guidelines for signage, consider installing a building sign along the north façade (the main frontage) and a blade sign at the main entrance along the west façade (the secondary frontage).
- If a sign is installed along the west façade, the sign area should not exceed 25 square feet and the length of the sign should not exceed 22.5 feet.
(The Design Guidelines does not allow for excluding the background area of the sign letters from the estimated sign area.)
- The applicant shall submit a photometric study to demonstrate that the lamps used for site lighting and the outdoor building lights have a low intensity and a warm color range.

PARKING

The lack of public parking spaces in addition to the low parking requirements for the Sutter Street Subarea has negatively impacted the surrounding residential areas and businesses. In 2019, the City established the Historic District Parking Solutions Ad Hoc Committee to identify potential solutions. On June 23, 2020 the Committee published its findings. More than a year later, there has been limited progress towards implementing the identified short- or long-term priorities that could ease the existing parking problem. Even if the Zoning Code does not require that new parking spaces are provided when existing structures are modified, the proposed brew pub will intensify the previously approved building use. The staff report should analyze how the project will impact the conclusions of previous parking studies (see Section 4.17.02 of the Design and Development Guidelines in Attachment 1).

Per the Zoning Code, a newly constructed 3,799 square-foot building would be required to provide 11 parking spaces for the indoor space (1 space per 350 square-feet) and no parking spaces for outdoor seating. The applicant has suggested that these parking spaces will be available off-site, in public and private parking lots and at the Eagles Lodge on the east side of Scott Street. Regarding the private parking lots, all existing spaces have already been dedicated to the on-site businesses. The Eagles Lodge has reduced activities, but meetings are still scheduled for members and the public at the Scott Street facility. The public parking area next to Scott Street has not been able to alleviate the need for parking in the east end of the Sutter Street Subarea.

The applicant has provided a lease agreement for the shared use of 15 parking spaces at the Eagles Lodge. However, the agreement does not specify how the parking spaces will be divided and what time of the day the parking area at Eagles Lodge will be available. It is also not clear how the patrons of the brew pub will be directed to the off-site parking lot. Reliance on such an agreement can therefore only

be considered a temporary, stopgap measure until the City honors its commitment to address the parking issues. HPL has concluded that the intensified use of the former 'Pottery Barn' will increase the already existing parking problems in the vicinity of the project site.

The applicant does not intend to install a kitchen in the Barley Barn. Instead, take-out meals will be delivered to the pub. To accommodate this solution the applicant has proposed to convert two standard parking spaces in the public parking lot outside the brew pub, into one accessible van parking space. This space would be reserved for the Barley Barn, resulting in an actual loss of public parking spaces. The recently approved large patio area at the Powerhouse Pub property (including the access path between the two properties) will also eliminate existing parking spaces while at the same time increase the demand for parking. Information about all anticipated impacts to public/private parking areas, including new directional signage, should be added to the application package or analyzed in the staff report..

Recommendations

- Before any intensified use can be approved for the property at 608 1/2 Sutter Street, the applicant should commit to participate financially in any City provision of an additional public parking facility at the east end of the Sutter Street Subarea.
- As a part of the Zoning Code Update, the City needs to consider if the current parking requirements for the Sutter Street Subarea should be increased and if the change to a more intense use in the Sutter Street Subarea should require a parking variance.
- The applicant should provide a business plan that describes all potential impacts on parking *(Including information about where delivery trucks, and occasional live performers can park,)*

CONDITIONAL USE PERMIT

The applicant is proposing to provide limited live entertainment with solo performers or small music groups. An Entertainment Permit will be required before this part of the business model is implemented. Four nights a week the pub is proposing to stay open until 10:00 p.m and three nights a week the pub would close at 12:30 a.m. The oversized door along the west elevation, in addition to the outdoor seating area mean that noise from the brew pub could become an issue for the residential neighborhoods south of the project site.

Noise from the Powerhouse is already a problem for the residential neighborhood in the project vicinity. Based on the location and requested use of the project site, you could describe the brew pub as an annex to the Powerhouse. Besides noise, light and glare from the outdoor seating area could also impact the existing neighboring development. A noise study and a photometric study could provide useful information.

While not strictly a part of this application, HPL is aware of ongoing concerns among residents and business owners about increasing the concentration of alcoholic beverage licenses. In licensing businesses to serve alcohol, the state does not consider whether the concentration is too great. Instead this decision is deferred to each local jurisdiction. The Historic District Commission may wish to recommend that the City Council should take up this issue.

Recommendations

- To help the City and the Historic District Commission determine if the existing use of Sutter Street's 600-block should be intensified in the proposed manner, the project should be required to prepare a noise study.

(The study should anticipate the potential noise levels when live performances are held simultaneously at both the Powerhouse and at the Barley Barn Tap House. If the noise study demonstrates that mitigation is required, it will be the applicant's responsibility to follow all recommendations to limit future noise levels.)

- A neighborhood meeting to discuss the impact of the project on the residential neighborhoods should be organized prior to a hearing before the Historic District Commission. Feedback from this meeting should be incorporated with the future staff report.
- In view of resident and business concerns, HPL recommends that the Historic District Commission request the preparation of an ordinance to address the desirable concentration of alcoholic beverage licenses.

Steven Banks

From: Michael Reynolds <mjrhfra@gmail.com>
Sent: Friday, October 15, 2021 4:07 PM
To: Steven Banks
Subject: Fwd: Fw: Fwd: Request for Comments for ^_Barley^_ ^_Barn^_ Tap House (PN 19-174)
Attachments: Request for Comments Barley Barn Tap House (PN 19-174) 9-29-21 with Attachments.pdf

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.

RE: HFRA Board Comments for Barley Barn Tap House (PN 19-174)

Steve, below are HFRA comments for Barley Barn Tap House. In summary, HFRA is against granting the new use for the following reasons:

- **Parking Variance** - The project requires a parking variance which is unacceptable to the residents. Until a permanent resident parking solution is in place, the addition of new entertainment options in the 600 block will continue to drive more visitor parking into the residential areas.
- **Parking lease with Eagles** - the terms of the lease with the Eagles lodge are too open to be considered as part of a permanent solution. The Eagles have first come first serve priority for any event they hold and so the actual amount of parking available could fluctuate between 0-15 spaces. Most Eagles events occur at night time on the weekends which is the very peak period the proposed establishment will require those parking spaces.
- **Change in Parking Density** - for >20yrs, the barn building has been a retail business with 10-6pm working hours so does not conflict with any of the neighboring 600blk establishments. The shift to an entertainment venue serving alcohol will shift the primary usage to the 5-12am time window which will now overlap with the majority of adjacent businesses in the 600blk. In addition, the capacity of the Brewery will shift the density from light retail to heaving entertainment with a proposed operating capacity of 166 patrons not including the proposed outdoor seating. Assuming an avg visitor arrives 3/vehicle, that is ~50cars on at peak period. This creates significant overflow in the public parking behind the 600 blk and cannibalizes spaces for establishments like the Steakhouse that are reservation based. An rough estimate of the 600blk parking density based on establishment capacity numbers is roughly the following when outdoor seating is included. As you can see from the rough math, the 600 block is ill-equipped to support such an entertainment/alcohol based footprint so the addition of 1 more establishment only furthers an already bad situation with impact to already established business.
 - Steakhouse - 150-200 patrons = 50-75 cars at full capacity
 - Planks - 75-100 patrons = 30-50 cars at full capacity
 - Citizen Vine - 45-60 patrons = 15-20 cars at full capacity
 - JWilds - 136 patrons = 50-75 cars at full capacity
 - Scarletts - 30-65 patrons = 10 - 30 cars at full capacity
 - Powerhouse - 150-200 patrons = 50 - 75 cars at full capacity
- **Hours of operation:** All other beer based establishments in the HD stated closures is 12am. 12:30am is unacceptable. The application should conform to the HD norms.
- **Subjectively:** The Historic District buildout is at a state where the balance of the entire district needs to be considered when granting changes in use conditions. The addition of another alcohol establishment in the 600blk that does not even serve food creates imbalance and adds no additional value to the overall HD tenant mix.

Mike Reynolds

Historic Folsom Residents Association President

----- Forwarded message -----

From: lkatfisher@aim.com <lkatfisher@aim.com>
Date: Thu, Oct 14, 2021 at 6:09 PM
Subject: Fw: Fwd: Request for Comments for ^_Barley^_ ^_Barn^_ Tap House (PN 19-174)
To: Mike Reynolds <mjrhfra@gmail.com>

Below it says to send comments to Steve Banks and gives his email.

Please respond by October 15, 2021, to our Principal Planner, Steve Banks, at 916-461-6207 or his email at sbanks@folsom.ca.us

---- Forwarded Message ----

From: "The HFRA" <thehfra@gmail.com>
To: "Carrie Lane" <C_prue@hotmail.com>, "Jennifer Lane" <lane.jenslucy@yahoo.com>, "Laura Fisher" <lkatfisher@aim.com>, "Mike Reynolds" <mjrhfra@gmail.com>
Sent: Wed, Sep 29, 2021 at 3:00 PM
Subject: Fwd: Request for Comments for ^_Barley^_ ^_Barn^_ Tap House (PN 19-174)
FYI

----- Forwarded message -----

From: Karen Sanabria <ksanabria@folsom.ca.us>
Date: Wed, Sep 29, 2021 at 2:45 PM
Subject: Request for Comments for Barley Barn Tap House (PN 19-174)
To:

Hello,

Please see attached Request for Comments for Barley Barn Tap House.

Please respond by October 15, 2021, to our Principal Planner, Steve Banks, at 916-461-6207 or his email at sbanks@folsom.ca.us.

Thank you,

Karen Sanabria

Sr. Office Assistant

Community Development Department

50 Natoma Street, Folsom, CA 95630

O: 916.461.6203

Steven Banks

From: LJ Laurent <ljl Laurent@att.net>
Sent: Thursday, November 4, 2021 10:48 AM
To: Pam Johns; Steve Krahn
Cc: daoffice@sacda.org; Scott Zangrando; Lydia Konopka; Rick Hillman; Ken Cusano; Lauren Ono; Supervisor Sue Frost; Pete Piccardo; Osfm Fire Marshal Ca; The HFRA; John Shaw; Cindy Pharis; Barbara Leary; kevin@duewellaw.com; Dale Kasler; Ben Van Der Meer; sactonewstips@newsreview.com; Steven Banks
Subject: Objections: PN19 174 608.5 Sutter St. Cond. Use permit

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.

To: Folsom Plan Dir., Comm. Dev. Dept.
 To: City Engineer S. Krahn
 To: Asst City Clerk for DISTRIBUTION to HD members and Folsom City Council
 Scott Zagrando Building Dept Eng.
 Pete Piccardo Code Enforcement
 JJohnsohn Code Enf.
 cc: Sac DA Office; FPD, FFD, FFD Fire Marshal; State Fire Marshall; Sac County Supervisor

Re: "special meeting" PN 19 174 608 1/2 Sutter APN 070 0061 011

As of November 4, 2021, Folsom is again quietly rushing to APPROVE ENTITLEMENTS and LAND USES which are NOT CONSISTENT with Folsom Municipal Code, Street Standards, Infrastructure Dedication Standards, and OFF STREET Parking Requirements.

The Eagles Lodge did NOT provide a Legal/Binding Contract to Provide Parking. If they did so, THEIR OWN parking would be Legally NON-Conforming because they are also holders of ABC Alcohol License. They too are located on 19th Century tiny lanes which ADD RESPONSE TIME and ACCESS for First Responders.

Discriminating against First Responders is just about as OFFENSIVE as any city employee or Elected person can be.
 California FIRE CODE is adopted in Totality and this mis-use of a bunch of novice "DESIGN REVIEW ONLY" group -- to GRANT any Land Use Exception is very wrong. It is Black letter law on all counts. This is wrong.

This special meeting DOCUMENT Packet has NEVER had the City Engineer Signature and Seal on it, which compounds the State Law violations. It certainly gives the appearance our Folsom City Engineer is in direct Violation of State Codes, previously enumerated at length. It is HIS DUTY/Obligation to Ensure Laws of ALL levels of Govt. are Obeyed and Enforced. If he refuses to do His Job, we need an Investigation to Prove WHY Folsom City Engineer considers himself and His License Above the Laws.

Consequences of violating state, federal, county, local laws for this one single additional usage and an "exception" granted by an ADVISORY ONLY design group are --- at the least --- LIABILITY for all consequences resulting.

This should include Liability/responsibility for Reducing First Responder Access and adding to Response TIME on 19th century streets; Accidents; damages due to this city "design advice" group assuming a Power of Law-making. They have personal Responsibility for any such Exception-Granting, and this City staff and city Council NEEDS TO INFORM these Novices IN WRITING of their Exposures. They need to know Truth Prior to this "special meeting" one-item agenda.

They need to know how they would be complicit in wrong-doing. They need to know city has NOT assumed responsibility for all the Laws they expect this group to Violate, and the harm which would be done.

I know for fact, that Appointed persons DO NOT HAVE a city-link email address. There is NO way for them to get this information so they can CONSULT THEIR OWN COUNSEL. This is so Folsom!

This truly requires a Full Investigation from the backed-up raw sewage SSS Conveyance Pipes/illegal temporary storage vaults in Sutter St. all the way down to the city employees having the Support and Endorsement of elected officials to continue pursuing Wrongful Operations.

NO ONE can legally offer an "exception" of any kind to a STANDARD. Standards in this case are those of city, County, State, Fire Marshal, and state/US Constitutions.

Ignore vital laws, then expect the Consequences. That is why CA Licensed Civil Engineers are Sworn & Licensed Law Enforcers.

Why is oldest, worst-served part of city suddenly being pressed for increased NON-Standard land uses & occupancies which violate legal Standards? Why is NO PERSON with a LICENSE ever asked to Sign/Seal/Approve any of this acts -- and using "special meetings" to expedite a quiet result.

Below is Partial History of emails, but NOT of formal Complaints about Folsom "methods of Operation."

Sue,

Today another Folsom inappropriate Land Use Exception application came in newspaper, Sac Bee Legal Notice, imaged below.

Simply put, it led me to discover Folsom has a pattern of Failure to make Accurate/complete Legal reports to Sacramento County Records and RE Tax Assessor. These false and omitted reports have led to a pattern of cheating city residents, county residents, and everyone whose Land Parcels and Land Usages are

impacted, regulated, and TAXES ARE ASSESSED based upon faulty information. This pattern has been observed since past mayor fired final independent City Engineer, and erased vital portions of Folsom Muni Code which was moved ONLINE ONLY.

Below is the tortured route I traveled in finding hard Proof this city is still changing FMC constantly. Everyday I find something new, of private-gain value, and harmful to EVERYONE.

This is so egregious and obvious, that I am not going to share this all with Principal Planner Steve Banks in Comm. Development Dept. He sounded very, very discouraged today, and being involved in this must be painful to him.

After an attack Sept 5 2020 which left me with a damaging traumatic brain injury, it seemed I'd never recover sufficiently to speak with old friends, or indeed, anyone. I lost speech, Glasgow Coma rating of functionally mute. While speech & memory are not the same, I am able to speak well enough to speak with people like Steve Banks, again. Guess it's a good day for those with TBI, and serious cardiac issues.

Sacramento Bee is correct: this city is far beyond the pale.
This city is a threat. I can only thank Bee for proper, accurate, essential reporting.

Laurie

----- Forwarded Message -----

From: LJ Laurent <ljl Laurent@att.net>

To: net

Cc: LJ Laurent <ljl Laurent@att.net>

Sent: Friday, July 23, 2021, 01:11:42 PM PDT

Subject: PN19 174 Prison Theme on 608 Sutter St. Cond. Use permit

To:

From: Laurie

July 23, 2021

Re: PN 19 -174 APN 070 0061 013 608 Sutter St.,

First CONTEXT, but the final contexts are frightening.:

PN19-174; conversation with Steve Banks this date.

Steve will receive most of these legal/Engineering COMMENTS, but it is known he will NOT be able to impact what "city leaders" and "Comm. Dev. employees do."

Steve has promised to respond to my email with 2019 Applicant's documents, sent via email to me.

If he fails to notify Folsom Licensed Engineers, lawyers, and city council elected officials, of all this information, it is up to old area RESIDENTS to ensure city council is made aware of federal, state, county, CA Fire Marshal laws/regs. Again, this researcher has never yet had a critic discover even 1 single error in Research Reports. Good Luck.

PN 19-174 Cond. Use Permit for 4377 Sq Ft building "CRAFT BEER" usage indoors, outside, with modification of Front Structure appearance to "prison theme."

Note spoke with Steve Banks this a.m. about this old application, and expressed to Steve there are residents concerned about any claim the HDC can make a FINAL Cond. Permit decision. Reminded Steve: FMC city law chapter 17.52 HD is legally an OVERLAY ZONE and NOT a ZONE DISTRICT. That means, the "architectural review" laymen are not the panel to review Structure Changes, Inadequate PARKING, Failure to Prove ADA Compliance [see federal law link below].

From Public Notice, This is Meeting of HD group to consider exterior appearance, and "conditional Use Permit" which is NOT legally within the Jurisdiction of HDC Architectural Review laymen. Includes interior demolition for brewery as well as converting front facade to "prison" theme. Parking is extremely limited for 4,377 Sq Ft. Commercial Zone Usage.

Please NOTE Public Notice WORDS:

"Please refer to the PLAN COMMISSION AGENDA for ways to participate remotely." **USE PERMITS are PC Duty, by Law, to hold public hearings, accept information, answer questions and FINALLY, make only a Recommendation to City Council.** This is how this state runs Oversight on cities, lesser jurisdictions. If you require State Law Citations, just ask.

Issue

"Parking 21 spaces on site for USE of POWERHOUSE PUB, which is not listed
Petitioner.

"Parking" 21 spaces on site, and **private parking lot" Eagle Lodge.**

<http://www.findglocal.com/US/Folsom/1870969316526147/Folsom-Fraternal-Order-of-Eagles-%23929>

[Folsom Fraternal Order of Eagles Officers | Folsom Fraternal Order of Eagles](#)

Note: CROSSING Scott St. to use a 'Private Parking' Lot of a charitable group "not for profit" with special TAX Exemptions, may be of concern.

The Fraternal Order of Eagles is an international non-profit organization uniting fraternally in the spirit of liberty, truth, justice, and equality, to make human life more desirable by lessening its ills and promoting peace, prosperity, gladness and hope. The F.O.E. donates more than \$10 million a year to local communities, fundraisers, charities and more. As part of its philosophy, the F.O.E

Please Note Public Notice FAILS TO MENTION ON-SITE Americans with Disabilities

Law: **This is why a CITY ENGINEER MUST** be involved to Seal & Sign Formal Plans for Proposal and an elected COUNCIL MUST MAKE such Critical Decisions about Federal Law Compliance. ADA:

https://www.ada.gov/restriping_parking/restriping2015.html

CONTEXT: there are many, many Plaintiffs willing to sue owner & city for dis-obeying ADA laws/rules.



**NOTICE OF PUBLIC HEARING
CITY OF FOLSOM HISTORIC DISTRICT**

DATE OF HEARING: August 4, 2021

TIME OF HEARING: 5:00 PM.

PLACE OF HEARING: City Council Chambers,
Folsom, CA 95630

NOTICE IS HEREBY GIVEN THAT: A public hearing will be held on the proposed project in the City of Folsom Historic District Commission of the City of Folsom following:

PROJECT NAME: Folsom Prison Brews Tap House
Property Owner/Applicant: Mr. Murray Weaver
Project Location/APN: 608 Sutter Street/APN 608-001-001-001
Planning No.: PN-19-174
Staff Contact: Steve Banks, Principal Planner
sbanks@folsom.ca.us

- Entitlements: a. Conditional Use Permit
- b. Design Review

Project Description: The proposed project includes a Conditional Use Permit and Design Review for a draft beer establishment within an existing 4,377 square foot building at 608 Sutter Street. The proposed project involves the demolition of the existing 4,377-square-foot building to create space for the building. Demolition and interior tenant removal will transform the interior building area into a space for a craft beer establishment. The proposed project also includes use of an outdoor patio area enclosed by decorative tubular steel fencing. In terms of parking, the project intends to utilize existing public parking facilities, (Powerhouse Pub) adjacent to the project site, and (Eagles Lodge).

Environmental Review: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA). **Please refer to the Historic District Commission meeting agenda to participate in this meeting remotely.**

All persons interested in these matters are invited to attend the public hearings orally or in writing during the public hearings. Comments and requests for information are available for review at, and further information is available from the Community Development Department, 50 N. ...

CITY ENGINEER must rule & opine on Health & Safety laws, Fire/Emergency Access -- using his Seal/Signature to ensure an EXPERT OPINION -- that is **WHAT WE PAY HIM/THEM to DO.**

(10 unread) x | Sacrament. x | Sacrament x | Folsom Fra x | Assessor P. x | 608 Sutter

google.com/maps/place/608+Sutter+St,+Folsom,+CA+95630/@38.6783806,-121.17568

Settings | https://www.youtub... | Imported From Fire... | Imported From IE | GOLD DOG \$280 T... | 4,0

608 Sutter St

Map data ©2021 Google United States T



Responsibilities for a Voice of Residents:

suggested ACTIONS to locals to take immediately:

Make a formal Public Record Act Request for Context issue:

"How many Calif ABC Alcohol Sales Licenses are currently IN USE on Sutter St., or other "historic area" location as of this date?"

Ask City Engineer to REVIEW formally the fire, explosion, Riot, shooting access for Exiting 18 foot wide Sutter in a catastrophe situation requiring IMMEDIATE access by First Responders,
Immediate ESCAPE by crowds, all Persons impacted/endangered.

Ask Folsom Fire Chief, and Folsom Fire Marshal Lauren Ono for a written Report on ACCESSIBILITY.

Ask city lawyer for PROVE of ADA Compliance in all respects -- including Emergency ACCESS/accessibility.

Ask city council to PROVIDE PROOF OF NEED for this "conditional use" for yet another location serving ALCOHOL.

Ask Police Chief & his staff for a Report and Comments on all of above. They bear Responsibility for EVERYONE's SAFETY.
Let's respect them and HONOR them.

Closing: you have phone #, so ASK if you do not follow Engineering language, or details of very abstruse, messed up & complicated Laws.

MONEY: and proper REPORTING TO RE TAX MAN:

SACRAMENTO COUNTY

Assessor Parcel Viewer

Q

Parcel Details
Layers
Measure
Search Results
Select Parcels
Recent Sales
Legend

Net Assessed Value \$900,666

Property tax bill information [Link to ePropTax](#)

Additional information regarding Assessor's roll values can be obtained by contacting the Assessor's Office at 916-875-0700 or assessor@saccounty.net.

LAND INFORMATION

Thomas Brothers 251 B 4

Map

Assessor Land Use Code **BAB00A**

Assessor's Property Description LTS 9 10 11 & W 28 FT OF LT 12 BLK 23 FOLSOM & SEL Y 10 FT OF ALLEY A3ND PER 770201/0685

Approx. Parcel Area 26060 sq ft / 0.6 acres

ZONING

Zoning: HD - HISTORIC DISTRICT

OWNER INFORMATION

CONTEXT: HD DISTRICT is NOT a defined Zone District per FMC Chapter 17

CONTEXT: Folsom Never published, nor held Public Hearings nor announced It had REMOVED ALL "Zone District" Designations and Definitions from Folsom Muni Code Chapter 17.

Since Folsom leadership has seen fit to REMOVE all Zone District Definitions, Whence does city council/staff derive a RIGHT to Exercise Land-Usage Police Control???

This is DIRECT VIOLATION OF State Law. to wit

IF Folsom is correct, and "historic district" is a **ZONE DISTRICT** which Determines the proper USES, Infrastructure, roadway size, compatibility of Uses, **then the ENTIRETY of all "historic district" would have ONE ZONE DISTRICT ONLY by law with a formal "definition" of each/every single ZONE DISTRICT.** This is NOT allowed under State Government Codes, Zoning, and **Intent of State to determine the Standards, Land Uses, Hazards, Safety, Infrastructure Sizes, Oversight Codes, and SPECIAL EXCEPTION Laws & Codes & Standards.** Licensed Civil Engineers are Essential to enforce Laws, Standards, adequate Infrastructure, adequate developer Financing of dedicated Improvements, Subdivisions, and appropriate Zone Districts for EACH PARCEL.

If Folsom correctly reported all of the oldest, most poorly-served area of city as ONE SINGLE ZONE by Definition, there WOULD BE SOLELY ONE SINGLE LAND USE applied -- - by Law -- to every single Parcel.

How long has city of Folsom violated Higher Jurisdiction Laws?

What enforcement agency will conduct a full Investigation of such long-standing city practices which are outside the State Enabling Laws as referenced as CA Government Code 65800 [Zoning]?

For verification, higher authorities need to consult Folsom Muni Code Chapter 17 Zoning, to see if they can locate a Definition Section for each Zone District, such as county's BAB00A Small retail..... which has a definition on screen as Multiple retail vendors, with small occupancy, in a building of considerably Different Size than Folsom reports it in Formal Public Notice.

Analysis & IMAGES of FMC which is ONLINE only, hence changed online at will.
<https://www.codepublishing.com/CA/Folsom/#!/Folsom17/Folsom1710.html#17.10>

Folsom Municipal Code

Chapter 17.10 DESIGNATION OF DISTRICTS

Sections:

17.10.010 Established.

17.10.020 Special districts established.

17.10.010 Established.  SHARE

The several classes of general districts established and into which they are designated as follows:

- A. R-1-L, R-1-ML, R-1-M, single-family residence districts;
- B. R-2, two-family residence district;
- C. R-3, neighborhood apartment district;

Folsom Municipal Code

- C. R-3, neighborhood apartment district;
- D. R-4, general apartment district;
- E. C-1, neighborhood business district;
- F. C-2, central business district;
- G. C-3, general commercial district;
- H. CH, highway service commercial district;
- I. CM, commercial-manufacturing district;
- J. M-1, light industrial district;
- K. M-2, general industrial district;
- L. M-L, limited industrial district;
- M. MF, industrial frontage district;

Folsom Municipal Code

- N. PD, planned development district;
- O. R-M, residential, multifamily dwelling district;
- P. BP, business and professional office district. (Ord. 378 (part 3102.01))

17.10.020 Special districts established. SHARE

In addition to the foregoing classes of districts, certain combining districts and are designated as follows:

- A. A, special agricultural district;
- B. B, special building site district;
- C. F, special highway frontage district;
- D. P, special parking district;

Folsom Municipal Code

- B. B, special building site district;
- C. F, special highway frontage district;
- D. P, special parking district;
- E. H, special height limit district;
- F. CD, special civic district. (Ord. 378 (part), 1979: Ord. 239 § 1 § 3102.02)

[Home](#)

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The Folsom Municipal Code is current through Ordinance 1313, passed

Disclaimer: The City Clerk's office has the official version of the Folsom Municipal Code. If you have any questions, you should contact the City Clerk's office for ordinances passed subsequent to the current version.

CONCLUSION: This is Folsom's own designated Chapter 17, analyzed for "Definitions", and searched for Definition of Each ZONE DISTRICT, along with its STANDARDS, Permitted Land Uses, abutting Land Zone District Uses.

Folsom's Print Editions from past do include the standards, and Definitions for each "Zone District" and included a Map within Chapter 17 FMC Zoning.

All this is gone with the wind. There is no "Historic District Zone", and there is no Enforcement in Folsom of STANDARDS, Infrastructure Requirements, Streets wide enough for First Responders and Safe Ingress/Egress. Folsom has an "architectural review group" for this old area, but they are the SECOND Review group and they are NOT a Plan Commission. Folsom has a Plan Commission which only holds hearings, provides expert testimony venue for questions, and makes only Recommendations to city council for changes to existing legislation on Land Uses, Standards, Safety, Infrastructure. Folsom continues to act as if an "architectural review" group has Legal POWER to alter LAND USAGES, GRANT Exceptions to Law in FMC 17. This is very wrong and harmful.

Additionally, this system has resulted in substantial LOSS of Revenue by Sacramento County and those whom it serves. Folsom practices have caused huge Profits to a select few, and huge losses to others, especially to suffering old city Residents. All five council have been almost totally local Business owners, for decades. They have had support of various chambers, groups, and public tax beneficiaries.

Old city residents feel powerless. That is because they are. If Licensed civil City Engineer and licensed City Attorney FAIL to deliver signed/sealed Reports, this will continue as business as usual -- to the detriment of all.

Although not land use directly, consider also FMC 13.30 a quietly passed law which states Folsom lacks water for it entitled new developments, but passes the Onus onto Sacramento County to bail out Folsom when the remaining surface water is all gone. As Sac Bee pointed out, this is only city which has ZERO groundwater, as it is built upon a granite base.

PURSUANT TO GOVERNMENT CODE SECTION 65800 ET. SEQ., THE STATE OF CALIFORNIA GRANTS TO A CITY THE POWER TO APPLY ZONING TO LANDS WITHIN ITS CITY LIMITS. THE PURPOSE OF ZONING IS TO PROTECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE. THE CONSTITUTIONALITY OF ZONING HAS BEEN UPHELD BY THE UNITED STATES SUPREME COURT SINCE 1926, EUCLID V. AMBER REALTY COMPANY (272 US 365).

•

Context 17.02.420 is VIOLATED repeatedly by Folsom CA.

"Street" means a public or permanent private way thirty-six feet or more in width which affords a primary means of access to property. (Prior code § 3104.67)

Context 17.02.281: Public Notice in Sac Bee indicates this fits Folsom definition, since it is called microbrewery and IT SERVES alcohol as well.

17.02.281 "Microbrewery" means an alcoholic beverage manufacturing facility that produces fifteen thousand barrels of beer per year or less on site in accordance with a valid alcohol production license from the state of California, and may include an on-site restaurant and/or bar that serves its locally crafted beer. (Ord. 1236 § 2, 2015)

Folsom Municipal Code lacks Definitions for Zone District impacting this Parcel - or indeed ANY city Parcel.

However Sacramento County RE Assessor & County Record DO HAVE Specified Land Uses which are PERMITTED upon this Parcel APN #, and which CONTROL the TAX CATEGORY the County Uses in Assessing a FAIR, Equitable TAX. BELOW IMAGE: Sacramento County clearly defines USAGES and TAXES based UPON this Official Category **BAB00A as small retail Land Usage**

obtained by contacting the Assessor's Office at 916-875-0700 or assessor@saccounty.net.

LAND INFORMATION

Thomas Brothers 261 B 4
Map

Assessor Land Use Code **BAB00A**

Assessor's Property Description LTS 9 10 OF LT 12 SOM & 9 ALLEY AL 770201/

Approx. Parcel Area 26060 sq ft / 0.6 acres

ZONING

Zoning: HD - HISTORIC DISTRICT

OWNER INFORMATION

<https://assessorparcelviewer.saccounty.net/JSViewer/assessor.html#>

General Retail / Commercial
Specific Small Retail
Occupancy Multi-Tenant
Character of Use Most probable use

CONTEXT: again, please note folsom has removed all Zone District Definitions -- secretly, with NO public knowledge nor participation. Yet in case of PARCEL in this

Prison theme microbrewery Change of Usage, the city has given Sacramento County a false Zone District Designation. There is no "historic district" land Use Definition. Indeed all Zone Definitions are totally missing/gone/caput.

NOTE also BUILDING SIZE is NOT what Folsom advertised. Why is this huge discrepancy in a Public Notice? PN states 4377 sq ft.

Gross Building Area 7898 sq ft

Net Rentable Area 7898 sq ft

Ground Floor Area 7898 sq ft

Built 1948 -- exactly how SAFE is this building for Changed Uses? Does it have sprinklers? Full Street size Access for First Responders? What is actual "condition" of this building with following Sacramento County Facts:

Assessor Land Use Code BAB00A

Use General: Retail Commercial

Specific: small retail

Occupancy: Multi Tenant

Character of Use: most probably use that is, SMALL RETAIL, Multi-tenant.

If city of Folsom had accurately reported this building and had submitted the CHANGE of USE and Condition Use Permit Application dated 2019 as PN 19-174 -- then Sacramento County Assessor WOULD HAVE the Intended Change of Land Use, Major Alterations to building, USAGE, OCCUPANCY, PARKING and Street Access requirements.

This is officially a matter of Concern for Sacramento County Assessor and County Recorder, as well as Residents of this old-infrastructure part of old city, and County residents deprived of Determination of Fair Real Estate Assessments as reported by city of Folsom.

question:

at bottom, below, does "quality class D", does D mean it has been dangerous for some length of time??? Sac County Codes are not easily found online, if indeed Assessor "codes" are explained formally anywhere for Public.

Information for Parcel:

070-0061-010-0000

[Read Our Data Disclaimer](#)

PROPERTY INFORMATION

Assessor Parcel # 07000610100000

Address 614 SUTTER ST

Postal City, Zip FOLSOM 95630

Jurisdiction City of Folsom
County Supervisor District [Sue Frost - District 4](#)
Assessor Roll Status ACTIVE
Assessor's Map [Assessor's Map Book 070,](#)
[Page 006](#)

PROPERTY TAX BILL

A summary of the most recent property tax bill is available on the [e-PropTax](#) site.

Tax Rate Area Code [04-018](#)
Jurisdiction Used on Most FOLSOM
Recent Tax Roll
Last Roll Year 2020

ASSESSOR'S ROLL VALUES

as of June 25, 2021

Tax Roll Year	2021
Land Value	\$310,465
Improvement Value	\$590,201

County Recorder's Document Book 20110325, Page 911

Number

Event Date Fri Mar 25 2011

PROPERTY BUILDING INFORMATION

Gross Building Area 7898 sq ft

Net Rentable Area 7898 sq ft

Ground Floor Area 7898 sq ft

Year Built 1948

Effective Year 1948

Stories 1

Quality Class AverageD

Historic District Commission
Barley Barn Tap House (PN 19-174)
November 18, 2021

Attachment 18

Site Photographs











Attachment 5

Historic District Commission Additional Information Dated November 18, 2021



This document has been distributed to the Commissioners and staff by email and hard copy.

Historic District Commission

Staff Report Additional Information Transmittal Sheet

Date: November 18, 2021
To: Historic District Commission
From: Community Development
Subject: **Item No. 3 – Barley Barn Tap House Project - Comments Received**

Attached please find additional public comment letters staff received regarding the Barley Barn Tap House project.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Kelly Mullett". The signature is stylized and written in a cursive-like font.

Kelly Mullett
Commission Clerk



4.0 Dental
1747 Creekside Drive
Folsom CA 95630
11/07/2021

To Whom it may Concern:

As a Folsom resident and business owner, I fully support the proposed Barley Barn Tap House project. I have enjoyed treating my staff to the hospitality venues in historic Folsom and as a beer aficionado; therefore I look forward to visiting a first class Tap House. My staff and friends are always well taken care of when we visit the PowerHouse. I am especially appreciative of the fun and safe environment the guys at PowerHouse provides. Cheers to their new venture!

**Sincerely,
Dr. Elizabeth Luong**

Murray,

This looks great! It seems like you are working very hard at taking feedback and adjusting to public concerns. I love the changes you have made and I look forward to seeing this project come to life!

Amber Shoop Felts

Shoop's Photography/The Studios on Sutter

w: <http://shoopsphotography>

Hello Murray,

Thanks for sharing the revised rendering of the Folsom Taproom. I have to say this was more along the line of what I had in mind when we first discussed a design that would maintain the existing footprint and keeping the " Barn" look with all the building lines minimally altered.

I will certainly be open to more discussions to the taproom concept that you have proposed, which I believe will succeed and compliment other businesses' in the Historic District.

Regards,

Moe.



December 22, 2020

State of California

Alcohol and Beverage Control

3927 Lennane Drive #100

Sacramento, CA 95834

Re: Powerhouse Entertainment in Folsom California

To Whom It May Concern;

In Folsom, I have had the opportunity to work with Powerhouse Entertainment for many years. They have always been great community supporters and partners. The year 2020 has been a challenge for all of our businesses especially with all of the changing rules and regulations of how to operate their business – it has been very difficult to say the least.

Regardless, they have worked hard to comply with all of the changing protocols while working closely with the community, nearby businesses and the City of Folsom Police Department.

We want to make that our licensed businesses are aware of any new rules or protocols that need to be followed during these times so they can return to the success they were experiencing prior to the pandemic.

If we can assist with providing information or educating our ABC licensed businesses in Folsom, please let me know.

Thanks,

Joe Gagliardi

President/CEO

200 Wool Street, Folsom, CA 95630

916-985.2698 Ext 13 Office | 916.952.8198 Mobile



200 Wool Street • Folsom, CA 95630
916.985.2698 • folsomchamber.com

#1
11-15-21

Re: Barley Barn Tap House - 608 ½ Sutter St.

To Whom It May Concern,

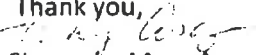
I am writing this letter on behalf of the Barley Barn Tap House project.

As a resident of Sutter Street, and have owned several businesses and property on Sutter Street Along with serving on the HDC & ARC for many years, I felt I wanted to let you know that I support this project.

I am aware of the Biggest obstacle in opening or building a business in the Historic District is Parking. The thing about the Barley Barn is that they will be adding Additional parking spaces, by contracting with the Eagles Lodge. And Murry Weaver is the only business to offer a shuttle from the existing Parking Garage to different street locations.

I think this project will be a nice addition to the Street, and will offer a different feel and type of business. The fact it will serve beer only, and will be Family friendly will be a plus.

The Idea of using The existing Restaurants on Sutter Street for food is a Win Win for all.

Thank you,

Sincerely, Mary Asay

Dear Friends Neighbors and Historic District Commission,

I am writing to Xpress support on behalf of Murray Weaver and owner of the Barley Barn Tap House project.

The new Western barn theme will have a wonderful authentic look as you drive into old town off the rainbow bridge and complement the overall look in the district.

Mr. Weaver has been a long time businessman (21 years) here in Folsom and has served on numerous boards and committees to help revitalize and improve the historic district. His background and expertise gives him insight to what this project will bring to our business community. I believe his goals and commitment to the Barley barn tap House are in keeping with the high standards we all want for Folsom.

Looking forward to spending afternoons on the outdoor patio.

Thank you for your consideration

Claudia Cummings

**Folsom Historic District Commission
Letter of Support for the Barley Barn Tap House**

Dear Commissioners

I would like to voice my support for the proposed Barley Barn Tap House.

For those of you who may not know, I am a 20+ year resident of Folsom, served for 10 years on the Folsom Arts and Cultural Commission, was Chairman of the city's Ad Hoc Committee on Parking Solutions in the Historic District, and have volunteered for countless events in the district.

As a Realtor who specializes in relocations, I proudly promote the Historic District as the heart and soul of our City. I refer clients there, and when giving housing tours, often drive through and choose one of the district restaurants as a lunch stop.

Preserving and protecting the character of the district is very important to me, as is seeing businesses thrive there.

I think the Barley Barn Tap House is a perfect fit and the right business to go in the proposed location.

It will bring visitors, who bring revenue to the city, and because they will not serve food, it will help support local restaurants, who can surely use it.

I can see locals coming down for a new reason to visit the district, again supporting local restaurants and other businesses.

Existing parking, along with the lease of the Eagle's lot, and the new permit system for the Historic District residents ensures that it will have minimal impact on the neighborhood.

In short, the Barley Barn project is the right business at the right time for the commercial area of the Historic District, and I fully support it.

Thank you for your consideration

Stephen Heard
[REDACTED]
Folsom CA 95630

To Whom it May Concern:

I have owned the Planet Earth Rising Store at 625 Sutter St Folsom directly across the street from PowerHouse Pub for many years. I've also served on the board of FHDA. I am excited for the new proposed Barley Barn Tap house in the old Clouds Barn building. Mr Weaver has been a great neighbor and I believe the Tap House will bring a fun and increased customer base to our district.

Darrell Trimble- Owner

Good Morning! I wanted to express my appreciation of this change in design. You have my full cooperation and support with the current design. Let me know if you need anything else.

Regards,

Doug

Doug Scalzi

Regional Director, KW Commercial
President, Sacramento Commercial Properties
License #01237807

📞 916-220-6200

✉️ doug@sacprop.com

📍 2295 Iron Point Rd. #160, Folsom 95630

Leasing | Sales | Investments





WEST OF CHICAGO RESTAURANTS, INC.

604 Sutter Street, Suite 200 • Folsom, CA 95630 • Office 916 294-7496 • Fax 916 358-9492

August 2, 2021

Historic District Commission,

My name is Eric Schnetz, I am founder and CEO of Chicago Fire (four area locations) and J wild's Livery and Feed. I have operated Chicago Fire and now J Wild's at the site, 614 Sutter Street since 2003.

Please accept this letter as evidence of my enthusiastic support of the proposed Folsom Prison Brews business concept. I believe I am in a unique position to comment on this proposal as It is in very close proximity to my existing restaurant and because I am a long-term tenant of the project's owner, Murray Weaver.

I think the historic theme of the tap house will be a great addition to the Historic District just as J Wild's has been. The more businesses that embrace and promote Folsom's history the more successful the street will be a whole. Given the number of new restaurants that have opened in the district it makes sense to add a casual drinking and entertainment space versus yet another restaurant. This will help support food sales in the restaurants within the near vicinity of Folsom Prison Brews. From my perspective as a tenant of Mr. Weaver's for over 18 years, I have the utmost confidence in his experience and ability to run a successful and professional operation.

This is a very exciting opportunity to turn a tired retail space into a strong local draw for the Folsom Historic District. With all the new construction on the West end of Sutter Street, it would be a nice balance to see some new high-quality improvements to the 600 Block.

Please do not hesitate to contact me for any further feedback or information.

Regards,

Eric Schnetz

C.E.O. West of Chicago Restaurants Inc.

Steven Banks

From: powerhousepub@aol.com
Sent: Friday, November 12, 2021 2:23 PM
To: Steven Banks; rholderness@holdernesslaw.com
Subject: Fwd: Planet Earth Rising BBTR SUPPORT LETTER

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.

-----Original Message-----

From: powerhousepub@aol.com
To: powerhousepub@aol.com
Sent: Fri, Nov 12, 2021 2:20 pm
Subject: Fwd: Planet Earth Rising BBTR SUPPORT LETTER

-----Original Message-----

From: Darrell Trimble <dltrocks@yahoo.com>
To: powerhousepub@aol.com <powerhousepub@aol.com>
Sent: Fri, Nov 12, 2021 1:01 pm
Subject: Re: Planet Earth Ris

To Whom it May Concern:

I have owned the Planet Earth Rising Store at 625 Sutter St Folsom directly across the street from PowerHouse Pub for many years. I've also served on the board of FHDA. I am excited for the new proposed Barley Barn Tap house in the old Clouds Barn building. Mr Weaver has been a great neighbor and I believe the Tap House will bring a fun and increased customer base to our district.

Darrell Trimble- Owner

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

November 12, 2021

Ms. Sari Dierking
Assistant City Attorney
City of Folsom
50 Natoma Street
Folsom, CA 95630

Dear Sari:

This letter is written on behalf of Murray Weaver, Applicant for the Barley Barn Tap House Project. This tap house is proposed for the sale of beer for on-site consumption by the patrons thereof. This letter is intended to address the most prominent legal, quasi-legal, and public policy issues arising in connection with this application and what opposition there is.

A. Categorical Exemption from CEQA (14 "CCR" Section 15301):

To begin with, California Public Resources Code Section 21084 requires the Secretary for Resources to promulgate within the State CEQA Guidelines certain categorical exemptions from CEQA based upon the Secretary's determination that specific classes of projects "do not have a significant effect on the environment" such that they are "declared to be categorically exempt from the requirement for the preparation of environmental documents." 14 California Code of Regulations ("CCR"), Section 15300. Based upon that grant of authority, 14 CCR Section 15301 of the State CEQA Guidelines was promulgated. It provides for the "Class 1" categorical exemption as follows:

"Class I consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features involving

Ms. Sari Dierking

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negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use."

This categorical exemption has recently been tested in the courts. That is, San Diegans for Open Gov't v. City of San Diego (2018) 31 CA5th 349, 242 CR3d 541. In the San Diegans case, above, the Court of Appeal ruled, among other things, that the project's water park improvements constituted refurbishment of a pre-existing facility not new structures and therefore that part of the project was categorically exempt per Section 15301, above.

Measured by a fair reading and application of Section 15301, above, and the holding in the San Diegans case, above, Folsom city staff has correctly concluded that this project is categorically exempt. It is in sum a refurbishing of a former retail business which formerly included in addition to retail, the manufacture on site of pottery, regular raku firing events for the general public to attend and observe, quarterly day or weekend long sidewalk fairs for the general public, and an occasional dinner and live entertainment venue, including locating these latter activities in the existing the patio area. All these uses were undertaken by the owners, who occupied and used the barn for over 20 years. As aforesaid the Applicant is intending to use the barn only for on-site beer sales and consumption and activities ancillary thereto. As such, the Applicant is not expanding uses from what was formerly done on that site but changing and narrowing them into a different commercial use from before. It is submitted that under the facts and circumstances of this case, this use is categorically exempt from CEQA under the continued operation of existing **facilities and structures** categorical exemption [14 CCR Section 15301]. In addition, it should be noted that this project does not include an expansion of the footprint of the existing structure on the site.

B. The Burden of Proof is on the Project Opponents, Not the Applicant:

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As can now be seen, the determination by Folsom city staff that the categorical exemption of 14 CCR Section 15301 applies to this project is demonstrated by substantial evidence and that determination includes an implied finding by staff that none of the exceptions to the categorical exemption apply to this case. San Francisco Beautiful v. City & County of San Francisco (2014) 226 CA4th 1012, 172 CR3d 134.

Based thereon, the burden has now shifted to the project opponents to establish that the project is not exempt from CEQA. Citizens for Environmental Responsibility v. State ex rel 14th Dist. Agricultura Ass'n. (2015) 242 CA4th 555, 195 CR3d 168 [unusual circumstances exception did not apply to rodeo operations]. In this case, the Opponents point to a "usual" circumstance, namely some patrons of Sutter Street businesses park on public streets in residential areas near Sutter Street, as the basis for their call for "unusual circumstances" and thereby ignoring the essentially usual nature of their complaint. They have not and cannot meet their burden.

C. The Applicant's Long Standing Good Neighbor Policy:

The Applicant has a long history of unselfish public-spirited contributions of time and money to FHDA and as a board member, Folsom Chamber of Commerce and as a board member, Folsom Live, and Folsom Tourism. In the same spirit, he has participated in Folsom's *ad hoc* committee on parking in the historic district, and for nearly three years he has provided his own customers and patrons, free of charge, the Sutter Surer shuttle service. This service makes it possible for his patrons, and even those of other businesses on Sutter Street, to have more mobility options besides shank's mare. That is, the customers and patrons have a wider selection of on and off-street public parking options on or near Sutter Street, than would otherwise be available to them. A copy of the Applicant's poster on the shuttle service is attached hereto as Exhibit "1" and incorporated herein. This same mobility policy also underpins the lease of the Eagles parking lot. In a similar vein, he supports the demonstration program for

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permit parking in the neighborhoods, as well as the addition of sidewalks from Figueroa and Mormon Streets to Sutter Street via Scott, Riley, and Wool Streets. Those sidewalks will make it easier for residents to walk to Sutter Street businesses and reduce the need for parking in the historic district generally. Right now, if you live on Mormon Street near Scott Street and you want to have dinner at Wild's or Sutter Street Steakhouse, you are as likely to drive those two blocks from home to restaurant because there are no complete sidewalks serving that area and Scott Street as it approaches Sutter Street is very steep [about 19% grade] and is difficult for many people to navigate, especially at night. The Applicant is also working to configure his business model to take maximum advantage for his patrons of the services provided by the likes of Uber, Lyft, Uber Eats, Grub Hub, DoorDash, and other passenger and food delivery services by, among other things, proposing to permit food deliveries on the premises of the Barley Barn Tap House for its customers whilst they drink the beverages provided by the tap house.

D. The Parking Variance Issue:

What parking obligation the Applicant's tap house project requires is governed by the FMC. While an officer for HFRA raises the "parking variance" issue as a basis for complaint in his written comments, he does not point to any provision of the Folsom Municipal Code ["FMC"] nor any condition of approval previously adopted by the City of Folsom which requires the Applicant to provide parking for what is essentially a remodel of an existing building without expansion of the footprint. The HFRA official overlooks these facts. Moreover, HFRA's assertion that more residential areas will be impacted by parking on public streets because of this project does not square with the city's recent adoption of a demonstration project to employ a permit system to limit parking in nearby residential areas. A program, by the way, that was advocated for by HFRA and fully supported at city council meeting by this counsel on behalf of the Applicant.

E. Parking Lot Lease on the Eagles Lot:

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The Lease on the Eagles Lot was acquired by the Applicant to give the patrons of his new tap house a close in alternative to the public parking adjacent to the barn and the shuttle service he has been providing for nearly three years. The Lease is a legally binding document for which the Applicant has been paying rent to the Eagles since September 2021. This lease was not acquired to meet some mythical city requirement but to expand parking availability and options for future patrons of the tap house. This lease will make a modest expansion to the historic district's inventory of parking spaces for commercial activity in and around Sutter Street. Any incremental increase in parking options by the private sector in the historic district is worthy of laudations.

F. HFRA's "Parking Density" Issue:

In his letter, HFRA's official claims that the Applicant is taking a lightly used business site and loading it up with a density of parking and thereby negatively impacting the parking resources of the historic District. First off, his description of prior uses of the barn is incorrect. As stated in section "A" above, for over 20 years the owner of the barn [immediately prior to the Applicant] used the barn for many things beyond a garden variety retail store as HFRA would have it. Namely, it was a site for the manufacture of pottery, including regular raku firing events for the general public to attend, quarterly day or weekend long sidewalk fairs for the general public, and an occasional dinner and live entertainment venue. Those realities don't square with HFRA's fictional version of past uses. Moreover, the Sutter Street area is vastly different today from 1990 when those broad expansive uses were regularly undertaken by the previous owners. Specifically, there was no Lake Natoma Crossing Bridge, there was no light rail service to Sutter Street, there was no multi-story public parking garage at the foot of Sutter Street, there was no public parking on the Lid behind the light rail station, because there was no Lid, there was no public parking across Leidesdorff Street from the Lid, there was no public parking on the southerly side of Leidesdorff Street between Wool Street and Riley Street,

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and lastly, there was no Uber and Lyft to deliver patrons and customers to the businesses on Sutter Street. In sum, there are many, many different mobility paths to the Applicant's property besides parking in front of someone's house upon a public street where parking is not restricted and then navigating a near 19% grade while walking to the venue. Indeed, it seems any or all of those are likely preferred to parking in front of a house in HFRA's residential neighborhood.

The point of this digression into recent history is this: HFRA's straight line projection on the assumption that the Applicants patrons and customers will travel by their own privately owned vehicle to his establishment at the rate of three person per car and that the same standard holds true for the restaurants located near the proposed Barley Barn Tap House. As suggested above, this assumption is not likely to be verified by empirical data, and it has not been. Likewise, the HFRA official has taken no account of the above-described mobility options as well as the parking options available to patrons and customers of all businesses along Sutter Street.

Bottom line, HFRA's analysis is not supported by the FMC, nor by persuasive evidence. For the HDC to follow HFRA's line would be arbitrary, capricious, and clearly illegal.

G. Hours of Operation:

HFRA contends that so called "HD norms" require that the Applicant's hours of operation be limited to 12am on Friday and Saturday nights. However, the FMC does not so provide. To the contrary, for example, the City of Folsom has specifically authorized many other establishments to stay open to 2am. That is, to stay open past 12:30am on Friday and Saturday night [that is, early Saturday and Sunday mornings].

H. Response to HRA's "Subjectivity" Claim:

HFRA admits that its claim that this project creates "imbalances" to Sutter Street is subjective. It is also

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incorrect. Frankly, only the marketplace will tell us of the imbalances alluded to by HFRA's official. For example, the Applicant has operated successfully on this same block of Sutter Street for over 20 years. Based thereon, he is confident that this project will be responded to favorably in the marketplace. There are no tap houses in the 600 block of Sutter Street. Applicant's counsel believes the marketplace not HFRA will decide the balance.

I. Comments on Issues Raised by HPL's Memo:

- a. Patio: HPL states that the Applicant is installing an outdoor patio. Actually, the previous owner used an old, concrete loading dock on the southerly side of the barn as a patio area for a period of about 20 years. That is the patio area that the Applicant intends to refurbish.
- b. Materials, etc: HPL requests a materials and design board for the commissions' review. They have been submitted to the City for HDC's consideration.
- c. CEQA Review: For the reasons stated above, the categorical exemption applies. 14CCR15301.
- d. Fascia Boards: The Applicant submits that it is inappropriate for HPL to ask HDC to decide on interior features of the barn in this case the interior fascia boards.
- e. Glass: Inexplicably, HPL opposes letting light into the barn via glass doors and treatments. Applicant submits this claim by HPL is purely a subjective matter of taste, not a question of HDC standards, and should be rejected in favor of letting more natural light into the interior of the building.
- f. Signs & Outdoor Lighting: The west side of the building is the main entrance and frontage to the building. That is how it has been for 20+ years. HPL does not have the authority to arbitrarily change the Applicant's designation of the main entrance and main frontage to his building. Likewise, the Guidelines cited by HPL do not bestow that arbitrary power on HDC. Moreover, in point of fact, the north side of the barn does

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not "face a public right of way." It faces a parking lot. Those Guidelines do not equate parking lots with public streets, nor do they require Applicant's to orient the front of their buildings to existing parking lots. The front of Applicant's barn is oriented to serving pedestrians. It faces on a combined walk way/drive way. How HPL can choose to ignore the benefits implicit in such an orientation is not apparent.

- g. Parking: This issue is addressed in section "D" above.
- h. Conditional Use Permit: There will be no noise issues under the FMC from this use. Applicant is aware of the city's noise ordinance and will comply with it at all times. Nothing more needs be said.

J. Reply to Bob Delp's Comments:

- a. Delp's CEQA issues are addressed, above.
- b. Delp's recital of the horrors of living in Folsom are not evidentiary, but rhetorical and speculative, and not germane to this application.
- c. Delp's recital of the hours of operation on Sutter Street is incomplete and not consistent with past uses, as set out in Section "F" above.
- d. Delp's contentions re: transportation, parking and the CUP are addressed above.
- e. Delp's claim for "financial assurances" is a harassing sham and should be withdrawn by the protesting party on his own request.

K. Applicant is an Established Business Owner With a 20+ Year Track Record of Accomplishment for the Community of Folsom:

Every year Applicant pays over \$100,000 to the city's coffers by means of sales and real property taxes. As such these expenditures do, among other things, contribute to the maintenance of the high level of municipal services that HFRA members and all other residents of Folsom have

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come to expect. With HDC's approval of this project, the Applicant will of necessity expand that contribution.

L. Conclusion:

Mr. Delp admits there is a "business opportunity for a tap room focused on craft beers sales at the Project location." In sum, the Applicant believes this is the right project meeting even Mr. Delp's objectives.

Very truly yours,

RS

Robert G. Holderness

RGH:ls

cc: Ms. Pam Johns, Community Development Director
Mr. Steve Banks, Senior Planner
HDC Commissioners



Park in the **GREEN** - Always free
 Better yet use **UBER, LIFT, or DESIGNATED DRIVER**

614 Sutter St Folsom Ca 95630



email- powerhouseentco@aol.com
 website- powerhousepub.com

WELCOME SUTTER SURFER



**Have you jumped aboard the Sutter Surfer?
 What the front door is the Sutter Surfer?**

You will know it when you spot it scooting around the historic district helping visitor's, shoppers and employees get to and from our local business's, designated parking garages and parking lots. A small but fun assistance for folks wanting to reduce their walking distance can jump on, and the 6-seat shuttle will drop you off for **NO CHARGE** to wherever they're going in the district. The vehicle will be around on weekends and event days adding fun and flair to our district making a positive impact on our parking issues... So, catch a wave on the Sutter Surfer and get to where you're going a bit quicker and easier!

While visiting Powerhouse
 Please respect our residential neighborhood and use the public lots
 for parking

EXHIBIT 7

From: [Julie Rinaldi](#)
To: [Kelly Mullett](#)
Subject: Historic District Commission Meeting November 18, 2021: 309 Figueroa Street and Barley Barn Tap House
Date: Wednesday, November 17, 2021 2:06:49 PM

You don't often get email from giuliafr0411@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.

Ms. Mullett,

Please share my concerns with Historic District Commissioners regarding agenda items scheduled for the meeting on Thursday, November 18, 2021, as follows:

PN 21-239, 309 Figueroa Street Remodel and Determination that the Project is Exempt from CEQA

I was only recently made aware of the unpermitted and non-compliant remodeling activity at 309 Figueroa. I have lived just down the street in the 400 block of Figueroa for 22 years, but had no idea this was happening. I recently completed a lengthy, complicated, and expensive series of necessary repairs and upgrades to my historic 1865 residence, and was very careful to obtain all the permits required by the City, and to maintain and respect the history of my house and the Historic District neighborhood to the best of my ability. It really concerns me that the blatant disregard by the homeowner at 309, and lack of consequences that may be imposed by the City, will encourage others in the Historic District to be lax about conforming to preservation standards and respecting the heritage and character which make our community special. Please do not approve an exception to the FMC, which was put in place for good reason.

PN 19-174, Barley Barn Tap House Conditional Use Permit, Design Review, and Determination that the Project is Exempt from CEQA

I have owned my home at the corner of Figueroa and Bridge Streets for 22 years. In this time, I have become increasingly concerned about parking issues throughout the Historic District. Events and business activities in the 600 block of Sutter Street are especially impactful as our residential neighborhood frequently fills up with people from outside the area. Visitors often block my driveway on the Bridge Street side, and leave no street parking available for residents within a multiple block radius. I can testify, without the need for studies or statistics, that this is already a serious issue, and that the approval of the Barley Barn Tap House project without adequate parking and relying on the Eagles Lodge lot for overflow will greatly exacerbate the problems. Please consider the consequences of allowing this proposal to go forward.

Thank you,

Julie Rinaldi

Folsom, CA 95630

From: david.higgins
To: johnfelts@e55tech.com; kcolepolicy@gmail.com; daronbr@pacbell.net; danwestmit@yahoo.com; kevin.duewel@gmail.com; m.dascallos@yahoo.com; ankhelvi@comcast.net; Kelly Mullett
Subject: Barley Barn Tap House.
Date: Monday, November 15, 2021 1:08:13 PM

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.

My Name Is Dave Higgins. I live in the Historic District. I am opposed to the proposed Barley Barn Tap House for several reasons. First, is the inadequate parking situation. Second, that corner of Sutter St. is already "Bar heavy". Third, it's only going to add to the late night nonsense, ie, fighting/assaults, vandalism/crime, littering, and altered driving within the District.
Thank You for your Time.

Dave Higgins

Steven Banks

From: powerhousepub@aol.com
Sent: Wednesday, November 17, 2021 12:52 PM
To: Steven Banks
Subject: Fwd: Eagles lot

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.

-----Original Message-----

From: Sarah Woods <sarah@friendsoffolsom.com>
To: powerhousepub <powerhousepub@aol.com>
Sent: Tue, Nov 16, 2021 6:09 pm
Subject: Re: Eagles lot Folsom Eagles

Hey Murray!

Just wanted to shoot ya a quick email. Sorry that the lot was kinda full this past weekend. That was a one time deal where we actually triple booked a hall rental, our social room was open AND we had the car show on Sutter Street and all the volunteers parked in our lot for that... AND it was Turkey drive hell week/weekend (but we fed 10,000 families!!! Woo Hoo!!!) So it will hopefully NEVER be that busy again! (Until next November of course LOL 😊)

Let me know if you need anything else :) and sorry again for any inconvenience.

Sarah Y. Woods
Vice President
Friends Of Folsom
Cell: (916) 461-3160
www.FriendsOfFolsom.com
Like Us On Facebook:
<https://www.facebook.com/FriendsOfFolsom>
Follow Us On Instagram:
<https://www.instagram.com/friendsoff>

Steven Banks

From: Robert Holderness <RHolderness@holdernesslaw.com>
Sent: Thursday, November 18, 2021 12:30 PM
To: Steven Banks
Cc: Murray Weaver (powerhousepub@aol.com); Reggie; Pam Johns; Scott Johnson; Kelly Mullett; Sari Dierking; Daron Bracht; Kevin Duewel; Michael Reynolds; Bob Delp; Karen Holmes (karen@karensbakery.com)
Subject: Barley Barn Tap House (PN 19-174)

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: I have reviewed the staff report re: the above item on tonight's HDC agenda and submit the following comments:

1. In the interests of time, in addition to my client, his architect, and city staff, I have copied Commissioners Bracht and Duewel with this email because I've located their email addresses. I do not have email addresses for the remaining five commissioners, but hereby request that your support staff forward this email on to them as soon as practicable. Also, I have copied Mr. Reynolds, Mr. Delp, and Ms. Holmes because I understand them to be the chief opponents to this project and I want them to be informed.
2. I address the principle issues raised by your staff report as follows:
 - a. Environmental Review: As staff reports, Applicant is reducing his second story floor area [which was added to the barn around 1993] by 578 square feet. He is also changing its use from the former ceramic production area to storage. The main floor area will be less than 2,500 square feet and the second floor used only for storage. In addition he is fencing in a former loading dock area of about 480 square feet which is located on the south side of the barn in order to locate a patio there. Based on the nature and extent of the project, staff has determined that this project is categorically exempt from CEQA pursuant to 14 CCR Section 15303 [New Construction or Conversion of Small Structures]. While counsel for the Applicant opined that the categorical exemption for refurbishment [14 CCR Section 15301] applies, the writer sees no conflict between the two categorical exemption designations in this case. To be clear, the Applicant supports and adopts the city's analysis on the categorical exemption provided by Section 15303, above.
 - b. Architectural Review (Condition 29): It should be recalled that the barn was built at a time [1958] when Sutter Street was Highway 50. Our history museum has pictures of the street with its diagonal parking on display [including a picture of a 1958 Ford Fairlane 500] as it was in those days. It is apparent, when the Andersons built the barn in 1958 it was built as a store house or a warehouse, not an agricultural barn. It was not located on a farm or a ranch but in the middle of what was then a semi-rural small town. That would not be where you would keep farm animals, hay, etc. Mrs. Anderson owned a retail ceramics store in Orangevale; she stored about 5,000 ceramic molds, and the like, on the ground floor of the barn. There was no second floor until the Clouds purchased the barn and remodeled it in the 1990s to construct a second floor for their ceramic production. They were not required to add parking on site nor to obtain a parking variance in conjunction with their remodel. Recall, there was no historic district commission, and no "historic district" in 1958. Those came along 40 years later. There was no CEQA either. In fact Folsom's first general plan predated CEQA. It wasn't published until 1965. Efforts to implement Folsom's architectural guidelines has to be tempered with the reality of what the barn has always been and in what era it was built. Wide doors, suitable for a critter barn don't fit the history of this barn. That is someone else's history, someone else's barn, and at some other location.

- c. The Eagle's Lot Lease (Condition 28): While opponents continue to attack this lease, they ignore it for what it is, a voluntary, albeit modest, provision of additional parking for the Applicant's customers on an as available basis just like all of the public parking in Folsom's Historic District. By virtue of condition 28, the city will make it obligatory. The applicant accepts this condition as written by city staff.
- d. The Shuttle Service : There is a good reason why the opponents ignore the Applicant's shuttle service: it works. Between 20 and 50 people ride that shuttle every day that it operates [usually Friday night and Saturday]. That's 20 to 50 people who don't park in the neighborhood, don't park next to the barn, don't park in the Powerhouse Pub parking lot, won't be parking in the Eagle's Lot, etc.
- e. Parking: The opponents have yet to identify a provision of the FMC which imposes a new parking requirement in the case of a change in use of an existing building within the commercial district.
- f. The Delp Diatribe of 11/16/21: It is unfortunate that one opponent of the project resorts mainly to *argumentum ad hominem* [personal attacks on city staff] as his main point. Rather than respond in kind, it is better to ask, why? This writer thinks Delp's hyper emotional investment in attacking city staff and this project appears based upon the weakness of his underlying complaint. Bottom line is, he complains that outsiders drive public streets in his neighborhood in ways that violate the Vehicle Code and that they use public parking spaces on those public streets to park in front of his house and those of his neighbors. He forgets to mention that this has been going in one way or another since time immemorial. The problem with these issues is not that they are illegitimate but that he seeks the wrong remedy. The City's adoption of parking control programs in Delp's neighborhood is the solution. Not an attack on this project or the city staff who is assigned to it. This is a solution, by the way, that has had a 50+ year gestation period. Delp needs to look there, not here.
- g. Delp's CEQA & Parking Variance Arguments: Apparently Delp believes that any remodel of an existing building not only requires a full blown environmental impact report but a parking variance. So in the case of this building, Delp would have HDC and staff believe that when the Clouds purchased the barn in the 1990s and remodeled the interior of the barn, they would have had a new obligation to provide parking and when Mr. Weaver purchased it a few years ago and changed the use to retail only he would have had a new obligation to provide parking, and again now. While Delp points to the "parking variance" proviso of the FMC he does not point to a provision of the FMC that says in substance that this kind of small construction project on an existing site requires more parking. Moreover, his claim of "expanded use" is incorrect. The Clouds used the site for many different uses, the Applicant contemplates but one. That is not expanded uses. That is a changed use.

Very Truly Yours,
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November 18, 2021

City of Folsom Historic District Commission
 50 Natoma Street
 Folsom, CA 95630
 via email to: Kelly Mullett - kmullett@folsom.ca.us

SUBJECT: Barley Barn Tap House Project (PN 19-174) – Comments to Historic District Commission

Dear Historic District Commissioners:

I am requesting that at your November 18, 2021, public hearing for the Barley Barn Tap House project (PN 19-174) (“Project”), the Historic District Commission (“HDC”) decline to approve the Project either by denying the Project or by declining to take an approval or denial action and instead direct staff to:

1. identify all relevant and necessarily entitlements, necessary for the Project and require a complete application(s) for all such entitlements,
2. prepare a clear and complete description of all aspects of the Project,
3. perform pedestrian safety analysis for the Project and seek input from the Traffic Safety Committee,
4. conduct environmental review of the Project in compliance with the California Environmental Quality Act (“CEQA”),
5. conduct a public workshop to receive input on the proposed Project and draft CEQA document,
6. prepare a revised staff report incorporating the above and provide a draft of the staff report and staff-recommended conditions of approval for public review and input,
7. finalize the staff report in consideration of public review and input on the draft,
8. provide proper hearing noticing, including posting of all parcels affected by the Project with public notices in compliance with the Folsom Municipal Code (“FMC”), and only then
9. return to the HDC for a public hearing on the Project.

To date, insufficient information is available to have a complete understanding of the Project. City staff have erroneously asserted that the Project does not require a Parking Variance. Staff have recommended use of an offsite parking lot that has dubious availability and capacity, and staff have not identified any entitlements or physical improvements that would be necessary for the use of the lot (but both would be necessary). Use of the lot would have the potential to create serious pedestrian safety issues associated with movement across Scott Street between the lot and Barley Barn. While there are many reasons to deny or decline to make a decision on the Project as currently presented, the use of the Eagles lot is in my opinion is at best poorly thought-out scheme and, worse, would create the potential for very dangerous pedestrian circumstances that appear to have been given little or no consideration thus far in the process.

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I. REQUIRED NOTICING FOR THE NOVEMBER 18, 2021, HDC HEARING DID NOT COMPLY WITH THE FMC

On August 10, 2021, City staff made certain public noticing commitments on behalf of the Community Development Department. The FMC also has noticing requirements. The commitments and the FMC requirements were not fully complied with for the November 18, 2021, HDC hearing. As of November 17, 2021, no signs were posted at the Project site notifying of the November 18, 2021, HDC Public Hearing. The HDC should request City staff input regarding public hearing noticing and address any deficiencies prior to holding a public hearing.

II. THE PROJECT DESCRIPTION IS UNCLEAR AND INCOMPLETE

The staff report provides incomplete and inconsistent information about the Project making it impossible to understand the entirety of the Project. If the HDC were to approve "the Project" at its November 18, 2021, hearing, it would not be possible for the HDC to accurately understand the full extent of what you are approving.

The Applicant's project narrative (HDC packet pg. 126) states that the Project will include "an exterior accessible lift located within the Powerhouse Pub Patio area which will provide the accessible route from the accessible parking space to the proposed tap house. The size and configuration of this element will be determined at further development of the construction documents when the CASp (California Access Specialist) is engaged."

Yet, the staff report does not discuss the lift, where it would be located, what it would look like, how it would be operated and maintained, how it would be powered, how much noise it would generate, how much lighting it would require, or what its hours of use would be. Furthermore, there is no Powerhouse Pub Patio area, and a previous staff-level approval of a patio is no longer valid as no building permit for that patio was issued and the approval period has expired. (See Attachment A of this letter.) Identification of even the basic location, design, and operational elements of such a lift cannot be deferred and must be described and evaluated as a component of the Project prior to an HDC decision.

The staff report discusses that the Project would include the use of an existing offsite parking lot at the Eagles Lodge. However, no information is provided with regard to any entitlements, zoning restrictions/permissions, and engineered design that would be necessary for the expansions of use of that lot. Although the existing use may be grandfathered in, the substantial increase in the intensity of that use is not. The Eagles Lodge property owner should be required to obtain a Conditional Use Permit and the CUP process should require improvements such as paving, striping, lighting, pedestrian walkways, etc. Furthermore, the Eagles Lodge parking lot is accessed by City right-of-way, and would therefore require an encroachment permit and consideration of improvements to the City right-of-way. No information has been provided as to what those improvements might need to consist of. Additionally, the capacity of the Eagles lot is overstated by staff, both in potential number of spaces and in the days/times it is currently used by the Eagles and therefore not available to Barley Barn.

The Eagles Lodge parking capacity is noted in the staff report as 15 spaces, but is noted on the Applicant's drawings as at most 14 and even that is noted as "hypothetical" needing to be field verified. Furthermore, the proposed lease attached to the staff report allows the Eagles to not just continue using the lot but also to exclude Barley Barn use at the Eagles discretion. Staff is on record as having previously advised the HDC (at its August 4, 2021 meeting) that "The Eagles Lodge parking lot is infrequently used – there are events once a month or maybe once every two months when this parking lot is utilized to its full capacity." That is incorrect. The Eagles Lodge holds events or open hours multiple times each week during which their lot is often filled, likely beyond capacity (double parked vehicles in the City right-of-way, etc.).

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Eagles Lodge Parking Availability – August 2, 2021

The Eagles lot parking scheme is dubious and, for reasons discussed below in this letter, potentially dangerous. At a minimum, this element of the Project should be eliminated unless and until it undergoes a meaningful evaluation and is subject to property approvals and conditions.

III. THE PROJECT DOES NOT QUALIFY FOR A CEQA CATEGORICAL EXEMPTION

Contrary to staff's recommendation in the staff report for the HDC's November 18, 2021, meeting, the Project does not qualify for an exemption from the California Environmental Quality Act ("CEQA").

FMC 17.52.390, "Environmental review", states, "Review by the historic district commission of applications for conditional use permits, sign permits, variances and design review is subject to the requirements of the California Environmental Quality Act (CEQA). The commission is authorized to hold public hearings on negative declarations, mitigated negative declarations, draft environmental impact reports and final environmental impact reports prepared on applications for the above permits or for design review. The commission shall not approve applications prior to considering the applicable environmental document and complying with the requirements of CEQA and any city procedures for preparation and processing of environmental documents."

The staff report for your November 18, 2021, meeting, claims one (as opposed to the two claimed in the August 4, 2021, staff report for the formerly proposed Folsom Prison Brews) CEQA categorical exemption class as the basis for staff's recommendation that the Project is exempt from CEQA— CEQA Guidelines section 15303, "New Construction or Conversion of Small Structures." The cited class is not applicable to the Project.

III.A The Project Does Not Qualify for a Class 3 CEQA Exemption

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The staff report for the November 18, 2021, HDC selectively cites CEQA Guidelines Section 15303, but a more complete read of 15303 leads to a conclusion that the Project does not qualify for a Class 3 CEQA exemption. The staff report states as follows in attempting to apply the Class 3 exemption (staff report pg. 23; packet pg. 71) (note that this is a quotation from the staff report, not CEQA):

The New Construction or Conversion of Smaller Structures Exemption (15303) consists of the construction or location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and, as relevant to this project, the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Examples of this exemption include but are not limited to: A store, motel, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 10,000 square feet (for up to four commercial buildings) in floor area on site zoned for such use. As described in this staff report, the proposed project includes minor alterations and modifications to an existing 4,377-square-foot commercial building located within an urbanized area, thus, the project qualifies for this exemption.

In fact, what CEQA Guidelines Section 15303 states is (emphasis added):

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and **the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.** ... Examples of this exemption include, but are not limited to:

... (c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, **and not exceeding 2500 square feet in floor area.** In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances **where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.**

There are several factors that exclude the Project from the Class 3 exemption; let's explore some of them.

1. "...the conversion of a **small structure**...". As cited above, the exemption considers a "small" structure as "not exceeding 2500 square feet in floor area." The staff report omits mention of the 2500 square feet criteria and instead attempts to apply the 10,000 square feet that is applicable only when there are multiple buildings under consideration. The Project does not consist of multiple buildings. It is one building that is 4,377 square feet (as cited in staff report), and clearly exceeds the criteria of a small structure as defined by CEQA. For this reason, the Project does not qualify for the Class 3 CEQA exemption.
2. "...where only **minor modifications** are made to the **existing structure**...". The Project proposes substantial modification to the existing structure. Additionally, the Project includes development of an outdoor courtyard, installation of fencing, installation of an accessible lift (details unknown as discussed in this letter), use of an off-site parking area that, although required improvements have not yet been identified, will undoubtedly require modification to be suitable for the proposed Project's use; and several public

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facility infrastructure modifications (see item 3, below). For this reason, the Project does not qualify for the Class 3 CEQA exemption.

3. "...where all necessary **public services and facilities are available...**". The staff report provides no discussion of the public services and facilities requirements for the Project. First, the staff report does discuss that the Project site is unable to provide parking required for the Project – that is one facility that is not available. Second, the Project includes an accessible lift to accommodate public access, that is another public facility that is not currently available. Third, the Project requires a new sewer line and sewer and water connection, as those facilities are not available (Attachment B), Fourth, the Project requires, or could require (this is not fully disclosed), an electrical transformer tie in and a 10 ft by 10 ft concrete pad with additional area to accommodate a new transformer (Attachment B). Fifth, the Project requires the replacement of a rotting and tilted electrical pole to provide for safety of Project patrons (Attachment B). Sixth, the Project may also include or result in the undergrounding of a segment of electrical utility line (Attachment B). Each of these public facility infrastructure modifications associated with the Project individually exclude the Project from being exempt CEQA. For this reason, the Project does not qualify for the Class 3 CEQA categorical exemption.

III.B The Project's Potential to Result in Significant Environmental Effects Disqualify the Project from any CEQA Categorical Exemption

As discussed above, the Project does not meet the criteria required for a CEQA categorical exemption. Furthermore, even if a categorical exemption class were applicable to the Project, the Project's potential to result in significant environmental effects and cumulative impacts makes the Project ineligible for any CEQA categorical exemption.

CEQA Guidelines section 15300.2 identifies "exceptions" to the exemptions which preclude application of an exemption under certain circumstances associated with a proposed project. Section 15300.2 exceptions and their applicability to the Project include:

15300.2 Exceptions

(b) **Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

(c) **Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

(f) **Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The staff report (pg. 24, HDC packet pg. 72) states:

City staff has determined that the cumulative impacts exception does not apply because of the cumulative impact of successive projects of the same type in the same place proposed project is not significant in this case, in that the project will not result in any adverse impacts with respect to building design, site design, parking, lighting, and noise or other environmental impacts potentially caused by the proposed use.

First, the City has not evaluated potential environmental impacts of the Project. Thus, staff report's assertion that "the project will not result in any adverse impacts" is not supported in the record, nor is it factual. In fact, as discussed below, in several instances the staff report

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acknowledged that impact will occur and simply downplays them and asserts that conditions of approval will minimize them but with no meaningful evaluation. As discussed herein, the Project would have the potential to result in significant impacts, therefore, it would also have the potential to result in cumulative impacts meaning that even if the Project were eligible for a categorical exemption (which, as discussed above, it is not), the cumulative impact exception to any such exemption would preclude the exemption's applicability to the Project.

The staff report (pg. 24, HDC packet pg. 72) states:

When analyzing this exception with respect to the proposed project, the City considered projects of the "same type" to be other projects with similar uses, such as those projects listed on the hours of operation chart that appears in another noise impacts section of this report. The City considered projects in the "same place" to be projects on Sutter Street.

The referenced "hours of operations" chart lists seven businesses within the 600 block of Sutter Street that each have bars that serve alcohol. The Project would be eighth. Although there are other businesses and other areas (not just alcohol serving and not just on the 600 block, but we can concede to the City's approach and focus on those for the purposes of discussion here).

On August 4, 2021, Assistant City Attorney Sari Dierking explained to the Historic District Commission during a hearing regarding the formerly proposed Folsom Prison Brews project (with the exception of building design, essentially the same as the currently proposed Project). Ms. Dierking advised the HDC in layman's terms that considering cumulative impacts for a CEQA exemption the issue is to determine whether there are, *"so many projects just like this one happening so that this one's sort of the straw that broke the camel's back; we can't keep doing this over and over again without making a huge impact on the environment."* The Project would be at least the eighth alcohol serving business on the 600 block of Sutter Street. Just how strong is the camel's back?

The Project would exacerbate existing parking deficiencies associated with the existing businesses in this area of the Historic District. The Project would increase vehicle travel to and through the area in the commercial district as well as adjacent neighborhoods that lack sidewalks and experience substantial aggressive drivers cutting through the neighborhoods, and the Project would therefore exacerbate existing pedestrian safety issues. The Project would increase vehicle noise and increase outdoor noise, in an unquantified manner, that would contribute to and exacerbate existing noise that frequently already reaches adjacent neighborhoods into late hours of the night and early morning. The Project would substantially increase the use of the existing Eagles Lodge parking lot, increasing the noise, light, dust, vehicles crossing the pedestrian walkway as compared to the existing use, exacerbating these cumulative effects. For these reasons, the Project would result in cumulative impacts that must be evaluated under CEQA.

Furthermore, the staff report's approach of considering only existing bars and only those on the 600 block fails to consider other existing businesses within the 600 block, bars and other businesses within other areas of the Historic District Sutter Street Subarea, and other reasonably foreseeable projects such as the proposed 603 Sutter Street project which is a current active application with the City and would increase traffic, noise, light, etc., and would further exacerbate existing parking deficiencies and related impacts in the neighboring residential area including pedestrian safety risk.

The staff report (pg. 24, HDC packet pg. 72) states:

The proposed project involves the remodel of an existing commercial building and the re-use of an existing outdoor patio area.

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This description fails to acknowledge that the building would be substantially modified, the “re-use of the courtyard” would involve installation of fencing, tables, and other modifications, and fails to mention and consider other components of the Project such as the accessible lift, new sewer lines, electrical transformer, and substantial increase in use of an offsite currently gravel surfaced parking lot that will undoubtedly require improvements for safety and security (the staff report provides no discussion of offsite parking lot *improvements*, however, the existing lot does not meet City parking standards and will require improvements if it is to be used by the Project). Thus, the Project would not be limited to the mere remodeling of a building and use of outdoor patio and impacts associated with the entire Project have not been fully considered by the City for their potential contribution to cumulative impacts.

The staff report (pg. 24, HDC packet pg. 72) states:

In terms of parking, the proposed project is not required to provide any onsite parking spaces per established City practice. In addition, the applicant has entered into a lease agreement to provide 15 off-site parking spaces to further address any potential parking concerns.

Established City practice of not requiring onsite parking is inconsistent with the Folsom Municipal Code. More relevant here, however, is that it is that very practice that has created and, if perpetuated, will continue to exacerbate the existing parking deficiencies and public safety issues associated with neighborhood parking in the Project area. Furthermore, evidence in the staff report suggests that there are, at most, 14 hypothetical parking spaces at the proposed offsite location. Furthermore, the proposed offsite parking lot would only be available for Project use when it is not in use by its owner and that owner would retain the right to exclude Project use of the lot any time for any reason. Thus, the offsite parking lot component of the Project has limited value in providing parking.

Additionally, the offsite parking lot, when it is available for use, would create a situation that attracts vehicles to an already often congested segment of Scott Street and would create the potential for substantially increasing pedestrian risk conditions along Scott Street. Additional vehicles on Scott Street and additional pedestrians attempting to cross Scott Street between the lot and the Project would exacerbate pedestrian risk resulting in a significant Project impact and a substantial contribution to the existing cumulative risk. Thus, the Project would result in significant cumulative effects associated with public safety.

The staff report (pg. 24, HDC packet pg. 72) states:

In relation to noise and light, standard and project-specific conditions of approval have been placed on the proposed project to minimize any potential noise and light impacts.

The City has performed no meaningful impact analysis associated with potential noise and light impacts. Yet, the staff report acknowledges the need to apply conditions of approval to address such impacts, implicitly acknowledging that the Project would have the potential to result in noise and light impacts and, thus, proposes mitigation-like conditions attempting to address those impacts. Although the staff report discusses that these mitigations/conditions would minimize any potential effects, there is no analysis of what the pre-mitigated impacts would be, no analysis of the actual efficacy of the proposed mitigation, and no analysis of what the residual impacts would be. Even if the staff report is correct that conditions of approval would “minimize” the cumulative impacts associated with these minimized impacts is still not evaluated. In fact, the Project will have the potential to result in significant noise and light impacts and would have the potential to result in cumulative noise and light impacts. Furthermore, the City has made no

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attempt to evaluate noise and lighting impacts associated with the proposed use of the offsite parking lot, which would also contribute to the Project's project-specific and cumulative impacts.

The staff report (pg. 24, HDC packet pg. 72) states:

With respect to any other potential impacts caused by the proposed use, the conditions imposed on the project in the Conditional Use Permit are designed to minimize or eliminate any negative effects on the environment created by the proposed use.

This barren attempt at blanket coverage of "any other potential impacts cause by the proposed use" is insufficient evidence of anything, except perhaps the City's acknowledgement that there are "other potential impacts [that will be] caused by the proposed use." I agree.

The City's decisions to attempt a CEQA exemption for the Project has resulted in the City's failure to perform environmental impact evaluation of the Project. Therefore, the City has thus far failed to evaluate and disclose impacts that would be associated with the discretionary approval of a CUP and design review for the Project.

Potential impacts and substantial evidence of a fair argument that the Project may have one or more significant effects discussed below. Individually, each is sufficient to invalidate the use of a CEQA categorical exemption and sufficient to require that the City prepare a CEQA document for the Project. Furthermore, each of these Project impacts has the potential to substantially contribute to cumulative effects associated with past, present, and reasonably foreseeable projects (including the currently proposed 603 Sutter Street project its substantial increase in vehicle trips and parking demand) and require evaluation under CEQA.

Aesthetics. By developing a dominating building exterior inconsistent with the architecture of existing structures, the Project would have the potential to result in a substantial adverse change in the visual character of the Historic District, including views from adjacent private properties/businesses, views from adjacent public roadways and bicycle/pedestrian trails and walkways, and views from adjacent historic properties. Figure 2 on the following page illustrates views from offsite public areas that would have the potential to be adversely affected by the Project's modification of the existing structure. Other Project components having the potential to significantly alter the visual character of the Project area – including the development of an accessible lift, an outdoor patio that apparently would be somehow joined with a speculative outdoor patio at an adjacent property, modifications and signage that would be needed to facilitate use of the Eagles Parking lot, have not been fully described. These components must be clearly described and evaluated in compliance with CEQA.

Air Quality. Vehicle emissions associated with vehicle trips generated by the Project and fugitive dust associated with unpaved parking lot use are among the Project elements that would create the potential for significant impacts and must be evaluated. The Project proposes to use offsite parking lots to meet a portion of its increased parking demand. The Project's use would be in addition to use of the lots that already occurs due to existing uses. Use of the lots would increase in intensity and with more vehicles and greater frequency and density of use with the shared use proposed by the Project. One of the proposed lots is gravel/dirt surfaced and no improvements are proposed. Increased use of the lots by adding Project-related vehicles would increase fugitive dust emissions that will adversely affect adjacent properties. Air quality impacts of the Project must be evaluated in compliance with CEQA.

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Biological Resources. A recent CEQA document prepared by the City for a project approximately 200 feet from the Project site (603 Sutter Street Commercial Building Revised Initial Study/Mitigated Negative Declaration, July 2021) identified that valley oak and ornamental trees on that project site could provide nesting habitat for bird species found in the vicinity of the project. The study also the State-threatened Swainson's hawk has occurred in the project vicinity and that there is a noted occurrence within 0.5 miles of that project site. The study notes that Swainson's hawks generally forage within 10 miles of their nest tree, and more commonly within 5 miles; and that existing trees within that project parcel may serve as nesting trees. The Project site is less than 200 feet from the 603 Sutter Street project location. The proximity of the proposed Project to the 603 Sutter Street site and the Project site's proximity to woodland areas to the north and along Lake Natoma (also as near as 200 ft) clearly indicate that Project construction activities would have the potential to adversely affect protected nesting bird species in the same or similar manner as those of the 603 Sutter Street project. The 603 Sutter Street project identifies mitigation measures attempting to address the impacts, but no such provisions are provided for construction activities associated with the Project. Potential impacts to biological resources must be evaluated for the proposed Project and mitigation measures identified to avoid impacts to protected bird species. This analysis and mitigation requirements to avoid significant impacts to special-status species must be evaluated and documented in a CEQA document.

Land Use/Planning. The proposed leasing of the Eagles Lodge parking lot for use by another party must be assessed in terms of applicable General Plan policies and zoning requirements.

Noise. The Project would increase the intensity of use of the Project site and extend the hours of use (discussed above). The staff report identifies staff's concerns with potential noise impacts and recommends conditions of approval modifying the hours of operation and making other use restrictions. However, staff provides no evidence or evaluation to actually present the potential noise impacts associated with the Project or to assess and determine the efficacy of the recommended conditions of approval. Staff's identification of potential noise issues indicates that staff recognizes the potential for noise impacts yet provides no analysis of noise impacts associated with the site use, offsite vehicle trips, or offsite parking use – all of which are potentially significant noise components of the Project. An actual noise analysis must be conducted by a qualified acoustician for compliance with CEQA.

On August 4, 2021, during a presentation to the HDC regarding the then-proposed Folsom Prison Brews project, staff planner Steve Banks stated to the HDC, "noise and noise-related issues were evaluated at great length by City staff." Subsequent to that HDC meeting, the Community Development Direct advised that the Department does not have in-house capabilities to perform noise evaluations. The staff report for the November 18, 2021, HDC hearing states that "staff evaluated potential noise impacts associated with the proposed project," yet staff does not have the capability to perform noise evaluations. The staff report discusses hours of operation for the proposed tap house and discusses existing hours of operation for other businesses in the area, but the staff report neither cites a noise study nor presents any information resembling a noise impact evaluation.

Basic and fundamental information essential for a noise impact evaluation, such as existing and predicted with-project noise levels, is not provided in the staff report nor any supporting documentation. There is no discussion in the staff report "Noise Impacts"

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section (packet pgs. 57-59) of the predicted noise levels associated with the proposed tap house, nor is there any discussion of noise impacts associated with the Project's use of the Eagle Lodge parking lot. There is no discussion of anticipated vehicle trips and associated traffic noise levels that would result from the project. The distances to nearest residences cited in the staff report fail to acknowledge residential uses at 605 and 607 Sutter Street (both of which are within less than 100 feet of the project site and within 200 feet of the proposed outdoor patio) or residential uses in proximity to the Eagles Lodge parking lot component of the project. The staff report fails to discuss other noise-sensitive land uses, such as the existing outdoor dining areas at nearby restaurants.

Also, even though the staff report seemingly attempts to base the "evaluation" on hours of operation, there is no discussion of the City General Plan daytime and nighttime exterior standards or time periods for which those standards are based, which then fails to disclose the fact that the project's proposed hours of operations on Thursday, Friday, and Saturday extend into the nighttime period during which the General Plan standards recognize increased noise sensitivity. Instead, the staff report incorrectly suggests that the Project would not result in noise impacts because other bars and restaurants are also open late into the evening.

The Project would have the potential to result in significant noise impacts associated with construction activities, the proposed tap house use, the proposed use of the Eagles Lodge parking area, the proposed lift operation, and the increased vehicle trips and resulting traffic noise. A noise impact evaluation must be prepared and potential impacts and mitigation identified in compliance with CEQA.

Transportation/Public Safety. The Project would increase the intensity of the Project site use and of offsite parking lots use as compared to the existing business at the site. The staff report acknowledges the Project would increase parking demand, but provides no analysis of Project trip generation or impacts of vehicle circulation. CEQA no longer requires, or permits, a lead agency to identify traffic *congestion* as a Project impact; however, CEQA does require that a lead agency provide an analysis of impacts related to vehicle miles traveled (VMT) and public safety and hazards. Consideration of public safety impacts associated with vehicle circulation in the Historic District commercial and residential areas must be evaluated.

Discussed below as relates to findings necessary for issuing a Conditional Use Permit, the City must evaluate and acknowledge that exacerbation of the existing spillover parking of visitors and workers coming to the Historic District and parking in adjacent neighborhoods is already substantially adversely affecting the health, safety, and wellbeing of Historic District residents. Vehicles circulating in residential neighborhoods and vehicles parking on residential streets create risks, especially for bicyclists and pedestrians in Historic District neighborhoods. The Project's vehicle trip generation and parking demand must be evaluated and the increased/exacerbated risk to pedestrians and bicyclists resulting from increased vehicle movement and increased spillover parking in residential neighborhoods must be meaningfully evaluated.

Furthermore, the proposed use of the Eagle Lodge parking lot and pedestrian movement between that lot and the Barley Barn site would require pedestrian crossing of the busiest segment of Scott Street, which is often congested and/or traveled at unsafe speeds. The discussion of pedestrian access in the staff report fails to even acknowledge this connection, and no evaluation of pedestrian access and safety associated with the Eagle Lodge lot component of the Project has been performed.

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For any one of the reasons discussed above, the Project does not qualify for a CEQA categorical exemption. Furthermore, even if it did, three exceptions to that exemption would preclude the use of a categorical exemption. Therefore, the City must prepare and circulate a CEQA environmental document for public review prior to proceeding with a Project decision.

IV. THE PROJECT WOULD SUBSTANTIALLY ADVERSELY AFFECT THE HEALTH, SAFETY, AND COMFORT OF THE GENERAL PUBLIC, AND THE FINDINGS REQUIRED FOR ISSUANCE OF A CUP CANNOT BE MADE

FMC 17.60.040 requires for CUPs that, "The findings of the planning commission [in this case, the HDC] 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."

The staff report discusses pedestrian circulation, but is limited to merely describing how people would walk from adjacent parking areas to the proposed business (the discussion does not consider pedestrian movement between the Eagles lot and Barley Barn site) and provides no indication that staff considered public and pedestrian safety, health, or welfare.

Pedestrians and bicyclists on Historic District residential streets are subject to existing risk from drivers and are especially at risk compared to other areas of the City due to factors including but not limited to: 1) absence of sidewalks along many Historic District residential streets, 2) substantial use of neighborhood streets for vehicle travel through the Historic District, 3) substantial use of neighborhood streets for parking which forces pedestrians and bicyclists to share the same street sections as motor vehicles, 4) the relatively high proportion of businesses and visitation to the Historic District which results in increased neighborhood traffic through extended periods of daytime, nighttime, and early morning hours as compared to other neighborhoods in the City, 5) a relatively high proportion of alcohol serving businesses in the Historic District commercial areas increasing the likelihood of driver intoxication and contributes the extended night and early morning trips in Historic District neighborhoods, 6) the continuing and worsening patterns of illegal, aggressive, distracted, inattentive, and otherwise dangerous driver behavior throughout the City, including the Historic District.

It is well known, but not addressed in the staff report, that workers and visitors to the Historic District commercial area often park on streets in the residential neighborhoods in the 400-600 blocks south and east of Sutter Street. These parked vehicles result in making the residential streets narrower and more dangerous for pedestrians. As the residential streets become loaded with vehicles, drivers and pedestrians have less ability to negotiate around each other creating increased risk to pedestrians. When drivers are focused on finding parking, they often drive more hurriedly/aggressively and less conscientious of pedestrians. There is limited street lighting in the neighborhoods making pedestrians more difficult to see. With the exception of a short segment on the east side of Scott St, south and east of the Sutter/Scott Street intersection there are no connected sidewalks in the residential neighborhoods, and pedestrians must walk in the street.

Furthermore, and as discussed above, the proposed use of the Eagle Lodge parking lot and pedestrian movement between that lot and the Barley Barn site would require pedestrian crossing of the busiest segment of Scott Street, which is often congested and/or traveled at unsafe speeds. The direct path between the Barley Barn site and the Eagles lot is mid-block on Scott Street (between Sutter and Riley streets) and pedestrians would likely seek to cross there where no crosswalk is available. The discussion of pedestrian access in the staff report fails to even

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acknowledge this connection, and no evaluation of pedestrian access and safety associated with the Eagle Lodge lot component of the Project has been performed. The City's Traffic Safety Committee has not been given an opportunity to meet and discuss the Project and made recommendations to City decision-makers.

Speeding, distracted driving, right-of-way violations, and DUIs were recently cited in the Local Road Safety Plan adopted by the City Council as the leading causes of fatal and severe injury collisions in the City of Folsom. The Project would increase vehicle trips to and from the Historic District and would substantially exacerbate the existing public safety risk associated with motor vehicle operation. The staff report provides no discussion of these issues and the related effects of the Project on the health, safety, and comfort of the general public.

For these and other reasons, the Project would substantially adversely affect the health, safety, and comfort of the general public and the findings required for issuing a CUP cannot be made.

V. THE PROJECT REQUIRES A PARKING VARIANCE, AND HAS NOT APPLIED FOR AND DOES NOT QUALIFY FOR SUCH A VARIANCE

The Project would increase the intensity of use and increase the parking demand associated with the Project site as compared to existing conditions. The staff report provides no information regarding the existing site use entitlement or allocation of existing parking. Yet, the staff report asserts "City policy" associated with parking, stating that "*City policy has also been that development projects that do not result in an increase in density...are not required to provide any additional on-site parking.*" Although requested, City staff has provided no documentation of when and how the City Council adopted such a policy – and there is no evidence that such a policy exists.

The staff report does not provide information regarding existing entitlements/use permits/conditions of approval associated with either of the two private lots at which the Project presumes could be used to meet the Project's parking demand. Evidence of such entitlements are required components to be included as a component of a project application (17.52.310(C)), yet they are not provided. For a meaningful analysis of the proposal, the proposed off-site parking areas and their existing entitlements, and parking allocations, must be identified in order to allow an assessment of whether their proposed use for parking from another project has any merit.

The Project narrative included in the staff report acknowledges the increased demand and additional parking required, yet the Project does not provide a feasible mechanism to actually provide additional parking that would be available during all days and times of Project operation. The Project proposes use of the Eagles Lodge property to meet some of the Project's increased parking demand. Yet this proposed approach is fundamentally flawed in terms of providing ensured parking capacity. According to a lease provided in the staff report, the Eagles Lodge would continue to utilize its parking area and, in fact, the lease presented includes language expressly allowing the Eagles Lodge to preclude use by the Project.

The Project's parking requirements must be determined and the Project should not be approved unless and until such approval includes an application for and approval of a parking variance through a public hearing process at which a City decision making body is able to consider whether the Project meets the findings required for such variance.

VI. CONCLUSION

To date, insufficient information is available to have a complete understanding of the Project. City staff have erroneously asserted that the Project does not require a Parking Variance. Staff have recommended use of an offsite parking lot that has dubious availability and capacity, and

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staff have not identified any entitlements or physical improvements that would be necessary for the use of the lot (but both would be necessary). Use of the lot would have the potential to create serious pedestrian safety issues associated with movement across Scott Street between the lot and Barley Barn. While there are many reasons to deny or decline to make a decision on the Project as currently presented, the use of the Eagles lot is in my opinion is at best poorly thought-out scheme and, worse, would create the potential for very dangerous pedestrian circumstances that appear to have been given little or no consideration thus far in the process.

Please require that a more complete description of the Project be developed which comprehensively identify all required entitlements, conduct the necessary safety and environmental analysis, and invite the community to engage in discussion of the Project's potential benefits and challenges before making an approval decision.

Sincerely,



Bob Delp
Historic District Resident
Folsom, CA 95630
bdelp@live.com

Attachments:

- A. Email Correspondence – Delp to Johns 9/30/2021 “Re: 614 Sutter Street Patio (PN 18-219) Approval is Null and Void
- B. Email Correspondence – Banks and Konet et al, 10/14/2020 “FW: Folsom Prison Brews Update and Questions_2020-10-08”

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Attachment A

**Email Correspondence – Delp to Johns 9/30/2021 “Re: 614 Sutter Street Patio (PN 18-219)
Approval is Null and Void**

Re: 614 Sutter Street Patio (PN 18-219) Approval Is Null and Void**Bob Delp** <bdelp@live.com>

Thu 9/30/2021 7:16 AM

To: Pam Johns <pjohns@folsom.ca.us>

Cc: Sari Dierking <sdierking@folsom.ca.us>

Pam:

Per my message below, can you please confirm that the City's records have been adjusted to reflect the expiration of the 2018 staff-level approval for hardscape/landscape work at 614 Sutter Street and that any future similar proposal would be presented for review and approval by the HDC through a public hearing process?

Thank you,

-Bob Delp

Bob Delp

916-812-8122

bdelp@live.com**From:** Bob Delp**Sent:** Sunday, September 12, 2021 9:20 AM**To:** Pam Johns <pjohns@folsom.ca.us>**Cc:** Sari Dierking <sdierking@folsom.ca.us>**Subject:** 614 Sutter Street Patio (PN 18-219) Approval Is Null and Void

Ms. Johns:

At the August 4, 2021, Historic District Commission (HDC) meeting during a presentation regarding the proposed Folsom Prison Brews project, Steve Banks advised the HDC that the Folsom Prison Brews applicant had received separate staff-level approval of hardscape and landscape improvements on the adjacent Powerhouse Pub property (614 Sutter Street). As discussed below, records indicate that this approval is null and void and I am requesting that the record be adjusted accordingly.

In materials I received as a result of a public records request for entitlements associated with properties including 614 Sutter Street, I have reviewed a September 11, 2018, staff letter approving PN 18-219 Site Design Review of a proposed excavated landscaped patio at 614 Sutter Street. FMC 17.52.350 states that, "an approval by the historic district commission shall be null and void unless the applicant submits a complete application for a building permit within one year from the date of approval" and allows that the HDC may grant a 1-year extension of an approval if specific actions are taken by the applicant, including a written request for such extension at least 60 days prior to the initial expiration. Staff-level approvals (which are to be limited to *design* decisions only) are allowed by delegation of HDC's authority and are therefore subject to the same requirements and expiration terms of an approval granted by the HDC.

I see no evidence in the records provided that a building permit application has been submitted for the patio improvements. Without such an application having been submitted prior to September 11, 2019, the 2018 approval is null and void. The record for PN 18-219 should be adjusted to reflect that expiration.

In addition to acknowledging that the approval is null and void, I am requesting that any future proposal for a development in the Historic District that would consume 1 or more existing parking spaces and/or in any manner expand any commercial use (the patio would have done both) be publicly noticed and brought to the HDC for consideration and not be permitted by staff-level review. In fact, since the matter of the patio was not merely a "design" issue and also involved grading, expansion of use, and elimination of existing parking, a staff-level approval was in conflict with FMC Section 17.52.395(B) which limits HDC delegation of its authority to staff to matters of design only (delegation is allowed only if "approval of the design of the project is the only matter within the jurisdiction of the historic district commission").

Nor in the record for PN 18-219 did I see any evidence that staff presented the approval to the HDC as required by the FMC. Perhaps this occurred and was not included in the records I received, however, please be reminded that FMC Section 17.52.395(E) requires that "the planning, inspections and permitting department shall review the design of all approved projects with the historic district commission at its regular monthly meeting. Such review will allow the commission to provide input to the department concerning the appropriateness of the approvals and help the commission and the department develop a consistent approach to design review."

Thank you,
-Bob

Bob Delp
916-812-8122
bdelp@live.com

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Attachment B

Email Correspondence – Banks and Konet et al, 10/14/2020 “FW: Folsom Prison Brews Update and Questions_2020-10-08”

From: [Steven Banks](#)
To: [Reggie Konet](#)
Subject: FW: Folsom Prison Brews Update and Questions_2020-10-08
Date: Wednesday, October 14, 2020 2:00:00 PM
Attachments: [North of 50 Development Impact and Permit Fees for \(2020.07.01\).pdf](#)
[Impact Fee Estimate Data Sheet.pdf](#)

FYI

From: Daniel Wolfe <dwolfe@folsom.ca.us>
Sent: Wednesday, October 14, 2020 2:00 PM
To: Steven Banks <sbanks@folsom.ca.us>; Bryan Holm <bholm@folsom.ca.us>
Subject: RE: Folsom Prison Brews Update and Questions_2020-10-08

From: Steven Banks <sbanks@folsom.ca.us>
Sent: Wednesday, October 14, 2020 1:33 PM
To: Daniel Wolfe <dwolfe@folsom.ca.us>; Bryan Holm <bholm@folsom.ca.us>
Subject: FW: Folsom Prison Brews Update and Questions_2020-10-08

Hi guys,

Would you be able to help answer some of the utility questions below associated with the Folsom Prison Brews project?

Thanks,

Steve

From: Steven Banks
Sent: Thursday, October 8, 2020 12:46 PM
To: Daniel Wolfe <dwolfe@folsom.ca.us>
Subject: FW: Folsom Prison Brews Update and Questions_2020-10-08

Hi Dan,

The applicant for the Folsom Prison Brews project was forwarded me with a list of questions, some of which I may need your assistance with (see below No. 1, No. 2, and No. 3).

Thanks,

Steve

From: Reggie Konet <konetarchitecture@gmail.com>
Sent: Thursday, October 8, 2020 10:44 AM
To: Steven Banks <sbanks@folsom.ca.us>
Cc: Murray Weaver <powerhousepub@aol.com>

Subject: Folsom Prison Brews Update and Questions_2020-10-08

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.

RE: Folsom Prison Brews
PN18-174

Good morning Steve,

I hope this email finds you well.

Murray and I met with my MEP engineers yesterday at the site. The SMUD agent did not show up and never responded to my invites.

But we did have a productive meeting and I'd like to ask you the following questions.

1. For our new waste line, we may tie into the existing connection at the WEST side of the building, or we may tie into the waste line downhill from the building to the NORTH. If so, what is the sewer connection fee for a new connection?

Each Parcel shall have it's own water and sewer connection. If the parcel has an existing connection it may use it. It may not tie into a service on a different parcel. Same goes for water. A fee schedule is attached. I can give you an estimate if you fill out the data sheet and send it back to me.

2. For our new electric, we will need to tie into a transformer. There is an existing one at the EAST edge of parking lot. Do you feel that SMUD will allow us to do so? If we have to provide our own new transformer, it needs to be located on a 10' x 10' conc pad with the additional clear floor area. This would drastically reduce Murray's outdoor patio area.

That is between you and SMUD. The city does not get involved unless we are inspecting new service improvements for code compliance.

3. CITY UTILITIES PLAN. Do you have access to the underground utility location map? Location, size of pipes, easements, etc.

We get you the utility maps that we have on file. Please be aware that they are not always 100% accurate.

4. Remind me again on the time schedule for the HDC review? How far are they backed up?

5. Last but not least, the elec pole that is on the northwest edge between this property and the Powerhouse Pub is rotting and tilted. I realize that SMUD comment 1 states that if it needs to be moved for the project, the cost is on Murray. BUT, we do not need to move it for this project. ALTHOUGH, we are very concerned about

the safety of Murray's properties due to the condition of this pole. Also, it is the last above grade pole. The continuation of the lines are buried at that point moving east. So we thought it may behoove the Historic District to request SMUD to bury the lines at this point going west to the next pole. It would eliminate our concern of safety and it would benefit the aesthetic of the Historic District entry point. Many folks park in that lot and walk up the stairs toward Sutter Street. This particular pole is visually detrimental. Is there something we could do to request action on SMUD's part to perform this work?
PLEASE SEE MURRAY'S LETTER attached.

Thank you so much, Steve. I realize how busy you are and I greatly appreciate your assistance.

REGGIE KONET, AIA

CA LIC #33835
NY LIC #031827

KONET ARCHITECTURE

c 916.835.4222

www.houzz.com/pro/reggiekonet/

**255 American River Canyon Drive
Folsom, CA 95630**

Attachment 6

Off-Site Parking Lease Agreement
Dated October 15, 2021

EAGLES #929 PARKING LOT LEASE

Landlord: Eagles Lodge #929, Fraternal Order of Eagles

Tenant: Murray Weaver

Property: Parking Lot located at 215 Scott Street, Folsom, California

- A. Eagles Lodge #929 is the owner of that certain real property, which is located at 215 Scott Street, Folsom, California. This real property consists of a lodge or clubhouse, landscaping, and approximately 15 parking spaces. The parking lot is mainly graveled, not paved.
- B. Murray Weaver is the owner of a building which is located at 608 ½ Sutter Street, Folsom, California. Mr. Weaver desires to locate a business to be known as the Barley Barn Tap House in that building.
- C. The real property at 608 ½ Sutter Street abuts a public parking lot which is currently accessible by the customers and patrons of businesses located in the building on that property. Mr. Weaver wants to provide additional parking for patrons of his 608 ½ Sutter Street establishment at the Eagles' parking lot, and the Eagles are willing to lease their parking lot to Mr. Weaver for that purpose upon the terms and conditions herein stated.

In consideration of these facts and circumstances, Eagles Lodge #929 and Murray Weaver agree to the following:

1. Tenant will pay the sum of \$500, on the first of each month, beginning September 1, 2021, to Landlord, as rent for the use of the Parking Lot owned by Landlord. This lease shall continue for a term of 20 years, unless sooner terminated by the parties in accordance with the terms of this lease. As additional rent, Tenant will provide Landlord with a minimum of four (4) free admittances per month to any event held by Powerhouse Entertainment.
2. During the term of this lease, Landlord retains use of this parking lot for the convenience of its members and guests, in a manner consistent with the Tenant's rights under this Lease.
3. In the event of a request from Landlord, Tenant shall provide a parking lot attendant on Friday and Saturday evenings from 5pm until 10pm. This obligation to provide an attendant shall commence upon the opening of the Barley Barn Tap House at 608 ½ Sutter Street. Tenant will post, at Tenant's sole risk and expense a sign that states: "Parking Exclusively for Members of Eagles #929 and customers of Barley Barn Tap House. All others will be towed at Owner's expense. CVC, Section 22658(A)."
4. Tenant or his designee will maintain general liability insurance coverage for not less than one million dollars with Eagles #929 named as an additional

insured. Tenant hereby agrees to hold Landlord and its property harmless from and against all claims, suits, or the like which may be brought against it by reason of Tenant's leasehold or its actions upon Landlord's subject property.

- 5. Landlord and Tenant agree that the parking lot is being rented on an "as is" basis and that Landlord disclaims any and all warranties, express or implied.
- 6. This lease may be terminated by either party upon the giving of one year's written notice of termination to the other party. Landlord may terminate this lease, in the event of non-payment of rent for a continuous period of 45 days from and after the due date, upon 30 days written notice of said non-payment of rent and election to terminate by Landlord to Tenant.
- 7. This agreement constitutes the entire agreement of the parties and supersedes any prior or contemporaneous agreements or understandings between the Landlord and the Tenant.
- 8. Any and all notices and communications required under this agreement shall be given to each of the parties as follows:

Landlord:

Sarah Woods
c/o Eagles Lodge #929
215 Scott Street
Folsom, CA. 95630

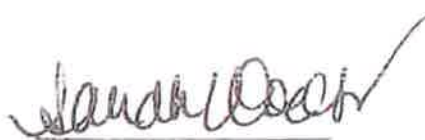
Tenant:

Murray Weaver
608 1/2 Sutter Street
Folsom, CA. 95630

Dated: October 15, 2021



Murray Weaver, Tenant
Barley Barn Tap House
608 1/2 Sutter Street
Folsom, CA. 95630



Sarah Woods, Landlord
Eagles Lodge #929
215 Scott Street
Folsom, CA. 95630

Attachment 7

Minutes from November 18, 2021 Historic District Commission Meeting



FOLSOM
CITY OF FOLSOM

**SPECIAL MEETING
HISTORIC DISTRICT COMMISSION MINUTES
November 18, 2021
CITY COUNCIL CHAMBERS
5:00 p.m.
50 Natoma Street
Folsom, California 95630**

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Kathleen Cole, Mickey Ankhelyi, Kevin Duewel, Mark Dascallos, John Felts, Daniel West, Daron Bracht

ABSENT: None

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: 1. Bob Delp addressed the Historic District Commission concerned about public hearing noticing requirements.

MINUTES: The minutes of the November 3, 2021 meeting were approved as submitted.

NEW BUSINESS

1. PN 21-273, 811 Sutter Street Sign Permit and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from United Sign Systems for approval of a Sign Permit application for a wall sign and under-canopy sign for Maribou Salon located at 811 Sutter Street. The zoning classification for the site is SUT/HD, while the General Plan land-use designation is HF. The project is exempt from the California Environmental Quality Act ("CEQA") in accordance with Section 15301 of the CEQA Guidelines. (Project Planner: Josh Kinkade/Applicant: United Sign Systems)

- 1. Bob Delp addressed the Historic District Commission with comments regarding the size and position of the proposed sign.
- 2. Cindy Pharis addressed the Historic District Commission with comments regarding the proposed sign brackets and building color change.

COMMISSIONER COLE MOVED TO CONTINUE ITEM NO. 1 TO THE NEXT HISTORIC DISTRICT COMMISSION MEETING ON DECEMBER 1ST.

COMMISSIONER BRACHT SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: COLE, ANKHELYI, DUEWEL, WEST BRACHT
NOES: FELTS
RECUSED: DASCALLOS
ABSENT: NONE

2. PN 21-239, 309 Figueroa Street Remodel and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from Belwood Investments for approval of a Residential Design Review application for a remodel of an existing single-family residence located at 309 Figueroa Street. The zoning classification for the site is R-1-M/FIG, while the General Plan land-use designation is SFHD. The project is exempt from the California Environmental Quality Act ("CEQA") in accordance with Section 15301 of the CEQA Guidelines. (Project Planner: Josh Kinkade/Applicant: Belwood Investments)

1. Bob Delp addressed the Historic District Commission with comments regarding historical evaluation of the property and the garage conversion.
2. Laura Fisher addressed the Historic District Commission with comments regarding wood windows, easements, and why work had been started without a permit.
3. Loretta Hettinger addressed the Historic District Commission with comments regarding updating the cultural resource inventory list.
4. Margaret Weaver addressed the Historic District Commission with comments regarding the driveway and making a cooperative agreement with neighbors in the alley.

COMMISSIONER BRACHT MOVED TO CONTINUE ITEM NO. 2 OFF CALENDAR TO ADDRESS COMMISSION CONCERNS.

COMMISSIONER FELTS SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: ANKHELYI, DASCALLOS, FELTS, WEST, BRACHT
 NOES: NONE
 RECUSED: COLE, DUEWEL
 ABSENT: NONE

PUBLIC HEARING

3. PN 19-174, Barley Barn Tap House Conditional Use Permit, Design Review, and Determination that the Project is Exempt from CEQA

A Public Hearing to consider a request from Regina Konet for approval of a Conditional Use Permit and Design Review for development and operation of a craft beer establishment (Barley Barn Tap House) within an existing 4,377-square-foot building located at 608 ½ Sutter Street. The General Plan land use designation for the project site is HF and the zoning designation for the project site is HD. The project is categorically exempt under Section 15303 New Construction or Conversion of Small Structures of the California Environmental Quality Act (CEQA) Guidelines. (Project Planner: Steve Banks/Applicant: Regina Konet)

1. Cindy Pharis addressed the Historic District Commission with comments regarding a parking variance and use of the property.
2. Joe Gagliardi addressed the Historic District Commission with comments regarding economic impacts.
3. Carrie Lane addressed the Historic District Commission with comments regarding the business district's balance and parking.
4. John Lane addressed the Historic District Commission with comments regarding parking.
5. Bonnie Darran addressed the Historic District Commission with comments regarding a parking variance.
6. Glenn Fait addressed the Historic District Commission with comments regarding public noticing and support of the project.
7. Beth Kelly addressed the Historic District Commission with comments regarding CEQA exemptions and possible impacts.
8. Loretta Hettinger addressed the Historic District Commission with comments regarding conditional use permit issues and parking.
9. Ben Fuentes addressed the Historic District Commission with comments regarding traffic and parking.
10. John Shaw addressed the Historic District Commission with comments regarding the parking lease with the Eagles and noise.

Historic District Commission
 November 18, 2021
 Page 2 of 4

11. Jerry Bernau addressed the Historic District Commission with comments regarding parking studies.
12. Karen Holmes addressed the Historic District Commission with comments regarding parking and changes that are needed to the district.
13. Gary Richard addressed the Historic District Commission with comments regarding parking.
14. Mike Reynolds addressed the Historic District Commission with comments regarding parking.

COMMISSIONER DUEWEL MOVED TO APPROVE A CONDITIONAL USE PERMIT AND DESIGN REVIEW (PN 19-174) FOR BARLEY BARN TAP HOUSE, WHICH INCLUDES DEVELOPMENT AND OPERATION OF A CRAFT BEER ESTABLISHMENT WITHIN AN EXISTING 4,377-SQUARE-FOOT BUILDING LOCATED AT 608 ½ SUTTER STREET SUBJECT TO THE FINDINGS (FINDINGS A-I) AND CONDITIONS OF APPROVAL ATTACHED TO THIS REPORT (CONDITIONS 1-30).

COMMISSIONER BRACHT MADE A FRIENDLY AMENDMENT TO STRIKE DESIGN REVIEW FROM THE ORIGINAL MOTION.

COMMISSIONER DUEWEL ACCEPTED THE FRIENDLY AMENDMENT.

COMMISSIONER ANKHELYI SECONDED THE MOTION.

COMMISSIONER BRACHT MADE A FRIENDLY AMENDMENT TO ADD LANGUAGE THAT "the applicant shall make a good faith effort to improve the Eagles Lodge parking lot including paving and striping to the satisfaction of the Community Development Department with the voluntary agreement of the Eagles Lodge".

COMMISSIONER DUEWEL ACCEPTED THE FRIENDLY AMENDMENT.

COMMISSIONER ANKHELYI SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: ANKHELYI, DUEWEL, WEST, BRACHT
NOES: COLE
RECUSED: DASCALLOS, FELTS
ABSENT: NONE

THE CONDITIONAL USE PERMIT FOR THE PROJECT WAS APPROVED.

COMMISSIONER COLE MOVED TO APPROVE THE DESIGN REVIEW (PN 19-174) FOR BARLEY BARN TAP HOUSE, WHICH INCLUDES DEVELOPMENT AND OPERATION OF A CRAFT BEER ESTABLISHMENT WITHIN AN EXISTING 4,377-SQUARE-FOOT BUILDING LOCATED AT 608 ½ SUTTER STREET SUBJECT TO THE FINDINGS (FINDINGS A-I) AND CONDITIONS OF APPROVAL ATTACHED TO THIS REPORT (CONDITIONS 1-30).

COMMISSIONER ANKHELYI SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

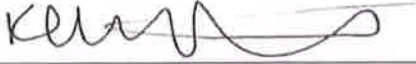
AYES: COLE, ANKHELYI, DUEWEL, WEST, BRACHT
NOES: NONE
RECUSED: DASCALLOS, FELTS
ABSENT: NONE

THE DESIGN REVIEW FOR THE PROJECT WAS APPROVED.

PRINCIPAL PLANNER REPORT

The next Historic District Commission meeting is tentatively scheduled for December 1st.

RESPECTFULLY SUBMITTED,



Kelly Mullett, ADMINISTRATIVE ASSISTANT

APPROVED:



Daron Bracht, CHAIR

Attachment 8

Historic District Parking Implementation Plan Updates Dated December 9, 2008, January 17, 2014, and October 18, 2018

Historic District Parking Implementation Plan Update

January 16, 2009

Prepared for:

City of Folsom, California

Prepared by:

 **Kimley-Horn
and Associates, Inc.**
1430 Blue Oaks Boulevard, Suite 120
Roseville, California 95747

Phone: (916) 797-3811
Fax: (916) 797-3804

EXECUTIVE SUMMARY

The City of Folsom desires to develop a thorough understanding of the dynamics of development and parking in its Historic District, and how it will evolve over time, while ensuring that the City anticipates, and keeps current with, changing demands. The City took an initial step towards this understanding in July 2002, with the preparation of the *Historic District Parking Improvement Implementation Plan* (Gordon H. Chong & Partners/Walker Parking Consultants). This study's objective was to "determine the best way to add parking inventory and thus support the development of commercial activity in the Historic District." While the 2002 *Plan* established recommendations for the future, the dynamics in the Historic District have certainly changed over the past six years. In addition, the City recently prepared the *Parking Management 5-Year Plan* which updates parking conditions and near-term parking management strategies.

The purpose of this *Implementation Plan Update* is to refresh the 2002 *Plan* to more accurately quantify the effect of recent District development and a better defined future build-out scenario on parking supply and demand. More specifically, this report documents both existing and future parking supply and demand, evaluates potential sites for additional parking structures, considers parking and funding strategies, and assesses special events and parking interaction with other concurrent District studies.

Existing Parking Supply and Demand

Based on the data collection and analysis of existing supply and peak demand, there is sufficient parking within the study area to accommodate current typical weekday and weekend peak demands, particularly since the Rail Block parking structure was completed. While some zones experience relatively high demands, overall, there is ample available parking within the entire District. However, recent field observations show spillover parking into adjacent residential neighborhoods, particularly in the vicinity of the intersection of Wool Street and Figueroa Street.

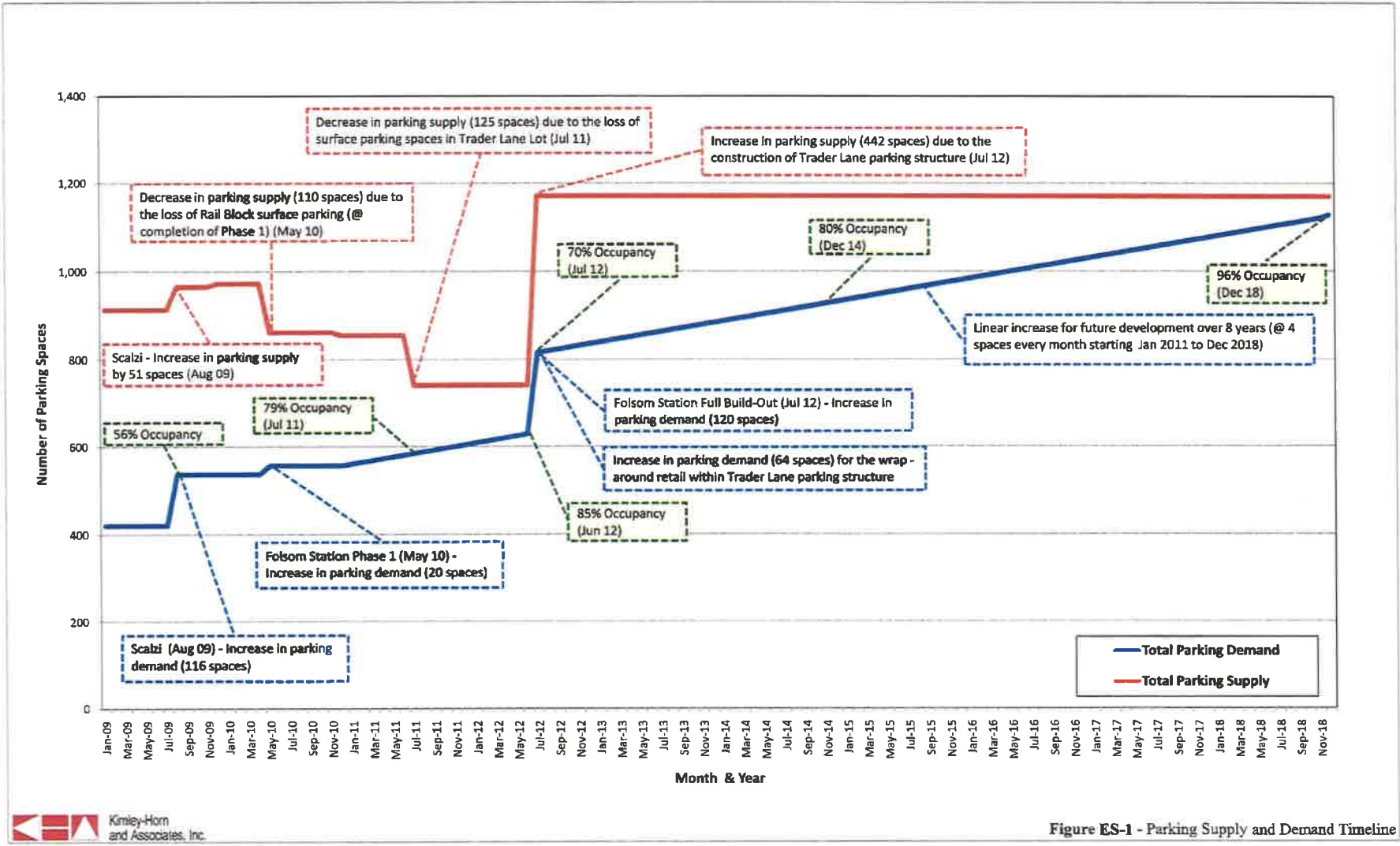
Future Parking Supply and Demand

A single future development scenario was developed which is constrained by the amount of future parking supply that can be achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot, and incorporates ground floor retail. Based on a preliminary schematic and feasibility evaluation, 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity¹, is up to 425 spaces. This level of parking supply (425 spaces) was determined to accommodate approximately 55,000 square feet of retail, 27,000 square feet of restaurant, and 20,000 square feet of office uses in addition to the planned/approved projects, as well as the proposed retail on the ground floor of Trader Lane parking structure. The future retail and restaurant square footages were estimated using the existing proportion of retail and restaurant square footages within the District. The total future development that could be accommodated is 121,850 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure.

Accounting for assumed construction timelines and logical, sequential implementation of District development, the anticipated parking supply and demand were plotted to graphically depict parking conditions in the District over time. This information is provided in Figure ES-1.

As demonstrated in Figure ES-1, the City should begin construction of a Trader Lane parking structure in July 2011, at which point the District-wide parking occupancy is anticipated to be approximately 80 percent. An assumed 12-month construction timeline will allow the parking structure to be completed, and operational ahead of the completion of the final phase of the Historic Folsom Station project in July 2012.

¹ The practical capacity for parking is defined at 85-90 percent utilization of parking spaces.



Adequacy of City's Current Historic District Parking Supply Strategy

Currently, the City of Folsom requires a flat parking ratio of 1 space per 350 square feet for all land use types (retail, offices, restaurants, museums, etc.) within the Historic District. The detailed parking analysis in this study indicates that this requirement is not sufficient to address the future parking needs of the District. The District proposes to add approximately 121,850 square feet (SF) of commercial use, in addition to existing land uses and planned/approved projects. Utilizing the City's existing requirement of 1 space per 350 SF, the additional proposed development (121,850 SF) would require approximately 350 parking spaces, yet the parking demand analysis identifies a need for 425 spaces. In order to meet the existing and future parking demand, the City should either increase its current parking ratio from 1 space per 350 SF, to 1 space per 305 SF, or adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and office (1 space per 460 SF) uses. Revising the City's parking ratio is applicable for private development that would provide some, or all, of its required parking on-site. It would also be applicable should the City select to permit new development to meet its parking requirements in municipal parking structures by paying an in-lieu fee (see funding strategies).

Assessment of Potential Parking Structure Sites

Six potential sites were initially identified by the City for the construction of additional Historic District parking supply. Through preliminary discussions with City staff, this initial list of six sites was subsequently reduced to five with the elimination of one site determined to be generally infeasible, and the least desirable location of all potential sites. Two sites were determined to best meet site evaluation criterion. Subsequent discussions with the City determined that one of these sites, the Trader Lane lot, should be the single location considered for the development of a new parking structure.

Parking Implementation Strategies

The implementation of parking management strategies is intended to ultimately result in more efficient use of limited parking resources. Thirteen parking management strategies, including both near- and long-term components, are identified which could be implemented within the Historic District to address the existing and the projected future parking conditions. These strategies are summarized as follows:

Near-Term Strategies

- a. Increase the current parking ratio from 1 space per 350 SF to 1 space per 305 SF.
- b. Monitor neighborhoods, especially the neighborhood adjacent to the intersection of Wool Street and Figueroa Street, for spillover parking as development intensifies within the District.
- c. Monitor the implementation of planned/approved projects to determine when 80 percent of the parking demand occurs within the District.
- d. Add provision to the City's Municipal Code requiring large developments to provide on-site loading and unloading zones.
- e. Identify existing on-street parking spaces which could be used for loading and unloading during off-peak hours.
- f. Enforce parking restrictions by issuing warning parking tickets during an acclimation period.
- g. Identify time restricted, on-street valet parking spaces to be used by restaurants during the mid-day (noon to 2:00 p.m.) for lunch, and during the evening (6:00 p.m. to 8:00 p.m.) for dinner.
- h. Add on-street parking spaces as suggested by City's *5-Year Parking Management Plan* (January 2008).
- i. Encourage subsidized transit fares and continue operating the Valet/Pedicab program. Also, identify additional bike storage facilities within the District.
- j. Implement City recommended parking management strategy within the Rail Block parking structure.

Long-Term Strategies

- a. Adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and for office (1 space per 460 SF) uses.

- b. Establish and implement in-lieu parking fees. The timing of the in-lieu parking fees could coincide with the City's decision (if implemented) of adopting separate parking ratios for retail, restaurants, and office uses with the District.
- c. Gradually implement a Residential Permit Parking Program (RPPP) in neighborhoods experiencing spillover parking impacts.
- d. Start construction of a 422 space parking structure on the Trader Lane Lot when the district-wide parking demand reaches approximately 85 percent of the available parking supply at the time, or when approximately 80 percent of the planned/approved projects' parking demand occurs within the District.
- e. Identify heavily utilized off-peak loading and unloading zones and designate them as permanent loading and unloading zones without time restrictions.
- f. Restrict all on-street parking within the District to 2 hours and enforce parking restrictions by issuing parking tickets.
- g. Remove the 3-hour parking limit from all off-street parking lots, and institute parking charges based on the number of hours parked. Also, during the construction of the Trader Lane parking structure, the City should identify off-street parking lots within the vicinity of the District to be used as overflow in case the parking spaces within the District are fully utilized. Identify permanent off-street valet parking spaces for existing and future restaurant uses throughout the District.
- h. Conduct a detailed study to identify streets within the District where angled, on-street parking could be implemented.
- i. Gradually implement parking meters for on-street parking spaces on streets serving retail/restaurant uses.
- j. Continue to explore the feasibility of a full-time parking enforcement position, or volunteer help.
- k. Encourage Pool Vehicles/Guaranteed Rides Home program.
- l. Work with Regional Transit to fully and appropriately address the Light Rail Transit parking situation within the District.

Funding Strategies

The City of Folsom currently provides free parking for users in the Historic District. The City currently pays for parking through a combination of bonds issued by the Redevelopment Agency, which paid for the construction of the new Rail Block parking garage, and from City Department budgets, which pays for maintenance of the garage. The maintenance budget is shared equally among all of the City departments, although the funding is not allocated specifically for parking during the budgeting process.

The funding strategies discussed in this report are available to the City should the current financing mechanisms no longer meet the City's needs. It is understood that user fees are not being considered for the Historic District parking. If that policy decision continues, the City may want to consider charging for event parking in the existing parking structure, perhaps on "Thursday Night Market" nights, as a way to raise at least some revenue to be used for operations and maintenance.

Other Considerations

Special Events Assessment

The Historic District has several routine "special" events which result in parking and circulation restrictions different from normal conditions. These "special events" all incorporate closure of a portion(s) of Sutter Street, and alter vehicular access and circulation. Through consultation with the City, it was determined that the Thursday Night Market is the most representative of the conditions experienced during abnormal events within the District, and should be used as the basis of this assessment.

Based on assessment of existing conditions and consultation with the Merchant's Association representatives, two primary special event management strategies were developed: overall improved utilization of Historic District parking facilities, and concentrated vendor access, parking, and circulation.

Assessment of City's 5-Year Parking Management Plan

In January 2008, the City prepared a *Historic District 5-Year Parking Management Plan* which addresses existing parking conditions, as well as the anticipated changes that will occur over the next four to six years. The *Plan* concludes with seven recommendations for addressing the established objects. This report provides a discussion and evaluation of the *Plan's* conclusions.

Historic District Streetscape Project

The City's concurrent Historic District Streetscape Project is intended to enhance the human scale of the District by widening sidewalks, narrowing vehicle travel ways, and providing uniform aesthetic components to unify the entire District. The conceptual improvements to Sutter Street also include the addition of on-street parking between Riley Street and Wool Street, the only segment of Sutter Street within the District that does not currently have on-street parking. This block of Sutter Street between Riley Street and Wool Street experiences the greatest parking supply deficit for both existing and build-out conditions. Considering its central location, this block serves as the core, attracting dense development and associated vehicle and pedestrian activity.

The additional parking supply proposed to be provided along this block of Sutter Street is anticipated to serve as premium parking for the businesses located along this segment, and should be designed, implemented, and enforced as such.

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INTRODUCTION

Project Overview

The City of Folsom's Historic District (the "District") is a vibrant cultural and economic center. The eight block District spans from Folsom Boulevard to Scott Street, and from Lake Natoma to just south of Sutter Street. As a result of the varying uses within the District, there are varying degrees of parking demand. The western portion of the District currently serves primarily park-and-ride commuters using light rail during weekdays, with those same parking facilities experiencing under-utilization during the evening peak periods. Conversely, the area generally bounded by Riley Street, Leidesdorff Street, Wool Street, and Sutter Street (the "700 Block") experiences consistent demand throughout both day and night peaks. It is this high demand for parking within this core area of the District that is believed to contribute to over-flow parking into the residential areas located immediately south of Sutter Street. Further complicating the future parking supply and demand discussion is the fact that some areas that are currently used for public parking are anticipated to be redeveloped, which will lead to a decrease in parking supply accompanied by an increase in parking demand. Furthermore, special events add an additional layer of complexity to the District's parking environment, but also provide an opportunity to maximize the efficiency of the City's parking system. Routine events, primarily during the Spring-Fall months, result in changes in traffic patterns, the need for parking and access restrictions, and parking overflow into the adjacent residential areas.

The City of Folsom recognizes that parking is the foundation for the Historic District's economic vitality and the quality of life enjoyed by the City's citizens. The total amount of parking available, its location, and how it is managed play important roles in promoting Historic District businesses, attracting visitors, and accommodating commuters and residents. With these important factors in mind, the City of Folsom desires to develop a thorough understanding of its Historic District parking dynamics, and how it will evolve over time, while ensuring that the City anticipates, and keeps current with, changing demands. The City took an initial step towards this understanding in July 2002, with the preparation of the *Historic District Parking Improvement Implementation Plan* (Gordon H. Chong & Partners/Walker Parking Consultants). This study's objective was to "determine the best way to add parking inventory and thus support the development of commercial activity in the Historic District." While the 2002 *Plan* established recommendations for the future, the dynamics in the Historic District have certainly changed over the past six years. Furthermore, the City's recent *Parking Management 5-Year Plan* updates parking conditions, although its scope is limited to relatively near-term (5-year) recommendations.

The purpose of this *Implementation Plan Update* is to refresh the 2002 *Plan* to more accurately quantify the effect of recent District development and a better defined future full build-out scenario on parking supply and demand. More specifically, this report documents both existing and future parking supply and demand, evaluates potential sites for additional parking structures, considers parking and funding strategies, as well as assesses special events and parking interaction with other concurrent District studies. The following sections address each of these study components.

PARKING SUPPLY AND DEMAND

The primary objective of this effort is to project future parking demand and supply, and to determine whether there will be a surplus or shortfall of parking. A second objective is to assess the current City requirement for new development to provide 1 space per 350 square feet for all land use types within the Historic District. This assessment is to determine if the current requirement adequately meets future needs, or whether the requirement should be modified. Modification to the requirement considers changing the single parking ratio globally for all uses or deriving separate parking requirements for each land use type.

Definitions

Study Area

The City of Folsom's eight block Historic District spans from Folsom Boulevard to Scott Street, and from Lake Natoma to just south of Sutter Street. For the purposes of this evaluation, the Historic District is divided into three zones (Zone I, Zone II, and Zone III) which are illustrated in Figure 1. The study area does not include the Light Rail Transit station parking lots.

Zone I

The area bounded by Riley Street to the North and West, Figueroa Street to the South, and Scott Street and private land uses to the East.

Zone II

The area bounded by Leidesdorff Street to the North, Wool Street to the West, Figueroa Street to the South, and Riley Street to the East. This zone also includes the dirt embankment located north of Leidesdorff Street generally between Wool Street and Riley Street.

Zone III

The area bounded by Leidesdorff Street to the North, Reading Street and Folsom Boulevard to the West, Figueroa Street to the South, and Wool Street to the East. Zone I also includes Gold Lake Drive, from Leidesdorff Street to the street bend on the north end. This zone also includes the off-street public parking lot (Baker Lot) located on the northwest corner of the intersection of Gold Lake Drive and Leidesdorff Street.

Parking Demand

The number of parked vehicles expected of a specific type and amount of land use during the peak period of a typical weekday or weekend. Parking demand is estimated using "rates" indicating the number of parked vehicles per independent variable of land use such as thousands of square feet (similar to trip generation). Parking demand is independent of parking supply.

Parking Supply

The number of parking spaces provided on a development block, on-street, or in common facilities. Parking supply in new development is governed by the parking standards in the City's Municipal Code.

Parking Occupancy

The number of actual vehicles parked during the peak period of a typical weekday or weekend. Parking occupancy is summarized in terms of the percentage of parking spaces that are occupied at any given time of day. Generally, there is a single peak period on a typical weekday or weekend that contains the highest number of accumulated parked vehicles.

Parking Turnover

The average number of vehicles using a given parking space over a specified period of time. The rate equals the total number of parked vehicles divided by the number of parking spaces. Turnover is a measure of parking duration and indicates whether a parking spaces is predominantly used by long-term parking (more than 4 hours) or short-term parkers (less than 4 hours).

Parking Ratios/Standards

Parking ratios (or standards) are the regulations that determine parking supply for each individual building and type of land use. It is described as the number of required parking spaces per unit of development (e.g., per dwelling unit or per 1,000 square feet of commercial building space). The City's Municipal Code is the guiding document for these standards. The current parking standard in the Folsom Historic District is 1 space per 350 square feet of building regardless of the type of land use.

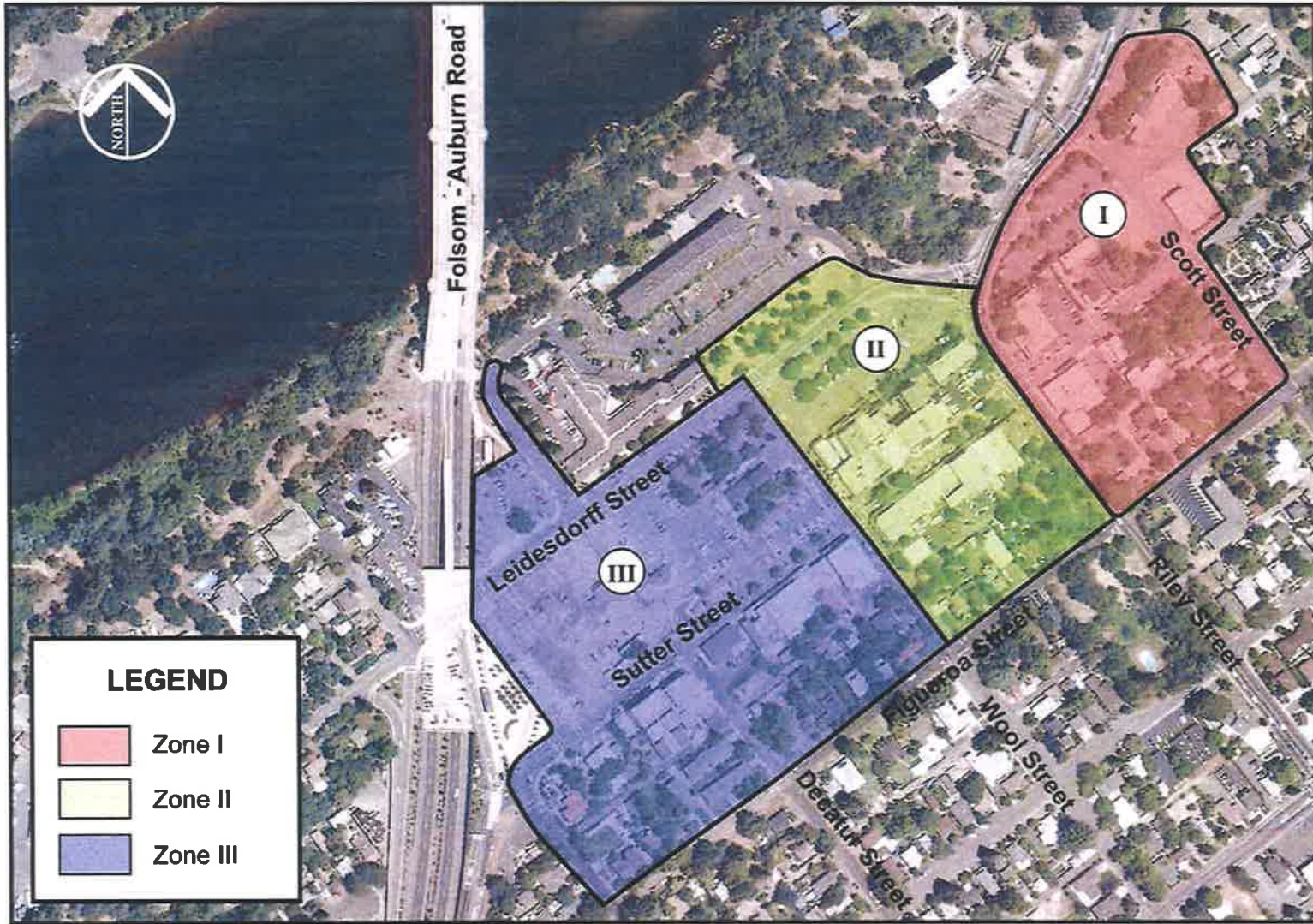


Figure 1
Folsom Historic District Parking
Parking Zones

Shared Parking

The concept of using a parking space to serve two or more land uses without conflict. Conventional regulations require that each development, or land use type, provide enough parking to serve its own peak demand, leaving unused parking spaces during the off-peak periods. Shared parking allows multiple complementary land uses, whose peak parking demands do not coincide, to share the same pool of parking spaces, resulting in a more efficient use of those spaces.

Practical Capacity

The practical capacity for parking is defined at 85 percent to 90 percent utilization of parking spaces. Keeping about 10 percent to 15 percent of the spaces vacant provides a cushion in excess of necessary parking spaces to allow for the dynamics of parking (i.e., people circulating in search of a space, and moving in and out of parking space). When occupancy exceeds the practical capacity, drivers will experience delays and frustration while searching for a parking space, as well as contribute to area traffic congestion while circling the block looking for parking.

Data Collection

Parking data for most of the study area was provided by the City of Folsom for weekday and weekend periods. Kimley-Horn and Associates, Inc. augmented the City-collected data with surveys at selected locations in June 2008. Parking data used in this study included the following:

- An inventory of on-street and off-street parking spaces by street and by individual parking lot (collected by the City in January 2008);
- Weekday parking occupancy survey data conducted every hour from 6:00 AM to 8:00 PM (collected during October and November 2007);
- Weekend parking occupancy survey data conducted every hour from 6:00 PM to 9:00 PM (collected during October and November 2007); and
- Parking turnover surveys (collected in January 2008).

It is important to note that weekday parking occupancy data for 7:00 AM was missing most of the off-street and on-street parking locations. Because this time period was determined to not be a critical time period within the District, it was not included in this analysis.

Existing Parking Supply***On-Street Parking Supply***

Most streets within the study area have on-street parking spaces. Along Leidesdorff Street, Wool Street, and Sutter Street, angled on-street parking is provided. Some of the on-street spaces are delineated with pavement markings, but most streets have no parking space delineation.

Table 1 summarizes the number of parking spaces along each street and the total parking spaces for each zone. The study area contains a total of 232 on-street parking spaces.

Off-Street Parking Supply

Within the study area there are a total of six (6) off-street public parking lots. Off-street private parking lots which allow parking only for the patrons of private businesses and not for general public, were not included in the analysis. All of the public lots with the study area are paved and have marked spaces.

Table 1 summarizes the number of off-street parking spaces in each zone. There are a total of 675 off-street public parking spaces in the study area. Note the off-street parking supply includes the recently completed 330-space parking structure located within the Rail Block.

Table 1 – Summary of Existing On-Street and Off-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Parking Supply		Total Existing Supply
I	Riley St. / Scott St. (Powerhouse) Lot	82	Riley St. – Sutter St. to Figueroa St.	7	
			Sutter St. – Riley St. – Scott St.	20	
			Scott St. – Leidesdorff St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	12	
	Subtotals	82		42	124
II	Trader Lane Lot	125	Riley St. – Sutter St. to Figueroa St.	7	
			Wool St. – Leidesdorff to Sutter St.	11	
			Wool St. – Sutter St. to Figueroa St.	9	
			Leidesdorff St. – Wool St. to Riley St.	11	
	Sutter St. – Wool St. to Riley St.	0			
Subtotals	125		38	163	
III	Baker Lot	28	Reading St. – North of Leidesdorff St.	10	
			Reading St. – Leidesdorff St. to Sutter St.	0	
			Reading St. – Sutter St. to Figueroa St.	10	
	Parking Structure	330	Gold Lake Circle	24	
			Decatur St. – Sutter St. to Figueroa St.	18	
			Wool St. – Leidesdorff St. to Sutter St.	11	
			Wool St. – Sutter St. to Figueroa St.	8	
	Rail Block	110	Leidesdorff St. – Decatur St. to Wool St.	23	
			Sutter St. – Reading St. to Decatur St.	25	
			Sutter St. – Decatur St. to Wool St.	23	
Subtotals	468		152	620	
Total Off-Street Spaces		675	Total On-Street Spaces		232
Total Off-Street Spaces (Prior to Completion of New Structure)		323	Total On-Street Spaces (Prior to Completion of New Structure)		232
<p>Notes: The 330 space structure in Zone III was not open to the public at the time occupancy data was collected. Existing off-street parking facilities equaled 323 spaces at the time of data collection.</p>					

Total Parking Supply

Table 1 summarizes the total number of parking spaces (on-street and off-street) by zone and in total. There are a total of 907 on- and off-street parking spaces within the study area.

The number of off-street and on-street parking locations, as well as the number of spaces available are shown in Figure 2 and Figure 3.

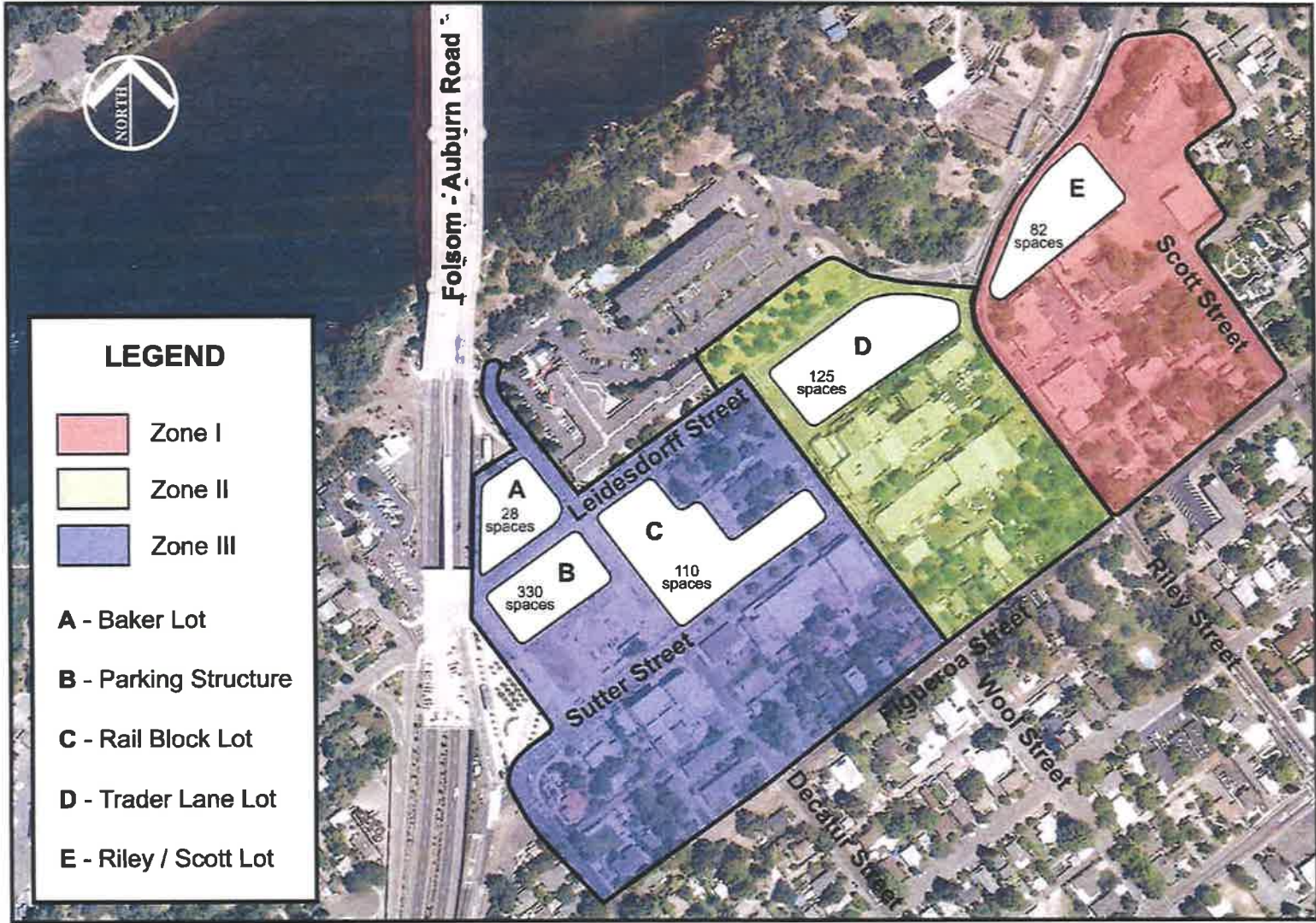


Figure 2
Folsom Historic District Parking
Off-Street Parking Lots

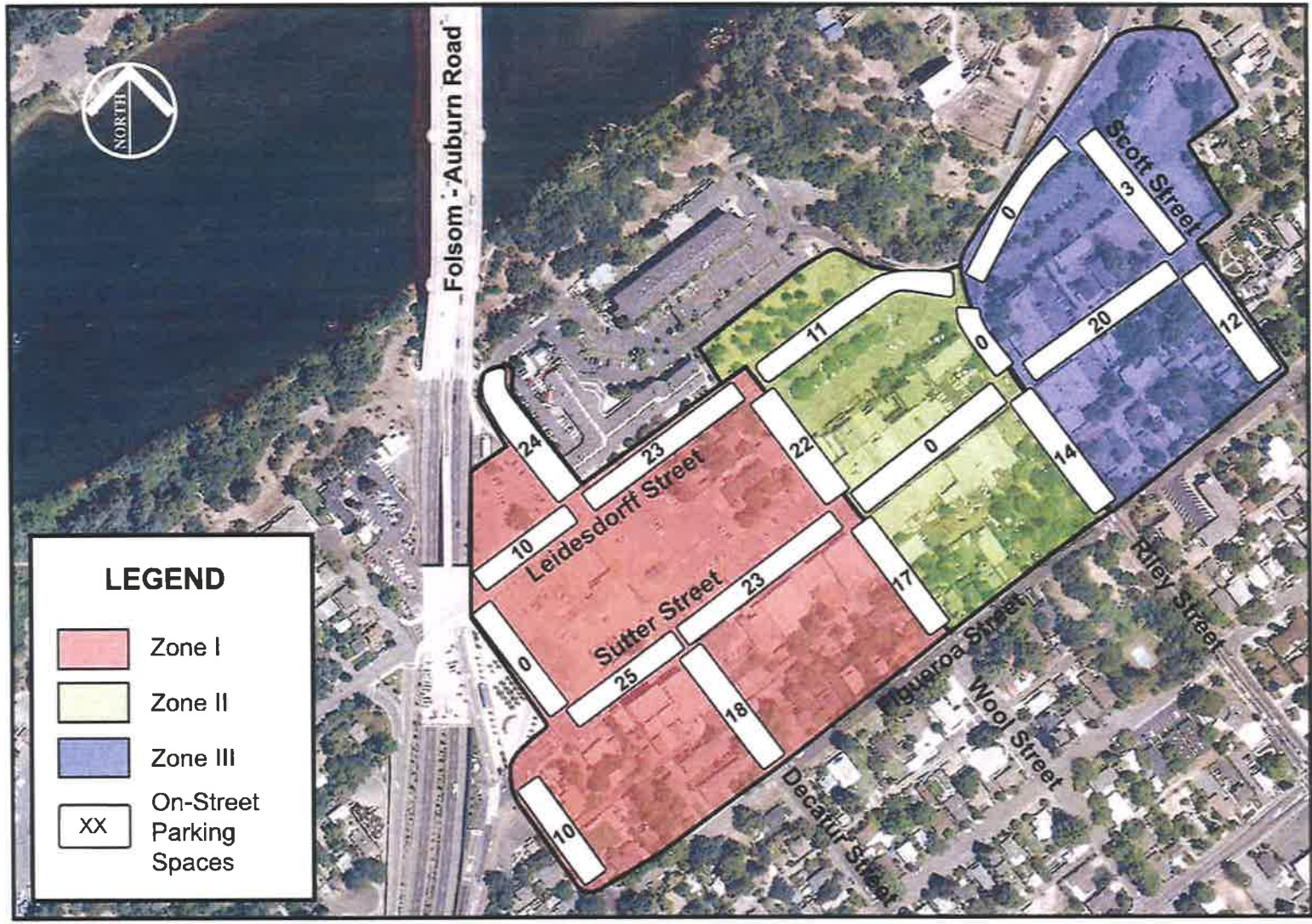


Figure 3
Folsom Historic District Parking
On-Street Parking Spaces

Existing Parking Demand

Existing parking demand was estimated using the parking occupancy data collected by the City of Folsom in October and November, 2007, and supplemented by occupancy surveys conducted by KHA in June 2008. The demand analysis presented in the sections below represents data collection prior to the opening of the new 330-space parking structure in the Rail Block. Therefore, conclusions related to existing parking supply and demand are drawn based on pre-structure conditions.

Weekday (Monday through Thursday)

On-Street Parking Occupancy

Parking occupancy is summarized in terms of the percentage of parking spaces that are occupied at any given time of day. Generally, there is a single peak period on a typical weekday that contains the highest number of accumulated parked vehicles. Table 2 summarizes the on-street parking occupancy between 6:00 a.m. and 8:00 p.m. on a typical weekday for the entire study area² and Figure 4 shows the on-street parking occupancy by time-of-day. As shown in Figure 4, between 75 percent and 83 percent of on-street parking spaces are occupied between 10:00 a.m. and 1:00 p.m., after which occupancy drops to approximately 60 percent between 2:00 p.m. and 4:00 p.m. Between 5:00 p.m. and 7:00 p.m. the occupancy is between 40 percent and 60 percent and drops dramatically to 27 percent at 8:00 p.m. The peak on-street parking demand (83 percent) occurs at about 11:00 a.m. and again at 1:00 p.m.

Table 2 – Summary of On-Street Parking Occupancies (Weekday)

Time	Total Number of On-Street Spaces Surveyed	Total Number of On-Street Spaces Occupied	% Occupancy
6:00 AM	162	9	6%
8:00 AM	162	94	58%
9:00 AM	162	96	59%
10:00 AM	162	121	75%
11:00 AM	162	134	83%
12:00 PM	162	124	77%
1:00 PM	162	134	83%
2:00 PM	162	101	62%
3:00 PM	162	98	60%
4:00 PM	162	99	61%
5:00 PM	162	67	41%
6:00 PM	162	79	49%
7:00 PM	162	95	59%
8:00 PM	162	43	27%

Off-Street Parking Occupancy

Off-street public parking lots within the study area have slightly lower occupancies than on-street parking when averaged over the entire study area. Table 3 summarizes the off-street parking occupancies between 6:00 a.m. and 8:00 p.m. Figure 5 shows that off-street parking lots sustain an occupancy averaging 58 percent between 11:00 a.m. and 3:00 p.m. (with 71 percent occupancy at 12:00 noon), then drops to 43 percent and 52 percent between 4:00 p.m. and 5:00 p.m. Between 6:00 p.m. and 7:00 p.m. the parking occupancy increases to 70 percent and 78 percent before dropping dramatically to 21 percent at 8:00 p.m. The increase in the early evening coincides with the peak dining period. The peak off-street parking demand occurs at 7:00 p.m. with 78 percent occupancy.

² Weekday parking occupancy data for 7:00 a.m. was missing much of the off-street and on-street parking locations within the study area. Because this time period was determined to not be a critical time period within the District, it was not included in this analysis.

Figure 4 – Study Area On-Street Parking Occupancy (Weekday)

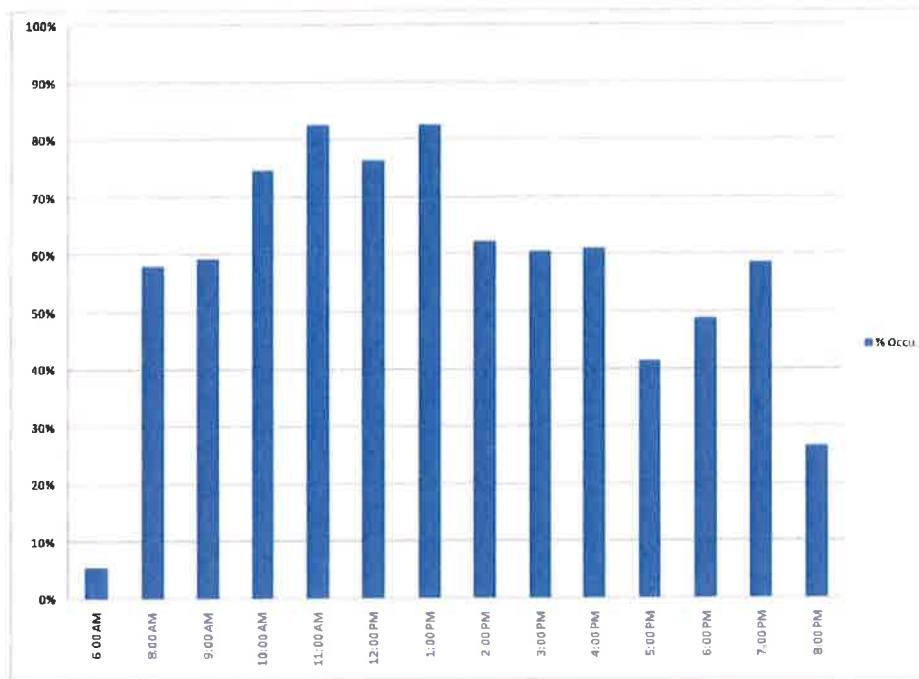


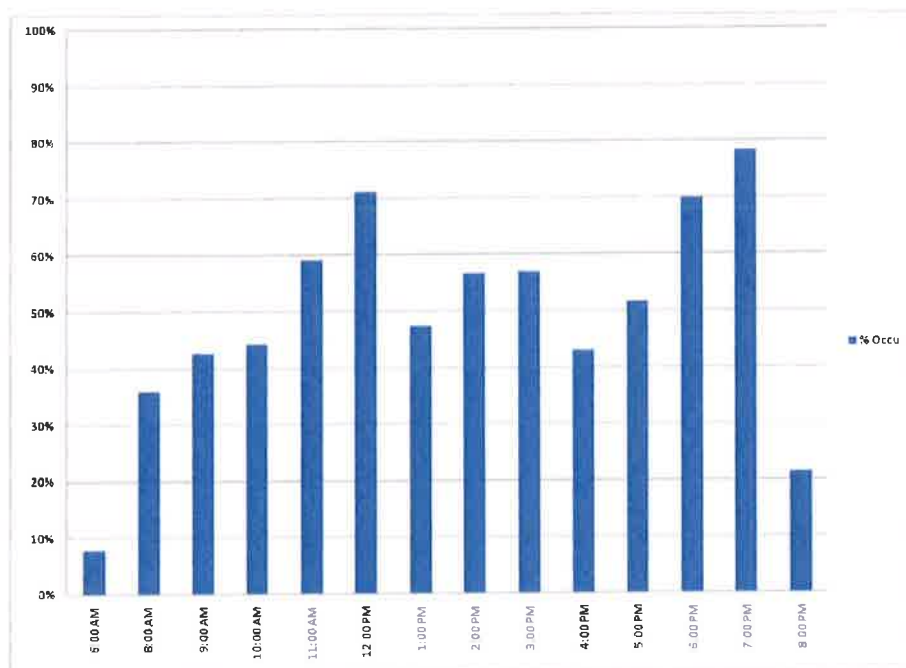
Table 3 – Summary of Off-Street Parking Occupancies (Weekday)

Time	Total Number of Off-Street Spaces Surveyed	Total Number of Off-Street Spaces Occupied	% Occupancy
6:00 AM	323	25	8%
8:00 AM	323	116	36%
9:00 AM	323	138	43%
10:00 AM	323	143	44%
11:00 AM	323	191	59%
12:00 PM	323	230	71%
1:00 PM	323	153	47%
2:00 PM	323	183	57%
3:00 PM	323	184	57%
4:00 PM	323	139	43%
5:00 PM	323	167	52%
6:00 PM	323	226	70%
7:00 PM	323	253	78%
8:00 PM	323	69	21%

At the district level, parking lots in individual zones have a wide range of occupancies between 6:00 a.m. and 8:00 p.m. Average occupancy ranges from a low of about 27 percent (Zone 1) to a high of about 58 percent (Zone II). Appendix A contains detailed graphs and tables for individual zones showing the average number of vehicles parked in each parking lot throughout the day³.

³ Since the on-street parking occupancy survey data does not distinguish occupancies by specific street segments, on-street parking occupancy data was not documented by zone.

Figure 5 – Study Area Off-Street Parking Occupancy (Weekday)



Total Parking Occupancy and Accumulation

Daily Parking Accumulation (On plus Off-Street) in Study Area:

Table 4 summarizes the on-street and off-street peak parking demand within the study area. Figure 6 shows the daily accumulation of parked vehicles (both on and off-street) within the study area. Parking spaces in the morning hours are occupied around 53 percent, climbing to a peak of about 73 percent at noon, gradually decreasing to 56 percent between 1:00 and 6:00 p.m., then climbing to 72 percent at 7:00 p.m., before dropping to 23 percent at 8:00 p.m. This daily profile is indicative of both short-term retail and office uses which peak during the midday and restaurant land uses peak in the early evening.

Peak Occupancy in Study Area:

On weekdays, the study area reaches its peak parking demand at noon as shown in Table 4 and in Figure 6. The study area also peaks at 7:00 p.m., but the occupancy percentage drops significantly at 8:00 p.m. Overall, the parking supply⁴ in Folsom Historic District is almost 73 percent utilized during the weekday peak period. Parking demand in many downtown’s peak around noon to 1:00 p.m. because this is the time that retail/restaurant uses peak during weekday and the time when many short-term visitors come to the downtown for lunch. Folsom Historic District weekday peak is indicative of a predominantly retail/restaurant-based commercial mix.

Conclusions

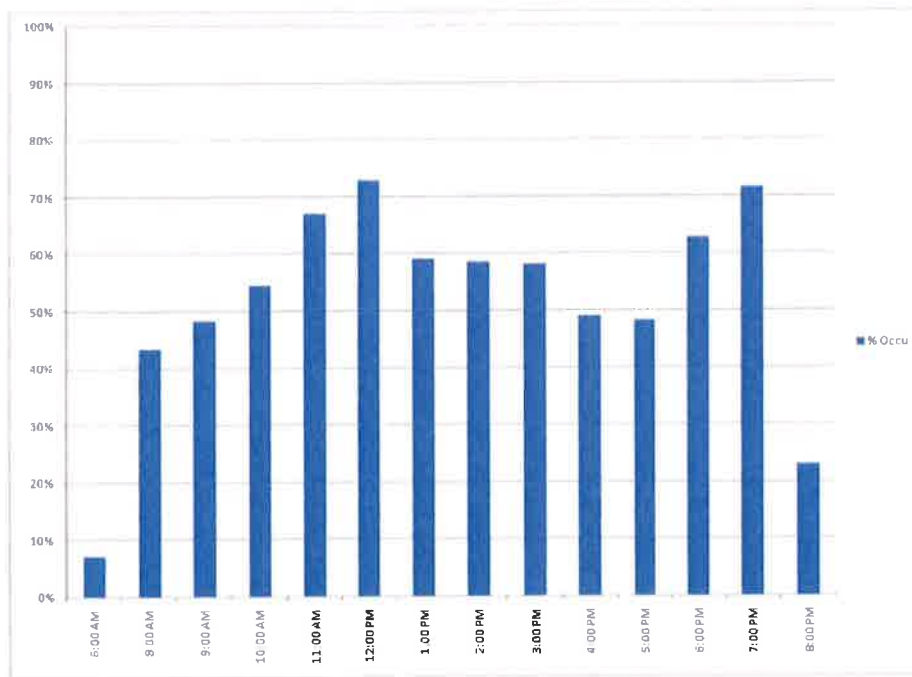
Based on the data collection and analysis of existing supply and weekday peak demand, there is sufficient parking within the study area to accommodate current typical weekday demands. While some zones experience relatively high demands, overall, there is ample available parking within the entire study area.

⁴ Since the parking occupancy surveys were not conducted at all on-street and off-site parking locations, peak occupancy for weekday is compared to the actual number of parking spaces surveyed (485 spaces).

Table 4 – Summary of On-Street and Off-Street Parking Occupancies (Weekday)

Time	Total Number of (On & Off-Street) Spaces Surveyed	Total Number of (On & Off-Street) Spaces Occupied	% Occupancy
6:00 AM	485	34	7%
8:00 AM	485	210	43%
9:00 AM	485	234	48%
10:00 AM	485	264	54%
11:00 AM	485	325	67%
12:00 PM	485	354	73%
1:00 PM	485	287	59%
2:00 PM	485	284	59%
3:00 PM	485	282	58%
4:00 PM	485	238	49%
5:00 PM	485	234	48%
6:00 PM	485	305	63%
7:00 PM	485	348	72%
8:00 PM	485	112	23%

Figure 6 – Total Parking (On-Street and Off-Street) Accumulation in Study Area (Weekday)



Parking occupancy analysis indicates that there is sufficient parking supply available to meet the existing parking demand within the study area. However, recent field observations show spillover parking into adjacent residential neighborhoods, particularly in the vicinity of the intersection of Wool Street and Figueroa Street. This spillover parking could be because customers/visitors are not fully utilizing the public parking lots available within the District and would like to park close to their destinations. Existing spillover parking is not discussed in detail in this study as occupancy survey data was not available for residential streets.

Weekend (Friday Evening)

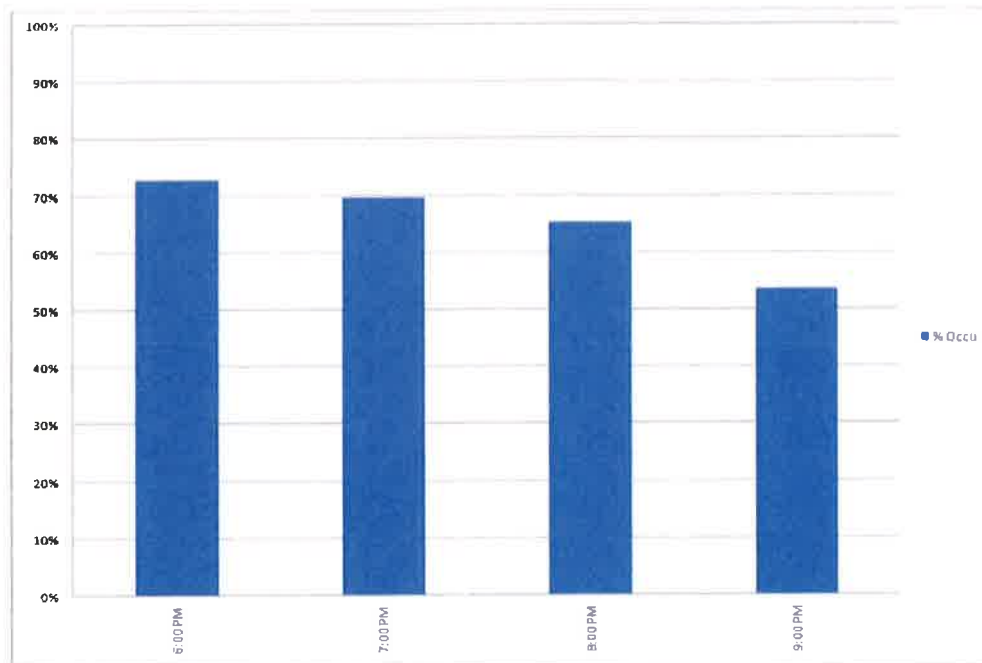
On-Street Parking Occupancy

Table 5 summarizes the average on-street parking occupancy between 6:00 p.m. and 9:00 p.m. on a typical weekend (Friday) for the entire study area, and Figure 7 shows the on-street parking occupancies⁵. As shown in Figure 7, between 65 percent and 73 percent of on-street parking spaces are occupied between 6:00 p.m. and 8:00 p.m. This percentage drops to 54 percent at 9:00 p.m. The peak on-street parking demand (73 percent) occurs at about 6:00 p.m., although the on-street parking demand is at 7:00 p.m. (70 percent) is close to the peak.

Table 5 – Summary of On-Street Parking Occupancies (Weekend)

Time	Total Number of On-Street Spaces Surveyed	Total Number of On-Street Spaces Occupied	% Occupancy
6:00 PM	162	118	73%
7:00 PM	162	113	70%
8:00 PM	162	106	65%
9:00 PM	162	87	54%

Figure 7 – Study Area On-Street Parking Occupancy (Weekend)



Off-Street Parking Occupancy

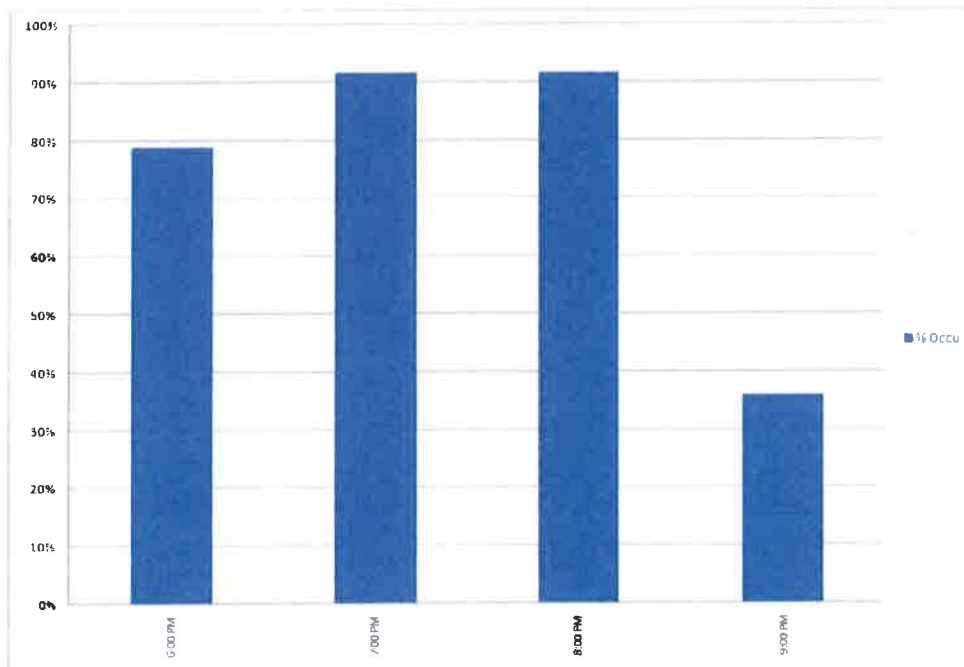
Off-street parking lots within the study area have slightly higher occupancies than on-street parking when averaged over the entire study area for the weekend peak period. Table 6 summarizes the off-street parking occupancies between 6:00 p.m. and 9:00 p.m. Figure 8 shows that off-street parking lots sustain an occupancy averaging 92 percent between 7:00 p.m. and 8:00 p.m., then drop dramatically to about 36 percent around 9:00 p.m. The peak off-street parking demand occurred at 7:00 p.m. and at 8:00 p.m. with 92 percent occupancy.

⁵ Historical parking data indicate that Friday evenings represent the highest period of demand for weekends when compared to Saturday afternoons and evenings, and Sundays. This determination excludes special events such as Farmers Market.

Table 6 – Summary of Off-Street Parking Occupancies (Weekend)

Time	Total Number of Off-Street Spaces Surveyed	Total Number of Off-Street Spaces Occupied	% Occupancy
6:00 PM	323	255	79%
7:00 PM	323	296	92%
8:00 PM	323	296	92%
9:00 PM	323	116	36%

Figure 8 – Study Area Off-Street Parking Occupancy (Weekend)



The observations might indicate that most of the off-street parking spaces are being used by restaurant users which peak around dinner time within the study area.

At the district level, occupancy in the parking lots in all individual zones stay relatively high with an average occupancy of approximately 72 percent for Zone 1, 78 percent for Zone 2, and 73 percent for Zone 3. Appendix B contains detailed graphs and tables for individual zones showing the average number of vehicles parked in each parking lot between 6:00 p.m. and 9:00 p.m.

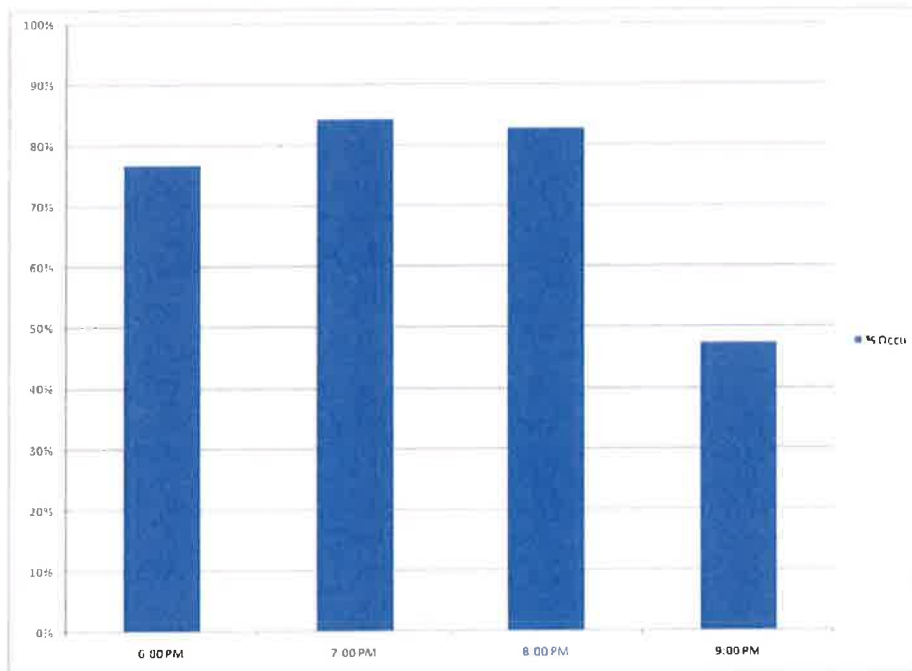
Total Parking Occupancy and Accumulation

Daily Parking Accumulation (On plus Off-Street) in Study Area:

Table 7 summarizes the weekend on-street and off-street peak parking demand for the study area. Figure 9 shows the daily accumulation of parked vehicles (both on and off-street) within the study area. Parking spaces at 6:00 p.m. are occupied at 77 percent, climbing to a peak of 84 percent at 7:00 p.m. and 83 percent at 8:00 p.m., and significantly decreasing to 47 percent at 9:00 p.m. This weekend evening profile is indicative of short-term restaurant parking demand where the profile shows high occupancy during the evening dining period.

Table 7 – Summary of On-Street and Off-Street Parking Occupancies (Weekend)

Time	Total Number of (On & Off-Street) Spaces Surveyed	Total Number of (On & Off-Street) Spaces Occupied	% Occupancy
6:00 PM	485	373	77%
7:00 PM	485	409	84%
8:00 PM	485	402	83%
9:00 PM	485	230	47%

Figure 9 – Total Parking (On-Street and Off-Street) Accumulation in Study Area (Weekend)**Peak Occupancy in Study Area:**

The study area reaches its peak parking demand at 7:00 p.m. (84 percent), although the parking demand at 8:00 p.m. (83 percent) is very close to the peak parking demand indicating a long peak. The peak on-street and off-street occupancy in the study area is shown in Table 7 and in Figure 9. Overall, the parking supply⁶ in Folsom Historic District is more than half utilized during the weekend peak period. Typical downtown areas peak around 7:00 p.m. and 8:00 p.m. because this is the time that restaurant uses peak with many short-term visitors coming to the downtown for dinner on weekends. Folsom Historic District weekend peak is indicative of a predominantly restaurant-based commercial mix.

Conclusions

Based on the data collection and analysis of existing supply and weekend peak demand, there is sufficient parking within the study area to accommodate current weekend demands. While some zones experience relatively high demands, overall, there is available parking within the entire study area. However, based on data collected prior to the completion of the new 330-space parking structure, the District's overall weekend occupancy is nearing "practical capacity" of 85 percent occupancy. This finding, although moot with the completion of the new structure, indicates the need for providing additional public parking.

⁶ Since the parking occupancy surveys were not conducted at all on-street and off-site parking locations, peak occupancy for weekday is compared to the actual number of parking spaces surveyed (485 spaces).

Parking occupancy analysis indicates that there is sufficient parking supply available to meet the existing weekend peak parking demand within the study area. However, recent field observations show spillover parking into adjacent residential neighborhoods during weekend evening, particularly in the vicinity of the intersection of Wool Street and Figueroa Street. This spillover parking could be because customers/visitors are not fully utilizing the public parking lots available within the District and would like to park close to their destinations. Existing spillover parking is not discussed in detail in this study as occupancy survey data was not available for residential streets.

Parking Model Development

The first step towards determining the future parking demand is to develop and validate a parking model that accurately predicts/mimics existing conditions. The steps involved in developing and validating the existing parking model include:

1. Identify existing land uses which rely on publicly available parking within the study area. The model excludes existing land uses which provide private parking exclusively for their patrons.
2. Use Institute of Transportation Engineers' (ITE) Parking Generation, 3rd Edition, 2004 and Urban Land Institute (ULI) Shared Parking, 2nd Edition, parking generation rates to establish un-calibrated parking generation rates.
3. Adjust base parking generation rates to reflect specific conditions in Downtown Folsom (detailed text about adjustments is discussed later in this document).
4. Adjust time-of-day profiles to reflect local conditions.
5. Adjust rates to reflect amount of transit, bicycle, walk, and captive trips within the study area. Captive trips reflect people who park once within the study area and visit multiple land uses.
6. Use the model to predict existing peak parking demand using the adjusted rates and the existing land uses.
7. Compare the model-predicted peak parking demand and time-of-day hourly parking profile with the peak parking demand and time-of-day hourly profile observed in the occupancy surveys. Adjust (calibrate) parking generation rates, time-of-day profiles, and/or other factors as necessary, and repeat in an iterative manner.

The parking model is validated if the difference in model-predicted peak parking demand and the observed peak parking demand is within ± 10 percent. Also, validation is achieved when the model-predicted time-of-day hourly profile closely matches observed profiles. Once validated for existing conditions, the parking model is used to project future parking demand.

Existing Land Uses

The existing land use information for the study area was provided by the City of Folsom. Land use types were grouped by general category because of similarities (e.g., retail). Table 8 below shows the land use categories used to aggregate existing land uses along with the square footages by zone.

As mentioned earlier, existing private land uses which provide parking exclusively for their patrons are excluded from the parking model.

Table 8 – Existing Land use Types and Square Footages

Land Use Type	Existing Square Footage			
	Zone 1	Zone 2	Zone 3	All Zones
Retail	13,843	48,241	8,880	70,964
Restaurant	0	8,000	5,500	13,500
Office	6,922	7,525	24,117	38,564
Club/Bar/Tasting Rooms	4,690	3,750	0	8,440
Theater (Seats)	0	115	0	115
Museum / Exhibit Space	0	0	15,703	15,703
Total	25,455	67,516 115 Theater Seats	54,200	147,171 115 Theater Seats

Parking Generation Demand Rates

Parking demand is estimated based on parking generation rates published by the Institute of Transportation Engineers' (ITE) *Parking Generation, 3rd Edition, 2004* and the Urban Land Institute's (ULI) *Shared Parking, 2nd Edition*. Because the ITE and ULI rates are developed from isolated suburban land uses poorly served by transit, they do not represent the true parking demand generated by uses located in walkable, mixed-use districts such as downtown Folsom. Therefore, the rates have been adjusted to reflect 1) the unique parking generation characteristics of Folsom, 2) linked trips whereas people park once in a public parking space and walk to multiple locations, 3) internal non-auto trips whereas people who reside in or near downtown walk to commercial establishments, 4) a reasonable level of transit use, and 5) the interaction of uses at sites with multiple land use types (mixed use internal capture).

The adjusted parking demand generation rates for a typical weekday and weekend are summarized in Table 9. The rates summarized in Table 9 include additional adjustment factors including:

- Two (2) percent reduction for transit trips
- Two (2) percent reduction for bicycle trips
- Three (3) percent reduction for walk trips,
- Fifteen (15) percent reduction for captive trips

Table 9 – Adjusted Parking Demand Generation Rates for Weekday and Weekend

Land Use	Weekday (12:00 to 1:00 p.m.)	Weekend (7:00 to 8:00 p.m.)	Units
Retail	4.00	3.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Restaurant			
Fine Dining	8.50	15.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Casual Dining	6.50	12.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Office	3.15	0.04	Spaces per 1,000 sq.ft. (Gross Floor Area)
Club/Bar/Tasting Rooms	0.43	15.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Theater	0.07	0.32	Spaces per seat

Parking Model Validation – Weekday

Following the calibration process described above, the parking model was used to predict existing weekday conditions. The results were compared to the observed weekday parking occupancy for existing land uses (Observed parking occupancy is summarized in Section II). The results of the comparison are summarized in Table 10 below:

Table 10 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekday

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekday Parking Demand	420 spaces	354 spaces	19%
2	Existing Peak Hour	12:00 Noon	12:00 Noon	N/A
3	Existing Peak Demand Periods	11:00 a.m. to 2:00 p.m. 6:00 p.m. and 7:00 p.m.	11:00 a.m. to 2:00 p.m. 6:00 p.m. and 7:00 p.m.	N/A

As per the parking model, the weekday peak parking demand is 420 spaces and the peak parking demand observed using occupancy survey is 354 spaces, a difference of 66 spaces, or a 19 percent difference. However, the occupancy surveys performed by the City did not cover the entire study area, certain on-street segments and certain portions of the off-street parking lots were not included. Therefore, these parking spaces need to be included in the comparison. As shown in Table 1, the total existing parking supply (excluding the parking garage in Zone 3⁷) within the study area is 555 spaces. The parking occupancy surveys covered a total of 485 spaces, a difference of 70 spaces.

Using a conservative assumption that 50 percent of the spaces that were not surveyed during the parking occupancy surveys would be occupied during the weekday peak hour would add approximately 35 spaces (70 x 0.50) to the existing observed peak parking demand of 354 spaces, resulting in a combined total of 389 spaces. With the inclusion of the un-surveyed parking spaces, the difference in the weekday peak parking demand estimate from parking model is within 10 percent of the observed weekday peak parking demand (420 vs. 389). Hence the parking model is considered validated for existing weekday conditions. Detailed calculation sheets and graphs related to the calibration and validation of the parking model for weekday are shown in Appendix C.

Parking Model Validation - Weekend

Utilizing the calibration process described above, the parking model was used to predict existing weekend conditions. The results were compared to the observed weekend parking occupancy for existing land uses. The results of the comparison are summarized in Table 11 below. It is important to note that parking occupancy surveys were conducted only between 6:00 p.m. and 9:00 p.m. on a weekend (Friday Night).

The model predicted weekend peak parking demand is 422 spaces and the observed peak parking demand is 409 spaces, a difference of 12 spaces, or 3 percent. Based on this finding, the parking model could be concluded as validated. However, as the occupancy surveys did not cover the entire study area, certain on-street segments and certain portions of the off-street parking lots were not included. Therefore, these parking spaces need to be included in the comparison. As shown in Table 1, the total existing parking supply (excluding the parking garage in Zone 3⁷) within the study area is 555 spaces. The parking occupancy surveys covered on a total of 485 spaces, a difference of 70 spaces.

⁷ The parking garage was not open to public and was still under construction at the time of occupancy surveys.

**Table 11 – Comparison of Parking Model Calibration Results with
Observed Parking Occupancy – Weekend**

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekend Parking Demand	422 spaces	409 spaces	3%
2	Existing Peak Hour	8:00 p.m.	7:00 p.m.	N/A
3	Existing Peak Demand Periods	1:00 p.m. to 3:00 p.m. 7:00 p.m. to 9:00 p.m.	7:00 p.m. and 8:00 p.m.	N/A

Using a conservative assumption that 50 percent of the spaces that were not surveyed during the parking occupancy surveys would be occupied during the weekday peak hour would add approximately 35 spaces (70 x 0.50) to the existing observed peak parking demand of 409 spaces giving us a combined total of 444 spaces. Even with the inclusion of the un-surveyed parking spaces, the difference in the weekend peak parking demand estimate from parking model is within 10 percent of the observed weekday peak parking demand (422 vs. 444). Hence the parking model is considered validated for existing weekend conditions. Detailed calculation sheets and graphs related to the calibration of the parking model for weekend are shown in Appendix D.

Future Parking Supply and Demand Analysis

This section of the report discusses future planned development, and provides a future parking supply and demand analysis within the study area. As directed by the City, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one (1) new parking structure. This new structure is assumed to be constructed on the Trader Lane lot. Initial analysis efforts considered multiple structures and locations throughout the District. The full, District-wide future parking supply assessment is provided in Appendix E. A detailed parcel-by-parcel list of District parcels and their assumed development status is provided in Appendix F.

The purpose of this analysis is to estimate the amount of future available parking supply, and the corresponding amount of future development, which can be accommodated by the addition of a single new parking structure on the Trader Lane lot. Consistent with current Historic District design guidelines⁸, this single structure would have a 50-foot height limitation. The amount of future available parking supply correlates into an amount of supported future development. The future parking supply is approximated as the sum of excess existing parking supply after accounting for parking demand generated by existing and planned/approved development, and the parking supply that could be accommodated in a new Trader Lane structure.

The methodology utilized to estimate the amount of allowable future development for the Historic District is as follows:

1. Determine the total number of parking spaces that could be accommodated in a Trader Lane structure, consistent with the 50-foot height limitation. Ground floor retail is assumed to be accommodated in this structure.
2. Using the parking demand rates calibrated for existing conditions, estimate the parking demand for planned/approved projects. Parking demand for the parking structure's ground floor retail is included in this estimate.

⁸ *Historic District Design and Development Guidelines*, City of Folsom, October 1, 1998.

3. Estimate total future parking demand by adding the parking demand for planned/approved projects, including the structure's ground floor retail, to existing parking demand.
4. Subtract the total future parking demand from the total future parking supply within the District to obtain the total excess or (deficit) of parking spaces. The future parking supply does not include the existing 125 surface parking spaces on the Trader Lane lot that would be lost with construction of the new parking structure.
5. Add the total excess or (deficit) parking spaces to the parking spaces estimated for the proposed Trader Lane structure (from Step 1) to obtain total available parking spaces for future development.
6. The total available parking spaces are reduced by 10 percent to account for practical capacity, resulting in net total available parking spaces for future development.
7. Estimate the amount of future development that can be accommodated by the net total available parking spaces (from Step 6).

It is important to note that the "planned/approved projects" include only the Scalzi development located in the northwest corner of Sutter/Scott intersection, as well as the Historic Folsom Station (Rail Block). Furthermore, because existing land uses (excluding the specialty uses such as Club/Bar/Tasting Rooms, Theater, Museum/Exhibit Space) within the Historic District are classified primarily as retail, restaurants, or offices uses, future development was also similarly allocated across these three land use types.

Future Parking Supply

Future On-Street Parking Supply

The future on-street parking supply incorporates Sutter Street, Wool Street, and Scott Street modifications associated with the Historic District Streetscape Project, as well as seven (7) additional on-street parking spaces are added on Leidesdorff Street between Gold Lake Drive and Reading Street. The number of future on-street parking locations, as well as the number of spaces provided are shown in Figure 10. Table 12 summarizes the future number of parking spaces along each street and total parking spaces for each zone. The study area contains a total of 237 future on-street parking spaces.

Future Off-Street Parking Supply

The future off-street parking supply is comprised of existing off-street parking facilities, the new 330-space parking structure in the Rail Block, and planned public spaces as part of known new development. Loss of parking spaces from new development includes 110 spaces with development of the Rail Block, and 125 spaces with the development of a parking structure on the Trader Lane lot. An additional 51 public spaces are added in Zone 1 with the development of the Scalzi site.

The number of future off-street parking locations, as well as the number of spaces provided are shown in Figure 11. Table 12 summarizes the future number of off-street parking spaces in each zone. There are a total of 491 future off-street public parking spaces in the study area.

Total Future On- and Off-Street Parking Supply

Table 12 summarizes the total future number of parking spaces by zone and in total. There are 728 total future on-street and off-street parking spaces within the study area.

The future on- and off-street parking supply of 728 spaces is 173 spaces more than the existing parking supply prior to the completion of the new parking structure, and 179 spaces less than the existing parking supply after completion of the structure.

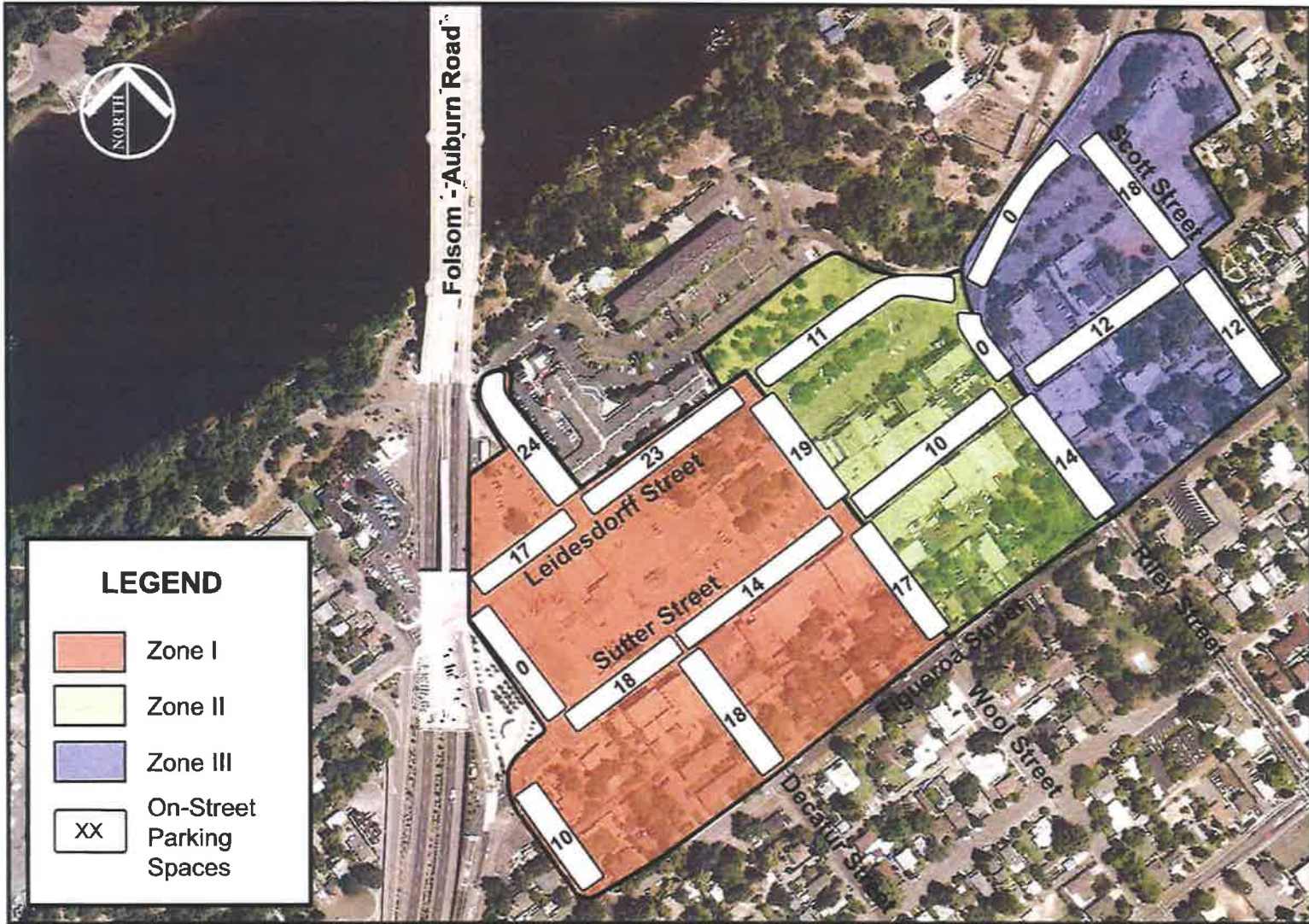


Figure 10

Folsom Historic District Parking Future On-Street Parking Supply

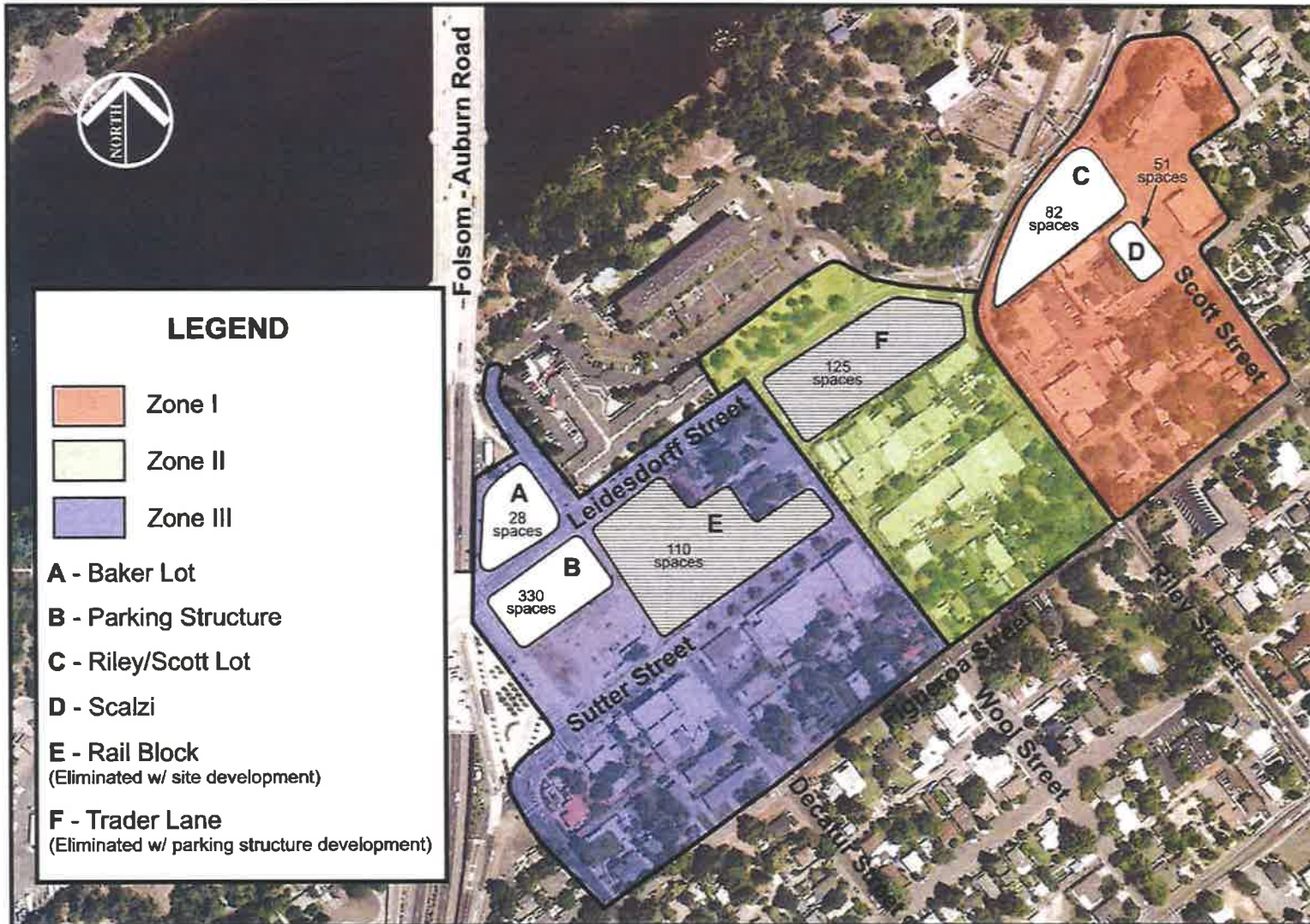


Figure 11
Folsom Historic District Parking
Future Off-Street Parking Supply

Table 12 – Summary of Future On-Street and Off-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Parking Supply		Total Existing Supply
I	Riley St. / Scott St. (Powerhouse) Lot	82	Riley St. – Sutter St. to Figueroa St.	7	
			Sutter St. – Riley St. – Scott St.	12	
	Scalzi	51	Scott St. – Leidesdorff St. to Sutter St.	18	
			Scott St. – Sutter St. to Figueroa St.	12	
	Subtotal	133	Subtotal	49	
II			Riley St. – Sutter St. to Figueroa St.	7	
			Wool St. – Leidesdorff to Sutter St.	10	
			Wool St. – Sutter St. to Figueroa St.	9	
			Leidesdorff St. – Wool St. to Riley St.	11	
			Sutter St. – Wool St. to Riley St.	10	
			Subtotal	47	
III	Baker Lot	28	Reading St. – North of Leidesdorff St.	10	
			Reading St. – Leidesdorff St. to Sutter St.	0	
			Reading St. – Sutter St. to Figueroa St.	10	
	Parking Structure	330	Gold Lake Circle	24	
			Decatur St. – Sutter St. to Figueroa St.	18	
			Wool St. – Leidesdorff St. to Sutter St.	9	
			Wool St. – Sutter St. to Figueroa St.	8	
			Leidesdorff St. – Decatur St. to Wool St.	23	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	14	
			Leidesdorff St. – Gold Lake Circle to Reading St.	7	
Subtotal	358	Subtotal	141	499	
Total Off-Street Spaces	491	Total On-Street Spaces	237	728	
Note: Excludes off-street parking supply gained in proposed Trader lane parking structure.					

Existing plus Future Parking Demand

In context of this study, future parking demand is defined as a demand for parking that cannot be accommodated by individual on-site, private supply. Therefore, this demand must be accommodated by the municipal parking supply, either on-street or off-street. Because the data collection and analysis of existing supply and demand indicated a supply surplus, it can be assumed that, although frequently observed, the study area does not experience spillover parking into surrounding neighborhoods resulting from a parking supply deficit during typical weekdays and weekends. Therefore, the future parking demand analysis focuses on the study area, and does not include the surrounding neighborhoods. The purpose of this analysis is to:

1. Estimate existing plus future parking demand and determine whether the existing and planned public parking supply (including the proposed Trader Lane parking structure) is sufficient; and
2. If existing plus future demand exceeds supply, determine if there is the potential for spillover parking into adjacent residential neighborhoods.

For this study, the demand generated by future District residential uses is assumed to be accommodated on-site. Residential visitors, and employees and patrons of the commercial uses, are assumed to park off-site and rely on the public parking supply. Based on these assumptions, the future parking demand is estimated.

Future Land Uses

As previously stated, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one (1) new parking structure. This new structure is assumed to be constructed on the Trader Lane lot, and incorporate ground floor retail. Based on a preliminary schematic and feasibility evaluation (Figure 12), 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity, is up to 425 spaces. This level of parking supply (425 spaces) was determined to accommodate approximately 55,000 square feet of retail, 27,000 square feet of restaurant, and 20,000 square feet of office uses in addition to the planned/approved projects and ground floor retail within the Trader Lane parking structure.

The future retail and restaurant square footages were estimated using the existing proportion of retail and restaurant square footages within the District. The total future development that could be accommodated is 121,850 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure.

Table 13 shows the land use categories and square footages representing future land uses.

Table 13 – Future Land Use Types and Square Footages

Land Use Type	Future Square Footage or Dwelling Units			
	Planned / Approved Projects	Trader Lane Structure Ground Floor Retail	Additional Development Accommodated by 442 Space Trader Lane Structure	Total Future Development
Retail	32,908	19,850	55,000	107,758
Restaurant	11,700	-	27,000	38,700
Office	31,301	-	20,000	51,301
Club/Bar/Tasting Rooms	-	-	-	-
Theater (Seats)	-	-	-	-
Museum / Exhibit Space	-	-	-	-
Residential (Dwelling Units – D.U.)	60	-	-	60
Total	75,909 60 D.U.	19,850	102,000	197,759 60 D.U.

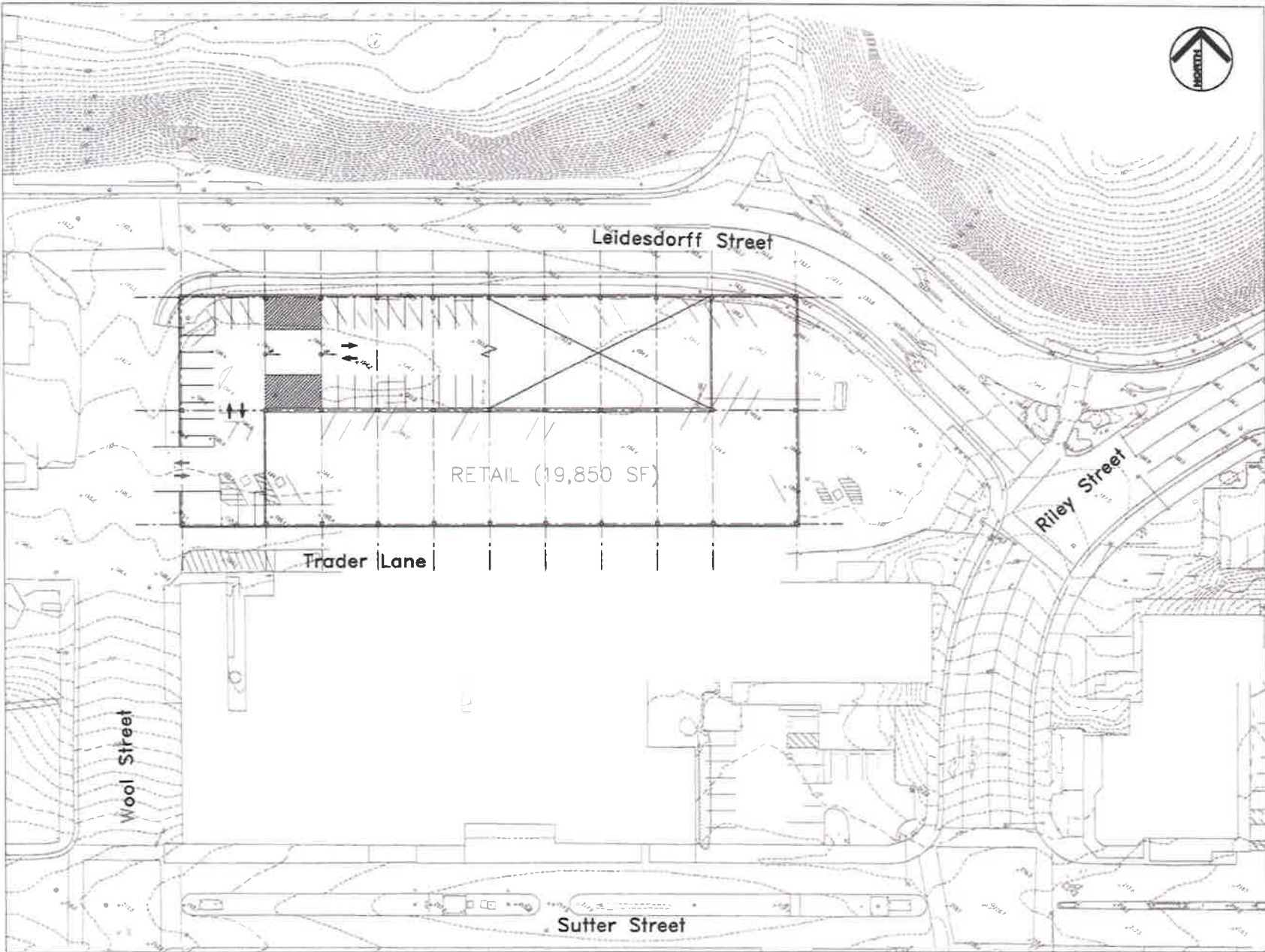


Figure 12
Trader Lane Parking Structure Details

Existing plus Future Parking Supply and Demand

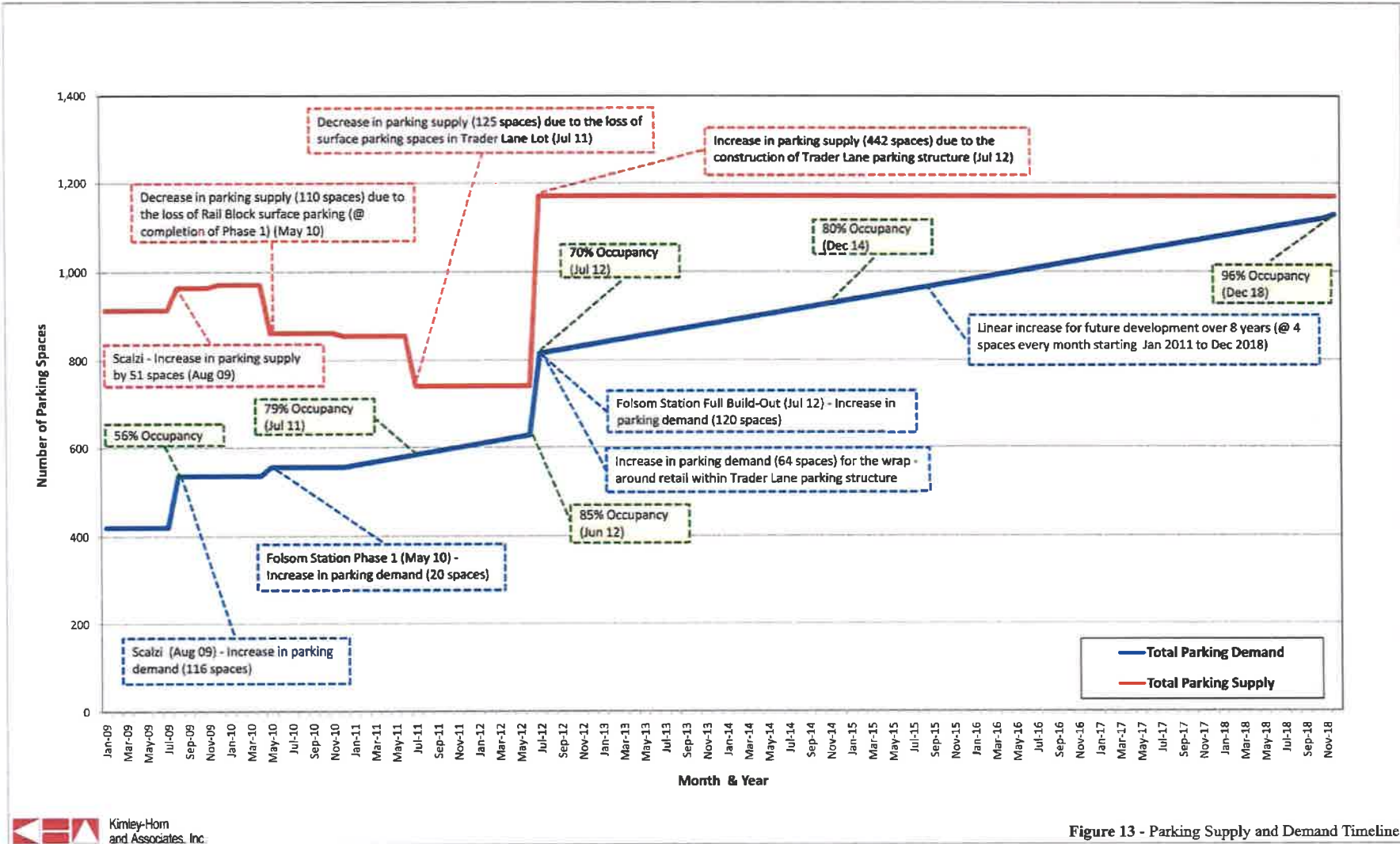
Using the adjusted parking generation demand rates and the trip reduction percentages for transit, bike, walk, and captive trips, the parking model predicts existing plus future weekday and weekend parking demand. Table 14 presents the results of the determination of the amount of future development which can be accommodated by the available District parking supply with the addition of a Trader Lane parking structure.

Table 14 – Permissible Future Development Based on Future Parking Supply

Step #	Steps	Weekday	Weekend	
1	Estimated Parking Spaces in Trader Lane structure	442 spaces	442 spaces	
2	Parking Demand for Planned/Approved Projects	256 spaces	215 spaces	
	Existing Parking Demand	420 spaces	422 spaces	
3	Total Parking Demand	676 spaces	637 spaces	
4	Future Parking Supply (excludes the existing surface and proposed structure parking spaces in Trader Lane Lot) ¹	728 spaces	728 spaces	
	Excess (Deficit) Parking Spaces	52 spaces	91 spaces	
5	Available Parking Supply for Future Development (step 1 + step 4)	494 spaces	533 spaces	
	Parking Demand for Wrap-Around Retail	64 spaces	64 spaces	
	Total Available Parking Supply for Future Development	430 spaces	469 spaces	
6	Practical Capacity Reduction	10%	10%	
	Net Total Available Parking Supply for Future (90% of step 5)	390 spaces	425 spaces	
	Future Land Uses	Quantity	Peak Weekday Demand	Peak Weekend Demand
7	Retail	55,000 SF	176 spaces	132 spaces
	Restaurant	27,000 SF	162 spaces	292 spaces
	Office	20,000 SF	50 spaces	1 space
	Total	102,000 SF	388 spaces	425 spaces
¹ The future parking supply includes 239 on-street spaces and 491 off-street spaces for a total of 730 spaces. The off-street parking spaces includes the following: <ul style="list-style-type: none"> - Powerhouse Lot = 82 spaces - Baker Lot = 28 spaces - Rail Block Parking Structure = 330 spaces - Scalzi = 51 spaces 				

As shown in Table 14, based on the future parking supply limitations (390 weekday and 425 weekend), an assumed future development scenario of 55,000 square feet of retail, 27,000 square feet of restaurant, and 20,000 square feet of office uses should be assumed and utilized in future planning efforts for the District.

Accounting for assumed construction timelines and logical, sequential implementation of District development, the anticipated parking supply and demand were plotted to graphically depict parking conditions in the District over time. This information is provided in Figure 13.



Adequacy of City's Current Parking Strategy

Currently, the City of Folsom requires a flat parking ratio of 1 space per 350 square feet for all land use types within the Historic District. Assuming that all new development will provide parking in one form or another (i.e., either build parking on-site or contribute to the cost of public parking equivalent to their on-site requirement), Table 15 estimates the total future parking supply needed by new development using the City's existing parking ratio. As shown in Table 15, new development would result in 348 spaces.

Table 15 – Estimate of Future Parking Supply Based on Current Parking Ratio

	Future Land Use (Square Footage)	City's Existing Parking Ratio	Total Estimated Future Supply (spaces) Needed
Entire District	121,850	1 space per 350 sq. ft.	348
<p>Note: The estimates above do not include requirements for residential visitor parking that might be located off-site.</p>			

This analysis indicates that using the City's current parking ratio (1 space per 350 square feet) would result in a number of spaces that would be less than the maximum deficit of 400 spaces (see below) calculated using the calibrated parking demand rates developed in this report. The City's current ratio would under-provide parking by approximately 50 spaces.

Revised Average Flat Parking Rate to Accommodate Parking Deficit

The peak parking demand, with a factor to reflect practical capacity, is 1,128 spaces. The amount of future parking supply is 728 spaces, which is 400 spaces less than required.

For these 400 spaces to be provided through development requirements, the City could revise the existing parking ratio of 1 space per 350 square feet to 1 space per 305 square feet (see calculations below).

- Peak weekday parking demand for existing plus future conditions = 1,128 spaces
(676 + 64 + 388 = 1,128 per Table 14)
- Future parking supply (existing plus proposed) = 728 spaces
- The peak weekday parking demand for existing plus future conditions exceeds the future parking supply by a total of 398 spaces (1,128 - 728 = 400)
- City's revised parking ratio = 121,850 sq. ft. of new development at 1 space per 305 square feet will be equal to approximately 400 spaces.

Individual Parking Ratio by Land Use Types

If the City chose to apply individual parking ratios by land use types, then individual parking ratios for each future land use type is estimated using the future land use square footages, adjusted peak weekday parking demand, and the number of parking spaces required. The future land uses were divided into retail, restaurant (fine dining and casual dining), and office uses. Table 16 shows the calculations of individual parking rate by land use types, assuming 400 spaces (one parking structure) are required to meet the deficit.

Table 16 – Individual Parking Ratio by Land Use Types (Based on Need for 398 Spaces)

Land Use	Future Land Use Square Footages (A)	Adjusted Weekday Peak Demand Rates ¹ (B)	Estimated Demand ² (C)=(A)x(B) x80%	% Percent (D)	No. of Pkg. Spaces Needed (E)	Spaces Required by Land Use Type (F)=(D)x(E)	Approximate Individual Parking Ratio (G) = (A) / (F)
Retail	74,850	4.00	240	53%	398	211	1 Space per 350 sq. ft.
Restaurant							
Fine Dining	13,500	8.50	92	20%	398	80	1 Space per 170 sq. ft.
Casual Dining	13,500	6.50	70	16%	398	64	1 Space per 210 sq. ft.
Office	20,000	3.15	50	11%	398	43	1 Space per 460 sq. ft.
Total	121,850	-	452	100%	398	398	1 Space per 305 sq. ft.

¹ Adjusted weekday peak demand rates from Table 9.
² Estimated demand includes adjustment for transit, walk, bike, and captive trips (a total of 20%).

Conclusions

The overall conclusions of this analysis result in the following:

- The City should begin construction of a Trader Lane parking structure in July 2011, at which point the District-wide parking occupancy is anticipated to be approximately 80 percent. An assumed 12-month construction timeline will allow the parking structure to be completed, and operational ahead of the completion of the final phase of the Historic Folsom Station project in July 2012.
- The current ratio of 1 space per 350 square feet would result in about 348 spaces and would fail to accommodate the projected maximum deficit of 400.
- A revised ratio of 1 space per 305 square feet would result in about 400 spaces and would adequately accommodate the maximum deficit of 400 spaces.
- Individual ratios by land use type ranging from 1 space per 170 square feet to 1 space per 460 square feet would result in about 400 spaces, which would accommodate the maximum deficit.

ASSESSMENT OF PARKING STRUCTURE SITES

Identification of Potential Sites

As part of the Request for Proposals for this project, as well as a carry-over from the 2002 *Plan*, the City identified six (6) potential sites for the construction of additional Historic District parking supply. Through preliminary discussions with City staff, this initial list of six sites was subsequently reduced to five (5) with the elimination of one site determined to be generally infeasible, and the least desirable location of all potential sites. As such, the assessment of parking structure sites focused on the following five locations:

1. Folsom Hotel
This site is generally described as the vacant ravine behind the Folsom Hotel, adjacent to Riley Street. Access would likely be provided from Figueroa Street and/or the alley between Sutter Street and Figueroa Street.
2. Gold Lake Center
This site is generally described as the vacant, earthen embankment adjacent to the Gold Lake Center commercial development, along the north side Leidesdorff Street in the vicinity of Wool

Street. Access to this site would likely be provided from Leidesdorff Street and from the existing surface parking lot within the Gold Lake Center property.

3. Moose/Eagles Lodges
 This site is generally described as the parcels currently occupied by the Moose and Eagles Lodges located east of Scott Street, between Riley Street and Sutter Street. Access would likely be provided from Sutter Street and/or Scott Street.
4. Riley/Scott
 This site would replace the existing surface parking lot located south of Riley Street between Leidesdorff Street and Scott Street. Access would be provided from Scott Street.
5. Trader Lane
 This site would replace the existing Trader Lane surface parking lot. Ground level access would be provided from Wool Street and/or Leidesdorff Street.

These five potential parking structure sites are depicted in Figure 14.

Evaluation Criteria and Matrix

In order to evaluate and provide a meaningful relative comparison of the five potential parking structure sites, five evaluation criterion were identified:

- a. Capacity: Does the site contribute toward lessening future parking deficit?
- b. Implementation: Does the site minimize implementation effects on existing parking supply, businesses, and circulation?
- c. Site Accessibility: Is the site located near District generators and localized parking deficits, and is visible?
- d. Community Considerations: Does the site provide for mixed-use opportunities and incorporate urban design characteristics?
- e. Cost Considerations: Does the site incur reasonable construction costs?

The evaluation matrix provided in Table 17 provides a summary of the evaluation of the five potential parking structure sites. More detailed concepts for each of the sites are provided in Appendix G.

Table 17 – Parking Structure Site Evaluation Matrix

Site Alternative Assessment Evaluation Criterion		Parking Structure Alternative Location				
		Folsom Hotel	Gold Lake Center	Moose / Eagles	Riley / Scott	Trader Lane
a	<i>Contributes toward lessening future parking deficit?</i>					
b	<i>Minimizes implementation effects on existing supply, businesses, and circulation?</i>					
c	<i>Is located near District generators and localized parking deficits, and is visible?</i>					
d	<i>Provides for mixed-use opportunities and incorporates urban design characteristics?</i>					
e	<i>Incurs reasonable construction cost?</i>					
Identified as viable site for potential parking structure development?						
Poorly Addresses Criterion Moderately Addresses Criterion Addresses Criterion Effectively Addresses Criterion						



Figure 14
Parking Structure Evaluation Sites

As demonstrated in Table 17, the Trader Lane and Moose/Eagles sites were determined to most effectively address the site evaluation criterion. Conversely, the Folsom Hotel and Gold Lake Center sites were determined to most poorly address the criterion. As previously discussed, subsequent discussions with the City determined that the Trader Lane lot should be the preferred location considered for the development of a new parking structure. The evaluation conducted as part of this effort supports the direction offered by the City.

Conclusions

Based on the aforementioned evaluation of the five potential parking structure sites, the Trader Lane and Moose/Eagles sites were determined to best satisfy the established criterion for the addition of Historic District parking supply. Therefore, these two sites are recommended for design implementation according to the outcomes of this study. The City's subsequent direction to consider only a single structure on the Trader Lane lot is consistent with the outcome of this effort.

PARKING IMPLEMENTATION STRATEGIES

Because the City of Folsom's Historic District is anticipated to realize a parking deficit of approximately 400 spaces at build-out, it is necessary for the City to consider various strategies on how best to address this anticipated shortfall. This section provides a menu of potential general parking strategies, and presents a series of specific recommended near-term and long-term strategies for the Historic District.

Objectives

According to the *Historic District Design and Development Guidelines*⁹, "Because historic downtown lot sizes and development patterns were established prior to the advent of the automobile, however, the opportunities for individual sites in the Sutter Street Subarea to provide on-site parking are severely constrained. In order to preserve the historic structures and ambiance of this area, the City has assumed a share of the responsibility for providing adequate parking for the entire Subarea."

Furthermore, the *Guidelines* specify that "All uses must provide parking spaces conforming to City standards as established by this document, the Folsom Municipal Code, and any other adopted City ordinances, policies and requirements. The parking requirement may be met by providing spaces on-site (if found appropriate through the design review process) or on nearby property controlled for that purpose for the life of the use. The typical means of providing required parking in this Subarea is property-owner and/or business-owner financial participation in community-planned-and-operated parking facilities, established under the aegis of the City of Folsom or its Redevelopment Agency and subject to the design review process."

As such, the overall objective of parking strategies for the City of Folsom's Historic District revolve around the *Guideline's* principles in which the City is a stakeholder in the development of adequate parking supply for the District. This adequate parking is acknowledged to be comprised of both structured and other off-street surface parking facilities.

Historic District Users and Needs

Parking strategies, in general, need to accommodate the multiple users of the Historic District. The mixed-use nature of the District dictates that the users include residents, residential visitors, light-rail transit (LRT) users and commuters, customers (non-residential visitors, shoppers, diners), employees, delivery and public services (police, fire, refuse, etc.), special event visitors, and residents of the surrounding neighborhoods.

⁹ *The City of Folsom, Historic District Design and Development Guidelines*, City of Folsom, October 1, 1998.

Each of these user groups have their own specific needs, most significantly distinguished by the duration of their parking demand.

The parking strategies described herein specify the particular users that are anticipated to benefit from the various parking strategies. The ultimately selected parking strategies, in cumulative, should address each of the multiple District users' needs.

Historic District Parking Principles

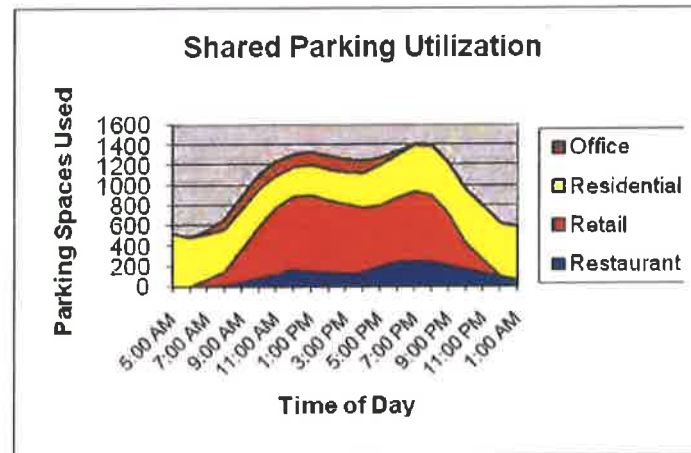
A vibrant, economically viable and successful Historic District (i.e., “downtown”) combines both public and private parking opportunities to create an environment in which visitors park once, and walk to multiple destinations. As specified in the District’s *Guidelines*, private development is essentially expected to rely on the public parking supply to accommodate nonresidential parking demand. As a result, where public parking supply is shared by uses with varying and complementary peak periods of demand, the concept of “shared parking” is introduced. For example, office uses in the District generate their peak parking demand in the mid-morning and early afternoon timeframes, whereas restaurants generate their peak demand midday and in the evenings. These two land uses can effectively share a lower number of parking spaces than if each use was required to accommodate its own peak demand. This “sharing” of parking supply is in contrast to typical suburban parking requirements where each building is required to provide parking on-site for its own users, but rarely fully utilizes its own supply. According to the Urban Land Institute’s *Shared Parking (Second Edition)* “...shared parking has been a fundamental principle of downtown planning from the earliest days of the automobile.”

The following figures (Figure 15 and Figure 16) illustrate the concept of shared parking. Figure 15 is an example of the amount of parking provided based on minimum parking requirements or standards. This approach is based on providing each land use a minimum number of parking spaces as if it were an isolated use. Figure 16 illustrates the actual utilization of the parking spaces for each land use by time of day. Since different land uses have peak parking demands at different times, the land use can effectively “share” a common pool of parking spaces, as long as the highest demand of the day can be accommodated. The result of shared parking is a lower total number of parking spaces than if each individual use is required to provide for its own peak period.

Figure 15 – Minimum Required Parking Example



Figure 16 – Minimum Shared Parking Example



In addition to increasing the efficiency of a limited parking supply, the concept of shared parking reduces the overall cost of providing parking. In downtown areas where development intensity and floor area ratios are high, blocks and individual parcels are small, and land uses are predominantly small businesses, it can be prohibitively expensive to provide parking which satisfies typical zoning code requirements, particularly if structured or underground parking is required. Typical downtown areas have the advantage of being able to combine resources to fund and maintain a common pool of parking for all users. In addition to the principle of shared parking, there are several general principles that should guide decisions regarding parking in a downtown core. These principles include:

1. Provide adequate, but not excessive public parking supply.
2. Provide a simple, easily understood parking environment with adequate way-finding.
3. Maximize the provision of on-street parking as a primary source of short-term customer parking, and enforce time restrictions.
4. Strategically locate municipal lots to provide short-term and long-term parking. Identify at least one location for the eventual construction of a parking structure within the core when needed.
5. Gradually implement pricing as a parking management strategy to reduce long term parking in the downtown core, to balance the level of utilization between on- and off-street parking, and to recover the costs of operating and maintaining parking facilities.
6. Provide options for long-term parking including long-term parking within the core controlled by pricing and free or low-cost long-term in the periphery of the core.
7. Improve the walkability of the downtown to encourage employees to park farther from the downtown core.
8. Ensure high-quality pedestrian connections.
9. Protect neighborhoods from spillover parking.

The strategies identified below are consistent with the principles described above.

Parking Management and Implementation Strategies

The implementation of parking management strategies is intended to ultimately result in more efficient use of limited parking resources. A number of parking management strategies could be implemented within the Historic District to address the existing and the projected, future parking conditions. Potential parking management strategies include:

1. Update Private Parking Requirements
2. Establish and Implement In-Lieu Parking Fees
3. Improve Management of Rail Block Parking Structure
4. Implement Residential Permit Parking or Alternative Neighborhood Protection
5. Establish Public Parking Phasing Threshold
6. Establish Loading and Delivery Strategies
7. Implement On-Street Parking Management Strategies
8. Implement Off-Street Public Parking Management Strategies
9. Establish and Implement Valet Parking
10. Implement Additional On-Street Parking
11. Establish Pricing Strategies
12. Establish Parking Demand Reduction Strategies
13. Address LRT Commuter Parking in the District

The following is a discussion of each of these strategies and associated near- and long-term implementation recommendations:

1. Update Private Parking Requirements

Currently, the City of Folsom requires a flat parking ratio of 1 space per 350 square feet for all land use types (retail, offices, restaurants, museums, etc.) within the Historic District. The previously documented detailed parking analysis indicated that this requirement is not sufficient to address the future parking needs of the District. As per the parking analysis, the District proposes to add approximately 121,850 square feet (SF) of commercial use, in addition to existing land uses and known planned/approved projects. Utilizing the City's existing requirement of 1 space per 350 SF, the additional proposed development (121,850 SF) will require approximately 350 parking spaces. The parking analysis also indicated that using the City's current parking ratio (1 space per 350 SF) for future parking demand would under-provide parking by approximately 50 spaces.

Recommendation #1: Update the private parking requirements in the Municipal Code to accommodate existing and future parking demand.

The parking analysis evaluated the adequacy of the existing flat parking ratio to meet future parking demand. As per the parking analysis, in order to meet the future weekday parking demand, the City should either increase its current parking ratio from 1 space per 350 SF, to 1 space per 305 SF, or adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and office (1 space per 460 SF) uses. By adjusting the parking ratio, the District would be able to accommodate the future parking demand.

In the near-term, the City should consider increasing the flat parking rate from 1 space per 350 SF to 1 space per 305 SF to meet the future parking needs. In the long-term, the City should consider adopting separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and for office (1 space per 460 SF) uses. Adopting separate ratios for different uses will allow the City to more accurately identify future parking needs.

2. Establish and Implement In-Lieu Parking Fees

Under this strategy, developers are allowed to pay a fee in-lieu of providing on-site parking spaces traditionally required by the Municipal Code. The revenue collected by this fee is used to finance public parking spaces. This strategy gives developers an option to either provide the parking required or pay a fee if it is infeasible to construct parking on-site. Alternatively, a development may provide some parking on-site and provide the balance required through payment of the in-lieu fee. This

approach is highly applicable in downtown areas where development opportunity sites are small, and providing on-site parking is difficult and often expensive. Since the City uses Redevelopment Funds to finance public parking spaces in the District, the revenue collected could alternatively be used to pay for a Parking Enforcement Office position.

Recommendation #2: Establish and implement in-lieu parking fees to provide options for developers within the District.

A number of development opportunities exist within the District. However, the size of the development for most of these opportunity sites is small because of existing uses, and it would be difficult for developers to provide the on-site parking spaces required by the Municipal Code. An in-lieu parking fee provides the developer an option of paying a one-time fee for each parking space not provided on-site, thus encouraging development within the District. Cities are often faced with a dilemma where they would like developers to invest in their City, but do not provide developers with an option where they can rely on public parking facilities to meet their parking demand by paying an in-lieu parking fee. Parking for development sites where providing on-site parking is difficult or expensive typically relies upon on-street parking. Increased on-street parking demand has the tendency to discourage customers from visiting.

As a long-term parking strategy, the City could establish and implement in-lieu parking fees. The timing of the in-lieu parking fee could coincide with the City's decision (if implemented) of adopting separate parking ratios for retail, restaurants, and office uses with the District.

3. *Improve Management of Rail Block Parking Structure*

The recently constructed Rail Block public parking structure is currently used by Historic District employees, customers, and Light Rail Transit (LRT) commuters. Improved management of the different users will result in more effective utilization of public parking resources.

Generally speaking, it is recommended that the City institute a simple, straight forward management strategy that is easily understood by all users of the parking structure. The most effective parking management strategy will simplify structure enforcement, and will meet the expectations of current and future Historic District users. With that said, it is also recommended that the City continue to preserve the ultimate intended use of the structure, with minimal, strategic, short-term deviations to most effectively address current economic, development, and user conditions.

This topic is discussed in detail, and implementation recommendations are provided later in this document within the "Assessment of City's 5-Year Parking Management Plan" portion of the "Other Considerations" section on Page 53.

4. *Implement Residential Permit Parking or Alternative Neighborhood Protection*

This strategy has multiple objectives, primarily to protect residential neighborhoods surrounding the District from spillover parking. This strategy would allow residents of the District to obtain permits to park on streets in the surrounding neighborhoods, provided that there is sufficient on-street parking capacity to accommodate the needs of the neighborhood. The revenue generated by this strategy may be used to administer, and enforce, the residential permit parking program, or may be used to fund improvements specific to the neighborhood in which the permit was sold (e.g., traffic calming, landscaping, streetscapes, etc.).

Recommendation #4: As development intensifies in the District, it is recommended to periodically monitor parking conditions to determine if residents are parking on-street, or within surrounding neighborhoods. If so determined, develop and implement a program to administer and enforce a Residential Permit Parking Program (RPPP).

Criteria for triggering the need to implement permit parking also need to be established. There are two purposes for these criteria: a) for Historic District residents to park in public spaces within the District area, and b) to minimize impacts of spillover parking in surrounding neighborhoods (District visitors parking in the adjacent neighborhoods).

Criteria for a) includes: More than 10 percent of the public parking spaces are being utilized by Historic District residents (e.g., overnight parking) on a regular basis. Criteria for b) includes: A neighborhood association registered with the City's Planning Department circulates a petition, and obtains signatures for 60 percent or more of the households in the area. It is also critical that the City has conducted a parking study to demonstrate that spillover parking is occurring.

The City of Folsom has an ongoing neighborhood Permit Parking ordinance which will enable neighborhoods to establish permit parking zones. Also, recent field observations indicate spillover parking into adjacent neighborhoods, particularly in the vicinity of the intersection of Wool Street and Figueroa Street. This spillover parking could be because customers/visitors are not fully utilizing the public parking lots available within the District, and would like to park closer to their destinations.

In the near-term, the City does not need to implement an RPPP for neighborhoods adjacent to the intersection of Wool Street and Figueroa Street. However, the City should continue to monitor this, and other neighborhoods for spillover parking as growth intensifies within the District. A RPPP is an inconvenience for residents, and should be avoided as long as practical.

The long-term strategy is to establish an RPPP, if found to be needed. A RPPP should be implemented gradually, and applied only to neighborhoods that are experiencing spillover impacts. If implementation of RPPP in one neighborhood is determined to push the impact to an adjacent neighborhood, the RPPP should be expanded to that adjacent neighborhood.

5. Establish Public Parking Phasing Threshold

As per the parking analysis, the future parking supply (on-street and off-street) within the District is 730 spaces. The estimated existing parking demand for a weekday is 420 spaces which is approximately 50 percent of the future parking supply. The parking demand for planned/approved projects within the District is estimated to be 256 spaces. With the construction of all planned/approved projects, the parking demand of 676 spaces (existing + planned/approved projects) would be approximately 79 percent of the future parking supply within the District.

The parking analysis indicated an additional 121,850 SF of commercial development is feasible within the District without exceeding the parking capacity of a future parking structure. A 422 space parking structure is proposed at the existing Trader Lane Lot, which will in turn eliminate 125 off-street parking spaces. With the elimination of the Trader Lane Lot, the parking demand of 676 spaces (existing + planned/approved projects) would be approximately 93 percent of the future parking supply within the District. Typically, the construction of any new parking facility begins when the parking demand reaches 85 percent of the parking supply. This approach ensures that enough parking spaces are available during the period of construction. Accordingly, the construction of the proposed parking structure at the Trader Lane Lot should begin when the parking demand of planned/approved projects reaches 80 percent (205 spaces).

Recommendation #5: The City should start construction of the parking structure at the Trader Lane lot when the district-wide parking demand reaches approximately 85 percent of the available parking supply at the time, or when approximately 80 percent of the planned/approved projects' parking demand occurs within the District.

In the near-term, the implementation of planned/approved projects should be closely monitored to determine when 80 percent of the development's parking demand is reached. Any additional loss of parking spaces within the District should also be closely monitored.

In the long-term, the construction of a 422 space parking structure should begin when the parking demand within the District reaches 85 percent of the available parking supply.

6. *Establish Loading and Delivery Strategies*

Loading areas for the delivery of goods, merchandise, and supplies is essential for the economic health of the District. Deliveries should be accommodated through a combination of on-site loading docks, on-street loading zones restricted to certain hours, and permanent on-street loading areas. Larger development projects should provide on-site loading.

Smaller, or otherwise constrained sites may be served by on-street loading zones that are restricted to loading in the early morning hours and afterward revert to public parking. These loading areas are project-specific, but should be selected to serve several properties. These restricted loading areas should be as convenient as possible to the service entrances of the buildings they serve, but if not feasible, loading zones should be on side streets or in the rear of the buildings.

The District should provide several permanent on-street loading zones distributed in all three zones to permit deliveries throughout the day. The City's Municipal Code requires commercial uses where large amounts of goods are received and shipped to provide adequate loading and unloading space to handle the volume and frequency of the truck traffic (Section 17.57.060). The City requires the loading zones be a minimum of 10-feet wide, 35-feet long, and 14-feet high.

Recommendation #6a: For large developments, the City should recommend on-site loading and unloading zones.

Currently, the City's Municipal Code does not require large developments to provide on-site loading and unloading zones, which puts the burden upon on-street parking spaces to serve as loading and unloading zones. For these large developments, additional on-street parking spaces are required (as per Municipal Code Section 17.57.060) which are likely to reduce the general availability of on-street parking spaces for customers/visitors within the District. Therefore, it is recommended that in the near-term the City add a provision within their Code which requires large developments to provide on-site loading and unloading zones.

Recommendation #6b: Based on the location of existing and anticipated commercial businesses, identify and implement restricted and permanent loading zones on curbs with parallel parking.

With the amount of development proposed within the District, sufficient on-street loading and unloading spaces should be provided to accommodate the needs of the future developments. The following locations are recommended for on-street loading and unloading zones (Note: the exact location of existing loading and unloading zones are not known and the recommendations are made based on anticipated future demand from proposed developments):

- Trader Lane between Wool Street and Riley Street
- Sutter Street between Reading Street and Decatur Street
- Sutter Street between Decatur Street and Wool Street
- Sutter Street between Wool Street and Riley Street
- Sutter Street between Riley Street and Scott Street
- Leidesdorff Street between Gold Lake Drive and Wool Street
- Scott Street between Riley Street and Sutter Street

The City should maintain flexibility to change the location of loading zones in response to changes in development. In the near-term, some on-street parking spaces along the recommended sections should be designated as loading and unloading zones during the off-peak hours.

In the long-term, some of these off-peak loading and unloading zones, which are heavily utilized, should be designated as permanent loading and unloading zones without time restrictions. This approach should only be done if the loss of on-street parking spaces does not significantly affect the parking supply, and additional on-street parking spaces exist within the surroundings. The timing for permanent loading and unloading zones could also be coordinated with the construction of the Trader Lane parking structure, as the parking supply within the District will be increased and the loss of on-street parking spaces is compensated.

7. *Implement On-Street Parking Management Strategies*

Most streets within the District have on-street parking. Along Leidesdorff Street, Wool Street, and Sutter Street, angled on-street parking is provided. Some of the on-street spaces are delineated with pavement markings, but most streets have no parking space delineation. Under future conditions there are a total of 239 on-street parking spaces. Table 12 of this report details the on-street parking locations within the District.

On-street parking is used by employees, customers, and visitors of the District. To some extent, existing on-street parking is used by LRT commuters as parking enforcement is not strictly provided. Proper on-street parking management will increase its efficiency by making sure that adequate parking is available within the District to accommodate short-term peak parking demand. Shoppers, diners, and commercial visitors will comprise the majority of peak period parking demands in future Folsom. This group of users has short-term parking needs (3 hours or less). Therefore, the time restriction and potential pricing strategies discussed below are intended to serve this group of users.

Time Restrictions

Time Restrictions are intended to maximize parking turnover of the most convenient and therefore, the most valuable, spaces in the District. The objective of this strategy is to reserve on-street parking spaces in proximity of retail land uses within the District for customers, while providing unrestricted parking in the periphery for employees or residents.

Existing on-street parking occupancy results indicate peak weekday demand of approximately 80 percent to 85 percent and the peak to be between 11:00 a.m. and 2:00 p.m. During the weekend (Friday evening), the peak on-street parking demand is approximately 75 percent with the peak time between 6:00 p.m. and 8:00 p.m. Parking demand in many downtowns peaks around noon to 1:00 p.m. as this is the time that retail/restaurant uses peak during weekdays. The District weekday peak is indicative of a predominantly retail/restaurant-based commercial mix. For the weekend, the observations suggest on-street parking spaces are being used by restaurant users, which peak around dinner time within the study area.

Approximately 75 percent of the District's on-street parking should be restricted to short-term parking. While time restrictions can vary depending on the needs of the adjacent land uses, the basic time limit should encourage the desired turnover (typically 1 ½ to 2 hours). Longer term parking should be provided within the immediate periphery, or near outer ends of the District (e.g. Sutter Street east of Scott Street, Canal Street, Reading Street, and Bridge Street). These streets should be restricted to 10-hours, or left unrestricted in the near-term. The City may provide shorter time restrictions for street segments at the request of property owners.

The following streets within the District currently have time restrictions:

- Wool Street: Between Sutter Street and Figueroa Street (2-hour limit)
- Wool Street: Between Sutter Street and Leidesdorff Street (3-hour limit)
- Sutter Street: Between Wool Street and Reading Street (3-hour limit)
- Gold Lake Drive (3-hour limit)
- Decatur Street: Between Sutter Street and Figueroa Street (3-hour limit)
- Leidesdorff Street: Between Wool Street and Gold Lake Drive (3-hour limit)

However, these time restrictions are not enforced, and do not cover all streets within the District. Recent parking turnover surveys conducted in January 2008 show vehicles parked throughout the day at some of these on-street parking spaces.

Criteria/Guidelines for Time Restrictions

- Maintain consistent time restrictions within the District. Avoid piecemeal time restrictions unless there are compelling reasons to change.
- Time restriction serving the commercial core should be 2 hours (the average time parking in downtown's nationally is 90 minutes).
- Property owners may petition for time restrictions less than 2 hours on the streets which their property is located, but the change should be applied to the entire street. The majority of property owners fronting the street (at least 51 percent) must agree to the change in restriction. The City may require a parking turnover survey to support changes to the time restriction.
- 30-minute time restrictions may be used for streets serving very high intensity retail activity where rapid turnover is required (e.g., post office, banks, ATMs, dry cleaners, etc.).
- Long-term parking (no time restriction except standard 72 hour limit) should not be signed. Designation of unrestricted parking should be based on whether or not:
 - The parking area is conducive to employee and resident parking outside of the District;
 - There is adequate on-street parking capacity (85 percent or less occupied); and
 - The current adjacent uses on either side of the street do not require high turnover parking.
- Unrestricted long term parking should be provided adjacent to residential development (not mixed use) and in the periphery of the Historic District based on the above criteria.

Recommendation #7a: Change the existing 3-hour parking restrictions to a 2-hour parking restriction within the District. Install revised parking restriction signs on these streets. Consistent enforcement of the time restriction is necessary to maintain adherence.

Recommendation #7b: Adopt the time-restriction recommendations described above. Identify 30-minute parking zones on streets serving high intensity retail or service activity. Also identify long-term parking within the immediate periphery or near outer ends of the District (e.g. Sutter Street east of Scott Street, Canal Street, Reading Street, and Bridge Street).

In the near term, no change to 3-hour parking restriction is needed. However, enforcement of time restriction is recommended to maintain adherence and to acclimate downtown parkers that enforcement is being consistently applied. Parking tickets, which only give a warning to vehicles parked longer than the time allowed, may be issued during the acclimation period.

In the long-term, as the development intensifies within the District, it is recommended that all on-street parking within the commercial core be limited to 2 hours and parking tickets (appropriate amount should be decided by the City) be issued to vehicles violating the time limits. Parking enforcement could also be coordinated with the construction of Trader Lane parking structure as more parking will be available for long-term parkers.

8. *Implement Off-Street Public Parking Management Strategies*

Within the District, off-street parking lots were observed to have occupancy averaging 58 percent between 11:00 a.m. and 3:00 p.m. (with 71 percent occupancy at 12:00 noon), then a drop to 43 percent and 52 percent between 4:00 p.m. and 5:00 p.m. Between 6:00 p.m. and 7:00 p.m., the parking occupancy increases to 70 percent and 78 percent before dropping dramatically to 21 percent at 8:00 p.m. The increase in the early evening coincides with the peak dining period. The peak off-street parking demand occurs at 7:00 p.m. with 78 percent occupancy.

Nearly all existing off-street parking lots within the District have a 3-hour time limit on parking. However, these time limit parking restrictions are not enforced, and the recent parking turnover survey conducted in January 2008 showed vehicles parked in off-street public parking lots throughout the day.

Recommendation #8a: Restripe existing off-street parking lots to enhance the delineation of the parking spaces.

Recommendation #8b: Remove existing 3-hour time limit from all off-street parking lots and charge a parking fee based on number of hours parked.

Removing the existing 3-hour time limit and charging a parking fee based on the number of hours parked will provide options for employees, commuters, and visitors who need to park for a longer duration. The parking fee charged will provide revenue which can be used for the operation and maintenance of the off-street parking facilities.

In the near-term, the City does not need to make any changes and should continue with the 3-hour time limit for all off-street parking lots within the District. As the development within the District intensifies, the City should start parking enforcement by issuing warning tickets.

In the long-term, the City should remove the 3-hour parking limit from all off-street parking lots and institute parking charges based on the number of hours parked. Also, during the construction of the Trader Lane parking structure, the City should identify off-street parking lots within the vicinity of the District to be used as over-flow in case the parking spaces within the District are fully utilized. The City should encourage employees to utilize off-street parking during the construction of Trader Lane structure.

Recommendation #8c: Identify off-street parking lots within the vicinity of the District, and encourage employees to use these parking lots during the construction of the Traders Lane parking structure.

9. *Establish and Implement Valet Parking*

A total of approximately 39,000 SF of future restaurant use is either planned or estimated within the District. Identifying on-street and off-street valet parking locations within the District will provide much needed convenience for the restaurant patrons. Restaurants peak during the mid-day (noon to 2:00 p.m.) for lunch, and during the evening (6:00 p.m. to 8:00 p.m.) for dinner.

Recommendation #9: Almost exclusively used for restaurants, this strategy increases parking capacity as well as convenience for restaurant patrons. The City should permit restaurants, or other commercial businesses, to institute valet parking through a conditional use permit, including permission to reserve one to two parking spaces in front of the businesses to conduct valet operations. Valet parking can utilize private parking facilities through agreements with the facilities' owners.

In the near and long term, the City may consider valet parking operations to be used by restaurants during the evening (6:00 p.m. to 8:00 p.m.). This requires establishing conditional use permits, reserving portions of off-street public facilities for valet parking, and allowing reservation of curb space for valet operations.

10. Implement Additional On-Street Parking

One approach to increasing the public parking supply is to implement angled parking spaces on appropriate existing streets. The minimum street width to accommodate angled parking on one side of the street and parallel parking on the other side is 53-feet for 60-degree angled parking, and 50-feet for 45-degree angled parking. These street widths allow for a wider lane adjacent to the angled parking so that vehicles backing out of the parking spaces do not encroach into the opposing travel lane. A minimum curb to curb width of 50-feet is needed for streets to have angled parking. Currently, angled parking exists on Leidesdorff Street, west of Wool Street, and on Wool Street, north of Sutter Street. Streets with sufficient widths to accommodate angled parking should be identified within the District to increase on-street parking supply.

Recommendation #10a: Identify streets within the District with sufficient widths to accommodate angled parking.

In the near-term, additional on-street parking spaces as suggested by the City's *5-Year Parking Management Plan* (January 2008) should be implemented. Additional on-street parking spaces which involve the Trader Lane Lot should be coordinated with the construction of the Trader Lane Lot parking structure.

In the long-term, the City should conduct a detailed study to identify streets within the District where angled parking could be implemented.

11. Establish Pricing Strategies

Currently within the District, parking is provided free of charge. There is minimal parking enforcement and, therefore, no source of revenue for the City. As per the City's *5-Year Parking Management Plan* (January 2008), the installation of parking meters within the District is not recommended, citing the installation and maintenance costs, as well as the potential of diverting funds away from other more beneficial improvements. It is also speculated that the implementation of parking meters could drive customers away to nearby shopping districts without parking fees.

While the perception of deterring patrons away from the District may be true for the near-term, it may play less of a role for future conditions. The District can accommodate future commercial development of approximately 121,850 SF in addition to the already planned/approved projects. The future development of the District is likely to attract more customers, and lack of available on-street parking due to time limit violations, and no parking enforcement would also discourage them from visiting. Parking meters are typically found in most downtowns within California.

In the long-term, the City should install parking meters for on-street parking spaces on streets where the recommended two-hour parking restriction is implemented. As suggested in the City's *5-Year Plan*, the City should continue to explore the feasibility of creating either a full-time parking enforcement position, or using help from volunteer agencies to perform parking enforcement. The revenue generated from the parking meters could be used to fund the parking enforcement officer.

Recommendation #11a: In the long-term, the City should install parking meters for on-street parking on streets where the recommended two-hour parking restriction is implemented.

Recommendation #11b: Create a full-time parking enforcement officer position. Installation of parking meters should be gradual and should start with streets serving retail/restaurant uses which require short-term parking. Also, strict parking enforcement should be performed for effective utilization of on-street parking spaces. As development intensifies within the District, parking meters could be installed on additional streets.

Instead of parking meters, the City should consider installing newer parking machines which can accommodate various payment methods (coins, bills, credit and debit cards, and by cellular telephone or Internet), charge only for time parked, incorporate multiple rates, and have the flexibility to vary rates by time of the day. One parking machine could be installed on each street for all on-street parking spaces on that street. The customer using the on-street parking space on that street buys a parking permit from the machine for the time parked and displays this parking permit on the dashboard of the vehicle for verification by the parking enforcement officer. These newer parking machines also produce receipts and record data for auditing, thus preventing fraud, and also record parking utilization data for planning purposes.

Unbundled Cost of Parking

The cost of parking is typically included in the sales price, or rent of housing. While not a common practice today, the City should provide developers flexibility to separate the cost of parking from the cost or rent of the units, as long as the maximum parking requirements for the development, as a whole, are met. This approach provides a financial incentive for, and attracts, those households with low or zero auto ownership. The developer may be able to separate the cost of parking from all the units, a portion of the units, or offer additional spaces for monthly lease. It would be important that buyers and renters are made aware that they are not paying more for parking, but that the cost of parking is simply being separated out from the other costs of purchasing or renting a unit.

Recommendation #11c: Explore allowing developers to unbundle the cost of parking from dwelling unit sales price or rent. Let developers decide whether there is a market for implementing this innovative parking technique.

12. Establish Parking Demand Reduction Strategies

This strategy is aimed at reducing the parking demand within the District. This approach could be accomplished by encouraging alternate modes of travel (transit, bicycle, and walk), by providing shuttle services which connects remote parking, and by guaranteeing rides home. The City's *5-Year Parking Management Plan* (January 2008) identified a number of parking demand reduction methods that could be accomplished within the District to reduce the dependence on parking. The methods discussed in the *Plan* included:

Transit Incentives: "Encourage use of Light Rail and bus transit by subsidizing transit fares and allowing flexible work schedules."

Remote Parking with Shuttle: "Introducing an off-site location for employee parking and providing a safe and convenient shuttle system can displace long-term parked vehicles out of the District and open up more space for visitors. This can be done on a regular basis or during special events, but may require employee incentives to encourage its use."

Pool Vehicles / Guaranteed Rides Home: "Employers can create incentives by guaranteeing the employee that they will have a ride to their car or home at any time necessary. Some districts will also purchase a small number of fuel efficient, low-cost vehicles that will be available to any employee that needs to use one to run an errand or for overnight use."

Valet/Pedicab Services: “The Chamber of Commerce created valet parking and volunteer pedicab programs last year, which were successful methods of improving the use of less desirable parking spaces”. The City should continue the successful implementation of the Valet/Pedicab program last year and expand if possible.

Improving Walk and Bicycle Access: “A consistent network of safe bicycle and pedestrian trails, coupled with storage and shower facilities can promote non-motorized transportation use, freeing up additional parking for customers”. The Plan identified the current Streetscape effort and bike storage facility in the Rail Block public parking structure as near-term parking strategies.

Recommendation #12: Implement the parking demand reduction strategies suggested by the City’s *5-Year Parking Management Plan* (January 2008).

In the near-term, the City should encourage employers to subsidize transit fares, continue the Valet/Pedicab program, and provide bike storage facilities within the District. In the long-term, the City should identify remote parking areas outside the District and encourage employee parking within these parking areas with convenient shuttle service (financed through a Business Improvement District or service provided by RT).

13. Address LRT Commuter Parking in District

The presence of Light Rail Transit (LRT) introduces a layer of complexity in the evaluation and assessment of parking management strategies in the Historic District. A recent strategy to address the inevitable presence of LRT users within the new Rail Block parking structure was developed in which 100 LRT parking permits would be provided, for a fee, with an established expiration date. Furthermore, District-wide, various time limit parking restrictions have been implemented to further combat the effect of these daily, long-term parking users.

Recommendation #13: It is recommended that the City institute simple, straight forward parking management strategies that are easily understood by all users of the District’s parking supply, including the new Rail Block parking structure. The most effective parking management strategy will simplify enforcement, and will meet the expectations of current and future Historic District users. With that said, it is also recommended that the City continue to preserve the ultimate intended use of the Rail Block parking structure, with minimal, strategic, short-term deviations to most effectively address current economic, development, and user conditions.

As discussed later in this document, the near-term conditions of the Rail Block parking structure are recommended to be considered as follows:

- Level 4 (roof) is the least desirable parking, as it is uncovered and requires the most circuitous route to access. This level should be utilized by the longest term parkers including light rail and employees.
- Level 1 (ground level) is the most desirable parking, as it offers the most convenient access to light rail, adjacent existing commercial uses, and the future Rail Block development. This level should be utilized by the shortest term parkers including primarily Historic District visitors.
- Levels 2 and 3 are essentially overflow parking for Level 4 (roof) and Level 1.

The City’s contemplated 6-hour maximum time limit within the structure may be a viable temporary option, but it is viewed as a fatal flaw in the long-term management of the parking structure. Parking structures are typically intended for long-term parkers (6+ hours), especially employees, with the shorter-term parkers using on-street and other off-street parking supply.

Light rail and employee passes could be considered as an alternative to the 6-hour maximum time limit, although it does not address long-term customers (customers who park longer than six hours are rare). As such, it may be advantageous to designate floors 1 and 2 with a 3-4 hour limit for customers (must be enforced), and a floors 3 and 4 with light rail permits and employee permits (also must be enforced).

Also as discussed later in this document, in the long-term, the light rail parking issue needs to be addressed because, ideally, over-management of the garage parking is not recommended, as a simple enforcement system is ultimately desirable. Considering the increase in light rail ridership, the City and Regional Transit should address the long-term parking demands (i.e., remote parking, new RT structure, etc.).

Furthermore, it is acknowledged that the actual parking demand at the Historic Folsom light rail station may be limited more by the capacity of the Regional Transit Gold Line, as opposed to the supply of parking. This theory should be considered in the ultimate parking supply decisions that are made within the Historic District.

Summary of Recommended Strategies

Near-Term Strategies

The near-term parking strategies identified in the Parking Management and Implementation Strategies section above include the following:

- a. Increase the current parking ratio from 1 space per 350 SF to 1 space per 305 SF.
- b. Monitor neighborhoods, especially the neighborhood adjacent to the intersection of Wool Street and Figueroa Street, for spillover parking as development intensifies within the District.
- c. Monitor the implementation of planned/approved projects to determine when 80 percent of the parking demand occurs within the District.
- d. Add provision to the City's Municipal Code requiring large developments to provide on-site loading and unloading zones.
- e. Identify existing on-street parking spaces which could be used for loading and unloading during off-peak hours.
- f. Enforce parking restrictions by issuing warning parking tickets during an acclimation period.
- g. Identify time restricted, on-street valet parking spaces to be used by restaurants during the mid-day (noon to 2:00 p.m.) for lunch, and during the evening (6:00 p.m. to 8:00 p.m.) for dinner.
- h. Add on-street parking spaces as suggested by City's *5-Year Parking Management Plan* (January 2008).
- i. Encourage subsidized transit fares and continue operating the Valet/Pedicab program. Also, identify additional bike storage facilities within the District.
- j. Implement City recommended parking management strategy within the Rail Block parking structure.

Long-Term Strategies

The long-term parking strategies identified in the Parking Management and Implementation Strategies section above include the following:

- a. Adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and for office (1 space per 460 SF) uses.
- b. Establish and implement in-lieu parking fees. The timing of the in-lieu parking fees could coincide with the City's decision (if implemented) of adopting separate parking ratios for retail, restaurants, and office uses with the District.
- c. Gradually implement a Residential Permit Parking Program (RPPP) in neighborhoods experiencing spillover parking impacts.

- d. Start construction of a 422 space parking structure on the Trader Lane Lot when the district-wide parking demand reaches approximately 85 percent of the available parking supply at the time, or when approximately 80 percent of the planned/approved projects' parking demand occurs within the District.
- e. Identify heavily utilized off-peak loading and unloading zones and designate them as permanent loading and unloading zones without time restrictions.
- f. Restrict all on-street parking within the District to 2 hours and enforce parking restrictions by issuing parking tickets.
- g. Remove the 3-hour parking limit from all off-street parking lots, and institute parking charges based on the number of hours parked. Also, during the construction of the Trader Lane parking structure, the City should identify off-street parking lots within the vicinity of the District to be used as overflow in case the parking spaces within the District are fully utilized. Identify permanent off-street valet parking spaces for existing and future restaurant uses throughout the District.
- h. Conduct a detailed study to identify streets within the District where angled, on-street parking could be implemented.
- i. Gradually implement parking meters for on-street parking spaces on streets serving retail/restaurant uses.
- j. Continue to explore the feasibility of a full-time parking enforcement position, or volunteer help.
- k. Encourage Pool Vehicles/Guaranteed Rides Home program.
- l. Work with Regional Transit to fully and appropriately address the Light Rail Transit parking situation within the District.

FUNDING STRATEGIES

This section provides information about the different types of parking costs and different financing options and strategies. The information focuses on structured, free parking, as the City of Folsom plans to construct a new structured parking garage without implementing development funding mechanisms. Based upon the City's stated objectives and findings from other sections of this report, general information that applies to most cities is provided in this report, as well as specific ideas and recommendations for the City of Folsom.

The City of Folsom is not unique in its objectives to provide efficient parking without yet knowing how all of the costs will be paid. And like many cities, parking structures are seen as a catalyst to development and redevelopment activities. Most structured parking facilities are not self-supporting and, even when there are operating revenues, they are often insufficient to cover operating expenses and debt service. Because of this reality, it is often not possible for an owner to obtain 100 percent financing on their parking project without subsidies of some kind. Furthermore, many municipalities are in the process of eliminating parking from their budgets and intend to remain to be involved in managing the parking without being the sole provider of funding and financing for parking.

While there are many cities similar to Folsom that intend to become or remain responsible for the costs of parking, they should be aware that there are a number of strategies that have been successfully used to finance parking facility capital projects. Common financing methods include federal grants, tax-increment financing, taxes from business improvement districts or parking tax districts, and net revenues from other facilities. These and other options are described in this report. To determine the most appropriate means of financing for Folsom, a market and financial analysis study may need to be completed. These financing decisions typically are approved by city councils. Market and financial studies are often completed by an economist with a parking professional providing existing and forecast demand data. When user fees (paid parking revenues) are a part of the financing equation, the projected demand and revenues of a proposed parking facility project are quantified, and so is the extent to which the user fees will cover the operating expenses and debt service. If during the course of such a study it is determined that operating revenues are projected to

adequately cover operating costs and debt service, then there is no need to identify additional funding sources. However, for those projects that do not “pencil out”, a subsidy is required. This subsidy may be defined and quantified through this study process. Since parking is intended to remain free in the Historic District, the City would be seeking subsidy or total financing.

Parking Costs

Parking costs are divided into two categories – capital costs for construction of parking infrastructure, and operations and maintenance costs which are typically combined. Both kinds of cost need to be considered for funding, and each may require separate funding sources because of the timing for when the financing is needed. Capital costs are infrequent, but may be large sums. Operations and maintenance costs are regular (typically budgeted for annually), smaller costs. Capital (or development) costs and operating/maintenance costs vary widely. Land acquisition costs, construction costs, soft costs, and operating expenses are types of costs that should be considered during the planning phase of a parking project.

Estimating the cost of constructing a new parking structure is dependent upon several variables, including the number of spaces needed, the number of parking structure levels, the size/dimensions of the site, the architectural features for the structure, and whether the garage will have ground floor uses. Other variables that affect parking structure costs include the type of flow system (one-way or two-way drive aisles), the number of access points, the amount of underground levels, and the size and shape of the site. Certain site dimensions and topography can make one site more efficient and less costly than other sites. In the event that the City chooses to build parking structures on multiple sites, the cost per space may vary depending on site characteristics and structure sizes. These factors need to be considered in the site selection process.

Land Acquisition Costs

Although not a factor in the District’s proposed use of the Trader Lane site, land costs are often not included during the preparation of a parking project’s economic analysis. In many cases, the institution that is planning a parking facility, an airport, hospital, municipality, university, etc., already owns the land that serves as the site for the proposed parking facility. However, in those cases where land costs do need to be recouped, land acquisition costs become a significant part of the equation. There is not rule of thumb for typical land acquisition costs. These costs vary significantly from one location to another and depend upon a multitude of issues including access, density of development, surrounding land uses, income potential, etc. Land acquisition costs can often add from \$15 to \$100 or more per square foot of land area to the overall project cost.

Construction Costs

The most significant variable impacting construction or “hard” costs is the type of parking improvement. Surface parking lots can be constructed for as little as \$1,000 per space or less for a basic paving and striping project, and as much as \$3,000 or more per space for a grander project featuring an elaborate drainage systems, premium light fixtures, signage and graphics, and landscaping.

Structured parking costs represent comparatively higher costs per space than surface parking, and typically range anywhere from \$8,000 to \$30,000 or more per space, depending on the project particulars. The low end of this range will likely buy a simple concrete parking structure with limited aesthetical appeal. More unique architectural features can drive the cost upward significantly.

Soft Costs

To derive a total project cost, other costs must be added to the construction and land costs. These additional costs are referred to as “soft” costs, and may include items such as a construction contingency, architectural/engineering fees, soils and materials testing, debt service reserve funds, legal fees, and financing costs. Soft costs can vary significantly but typically fall within 15 to 35 percent of construction costs.

Operating Expenses

Operating expenses of parking facilities also vary dramatically. Variations are due to geographical location, size of facility staffing patterns, method of operation, and local legal requirements. These expenses include enforcement, the cost of utilities, supplies, daily maintenance, lighting, cashing, management and accounting services, on-site security, structural maintenance, landscaping and insurance. Multi-story structures may require additional costs for fire control equipment and elevators, and underground parking may require mechanical ventilation. Public parking facilities typically do not pay taxes.

Annual O&M costs for a parking structure are dependent upon several variables, including whether or not the garage is free or for pay (which would require personnel), whether or not there are restrooms, and how large the structure is or how many levels of parking it provides. Annual costs per space range from about \$200 for basic maintenance, up to \$800 for a facility with attendants.

Types of insurance coverage include comprehensive liability, the garage operator's legal liability, fire and extended coverage, workers' compensation, equipment coverage, money and security coverage (theft occurring on the premises), blanket honest coverage (employee theft), and rent and business interruption coverage, (structural damage resulting from natural phenomena). Annual operating expenses for structured parking facilities typically range from \$200 to more than \$800 per space. These figures exclude parking, property, and sales taxes.

Financing Strategies

The financing mechanisms discussed in this section are typical strategies used by cities similar in size to Folsom. A menu of options is provided for the City to use to finance future parking costs. The decision-making process for the parking facility financing should begin with a general agreement regarding basic principles and end with a more detailed approach for resolving funding, management, and cost allocation issues. Kimley-Horn has identified a number of guiding principles that can guide future actions and decisions regarding the sources and use of funds for parking facilities. A consensus among key stakeholders on general principles will help guide and resolve financing-related issues as they arise throughout the implementation process.

Guiding Principles

The City's financing strategy should be guided by the following principles:

- The improvement program that is ultimately adopted must be financially feasible, i.e., funding sources must be identified, and quantified that match programmed expenditures. In addition, maintenance, operations and depreciation must be considered prior to project development. Given the significant cost associated with construction of parking facilities, it will be important to develop a strategic approach to project financing and prioritization of investments. As a general principal, the investment in new parking facilities should occur only after adequate funding sources have been identified and committed for both one-time and ongoing costs. Consequently, the actual project schedule and phasing will need to be adapted to funding realities. In addition, since the construction of parking facilities generally leads to Operations and Maintenance (O&M) costs, capital investment must be matched with increased operation revenues.
- Innovative ways of covering project costs should be pursued based on a concerted public-private partnership and leveraging the diverse spectrum of potential sources available. The large cost of meeting the parking needs suggests that existing sources and standard techniques will need to be leveraged and expanded in a number of ways. Private funding through fees and assessments will also be required, and the support of local stakeholders and the Folsom community will be critical for success. Under some proposed financing scenarios, voter approved funding mechanisms may be necessary. In addition, funding mechanisms and programs should be established early on so as to build up reserve accounts that grow over time. In general, it is anticipated that the financing program will be based on a concerted public-private partnership.

- The costs associated with parking facilities should be allocated in a proportional and equitable manner and, to the extent possible, across a range of potential beneficiaries and user groups associated with the facilities. No single financing mechanism is expected to cover the full cost of construction and operating a parking structure. Rather, a combination of sources will be required in order to provide adequate funding and allocate costs among different groups. The section below outlines several financing scenarios developed to illustrate the range of financial responsibilities that could be assigned to various entities, and provides further detail on the nature and potential applicability of various funding mechanisms.

Alternative Financing Strategies

The following is an overview of the most commonly used strategies for financing parking facilities, most of which fall short of generating operating revenues that are sufficient to cover operating expenses and debt service:

Federal Grants

At least two potential funding sources are available at the federal level. Location, intended use of the facility, and availability of grant money are the variables that typically govern whether a project receives federal grant money. The U.S. Department of Transportation offers two types of grants that may be applicable to a parking project: Federal Transit Capital Investment Grants and Federal Transit Formula Grants. The capital grant can be applied to virtually any infrastructure improvement pertaining to the establishment or improvement of mass transit systems. Qualified applicants include: public agencies, states, municipalities, public corporations, boards and commissions, and private agencies through contractual agreements with a public agency grantee. Qualifying parties must submit an application with detailed requirements and approval of the project by the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA).

Tax Increment Financing

Implementation of a tax increment finance (“TIF”) district is a common financing mechanism employed by municipalities. Tax increment financing is a way to use tax revenue growth produced by an increase in the tax base of a specified area to fund improvements. A TIF is an increasingly viable solution to funding the development of needed infrastructure, including structured parking. Projects are taxed through an anticipated increase in the area’s property tax revenues. TIF districts do not generate tax revenues by increasing tax rates. Rather, the TIF district generates revenues by permitting the municipality to temporarily capture the tax revenues generated by the enhanced valuation of properties resulting from various redevelopment projects.

Parking Tax Districts

A parking tax district typically addresses a narrow selection of issues directly related to parking. In cases where the municipality is the sole provider of parking, the collection of parking taxes tends to be applied in a uniform manner on an assessed value basis or as a fee per space based on zoning parking standards or requirements, and typically with a partial exemption for parking spaces provided above a threshold percentage. Typically, no commercial property is 100 percent exempt unless its owner provides 100 percent of the parking requirements mandated through the zoning ordinance within the district. Single-family residential property is usually exempt, but multi-family apartments usually are not exempt. Examples of some California cities with this strategy are provide below.

Covina, California has a vehicle Parking District Tax. This tax is assessed only on the difference between the number of spaces provided and the number required by the zoning ordinance. There are no exceptions to this tax for owners who provide parking.

Alhambra, California includes parking within a Business Assessment District Tax. This tax is assessed uniformly on all commercial property based on the gross receipts of the business. Because this tax supports functions other than parking, such as beautification, cleaning signage, etc., there are no exceptions for parking provided.

Fullerton, California owns almost all of the off-street parking within the city, and all businesses within the parking district were assessed a parking district tax to retire bonds for the construction of parking. No exemptions were offered as almost no properties supplied their own parking needs. Because the bond debt was retired several years ago, the parking tax district was also retired.

General Obligation Bonds

General obligation bonds obtain the lowest possible interest rate of cost of borrowing for any given municipality. Because the full faith and credit of the municipality is pledged to such bonds, the rate of interest will reflect the best that the community has to offer. The primary way for a municipality to improve on its own full faith and credit pledge to a bond issue is to purchase municipal bond insurance.

The general obligation bonds of local governments are most commonly paid from ad valorem property taxes and other general revenues. These bonds are considered the most secure of all municipal debt and are limited in California by Proposition 13 to debt authorized by a vote of two thirds of voters in the case of local governments.

Revenue Bonds

When revenue bonds are issued to finance a parking project, the bond issuer pledges to the bond holders the revenue generated by the parking project. Revenue bonds are payable only from specifically identified sources of revenue, including pledged revenues derived from the operation of the financed parking facility, grants, and excise or other taxes. Parking revenue bonds secured solely by the revenues from a single, stand-alone, municipality-owned parking facility are acceptable at a reasonable tax-exempt rate only when irrefutable evidence is presented.

In-Lieu Fees

In-lieu fees are charged to development "in-lieu" of parking that developers would otherwise be required to construct on site. Such fees are generally optional, apply only to new development, and are typically collected when building permits are issued. Because different land uses generate different levels of parking demand, cities typically establish a schedule of specific in-lieu fees for retail, office/light industrial, and lodging uses that reflect variations in demand. This approach assumes that residential development typically constructs its own on-site parking.

Parking District / Special Assessments

Special assessments are charges to real property based upon a benefit conferred by a public improvement, in this instance, parking. In order to collect special assessments from Historic District property owners, the City would need to establish a Parking District. A special assessment would require the support of the owners of a majority of the proposed district. Alternatively, the City could generate similar revenues through an increase in the business license tax without voter approval. It is assumed that in either case residential development would be excluded from this fee.

Business license taxes can be assessed based on the land use of the business. For example, an annual assessment of \$0.62 per square foot of retail restaurants, \$0.42 per square foot of office/light industrial, and \$0.31 per square foot of lodging could be charged to the businesses. These fees would be based on future land use projections and would be charged as the land develops. If parking facilities are built before all projected development occurs, the City may experience a funding gap period during which General Fund loans or alternative short-term funding mechanisms would be required to pay for capital costs and operations.

Certificates of Participation

A Certificate of Participation (COP) allows the public to purchase a share of the lease revenues paid by a municipal entity for the acquisition or construction of specific equipment, land, or facilities. COP proceeds are then used to fund the project or acquisition. The technique provides long-term financing that does not constitute indebtedness under the state constitutional debt limit and does not require voter approval.

Repayment of COPs can come from a variety of sources, including general fund revenues or earmarked funds in the general fund such as special tax proceeds or fees. Potential revenues from tax increases and parking meter fees are discussed below. These sources could also be used to cover operations and maintenance costs.

Conventional Debt Financing

Conventional loans are loans that are not insured or guaranteed by a government agency. This method of obtaining funds for a capital improvement project involves a lending process that is often rigorous, and may result in higher financing costs incurred by the borrower. Banks want to lend to parties that have a clear record of profitable operations, that generate a cash flow sufficient to repay the load, and that have enough collateral or assets to secure the load. Conventional financing requirements include a clean credit record and no bankruptcies or foreclosures.

Sales Tax Increase

A voter-approved, City-wide sales tax increase could provide a revenue stream to make lease payments on parking structure capital construction. If intended to provide dedicated funding for parking-related projects, this type of sales tax measure would require a two-thirds majority vote of residents and would depend on significant public support. A general tax increase, in contrast, would require only a simple majority but would not be earmarked specifically for parking-related projects and might be subject to changing budget priorities.

Transient Occupancy Tax Increase

A transient occupancy tax (TOT) is similar to a sales tax increase as it requires two-thirds voter approval if it is to be dedicated to a specific purpose, or simple majority approval if it is to be a general tax. A TOT increase could provide a revenue stream to secure COP financing or other form of debt financing.

Meters, Fees, and Enforcement Fines

Many jurisdictions have been able to partially finance construction of parking structures using bonds funded through parking meter revenues and fines. And some jurisdictions utilize meters as a parking management tool to encourage turnover and control employee parking. Ultimately, the ability to generate net revenues from meters (after accounting for enforcement and capital costs) depends upon local parking demand and supply dynamics as well as public policy objectives. For example, larger cities with high parking demand are generally capable of charging higher meter rates and spreading enforcement cost over a larger area. Meter revenues could also provide funding for a portion of ongoing O&M costs.

Redevelopment Agency

The Historic District falls within the City's redevelopment area. As new redevelopment occurs in the District, tax increments will accrue to the Redevelopment Agency. While a substantial portion of Redevelopment funds are already committed to existing projects, some share of tax increment funding may be available for parking structure financing. In addition, RDA-owned land could be sold to generate revenues for parking structure construction and operations.

Private Funding

In rare cases, private developers may build parking facilities. This generally occurs in dense urban areas, where parking is at a premium and operators are able to charge extremely high parking fees. Given Folsom's size and relative low level of parking demand, it is unlikely that private developers would pursue construction of a parking structure in the City entirely on their own.

Potentially, City-owned land could be provided to a developer with the requirement that development of the property include a parking facility. However, this option could limit the City's control and flexibility. Selling City-owned land and using the revenues to cover a portion of parking structure costs would produce similar results while allowing the City greater involvement in project implementation.

Conclusions

There is no such thing as “free parking.” Even if parking is provided free of charge to users, someone pays for the land, construction, and maintenance of parking facilities and spaces. Folsom currently provides free parking for users in the Historic District. The City currently pays for parking through a combination of bonds issued by the Redevelopment Agency, which paid for the construction of the new Rail Block parking garage, and from City Department budgets, which pays for maintenance of the garage. The maintenance budget is shared equally among all of the City departments, although the funding is not allocated specifically for parking during the budgeting process.

The funding strategies discussed in this report are available to the City should the current financing mechanisms no longer meet the City’s needs. Based on our discussions with the City, we understand that user fees are not being considered for the Historic District parking. If that policy decision continues, the City may want to consider charging for event parking in the City garage, perhaps on “Thursday Night Market” nights, as a way to raise additional funds during peak periods.

OTHER CONSIDERATIONS

Special Events Assessment

The Historic District of the City of Folsom has several routine “special” events which result in parking and circulation restrictions different from normal conditions. These “special events” all incorporate closure of a portion(s) of Sutter Street, and alter vehicular access and circulation. Through consultation with the City, it was determined that the Thursday Night Market is the most representative of the conditions experienced during abnormal events within the District, and should be used as the basis of this assessment.

Existing Conditions

The Thursday Night Market is a special event that takes place every Thursday night from early June through late August. These approximately 12 weekly events require routine parking and access restrictions, as well as deviations from normal traffic patterns. To obtain firsthand knowledge of the current “special event” parking and traffic management strategies, Kimley-Horn visited the August 7, 2008, Folsom Historic District’s Thursday Night Market. At this event, representatives from the Folsom Merchant’s Association were consulted to further complete the assessment of existing conditions.

Based on our site visit and discussions with the Merchant’s Association representatives, the conditions resulting from the Thursday Night Market include the following, and are generally depicted in Figure 17:

- Restriction of all vehicular access to Sutter Street from Reading Street to Scott Street. To accomplish this level of access control, barricades are utilized along the Decatur Street, Wool Street (both north and south of Sutter Street), and Scott Street approaches. Sutter Street cross traffic is further restricted at Riley Street.
- Three of the seven barricaded street closures are staffed during the entire duration of each event. These staff members were observed to provide direction to patrons, allow vehicle admittance for vendors and residence, and to provide general guidance at these three key locations.
- Pedestrian access is retained and permitted throughout the District.
- Patrons were observed to utilize adjacent residential streets for parking to access the event. Two general areas were observed to receive a majority of this “overflow” parking: Figueroa Street in the vicinity of Wool Street, and Sutter Street between Scott Street and Coloma Street.

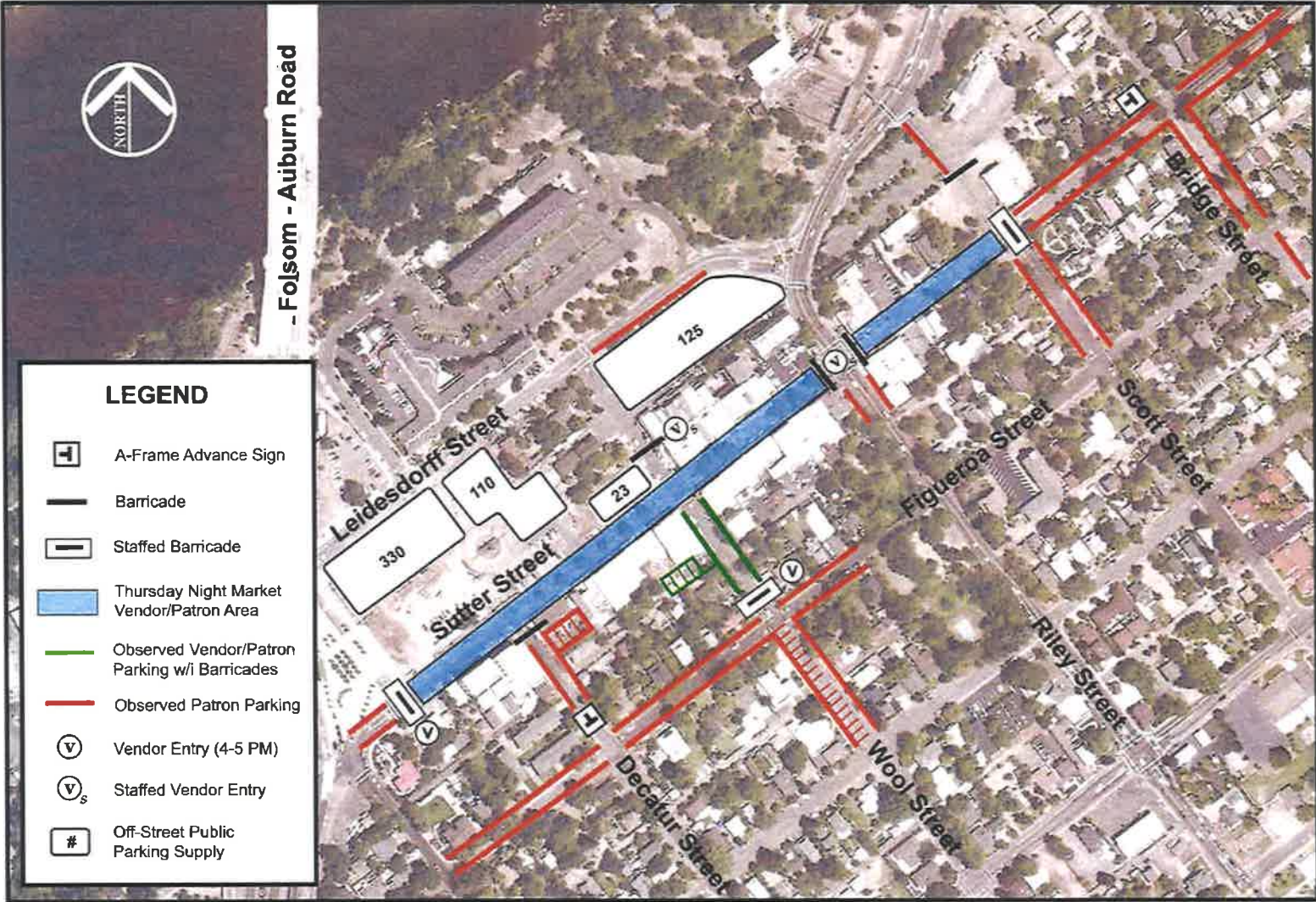


Figure 17
Folsom Historic District Parking
Existing Thursday Night Market Traffic & Circulation Restrictions

- The recently completed parking structure was observed to be underutilized with ample parking available.
- The majority of the vendor booths, patrons, and activity were observed to be located in the 700 block of Sutter Street, between Wool Street and Riley Street.
- The starting time of the event (approximately 6:00 p.m.) coincides with the typical commute peak period experienced along Riley Street and Folsom Boulevard. Vendors arrive between 4:00 and 5:00 p.m. which further contributes to congested peak-hour traffic conditions.

Furthermore, the following issues were identified by the Merchant's Association representatives as being critical to the consideration of revised management strategies:

- *Parking Structure Management*
 Because entering vehicles receive no indication of the structure's occupancy status, during peak conditions, vehicles entering are required to circulate to the roof to make the reverse trip back down to exit. The representatives suggested that the addition of electronic technology or other means by which to convey occupancy conditions would improve this condition.
- *Improved Supply and Demand Management*
 Because there is limited parking supply within the District, special events routinely result in overflow patron parking into the adjacent residential neighborhoods, as well as the Lake Natoma Inn. The representatives suggested that improved public information directing patrons to the new parking structure, as well as other supply maximizing techniques could minimize the special event effect on adjacent areas.
- *Vendor Access and Parking*
 Market vendors currently arrive between 4:00 and 5:00 p.m. to unload at their respective booths in order to be in position for the opening of the event around 6:00 p.m. Due to the advance notification and enforcement of on-street parking restrictions associated with the event, vendors are typically required to enter the restricted area to unload and then must leave to find convenient, available adjacent parking. The process is reversed at the conclusion of the event when similar convenience is preferred during the loading process. The representatives suggested that designated vendor parking could improve the attractiveness of the event. Furthermore, they indicated that improved access for loading/un-loading could also contribute to a better event.
- *Streetscape Project and Short-Term On-Street Parking*
 The representatives indicated that, as part of the on-going Historic District Streetscape Project, consideration should be given to providing short term (10-15 minute) parking to promote patronage of the numerous District businesses.

Recommended Management Strategies

Based on our assessment of existing conditions (Figure 17) and consultation with the Merchant's Association representatives, the following special event management strategies are recommended:

Improved District Parking Utilization and Minimized Overflow

Overall improved utilization of Historic District parking facilities will contribute significantly toward minimizing the effect of District special events on the adjacent residential areas, as well as the Lake Natoma Inn.

Because special event conditions confirmed the general existing parking trends of underutilization of existing supply in the western portions of the District, this management strategy is aimed at improving the occupancy and utilization of the new parking structure and other available off-street public parking in this area. As such, the following specific strategy components are recommended:

- **Improved Advertisement and Communication of Existing Parking Structure**
 - Flyers could be distributed at the beginning of the year by placing on patron vehicles, handing to patrons, and through the media. The flyers would provide a simple District map with clear indication of the magnitude of the supply in the parking structure and the close proximity to Sutter Street.
 - Incentives (coupons) could be provided from Market vendors to encourage patrons to park in the structure.
 - Additional vendors could be aligned to provide a cohesive connection to the structure from the other Sutter Street vendors.
 - The use of Market staff to control/monitor the structure occupancy and maximize operations could further improve the utilization of the structure. An additional consideration is to modify structure access to entrance only from Reading Street and exit only to Leidesdorff Street.
- **Improved Way-Finding to New Parking Structure**
 - Way-finding signage could be added to Riley Street and Natoma Street to direct Historic District traffic west toward the new parking structure. This strategy would apply to both northbound and southbound approaching traffic.
 - In particular, enhanced signage could be provided to traffic entering the District from Folsom Boulevard due to their close proximity to the parking structure.
- **Standardized Appearance and Application of Devices**
 - A more consistent application of uniform restriction barriers could assist in better defining the District and restricted areas. The uniformity and consistency with other District signing could further enhance the overall District way-finding effectiveness.
- **Residential Parking Permits**
 - The development of Parking Districts would allow for the application of residential parking permits. Residential parking permits would likely be the most effective means by which to eliminate the District's overflow parking and dramatically improve the utilization of currently underutilized supply.
- **Remote Parking**
 - Promotion of off-site, remote parking could contribute to minimizing the District's overflow parking into adjacent residential areas. Effective remote parking should include ample public communication and frequent, reliable transportation between locations.

Vendor Access and Circulation

Because Thursday Night Market vendors arrive early, it is presumed that they, in-turn occupy the most convenient parking supply. This strategy includes concentrating vendor access, parking, and circulation in an effort to preserve the prime parking supply for Market patrons and create a predictable, uniform management environment.

- **Weekly Vendor Passes/Display Cards**
 - Considering that vendors are required to reserve their Market booth on a weekly basis, the opportunity exists to provide a vendor "pass" at that time to denote each week's participants. Once the vendors are identified, numerous additional strategies become available including the use of dedicated parking areas, exclusion from parking restrictions, etc.
- **Dedicated Parking Designation**
 - Vendor parking could be designated in a portion of the parking structure, the Baker lot, a portion of the Trader Lane lot, or within the public lot in the corner of Riley Street/Scott Street. Designation of these areas should not conflict with existing time of day restrictions. This strategy would provide predictable, appropriate parking supply for the vendors.

Assessment of City's 5-Year Parking Management Plan

In January 2008, the City prepared a *Historic District 5-Year Parking Management Plan* which addresses existing parking conditions, as well as the anticipated changes that will occur over the next four to six years. The primary objectives of the *Plan* are to:

- Determine existing parking supply and utilization in the commercial portion of the Historic District under normal conditions
- Recommend strategies to maximize use of existing and planned parking while minimizing impacts to the surrounding residential areas, until such time as additional parking facilities can be constructed
- Identify opportunities for providing additional, cost-effective parking

The *Plan* concludes with seven recommendations for addressing the established objects. The following is a discussion and evaluation of the *Plan's* conclusions.

Rail Block Parking Structure

This recommendation proposes to post the bottom three levels with 2-hour time limit parking, retaining the roof level as untimed parking. It was indicated that if excessive light rail parking use develops, the roof could be posted for no parking between midnight and 7:00 a.m.

It should be noted that the current management of the parking structure deviated slightly from the original recommendation above. At the time of this study, floors 1 through 3 were signed for 3-hour time limit parking, Monday through Friday from 5:00 a.m. to 5:00 p.m. The roof level was untimed Monday through Friday from 7:00 a.m. to 3:00 a.m., with no parking from 3:00 a.m. to 7:00 a.m.

Assessment

Subsequent to the release of the *Plan*, a revised parking management strategy was proposed by the Historic District Merchant's for consideration by the City. The revised strategy consisted of the following components:

- a. All Floors = 6-hour time limit (visitors/customers allowed on all 4 floors)
- b. Floors 2, 3, and 4 = light rail and employee permits permitted
- c. Provide up to 100 light rail permits for a fee with an established expiration date
- d. Provide an unspecified number of employee permits without a fee

Generally speaking, it is recommended that the City institute a simple, straight forward management strategy that is easily understood by all users of the parking structure. The most effective parking management strategy will simplify structure enforcement, and will meet the expectations of current and future Historic District users. With that said, it is also recommended that the City continue to preserve the ultimate intended use of the structure, with minimal, strategic, short-term deviations to most effectively address current economic, development, and user conditions.

The addition of permit parking, almost regardless of its complexity, will require City staff effort to develop, advertise, implement, and maintain the program. Such costs should be considered when evaluating the effectiveness of a new parking management strategy.

The near-term conditions of the new parking structure are recommended to be considered as follows:

- Level 4 (roof) is the least desirable parking, as it is uncovered and requires the most circuitous route to access. This level should be utilized by the longest term parkers including light rail and employees.
- Level 1 (ground level) is the most desirable parking, as it offers the most convenient access to light rail, adjacent existing commercial uses, and the future Rail Block development. This level should be utilized by the shortest term parkers including primarily Historic District visitors.
- Levels 2 and 3 are essentially overflow parking for Level 4 (roof) and Level 1.

The proposed 6-hour maximum time limit may be a viable temporary option, but it is viewed as a fatal flaw in the long-term management of the parking structure. Parking structures are typically intended for long-term parkers (6+ hours), especially employees, with the shorter-term parkers using on-street and other off-street parking supply.

The proposed light rail and employee passes could be considered as an alternative to the 6-hour maximum time limit, although it does not address long-term customers (customers who park longer than six hours are rare). As such, it may be advantageous to designate floors 1 and 2 with a 3-4 hour limit for customers (must be enforced), and floors 3 and 4 with light rail permits and employee permits (also must be enforced).

In the long-term, the light rail parking issue needs to be addressed because, ideally, over-management of the garage parking is not recommended, as a simple enforcement system is ultimately desirable. Considering the increase in light rail ridership, the City and Regional Transit should address the long-term parking demands (i.e., remote parking, new RT structure, etc.).

Furthermore, it is acknowledged that the actual parking demand at the Historic Folsom light rail station may be limited more by the capacity of the Regional Transit Gold Line, as opposed to the supply of parking. This theory should be considered in the ultimate parking supply decisions that are made within the Historic District.

Rail Block Surface Parking

This recommendation proposes to maintain the existing time-limited surface parking while fencing off the current construction staging area. It is also proposed to open the staging area parking only for special events only until construction of the Rail Block development begins.

Assessment

It is recommended that all viable surface parking be made available until a time at which Rail Block development construction necessitates the closure of these areas. Considering the current overflow parking into adjacent residential areas, as well as the Lake Natoma Inn site, the near term benefit of additional off-street public parking will likely be significant. Applicable time-limits should be uniformly applied to these spaces as well.

Time Limit Parking

This recommendation proposes to convert additional Trader Lane lot parking to time-limit with subsequent turnover studies to evaluate the time-limit durations. A residential permit program is also considered as part of the strategy.

Assessment

Previously documented parking occupancy and turn-over studies confirmed the desirable nature of the Trader Lane parking lot. This lot is located within the previously defined Zone II of the District which is documented to currently, and in the future, experience the greatest parking deficit in the District. The application of additional time-limit restrictions to preserve this premium parking supply is strongly supported.

Additional On-Street Parking

This recommendation proposes to maximize the efficiency of existing on-street pavement to provide additional on-street parking supply.

Assessment

A more efficient use of existing on-street pavement is supported as a means by which to increase the parking supply within the District.

Alternative Modes

This recommendation proposes to continue the use of valet and pedicab services, as well as establishing consistent shuttle bus services for all special events to and from the adjacent Glenn Light Rail Transit station. The feasibility of extending light rail transit hours to encourage employees to utilize light rail parking lots as remote evening/special event parking is also recommended.

Assessment

The use of remote parking lots with viable, predictable shuttle/transportation services is an effective approach to preserving the limited Historic District public parking supply for patrons and special event attendees. Considering the close proximity of light rail and the adjacent Glenn station, use of this connection to the District should be considered as a primary strategy in remote parking management.

Parking Enforcement

This recommendation proposes to create a parking enforcement officer position and conduct consistent, regular parking enforcement City-wide.

Assessment

The effectiveness of timed parking restrictions is most significantly influenced by the public's perception of the enforcement of said restrictions. It is anticipated that the intended turnover of the various parking supply can be achieved by consistent, regular parking enforcement.

Parking Management/Outreach

This recommendation proposes to form an ad-hoc Parking Advisory Committee to meet quarterly to review parking issues and consider other strategies. In addition, a parking website and printable parking maps for new visitors is recommended. Furthermore, way finding signs at major public parking lots, consistent with guide sign design standards, and noting the associated time limits is also recommended.

Assessment

The formation of a committee and improved public outreach are considered to be two highly effective means by which to maximize the operation of the District's limited parking supply. Additional consideration should be given to extending the signing concept to special events to further emphasize the uniformity of the District.

Historic District Streetscape Project

The City's concurrent Historic District Streetscape Project is intended to enhance the human scale of the District by widening sidewalks, narrowing vehicle travel ways, and providing uniform aesthetic components to unify the entire District. According to material presented at a May 1, 2008, Streetscape Design Committee Meeting, the conceptual improvements to Sutter Street also include the addition of on-street parking along Sutter Street, between Riley Street and Wool Street, the only segment of Sutter Street within the District that does not currently have on-street parking.

As previously documented, this block of Sutter Street between Riley Street and Wool Street, experiences the greatest parking supply deficit for both existing and build-out conditions. Considering its central location, the block serves as the core, attracting dense development and the associated vehicle and pedestrian activity.

The additional parking supply is proposed to be provided along this block of Sutter Street is anticipated to serve as premium parking for the businesses located along this segment. Considering the location and limited new supply of these spaces, the streetscape plan should, at a minimum, incorporate the following strategies:

- Diagonal on-street parking is preferred due to the relative ease of use when compared to the parallel parking currently proposed. Nonetheless, parallel parking stalls should be designed appropriately to promote high-turnover, ease of access and departure.
- A short-term time-restriction (10-20 minutes) for the proposed Sutter Street on-street parking spaces is recommended to encourage high turnover of this premium parking supply.
- Strict enforcement of on-street time restrictions.
- On-going promotion (e.g. way finding and advertisement) of the District-wide parking supply to further maximize utilization of documented parking surplus elsewhere in the District.



Memorandum

To: Mark Rackovan, P.E.
From: Matt Weir, P.E., T.E., PTOE
Re: **Technical Memorandum #2 – Implementation Plan Update**
Historic District Parking Implementation Plan Update
Date: January 17, 2014

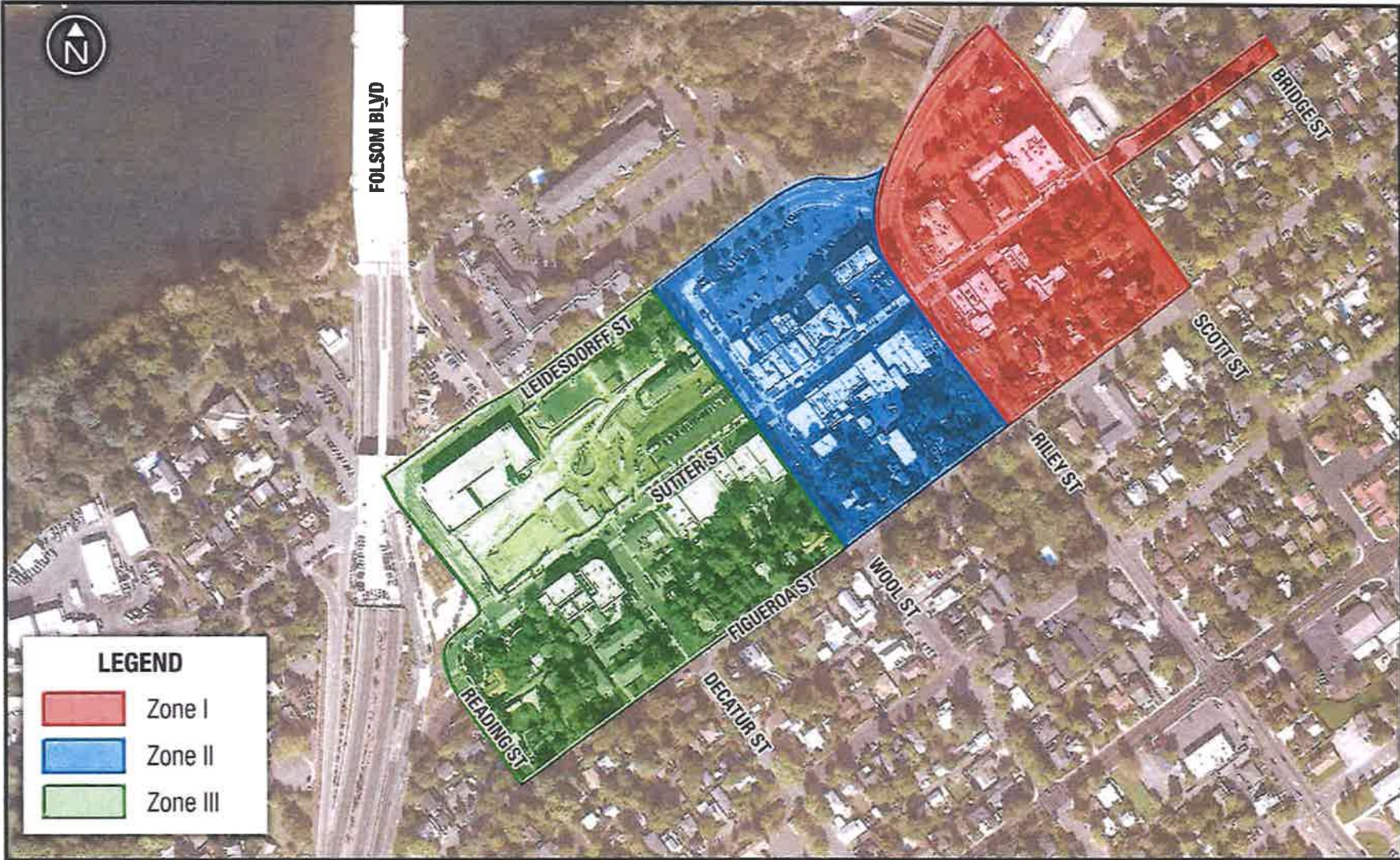
This memorandum builds upon the previously completed Existing Conditions evaluation (October 3, 2013) and is intended to provide the City with an updated projection of Historic District parking supply and demand over the next decade. **Figure 1** graphically depicts the three zones that have been established in the Historic District for the purposes of this study. **Table 1** presents the observed existing on-street and off-street parking supply which is also reflected in **Figure 2** and **Figure 3**.

Table 1 – Summary of Existing Off-Street and On-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Public Parking Supply		Total Existing Supply
I	Riley / Scott	75	Riley St. – Sutter St. to Figueroa St.	7	
			Sutter St. – Riley St. – Scott St.	13	
			Sutter St. – Scott St. – Bridge St.	10	
	Scalzi	51	Scott St. – Riley St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	17	
Subtotals:	126		50	176	
II	Trader Lane	116	Wool St. – Leidesdorff to Sutter St.	14	
			Wool St. – Sutter St. to Figueroa St.	16	
			Leidesdorff St. – Wool St. to Riley St.	11	
			Sutter St. – Wool St. to Riley St.	10	
	Subtotals:	116		51	
III	Rail Block Structure	330	Reading St. – Sutter St. to Figueroa St.	13	
	Leidesdorff / Gold Lake	28	Decatur St. – Sutter St. to Figueroa St.	18	
	Sutter / Wool	22	Leidesdorff St. – Reading St. to Gold Lake Cr.	8	
			Leidesdorff St. – Gold Lake Cr. to Wool St.	13	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	13	
Subtotals:	380		83	463	
Total Off-Street Spaces:		622	Total On-Street Spaces:		184
					806
Kimley-Horn and Associates, Inc., September 2013					

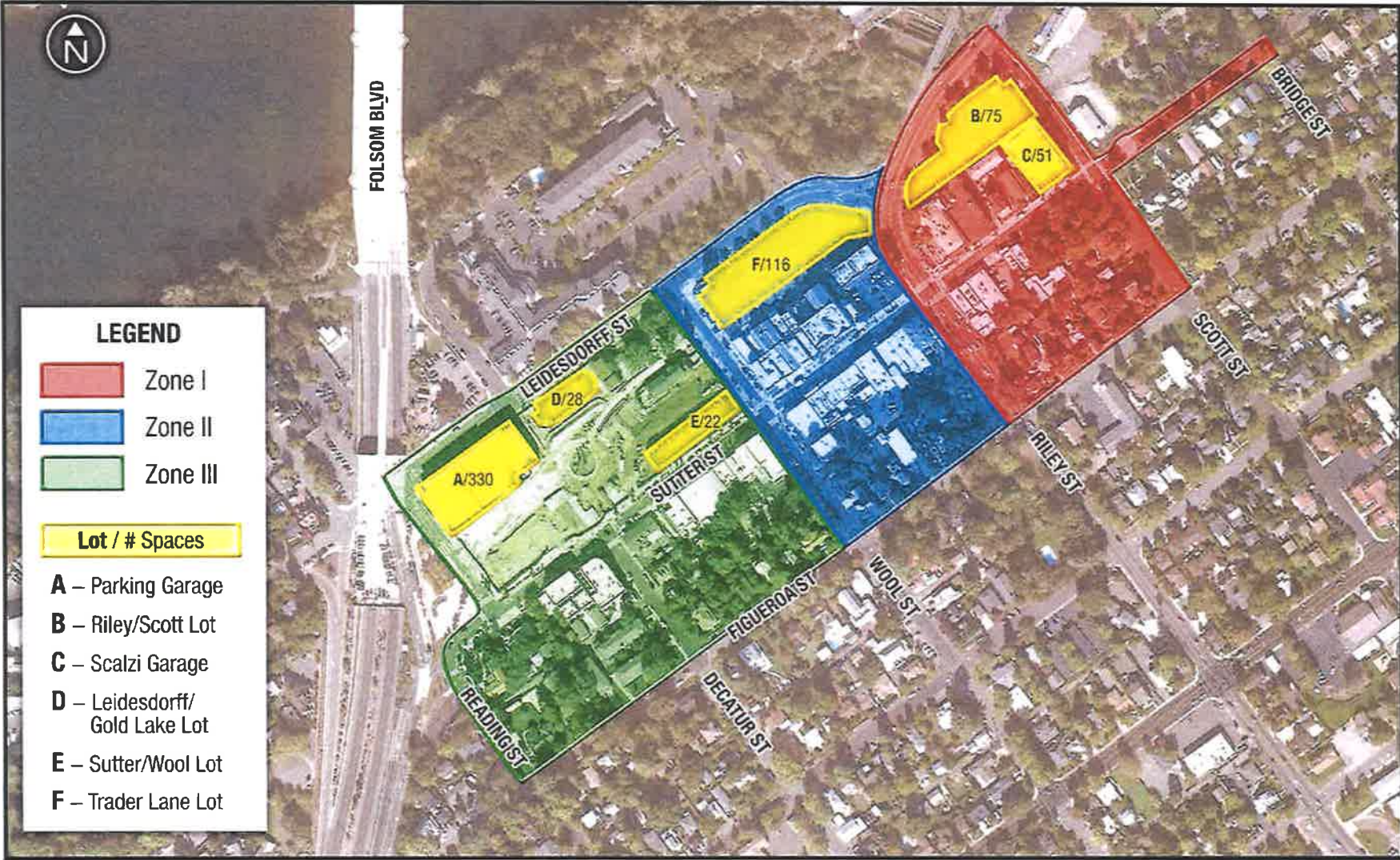
FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 1 — Parking Zones



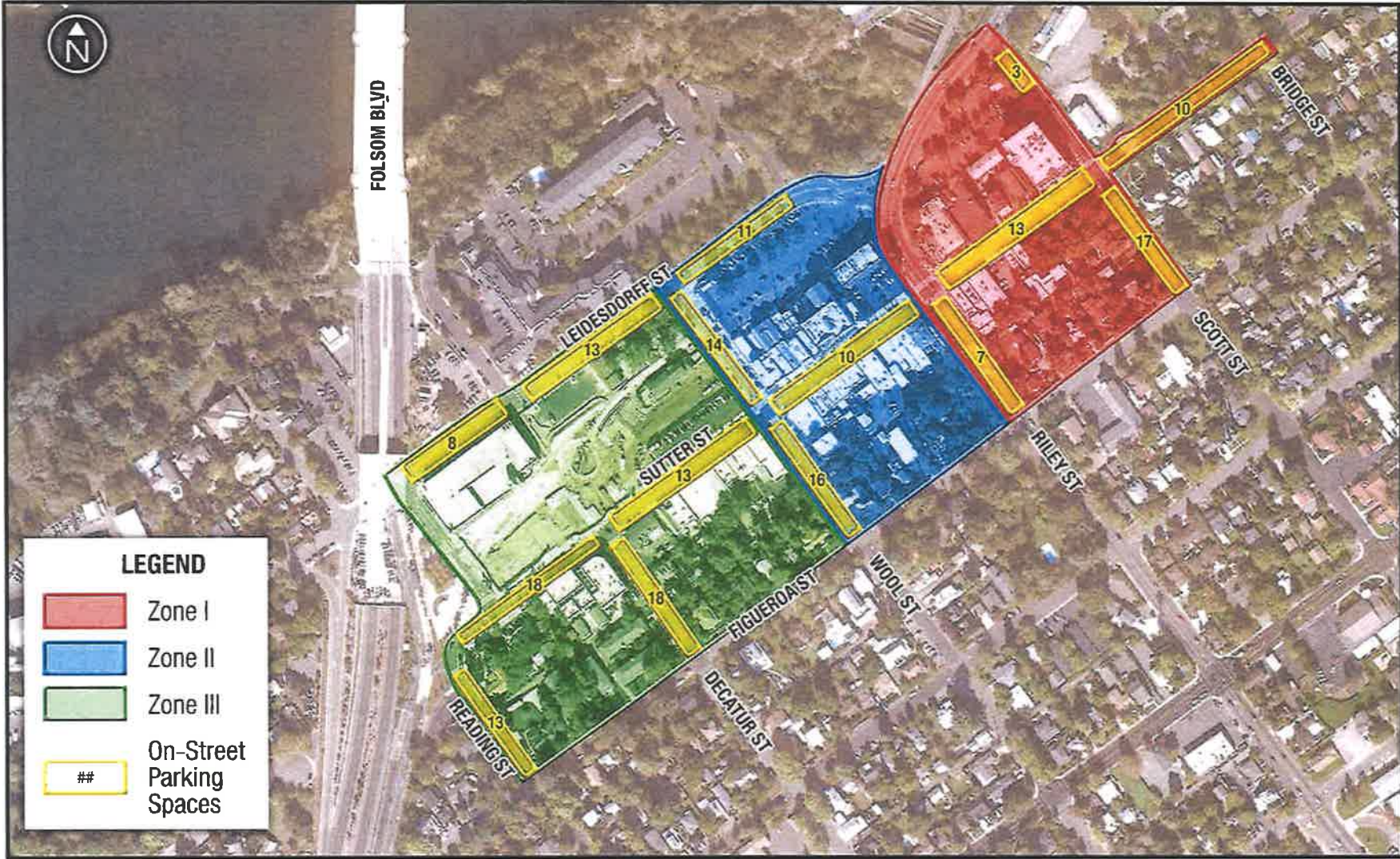
FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 2 — Existing Off-Street Parking Lots



FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 3 — Existing On-Street Parking Spaces





When compared to the data contained in our original study¹, the off-street and on-street parking supply included in the study has decreased by 53 (622 vs. 675) and 48 (184 vs. 232) spaces respectively. In total, the current parking supply included in the study is 101 spaces (806 vs. 907) less than was documented in 2008.

Parking occupancy data was collected on Wednesday, September 25 and Friday September 27, 2013. This data is included as **Attachment A** to this memorandum. When compared to the data contained in our original study¹, it is apparent that parking behavior has changed in the Historic District. Unlike the 2008 data which reflected peak weekday occupancies (off- and on-street) of over 70 percent, the current data peaks at less than 40 percent combined occupancy. Likewise, the weekend (Friday evening) data previously peaked at nearly 85 percent occupancy with the current data reflecting less than 50 percent occupancy.

As previously discussed, we acknowledge that the most recent occupancy data includes vehicles that are parked in the Rail Block parking structure for the purposes of using Light Rail specifically, and not as a result of the land uses within the Historic District. In addition to removing the Light Rail off-street lots from the existing demand calculations, will also calculated the proportion of the Rail Block parking structure's parked vehicles that are not specific to Light Rail. The data contained in **Attachment A** reflects these assumptions.

Parking Model Development

As was the case with the original study, the first step towards determining the updated future parking demand is to update and validate the Historic District parking model to ensure that it accurately predicts/mimics existing conditions. The parking model is considered to be "validated" if the difference in model-predicted peak parking demand and the observed peak parking demand is within ± 10 percent. Also, validation is considered to be achieved when the model-predicted time-of-day hourly profile closely matches observed profiles. Once validated for the updated existing conditions, the parking model was then used to project updated future parking demand.

Existing Land Uses

The existing Historic District land uses were obtained from the Folsom Historic District Association. Where appropriate, assumptions were made using the original study and professional judgment. A detailed parcel-by-parcel list of District parcels and their assumed development status is provided in **Attachment B**.

Table 2 summarizes the existing land uses by Zone. Existing private land uses which provide parking exclusively for their patrons are excluded from the parking model.

¹ *Historic District Parking Implementation Plan Update*, Kimley-Horn and Associates, Inc., January 16, 2009.

**Table 2 – Existing Land Use Types and Square Footages**

Land Use Type	Existing Square Footage			
	Zone 1	Zone 2	Zone 3	All Zones
Retail	9,786	30,975	9,460	50,221
Restaurant	15,298	2,700	3,600	21,598
Office	24,422	7,500	28,961	60,883
Club/Bar/Tasting Rooms	4,190	6,250	1,500	11,940
Theater (Seats)	0	115	0	115
Museum / Exhibit Space	0	0	15,703	15,703
Total	53,696	47,425 + 115 Theater Seats	59,224	144,642 + 115 Theater Seats

Consistent with the original study, parking demand was estimated based on parking generation rates published by the Institute of Transportation Engineers' (ITE) *Parking Generation, 3rd Edition, 2004* and the Urban Land Institute's (ULI) *Shared Parking, 2nd Edition*. Because these rates are developed from isolated suburban land uses poorly served by transit, they do not represent the true parking demand generated by uses located in walkable, mixed-use districts such as Folsom's Historic District. Therefore, the rates have been adjusted to reflect 1) the unique parking generation characteristics of the Historic District, 2) linked trips whereas people park once in a public parking space and walk to multiple locations, 3) internal non-auto trips whereas people who reside in or near the Historic District walk to commercial establishments, 4) a reasonable level of transit use, and 5) the interaction of uses at sites with multiple land use types (mixed use internal capture). The adjusted parking demand generation rates used in this study include the following adjustment factors:

- Two (2) percent reduction for transit trips
- Three (3) percent reduction for bicycle trips
- Four (4) percent reduction for walk trips,
- Fifteen (15) percent reduction for captive trips

Parking Model Validation – Weekday

Following calibration of the parking model, existing weekday conditions were predicted. The results were compared to the observed weekday parking occupancy for existing land uses. The results of the weekday comparison are summarized in **Table 3** below:

Table 3 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekday

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekday Parking Demand	378 spaces	339 spaces	10%
2	Existing Peak Hour	12:00 Noon	12:00 Noon	N/A
3	Existing Peak Demand Periods	12:00 a.m. to 2:00 p.m., 5:00 p.m. and 7:00 p.m.	11:00 a.m. to 1:00 p.m., 5:00 p.m. and 7:00 p.m.	



As per the parking model, the weekday peak parking demand is 378 spaces and the peak parking demand observed using occupancy survey is 339 spaces, a difference of 39 spaces, or a 10 percent difference. Based on this finding, the parking model is considered to be validated.

Parking Model Validation – Weekend

Following calibration of the parking model, existing weekday conditions were predicted. The results were compared to the observed weekday parking occupancy for existing land uses. The results of the comparison are summarized in **Table 4** below. It is important to note that weekend parking occupancy surveys were conducted only between 6:00 p.m. and 9:00 p.m. on a Friday night.

Table 4 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekend

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekend Parking Demand	442 spaces	446 spaces	-1%
2	Existing Peak Hour	7:00 p.m.	6:00 p.m.	N/A
3	Existing Peak Demand Periods	6:00 p.m. to 8:00 p.m.	6:00 p.m. and 7:00 p.m.	

The model predicted weekend peak parking demand is 422 spaces and the observed peak parking demand is 446 spaces, a difference of 4 spaces, or 1 percent. Based on this finding, the parking model could be concluded as validated.

Future Parking Supply and Demand Analysis

Consistent with the City’s direction as part of the original study, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot.

The purpose of this analysis was to estimate the amount of future available parking supply, and the corresponding amount of future development, which can be accommodated by the addition of a single new parking structure on the Trader Lane lot. Consistent with current Historic District design guidelines², this single structure would have a 50-foot height limitation. The amount of future available parking supply correlates into an amount of supported future development. The future parking supply is approximated as the sum of excess existing parking supply after accounting for parking demand generated by existing and planned/approved development, and the parking supply that could be accommodated in a new Trader Lane structure.

It is important to note that, per the City’s direction the “planned/approved projects” include Fire Rain (Zone I), Westwood (Zone III), and Historic Folsom Station (Zone III). Furthermore, because existing land uses (excluding the specialty uses such as Club/Bar/Tasting Rooms, Theater, Museum/Exhibit Space) within the Historic District are classified primarily as retail, restaurant, or office uses, future development was also similarly allocated across these three land use types.

² *Historic District Design and Development Guidelines*, City of Folsom, October 1, 1998.



Future Parking Supply

Future Off-Street Parking Supply

The future off-street parking supply is comprised of existing off-street parking facilities and planned public spaces as part of known new development. Loss of parking spaces from new development includes 50 spaces with development of the Rail Block, and 116 spaces with the development of a parking structure on the Trader Lane lot. The number of future off-street parking locations, as well as the number of spaces provided are shown in **Figure 4**.

Future On-Street Parking Supply

The future on-street parking supply is equal to the existing conditions. No on-street changes are anticipated or incorporated in this update. Consistent with the existing conditions, the study area contains a total of 184 on-street parking spaces.

Total Future On- and Off-Street Parking Supply

Table 5 summarizes the total future number of parking spaces by Zone and in total. There are 640 total future off- and on-street parking spaces within the study area. The future off- and on-street parking supply of 640 spaces is 166 spaces less than the existing parking supply.

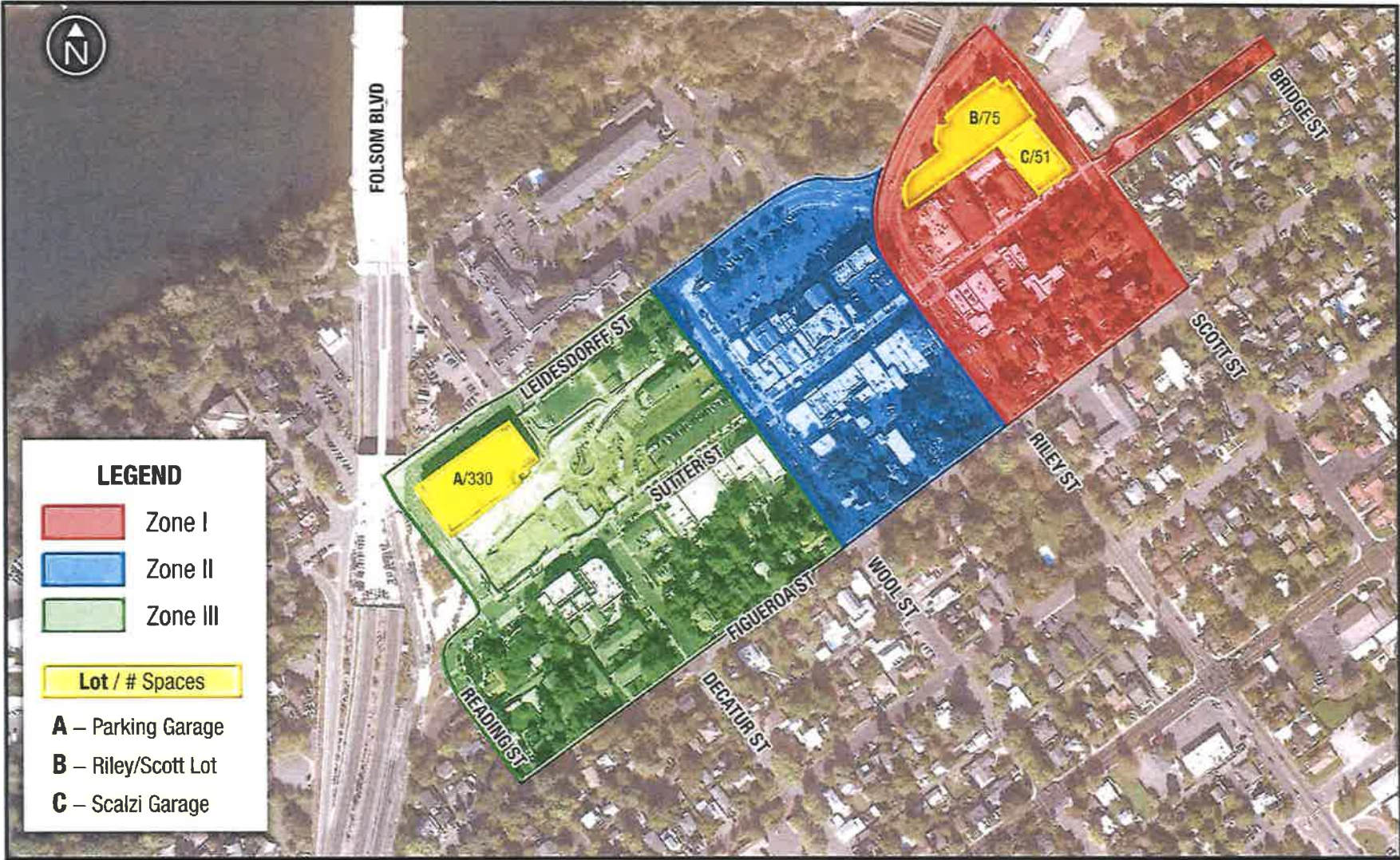
Table 5 – Summary of Future Off-Street and On-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Public Parking Supply		Total Existing Supply
I	Riley / Scott	75	Riley St. – Sutter St. to Figueroa St.	7	
			Sutter St. – Riley St. – Scott St.	13	
			Sutter St. – Scott St. – Bridge St.	10	
	Scalzi	51	Scott St. – Riley St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	17	
Subtotals:	126		50	176	
II			Wool St. – Leidesdorff to Sutter St.	14	
			Wool St. – Sutter St. to Figueroa St.	16	
			Leidesdorff St. – Wool St. to Riley St.	11	
			Sutter St. – Wool St. to Riley St.	10	
	Subtotals:	0		51	
III	Rail Block Structure	330	Reading St. – Sutter St. to Figueroa St.	13	
			Decatur St. – Sutter St. to Figueroa St.	18	
			Leidesdorff St. – Reading St. to Gold Lake Cr.	8	
			Leidesdorff St. – Gold Lake Cr. to Wool St.	13	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	13	
	Subtotals:	330		83	
Total Off-Street Spaces:	456	Total On-Street Spaces:	184	640	

Note: Excludes off-street parking supply gained in proposed Trader Lane parking structure.

FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 4 — Future Off-Street Parking Lots





Existing plus Future Parking Demand

In context of this study, future parking demand is defined as a demand for parking that cannot be accommodated by individual on-site, private supply. Therefore, this demand must be accommodated by the municipal parking supply, either on-street or off-street. The purpose of this analysis is to estimate existing plus future parking demand and determine whether the existing and planned public parking supply (including the proposed Trader Lane parking structure) is sufficient.

For this study, the demand generated by future Historic District residential uses is assumed to be accommodated on-site. Residential visitors, and employees and patrons of the commercial uses, are assumed to park off-site and rely on the public parking supply. Based on these assumptions, the future parking demand is estimated.

Future Land Uses

As previously stated, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot, and incorporate ground floor retail. Based on a preliminary schematic and feasibility evaluation, 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity, is up to 445 spaces. This level of parking supply (445 spaces) was determined to accommodate 40,600 square feet of retail, 29,000 square feet of restaurant, and 46,400 square feet of office uses in addition to the planned/approved projects and ground floor retail within the Trader Lane parking structure.

The future square footages were estimated using the existing proportion of square footages within the District. The total future development that could be accommodated is 135,850 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure. **Table 6** shows the land use categories and square footages representing future land uses.

Existing plus Future Parking Supply and Demand

Using the adjusted parking generation demand rates and the trip reduction percentages for transit, bike, walk, and captive trips, the parking model predicts existing plus future weekday and weekend parking demand.

Table 7 presents the results of the determination of the amount of future development which can be accommodated by the available District parking supply with the addition of a Trader Lane parking structure.

**Table 6 – Future Land Use Types and Square Footages**

Land Use Type	Future Square Footage or Dwelling Units			
	Planned / Approved Projects ¹	Trader Lane Structure Ground Floor Retail	Additional Development Accommodated by 442 Space Trader Lane Structure	Total Future Development
Retail	28,350	19,850	40,600	88,800
Restaurant	8,500	-	29,000	37,500
Office	16,334	-	46,400	62,734
Club/Bar/Tasting Rooms	1,717	-	-	1,717
Theater (Seats)	-	-	-	-
Museum / Exhibit Space	-	-	-	-
Residential (Dwelling Units – D.U.)	62	-	-	62
Total	54,901 62 D.U.	19,850	116,000	190,751 62 D.U.

¹ Includes Fire Rain, Historic Folsom Station, and Westwood projects

As shown in **Table 7**, based on the future parking supply limitations (445 weekday and 398 weekend), an assumed future development scenario of 40,600 square feet of retail, 29,000 square feet of restaurant, and 46,400 square feet of office uses should be assumed and utilized in future planning efforts for the District.

Accounting for assumed construction timelines and logical, sequential implementation of District development, the anticipated parking supply and demand were plotted to graphically depict parking conditions in the District over time for conditions both with and without a new parking structure on the Trader Lane lot. This information is provided in **Figures 5-8**. As demonstrated, the City should begin construction of a Trader Lane parking structure in July 2016, at which point the District-wide parking occupancy is anticipated to be approximately 85 percent. An assumed 12-month construction timeline will allow the parking structure to be completed and operational in mid-2017 to achieve a District-wide occupancy of 65 percent.

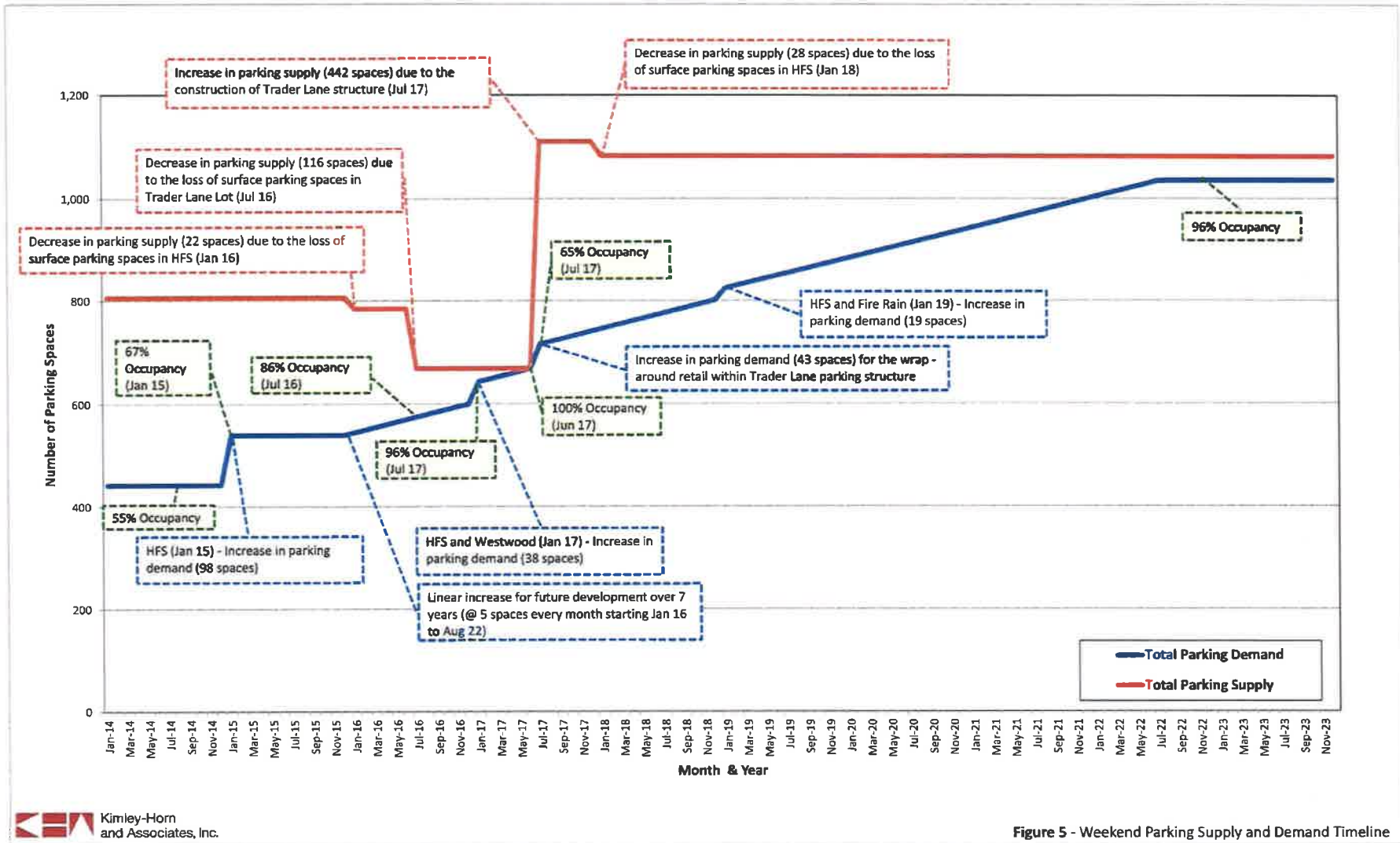


Table 7 – Permissible Future Development Based on Future Parking Supply

Step #	Steps	Weekday	Weekend	
1	Estimated Parking Spaces in Trader Lane structure	442 spaces	442 spaces	
2	Parking Demand for Planned/Approved Projects	150 spaces	155 spaces	
	Existing Parking Demand	378 spaces	442 spaces	
3	Total Parking Demand	528 spaces	597 spaces	
4	Future Parking Supply (excludes the existing surface and proposed structure parking spaces in Trader Lane Lot) ¹	640 spaces	640 spaces	
	Excess (Deficit) Parking Spaces	112 spaces	43 spaces	
5	Available Parking Supply for Future Development (step 1 + step 4)	554 spaces	485 spaces	
	Parking Demand for Wrap-Around Retail	60 spaces	43 spaces	
	Total Available Parking Supply for Future Development	494 spaces	442 spaces	
6	Practical Capacity Reduction	10%	10%	
	Net Total Available Parking Supply for Future (90% of step 5)	445 spaces	398 spaces	
	Future Land Uses	Quantity	Peak Weekday Demand	Peak Weekend Demand
7	Retail	40,600 SF	124 spaces	106 spaces
	Restaurant	29,000 SF	85 spaces	287 spaces
	Office	46,400 SF	112 spaces	3 spaces
	Total	116,000 SF	321 spaces	396 spaces
¹ The future parking supply includes 184 on-street spaces and 456 off-street spaces for a total of 640 spaces. The off-street parking spaces includes the following: <ul style="list-style-type: none"> - Riley/Scott Lot = 75 spaces - Scalzi = 51 spaces - Rail Block Parking Structure = 330 spaces 				

Attachments:

- A – Parking Occupancy Data
- B – District-Wide Parcel-by-Parcel Land Use Assumptions



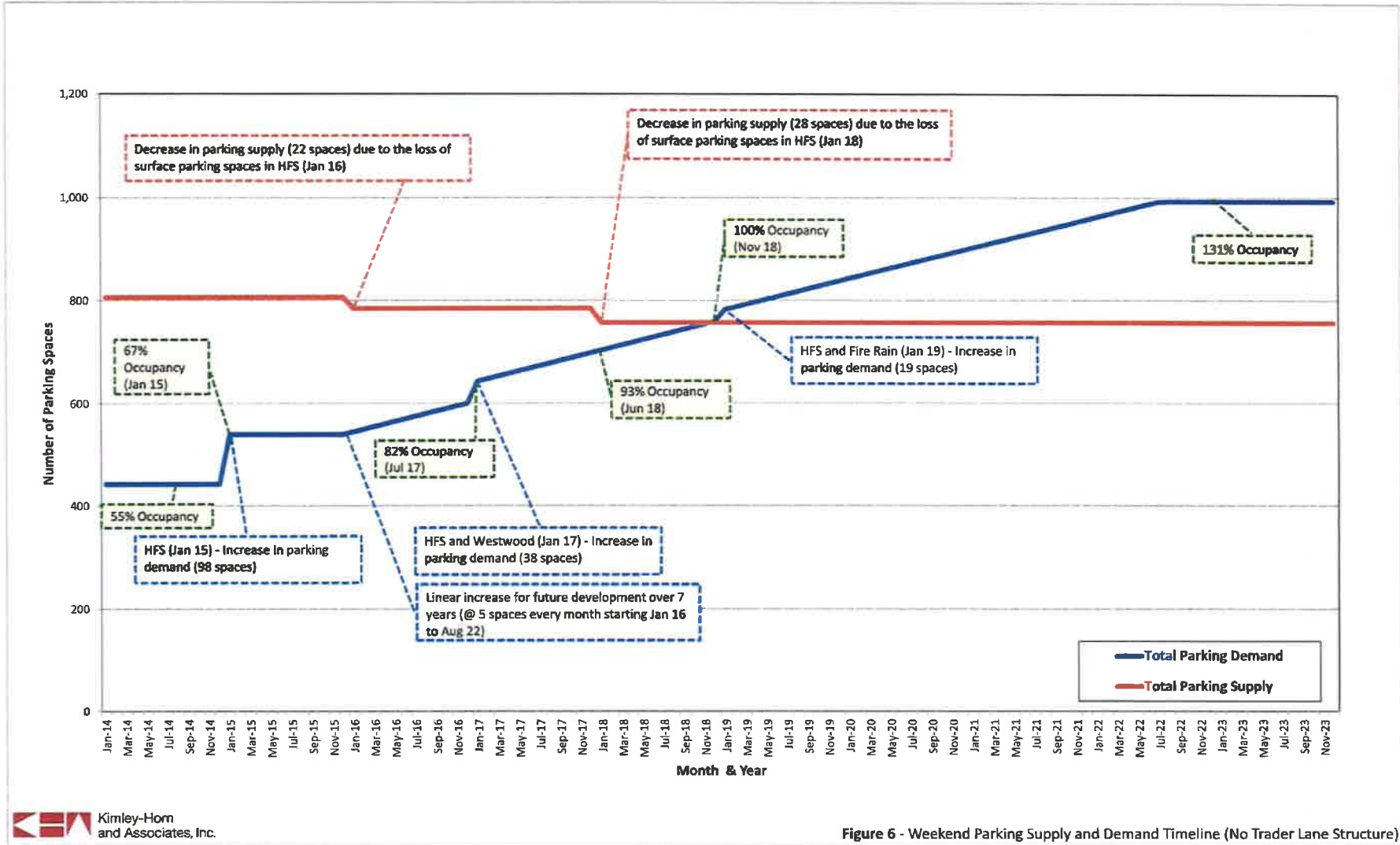


Figure 6 - Weekend Parking Supply and Demand Timeline (No Trader Lane Structure)

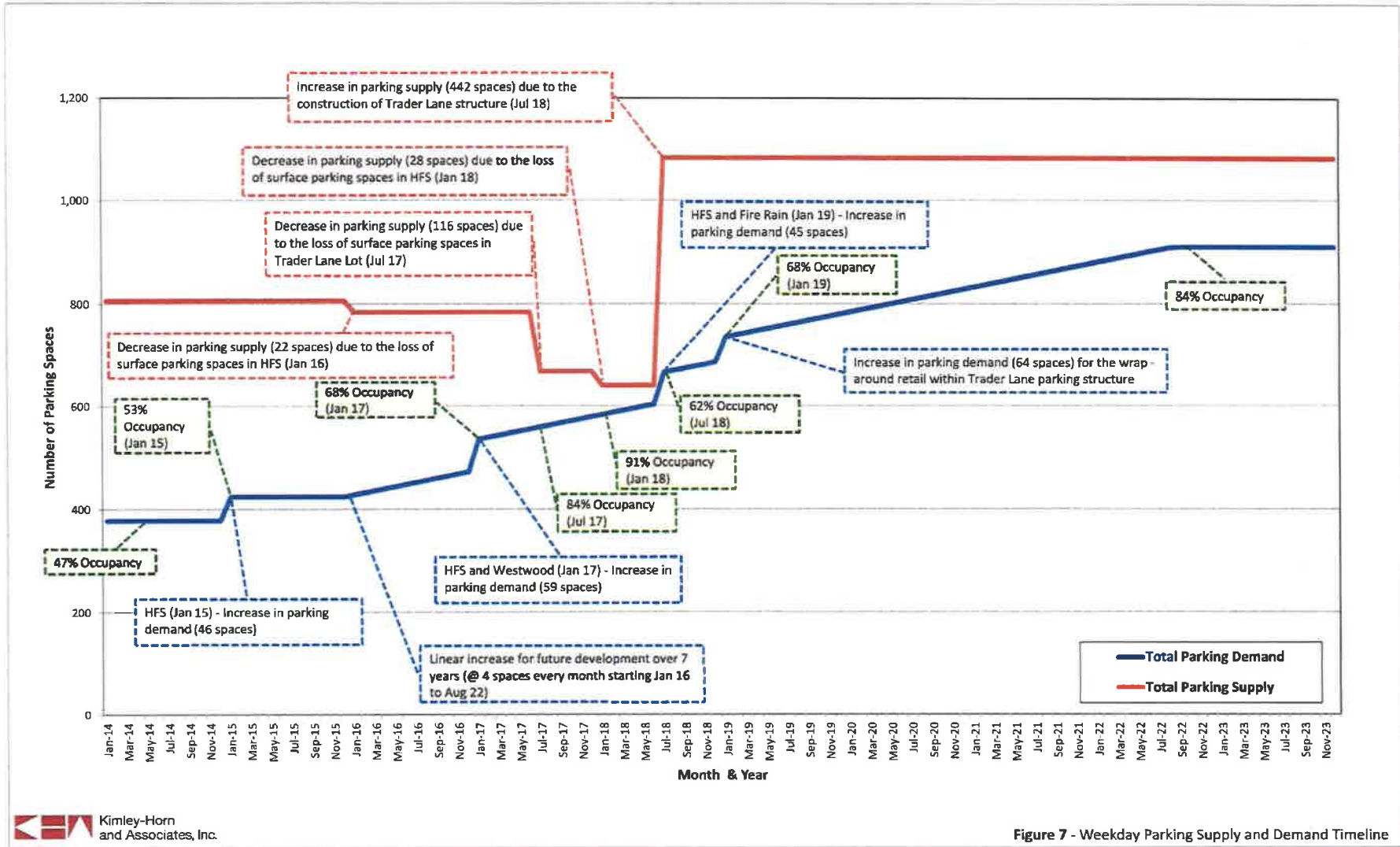


Figure 7 - Weekday Parking Supply and Demand Timeline

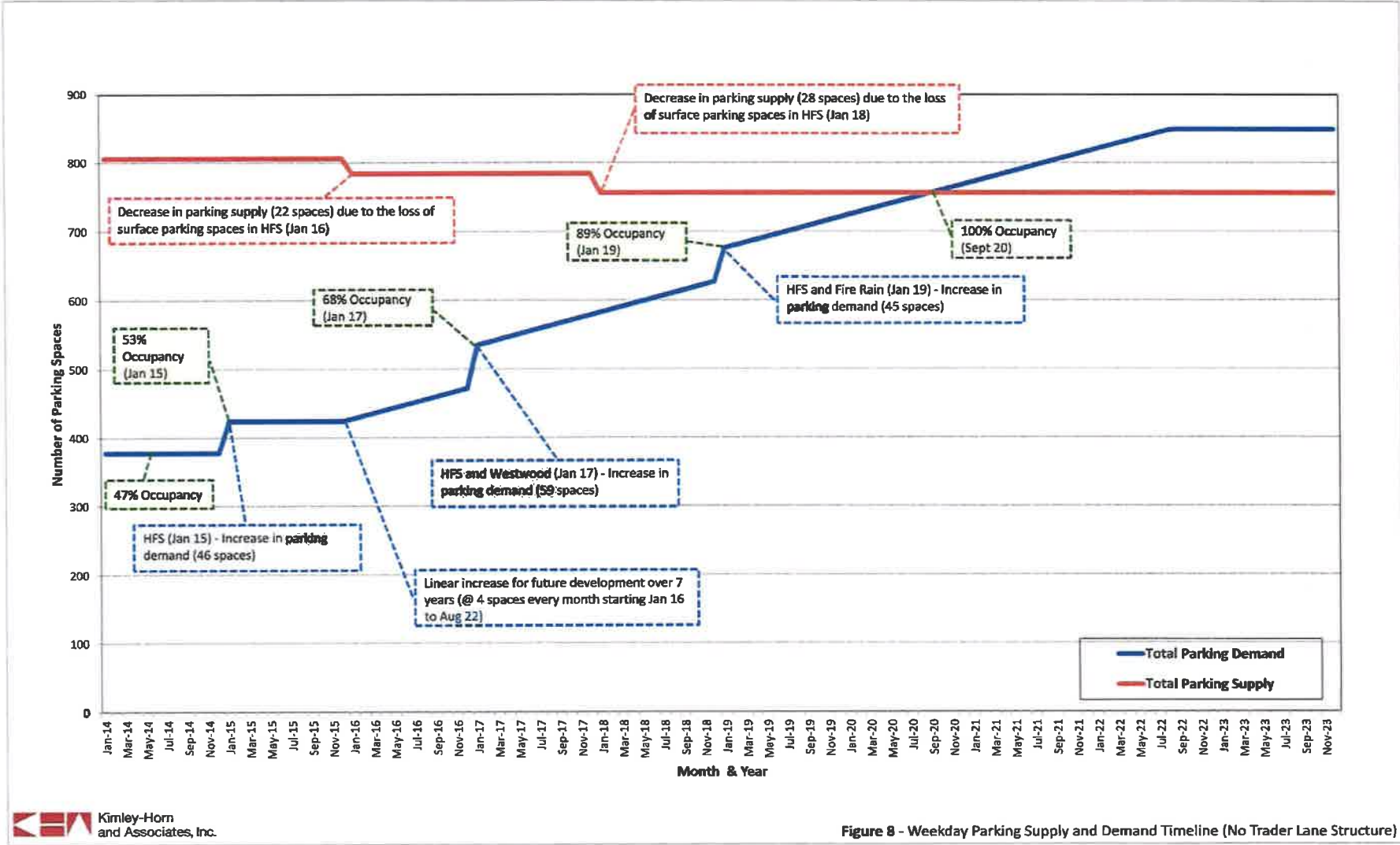
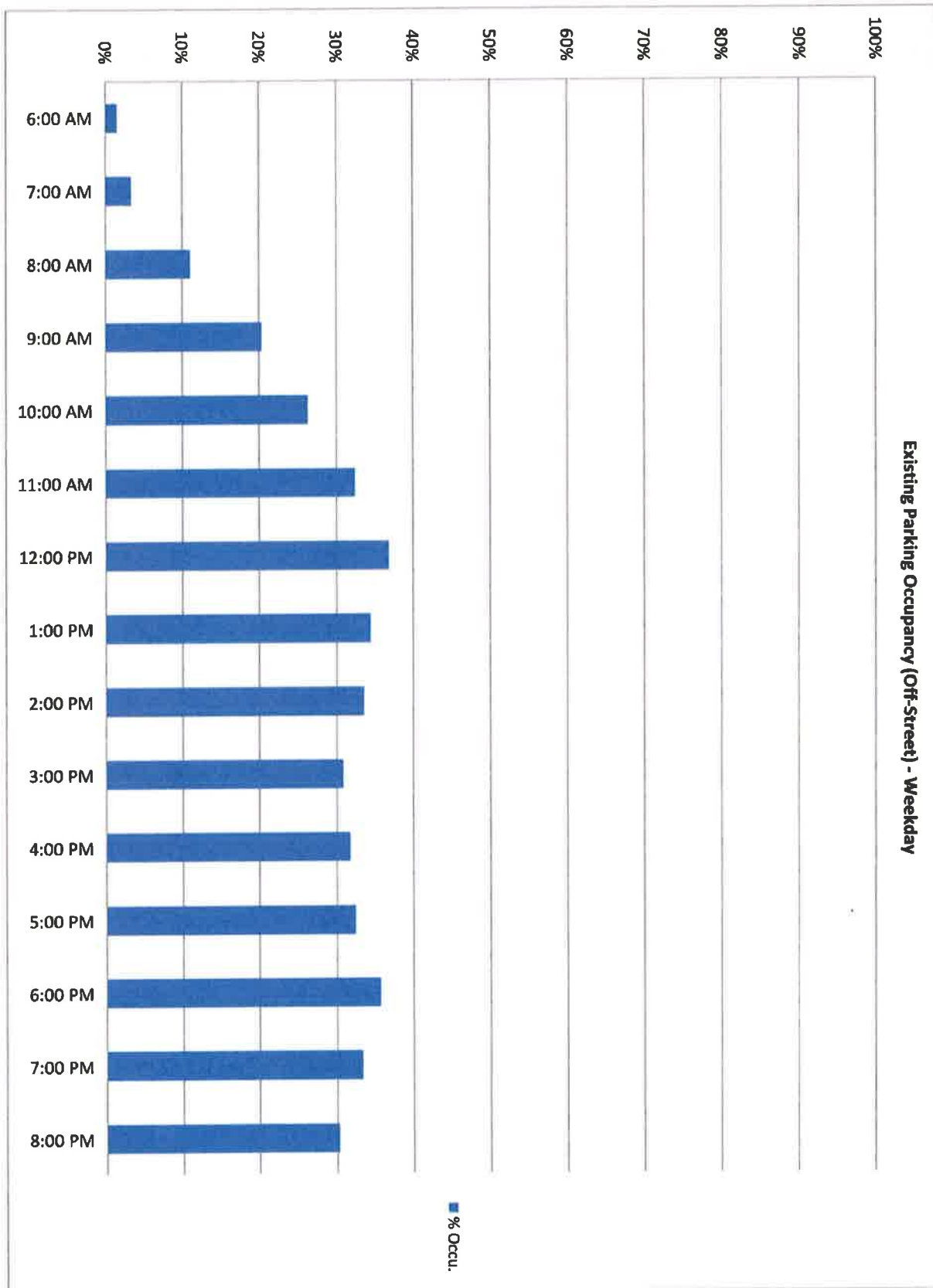
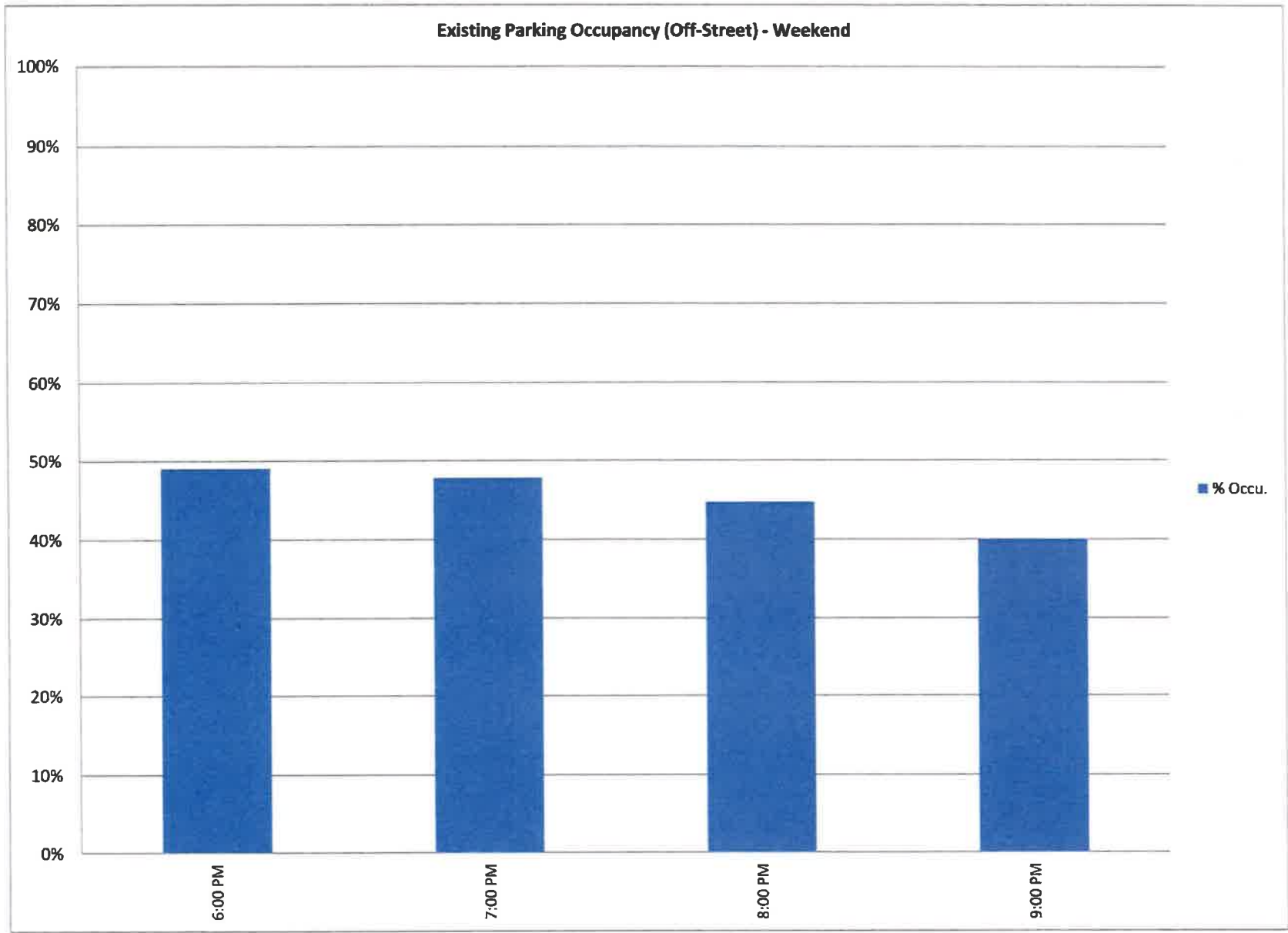


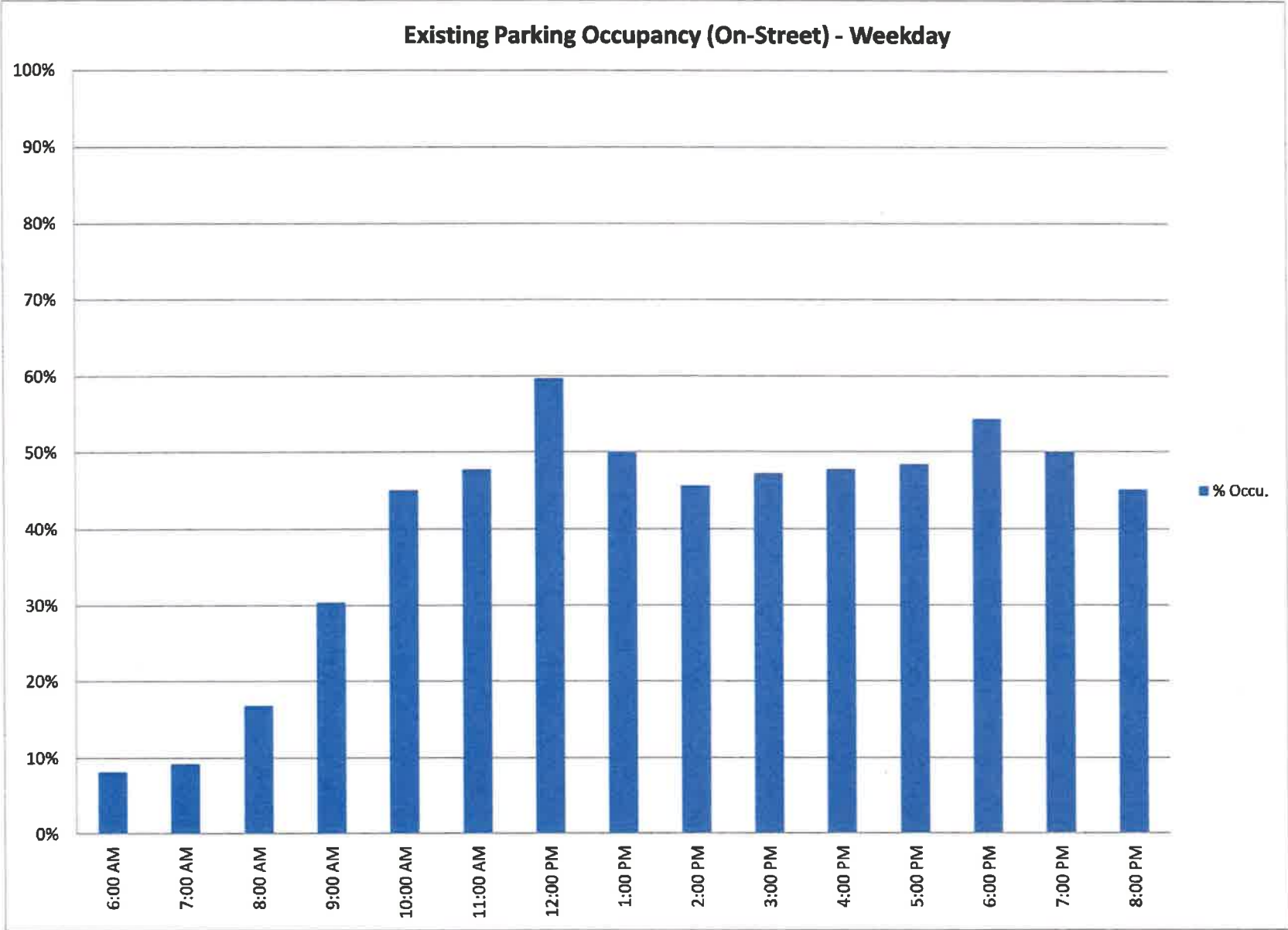
Figure 8 - Weekday Parking Supply and Demand Timeline (No Trader Lane Structure)

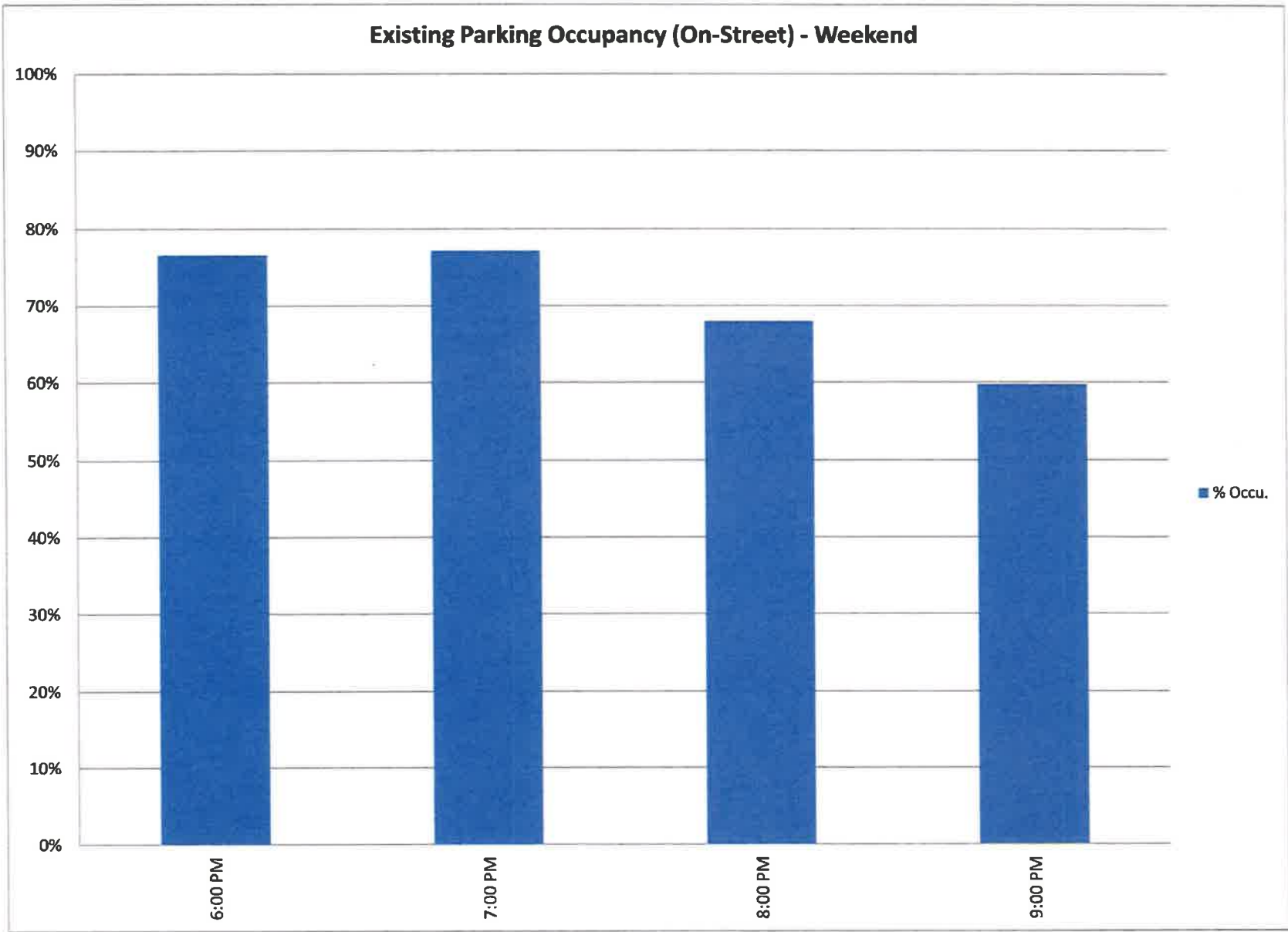


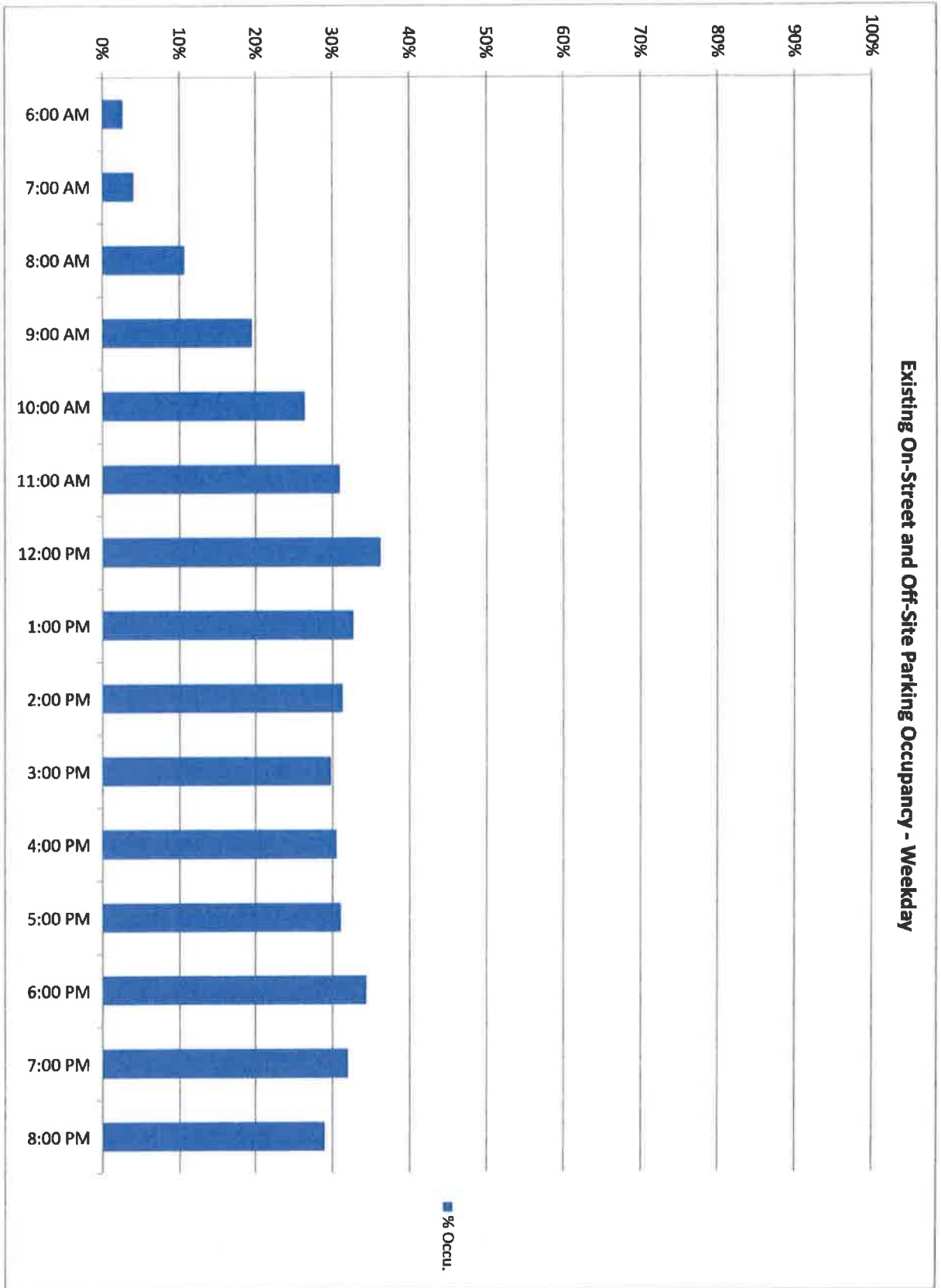
Attachment A – Parking Occupancy Data

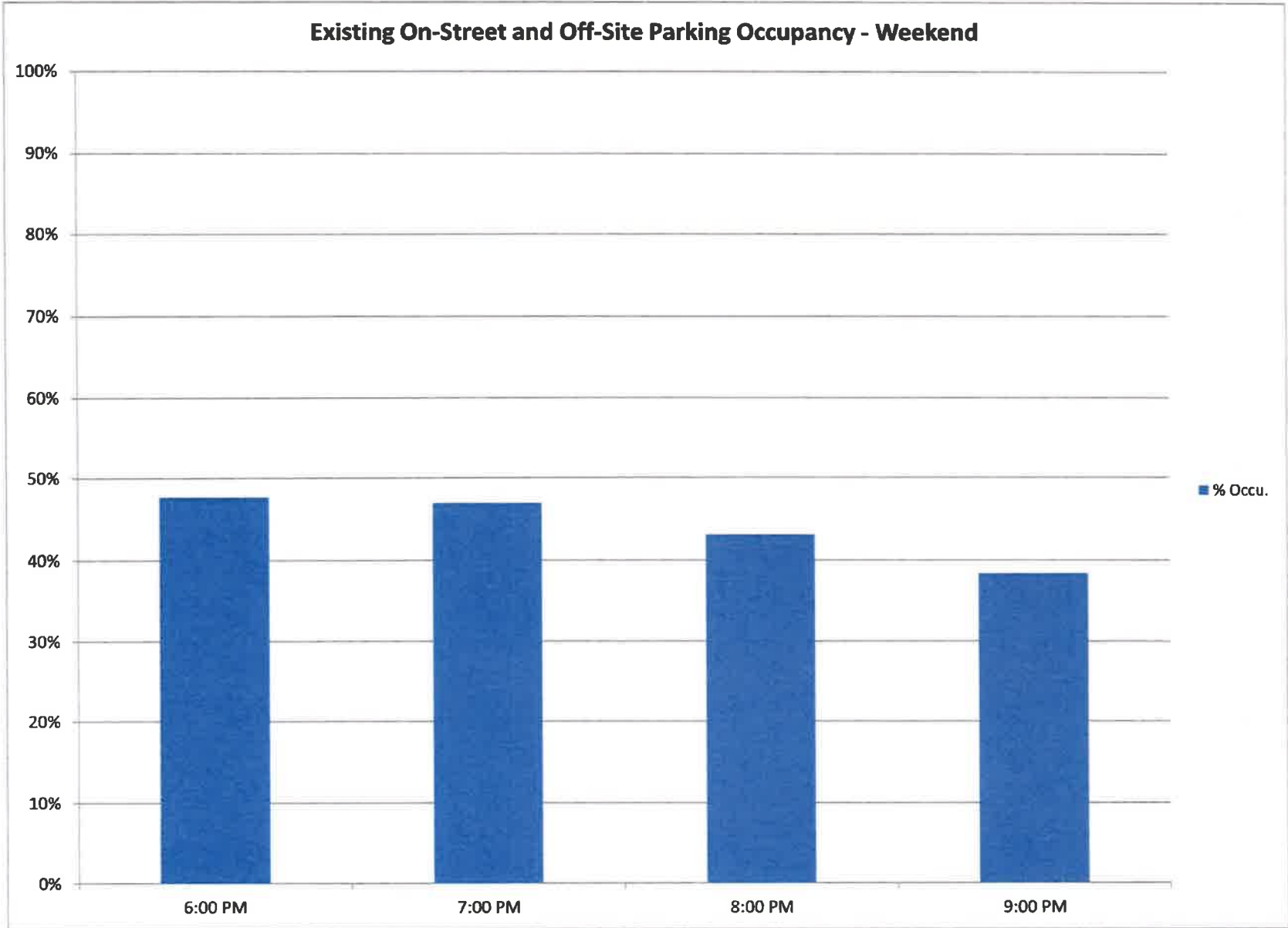


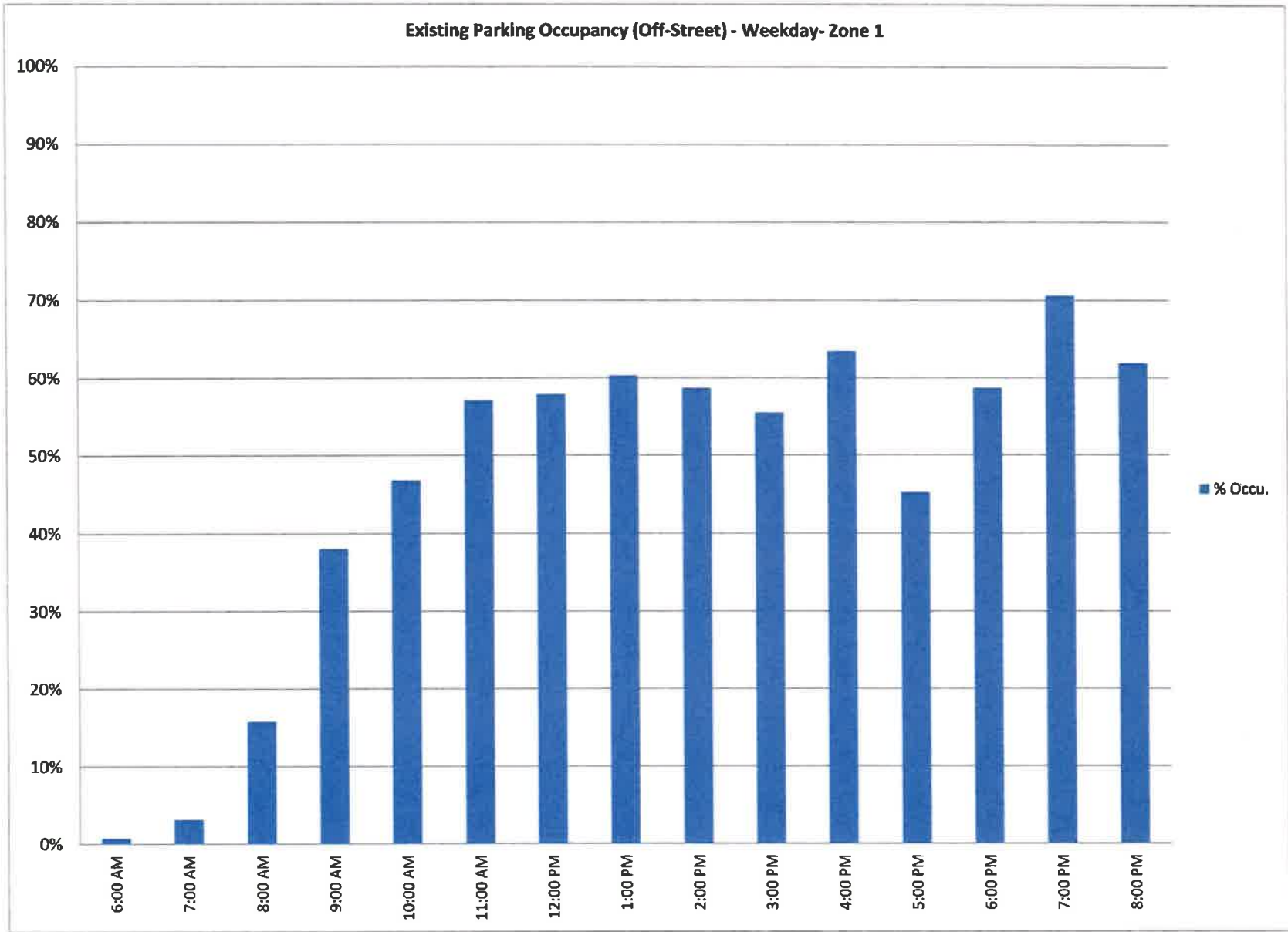


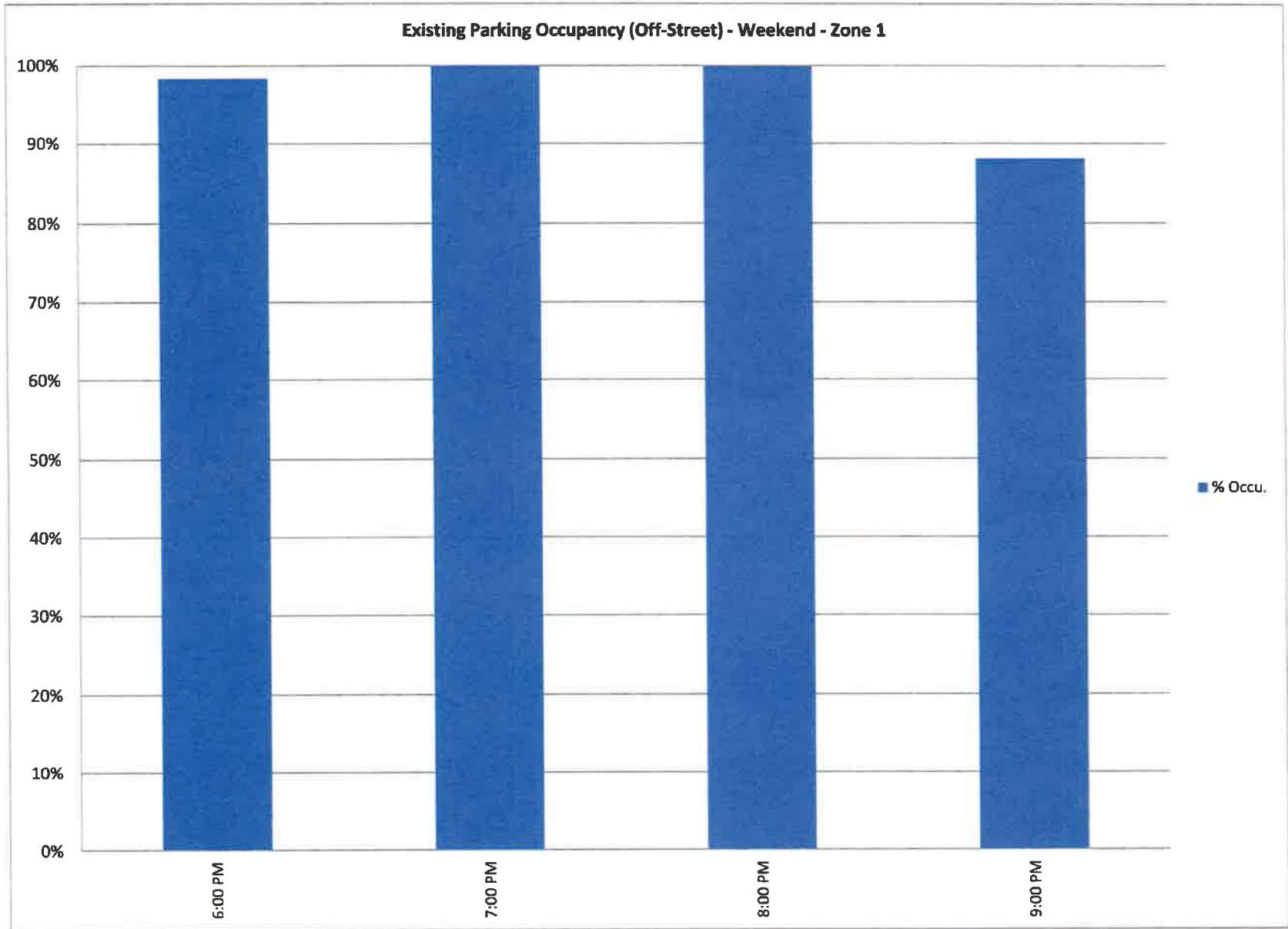


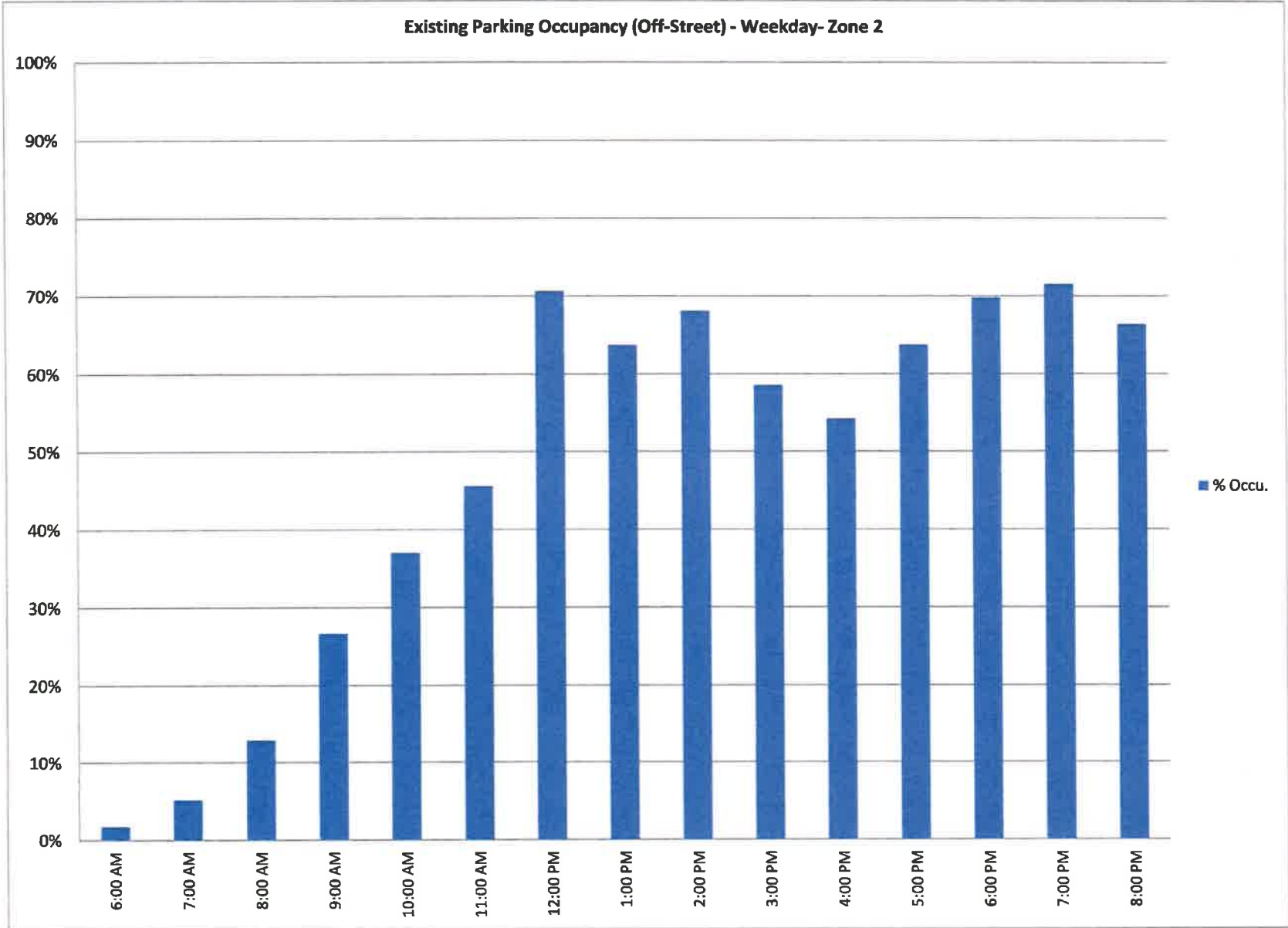


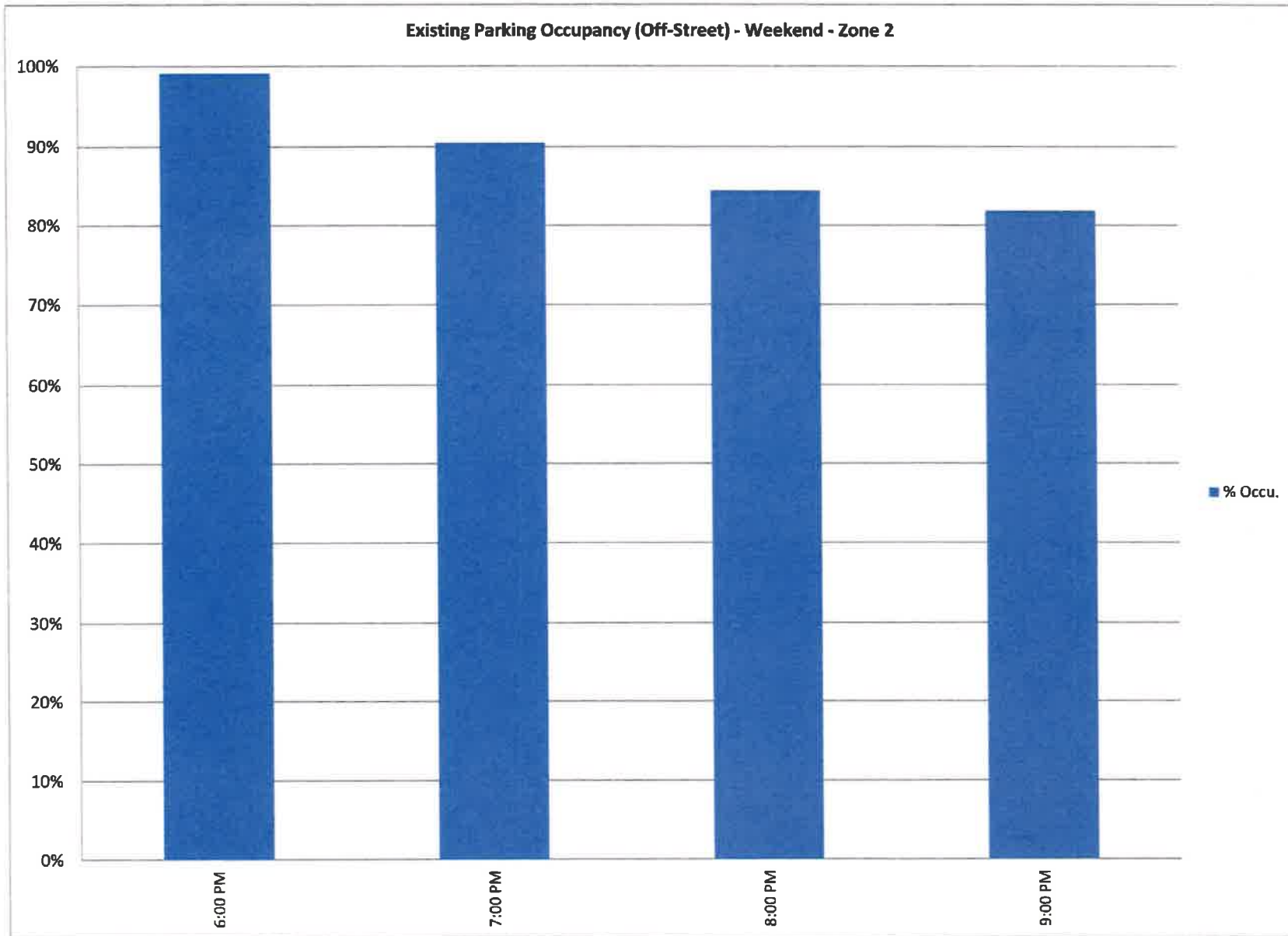


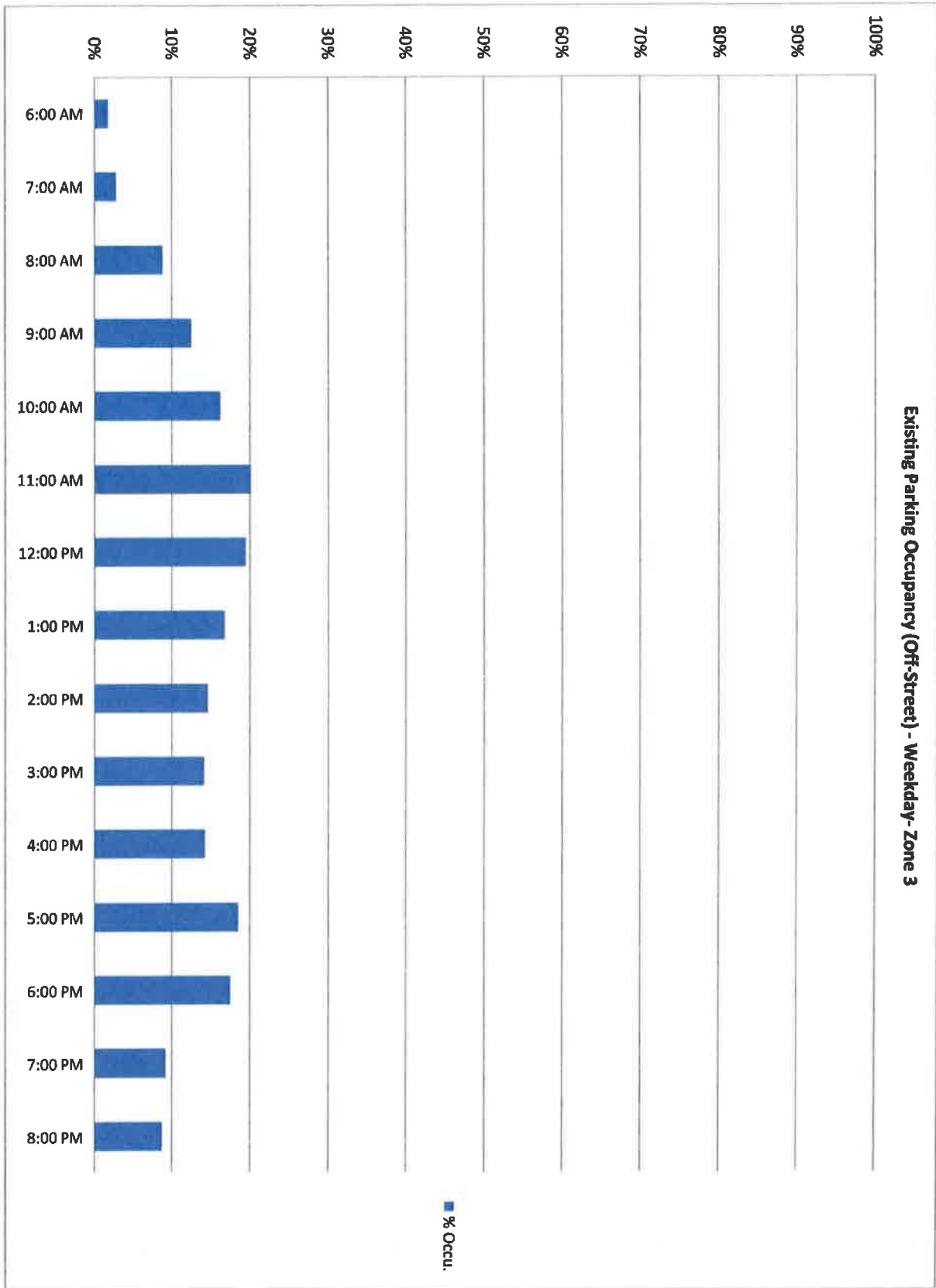


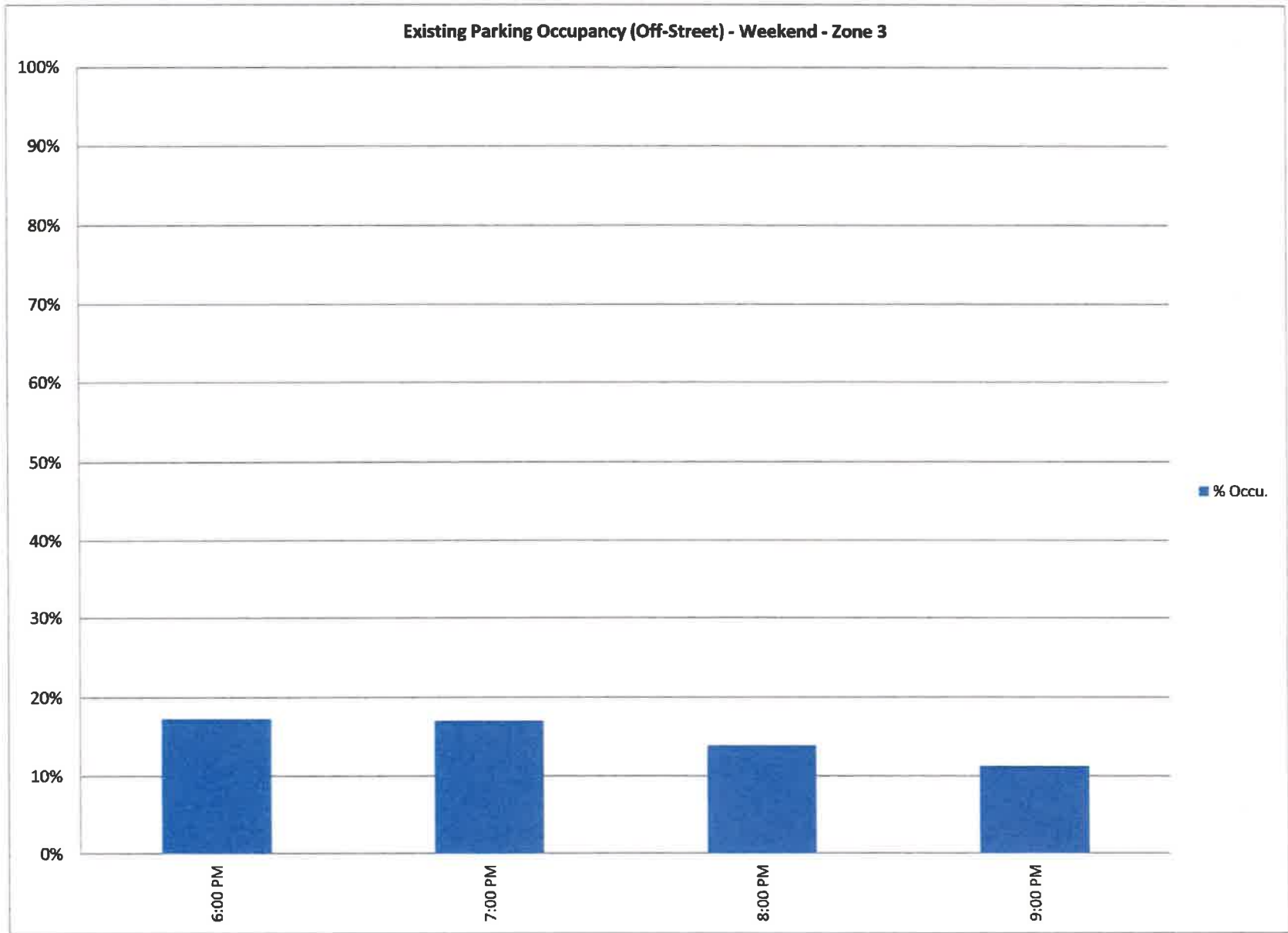














Attachment B – District-Wide Parcel-by-Parcel Land Use Assumptions

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Base ment					
303	Riley St		500						500	Novelties/Gifts	The Bag Lady	1	
307	Riley St		1200						1200	Novelties/Gifts	Melange	1	
203	Scott St									Club/bar/tasting room	Moose Lodge	1	A
215	Scott St									Club/bar/tasting room	Eagles Lodge	1	A
305	Scott St		7192						7192	Club/bar/tasting room	Cohn Club	1	A, B
605	Sutter St		750						750	Health/Beauty	District 605 A Hair Boutique	1	
606	Sutter St		2100					900	3000	Office	Coyne Maur Bane Design	1	
607	Sutter St		3000						3000	General Retail	Fire Rain	1	B
607	Sutter St				2623				2623	Office	Fire Rain	1	B
607	Sutter St				Residential Units				2		Fire Rain 2 two-bed apts	1	B
608	Sutter St		1298		1209				2507	Restaurant	Hampton's on Sutter	1	
608	Sutter St							1091	1091	Restaurant	Hampton's on Sutter	1	
608 1/2	Sutter St		4800						4800	Art Studio	Cloud's studio	1	
609	Sutter St									Vacant		1	
611	Sutter St		1386						1386	Novelties/Gifts	Gracefully Vintage	1	
614	Sutter St		3040						3040	Club/bar/tasting room	Powerhouse Pub	1	
614	Sutter St									Restaurant	Chicago Fire Pizza	1	A
614	Sutter St									Club/bar/tasting room	Scarlet's Saloon	1	A
625	Sutter St									Novelties/Gifts	Planet Earth Rising	1	A
627	Sutter St		1150						1150	Club/bar/tasting room	Petra Vineyard Wine Gallery	1	
627	Sutter St		1150						1150	Art Gallery	Sutter Street Artists	1	
629	Sutter St		1586		1586				3172	Office	Sierra West Valuation	1	
600	Sutter St								11700	Restaurant	Scalzi	1	
600	Sutter St								18250	Office	Scalzi	1	
306	Riley St		500						500	Novelties/Gifts	Burlap & Bees	2	
305	Wool St		2500						2500	Art Gallery	Pacific Western Traders	2	
731	Trader Lane		1250		1250				2500	Church	Church of Scientology	2	
722	Trader Lane		750						750	Health/Beauty	Karen Kay's Salon	2	
701	Sutter St		500						500	Novelties/Gifts	Katrina's	2	
702	Sutter St									Health/Beauty	Heather Alyece	2	A
702	Sutter St									Health/Beauty	Padgett Chiropractic	2	A
702	Sutter St									Office	Atlantic & Pacific Real Estate	2	A
702	Sutter St									Restaurant	Hacienda Del Rio	2	A
702	Sutter St									Restaurant	Pizzeria Classico	2	A
702	Sutter St									Office	Carrington Mortgage Services, LLC	2	A
702	Sutter St									Health/Beauty	Maribou Salon on Sutter	2	A
703	Sutter St		1200						1200	Club/bar/tasting room	Folsom Hotel	2	
703	Sutter St				2400	1280		2400	6080	Hotel	Folsom Hotel	2	A
703	Sutter St		1200						1200	Restaurant	Folsom Hotel	2	
705	Sutter St		2800						2800	Art Gallery	American Vision Gallery	2	
707	Sutter St									Vacant		2	
709	Sutter St		1680						1680	Furniture	Snyders House of Jade	2	
710	Sutter St		1325						1325	Clothing	The Firehouse	2	
711	Sutter St		1600						1600	Novelties/Gifts	Starlight Starbright	2	
713	Sutter St		2000						2000	Novelties/Gifts	We Olive	2	

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
715	Sutter St								750	General Retail	Outdoor Link	2	
715	Sutter St								750	Health/Beauty	Alchemy Day Spa and Boutique	2	
715	Sutter St								750	Health/Beauty	Indie Salon	2	
715	Sutter St								750	Health/Beauty	Liberty Tattoo	2	
717	Sutter St		3210		989				4199	Theatre	Stage Nine (115 seats)	2	
718	Sutter St								1500	Restaurant	Beach Hut Deli	2	
718	Sutter St								2000	Office	Roost Vintage Living	2	
718	Sutter St								1500	Office	Stanfield Systems Inc.	2	
718	Sutter St								750	Office	Capital Equity Group Real Estate	2	
718	Sutter St								1000	Health/Beauty	Tre Salon Spa	2	
718	Sutter St								1500	Club/bar/tasting room	Lockdown Brewing Co.	2	
718	Sutter St								750	Office	CMC Gaming Systems	2	
719	Sutter St		1800						1800	Club/bar/tasting room	Samuel Hornes Tavern	2	
720	Sutter St		1750						1750	Club/bar/tasting room	Sutter Club	2	
721	Sutter St		1250						1250	Jewelry	Rainbow Bridge Jewelers	2	
722	Sutter St								1000	Sports/recreation	Mama Bootcamp	2	
722	Sutter St								1750	Health/Beauty	Psychic Gallery	2	
722	Sutter St								1000	Health/Beauty	Shannon's Skin Studio	2	
723	Sutter St		1600						1600	Jewelry	Precious Gem Jewelers	2	
723	Sutter St								750	General Retail	Vasiliv Watch, Clock and Jewelry R	2	
726	Sutter St				6500				6500	Vacant		2	
727	Sutter St		1800						1800	Club/bar/tasting room	Cellar Wine and Cheese Bar	2	
728	Sutter St		1450						1450	Antiques	Williams Carriage House	2	
729	Sutter St		2370						2370	Novelties/Gifts	Not Too Shabby	2	
731	Sutter St		3100						3100	Candy	Snooks	2	
732	Sutter St								750	General Retail	Princess Academy	2	
732	Sutter St		1300						1300	Antiques	Emily's Corner	2	
300/302	Reading St		1500						1500	Restaurant	Guido's Deli	3	
198	Wool St		10000						10000	Museum	Interpretive Center	3	
200	Wool St								2500	Office	Folsom Tourism Bureau	3	
200	Wool St		6000						3000	Office	Chamber of Commerce	3	
801	Sutter St		1400						1400	Novelties/Gifts	Dorothea's	3	
801	Sutter St				1000				1000	Novelties/Gifts	Curiosity Shoppe	3	
801	Sutter St								1500	Club/bar/tasting room	Painted Cork	3	
802	Sutter St								750	Health/Beauty	Mellow Moments	3	
802	Sutter St								750	Office	Adam Reeder Studios	3	
805	Sutter St								750	Office	Vida Mia Photography	3	
805	Sutter St				300				300	Office	Mark Roberts	3	
805	Sutter St		1600						1600	Restaurant	Hop Sing Palace	3	
807	Sutter St		1150						1150	Restaurant	Black Rooster	3	
809	Sutter St		1150						1150	Antiques	Gray's Place/Dal Bello	3	
811	Sutter St		2100						2100	Restaurant	Sutter Street Grill	3	
813	Sutter St								1000	Health/Beauty	American Barber Shop	3	
813	Sutter St		650						650	Novelties/Gifts	Charming Jules	3	
813	Sutter St		650						650	Jewelry	Gem N I Jewelry Gallery	3	

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Sulte #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Base ment					
813	Sutter St		660						660	General Retail	Shanei	3	
813	Sutter St								650	Novelties/Gifts	Timeless Passion	3	
813	Sutter St								650	Novelties/Gifts	It's Just Your Style and Friends	3	
815	Sutter St								650	Novelties/Gifts	Betty's House of Turquoise	3	
815	Sutter St								650	Novelties/Gifts	Sutler St Pastels	3	
823	Sutter St		3357		2346				5703	Museum	Folsom History Museum	3	
825	Sutter St		3200						3200	Restaurant	Fat Rabbit	3	
800 Future (HFS)									25350	General Retail	Historic Folsom Station	3	B
800 Future (HFS)									8500	Restaurant	Historic Folsom Station	3	B
800 Future (HFS)									11780	Office	Historic Folsom Station	3	B
800 Future (HFS)										Residential Units	Historic Folsom Station	3	B
									60				
900	Sutter St		1717						1717	Club/bar/tasting room	Westwood	3	B
900	Sutter St				1931				1931	Office	Westwood	3	B
905	Sutter St	100	5000						5000	Office	Folsom Lake Bank	3	
905	Sutter St	200			5661				5661	Office	REY Engineering	3	
905	Sutter St								1250	Office	Sutter Court. LLC	3	
915	Sutter St								750	General Retail	UnWined	3	
915	Sutter St								750	Office	ID Solutions	3	
915	Sutter St								750	Office	Bemau Development Corp	3	
915	Sutter St								750	Office	Essex Mortgage	3	
915	Sutter St								750	Office	Folsom Historic District Association	3	
915	Sutter St								750	Office	Historic Folsom Station	3	
915	Sutter St								750	Office	Kensington Homes, Inc.	3	
915	Sutter St								750	Office	TodaySpecialsApp.com	3	
921	Sutter St								1250	Office	Capital Equit Group Corporate Office	3	
921	Sutter St								1250	Office	Folsom Telegraph	3	
929	Sutter St								1250	Office	Hampton Photography	3	
929	Sutter St								750	Office	Jiva Wellness	3	
TOTALS													
Existing									160,345	+ 115 Theater Seats			
Future									54,901	+ 62 D.U.			
Existing + Future									215,246	+ 115 Theater Seates, 62 D.U.			

Notes:

A - These existing developments provide small, private off-street parking exclusively for their patrons, and do not rely on the public parking supply. Therefore, they were not surveyed and are excluded from the model validation process.

B - Approved/Pending Project



Memorandum

To: Mark Rackovan, P.E.
From: Matt Weir, P.E., T.E., PTOE
 Chris Gregerson, P.E., T.E., PTP
Re: **Technical Memorandum #1 – Implementation Plan Update**
Historic District Parking Implementation Plan Update
Date: October 18, 2018

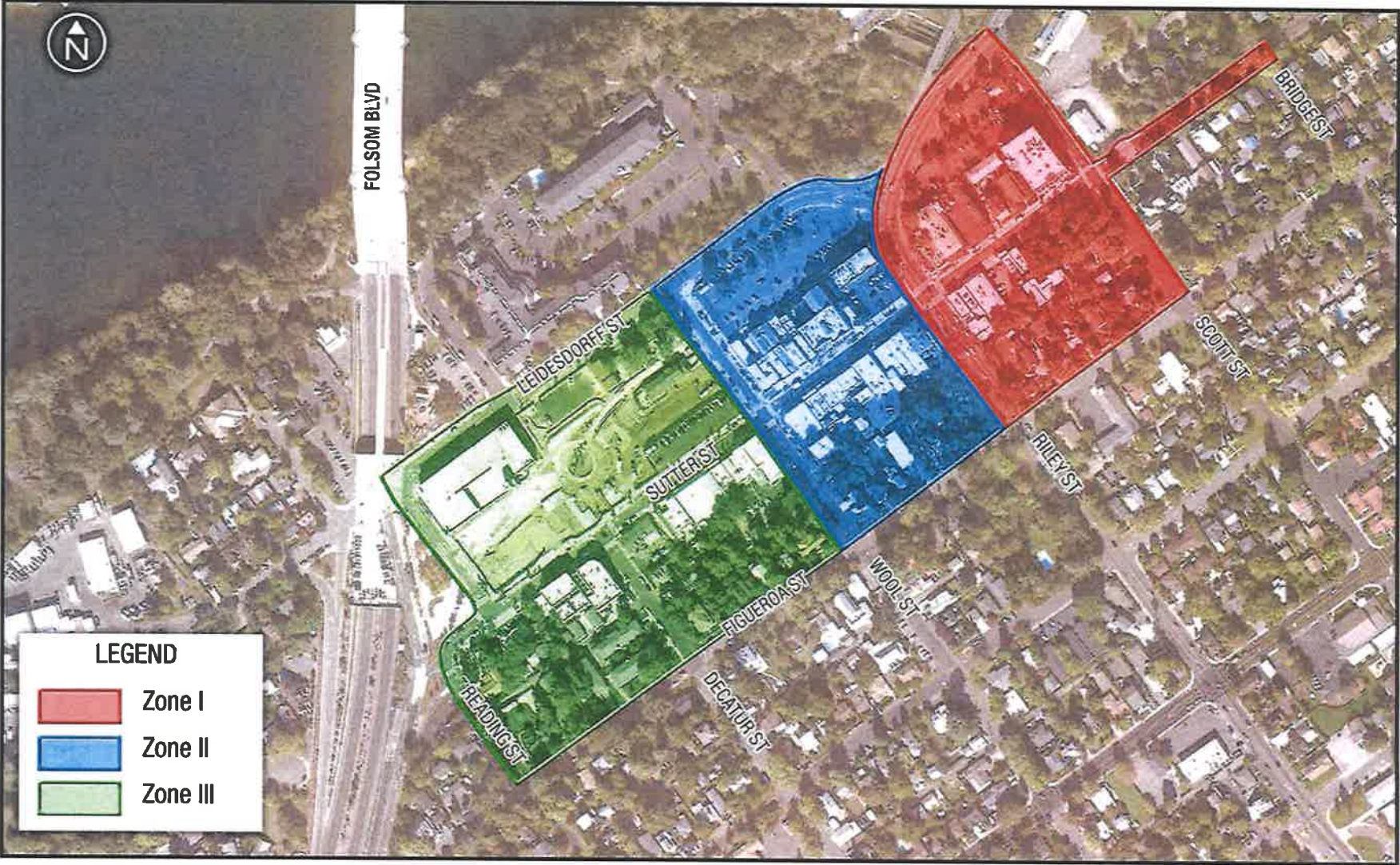
This memorandum refreshes the previously completed Implementation Plan Update (January 17, 2014) and is intended to provide the City with a summary of changes to existing conditions (parking supply, occupancy, and development) that have occurred over the past 4 years. In addition, the memo includes projected parking “shortages” for future supply and demand and an approximate time frame for the need for additional parking supply. **Figure 1** graphically depicts the three zones that have been established in the Historic District for the purposes of this study. **Table 1** presents the observed existing on-street and off-street parking supply, which is also reflected in **Figure 2** and **Figure 3**.

Table 1 – Summary of Existing Off-Street and On-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Parking Supply		Total Existing Supply
I	Riley / Scott	75	Riley St. – Sutter St. to Figueroa St.	8	
			Sutter St. – Riley St. – Scott St.	13	
			Sutter St. – Scott St. – Bridge St.	10	
	Scalzi	51	Scott St. – Riley St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	17	
Subtotals:	126		51	177	
II	Trader Lane	116	Wool St. – Leidesdorff to Sutter St.	14	
			Wool St. – Sutter St. to Figueroa St.	16	
			Leidesdorff St. – Wool St. to Riley St.	13	
			Sutter St. – Wool St. to Riley St.	10	
	Subtotals:	116		53	
III	Rail Block Structure	330	Reading St. – Sutter St. to Figueroa St.	13	
	Leidesdorff / Gold Lake	28	Decatur St. – Sutter St. to Figueroa St.	18	
	Sutter / Wool	22	Leidesdorff St. – Gold Lake Dr. to Wool St.	13	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	13	
	Subtotals:	380		75	
Total Off-Street Spaces:		622	Total On-Street Spaces:		179
					801
<i>Kimley-Horn and Associates, Inc., October 2018</i>					

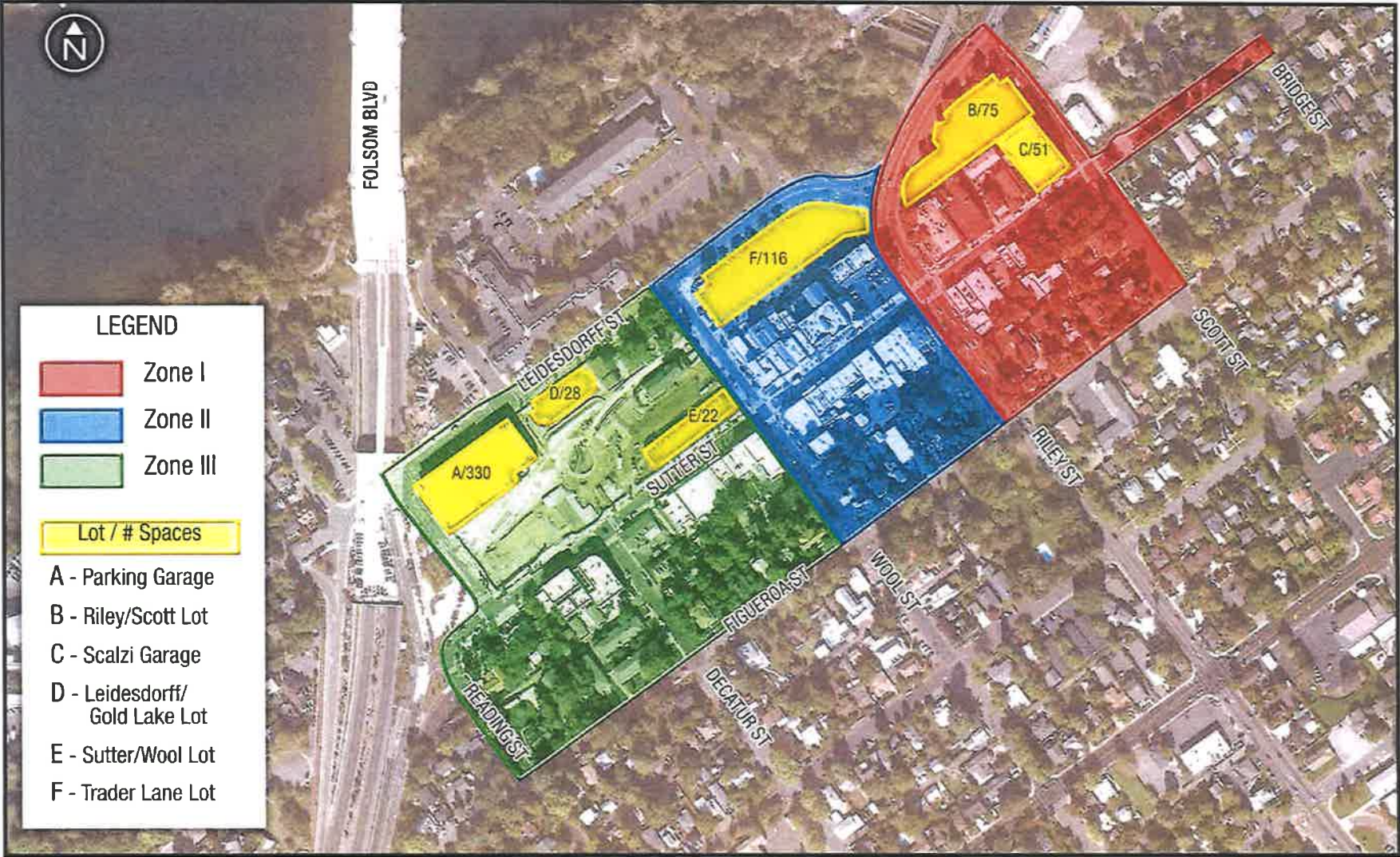
FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 1 — Parking Zones



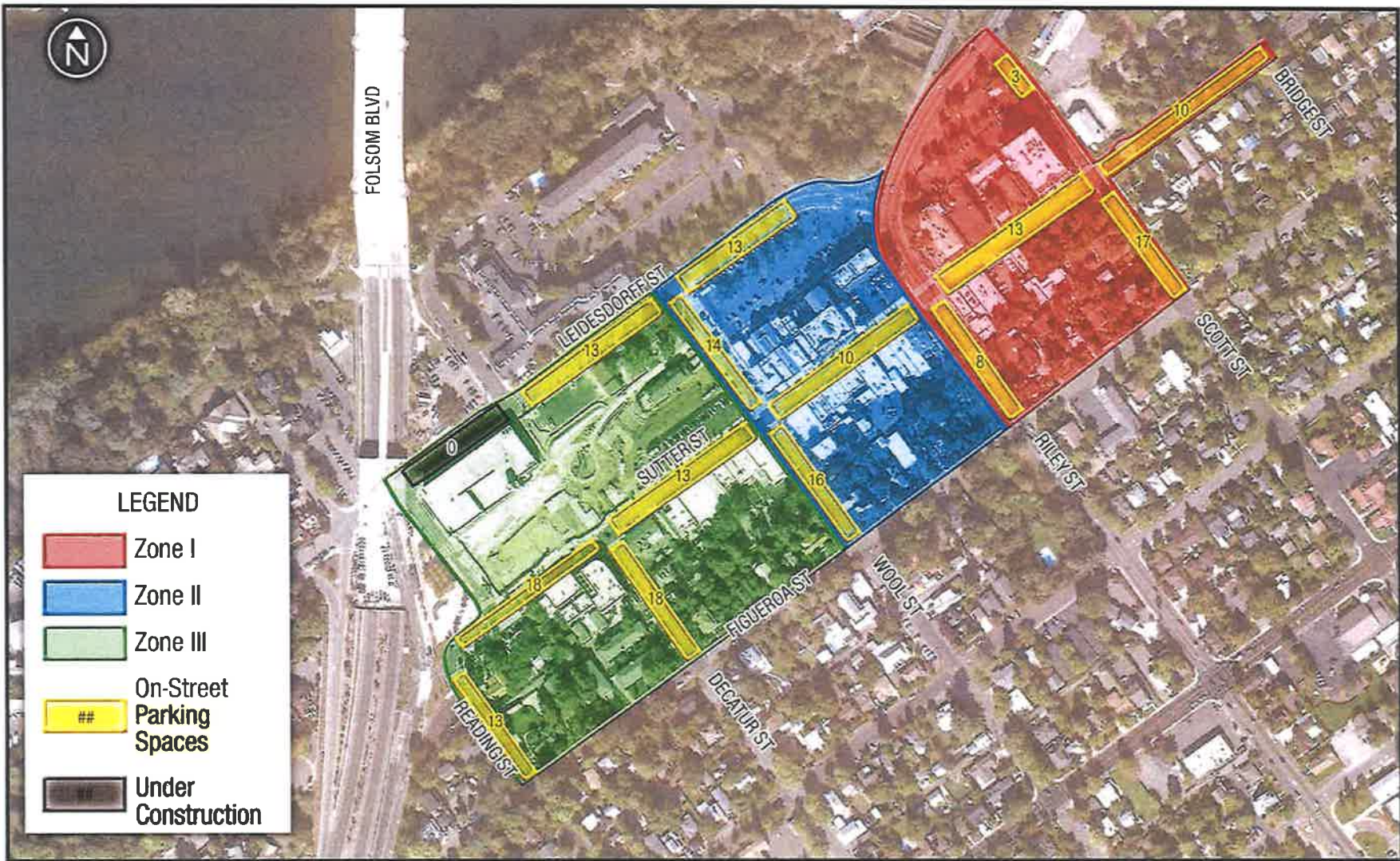
FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 2 — Existing Off-Street Parking Lots



FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 3 — Existing On-Street Parking Spaces



Kimley»Horn

When compared to the data contained in our previous study¹, the off-street parking supply included in the study has stayed constant and on-street parking supply has decreased by five (179 vs. 184). In total, the current parking supply included in the study is five (5) spaces less than was documented in 2014 (801 vs. 806).

Parking occupancy data was collected on Thursday, October 4 and Friday, October 5, 2018. This data is included as **Attachment A** to this memorandum. When compared to the data contained in our previous study¹, it is apparent that parking behavior has changed in the Historic District. Unlike the 2014 data which reflected peak weekday occupancies (off- and on-street) of less than 40 percent combined occupancy, the current data peaks at 60 percent combined occupancy. Likewise, the weekend (Friday evening) data previously peaked at less than 50 percent occupancy with the current data reflecting 59 percent occupancy.

As previously discussed, we acknowledge that the most recent occupancy data includes vehicles that are parked in the Rail Block parking structure for the purposes of using Light Rail specifically, and not as a result of the land uses within the Historic District. In addition to removing the Light Rail off-street lots from the existing demand calculations, will also calculated the proportion of the Rail Block parking structure's parked vehicles that are not specific to Light Rail. The data contained in **Attachment A** reflects these assumptions.

Parking Model Development

As was the case with the previous study, the first step towards determining the updated future parking demand is to update and validate the Historic District parking model to ensure that it accurately predicts/mimics existing conditions. The parking model is considered to be "validated" if the difference in model-predicted peak parking demand and the observed peak parking demand is within ± 10 percent. Also, validation is considered to be achieved when the model-predicted time-of-day hourly profile closely matches observed profiles. Once validated for the updated existing conditions, the parking model was then used to project updated future parking demand.

Existing Land Uses

The existing Historic District land uses were obtained from the City of Folsom. Where appropriate, assumptions were made using the previous study and professional judgment. A detailed parcel-by-parcel list of District parcels and their assumed development status is provided in **Attachment B**.

Table 2 summarizes the existing land uses by Zone. Existing private land uses which provide parking exclusively for their patrons are excluded from the parking model.

¹ *Technical Memorandum #2 - Implementation Plan Update*, Kimley-Horn and Associates, Inc., January 17, 2014.



Table 2 – Existing Land Use Types and Square Footages

Land Use Type	Existing Square Footage			
	Zone 1	Zone 2	Zone 3	All Zones
Retail	12,786	30,975	9,460	53,221
Restaurant	15,298	2,700	3,600	21,598
Office	27,045	7,500	28,961	63,506
Club/Bar/Tasting Rooms	4,190	6,250	1,500	11,940
Theater (Seats)	0	115	0	115
Museum / Exhibit Space	0	0	15,703	15,703
Residential (Dwelling Units – D.U.)	2	-	-	2
Total	59,319 + 2 D.U.	47,425 + 115 Theater Seats	59,224	165,968 + 2 D.U. + 115 Theater Seats

Consistent with the original study, parking demand was estimated based on parking generation rates published by the Institute of Transportation Engineers' (ITE) *Parking Generation, 3rd Edition, 2004* and the Urban Land Institute's (ULI) *Shared Parking, 2nd Edition*. As ITE published *Parking Generation, 4th Edition* since the previous study, a comparison of rates was completed and for those that were significantly different, the more recent rate was used. However, because these rates are developed from isolated suburban land uses poorly served by transit, they do not represent the true parking demand generated by uses located in walkable, mixed-use districts such as Folsom's Historic District. Therefore, the rates have been adjusted to reflect 1) the unique parking generation characteristics of the Historic District, 2) linked trips where people park once in a public parking space and then walk to multiple locations, 3) internal non-auto trips where people who reside in or near the Historic District walk to commercial establishments, 4) a reasonable level of transit use, and 5) the interaction of uses at sites with multiple land use types (mixed use internal capture). The adjusted parking demand generation rates used in this study include the following adjustment factors:

- Two (2) percent reduction for transit trips
- Three (3) percent reduction for bicycle trips
- Four (4) percent reduction for walk trips,
- Fifteen (15) percent reduction for captive trips

Parking Model Validation – Weekday

Following calibration of the parking model, existing weekday conditions were predicted. The results were compared to the observed weekday parking occupancy for existing land uses. The results of the weekday comparison are summarized in **Table 3**.

As shown in **Table 3**, the parking model predicts the weekday peak parking demand is 479 spaces while the observed peak parking demand using the occupancy survey is 522 spaces, a difference of 43 spaces, or a 9 percent difference. Based on this finding, the parking model is considered to be validated.



Table 3 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekday

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekday Parking Demand	479 spaces	522 spaces	9%
2	Existing Peak Hour	12:00 p.m.	2:00 p.m.	N/A
3	Existing Peak Demand Periods	12:00 p.m. to 2:00 p.m.	12:00 p.m. to 2:00 p.m., 5:00 p.m. and 7:00 p.m.	

Parking Model Validation – Weekend

Following calibration of the parking model, existing weekend conditions were predicted. The results were compared to the observed weekend parking occupancy for existing land uses. The results of the comparison are summarized in **Table 4** below. It is important to note that weekend parking occupancy surveys were conducted only between 6:00 p.m. and 9:00 p.m. on a Friday night.

Table 4 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekend

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekend Parking Demand	472 spaces	514 spaces	9%
2	Existing Peak Hour	7:00 p.m.	6:00 p.m.	N/A
3	Existing Peak Demand Periods	6:00 p.m. to 8:00 p.m.	6:00 p.m. to 7:00 p.m.	

The model predicted weekend peak parking demand is 472 spaces while the observed peak parking demand is 514 spaces, a difference of 42 spaces, or 9 percent. Based on this finding, the parking model could be concluded as validated.

Future Parking Supply and Demand Analysis

Consistent with the City's direction as part of the previous study, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot.

The purpose of this analysis was to estimate the amount of future available parking supply, and the corresponding amount of future development, which can be accommodated by the addition of a single new parking structure on the Trader Lane lot. Consistent with current Historic District design guidelines², this single structure would have a 50-foot height limitation. The amount of future available parking supply correlates into an amount of supported future development. The future parking supply is approximated as the sum of excess existing parking supply after accounting for parking demand generated by existing and planned/approved development, and the parking supply that could be accommodated in a new Trader Lane structure.

² *Historic District Design and Development Guidelines*, City of Folsom, October 1, 1998.

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It is important to note that, per the City's direction the "planned/approved projects" includes the Historic Folsom Station (Zone III). Furthermore, because existing land uses (excluding the specialty uses such as Club/Bar/Tasting Rooms, Theater, Museum/Exhibit Space) within the Historic District are classified primarily as retail, restaurant, or office uses, future development was also similarly allocated across these three land use types.

Future Parking Supply

Future Off-Street Parking Supply

The future off-street parking supply is comprised of existing off-street parking facilities and planned public spaces as part of known new development. Loss of parking spaces from new development includes 50 spaces with development of the Rail Block, and 116 spaces with the development of a parking structure on the Trader Lane lot. The number of future off-street parking locations, as well as the number of spaces provided are shown in **Figure 4**.

Future On-Street Parking Supply

The future on-street parking supply is equal to the existing conditions. No on-street changes are anticipated or incorporated in this update. Consistent with the existing conditions, the study area contains a total of 179 on-street parking spaces.

Total Future On- and Off-Street Parking Supply

Table 5 summarizes the total future number of parking spaces by Zone and in total. There are 635 total future off- and on-street parking spaces within the study area. The future off- and on-street parking supply of 635 spaces is 166 spaces less than the existing parking supply.

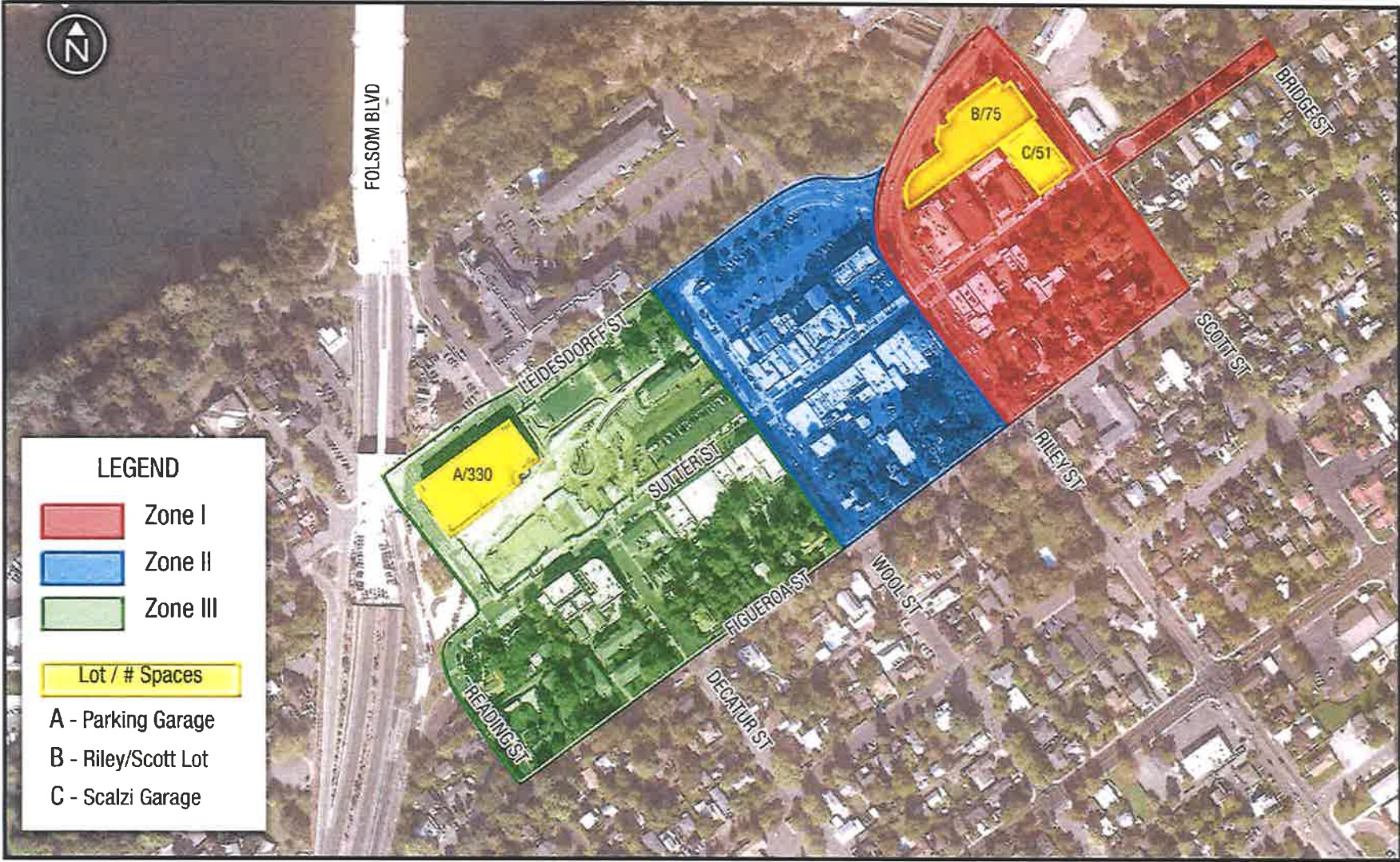
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Table 5 – Summary of Future Off-Street and On-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Public Parking Supply		Total Existing Supply
I	Riley / Scott	75	Riley St. – Sutter St. to Figueroa St.	8	
			Sutter St. – Riley St. – Scott St.	13	
			Sutter St. – Scott St. – Bridge St.	10	
	Scalzi	51	Scott St. – Riley St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	17	
Subtotals:	126		51	177	
II			Wool St. – Leidesdorff to Sutter St.	14	
			Wool St. – Sutter St. to Figueroa St.	16	
			Leidesdorff St. – Wool St. to Riley St.	13	
			Sutter St. – Wool St. to Riley St.	10	
	Subtotals:	0		53	
III	Rail Block Structure	330	Reading St. – Sutter St. to Figueroa St.	13	
			Decatur St. – Sutter St. to Figueroa St.	18	
			Leidesdorff St. – Gold Lake Cr. to Wool St.	13	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	13	
	Subtotals:	330		75	
Total Off-Street Spaces:		456	Total On-Street Spaces:		179
					635
<i>Note: Excludes off-street parking supply gained in proposed Trader Lane parking structure.</i>					

FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 4 — Future Off-Street Parking Lots



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Existing plus Future Parking Demand

In context of this study, future parking demand is defined as a demand for parking that cannot be accommodated by individual on-site, private supply. Therefore, this demand must be accommodated by the municipal parking supply, either on-street or off-street. The purpose of this analysis is to estimate existing plus future parking demand and determine whether the existing and planned public parking supply (including the proposed Trader Lane parking structure) is sufficient.

For this study, the demand generated by future Historic District residential uses is assumed to be accommodated on-site. Residential visitors, and employees and patrons of the commercial uses, are assumed to park off-site and rely on the public parking supply. Based on these assumptions, the future parking demand is estimated.

Future Land Uses

As previously stated, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot and incorporate ground floor retail. Based on a preliminary schematic and feasibility evaluation, 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity, is 343 spaces for the weekdays and 347 spaces for the weekends. This level of parking supply (343/347 spaces) was determined to accommodate 21,350 square feet of retail, 15,250 square feet of restaurant, and 24,400 square feet of office uses in addition to the planned/approved projects and ground floor retail within the Trader Lane parking structure. This determination is discussed in more detail in the section below

The future square footages were estimated using the existing proportion of square footages within the District. The total future development that could be accommodated is 126,480 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure. **Table 6** shows the land use categories and square footages representing future land uses.

Existing plus Future Parking Supply and Demand

Using the adjusted parking generation demand rates and the trip reduction percentages for transit, bike, walk, and captive trips, the parking model predicts existing plus future weekday and weekend parking demand. **Table 7** presents the results of the determination of the amount of future development which can be accommodated by the available District parking supply with the addition of a Trader Lane parking structure.

As shown in **Table 7**, based on the future parking supply limitations (343 weekday and 347 weekend), a future development scenario of 21,350 square feet of retail, 15,250 square feet of restaurant, and 24,400 square feet of office uses should be assumed and utilized in future planning efforts for the District.

Accounting for assumed construction timelines and logical, sequential implementation of District development, the anticipated parking supply and demand were plotted to graphically depict parking conditions in the District over time for conditions both with and without a new parking structure on the Trader Lane lot. This information is provided in **Figures 5-8**. For this analysis it was assumed that the Trader Lane lot would not be completed for eight years from the beginning of the analysis period due to financial and other constraints. An assumed 12-month construction timeline was also used and thus, parking was reduced for that construction timeline. As shown in **Figure 5** and **Figure 7**, the delay in construction of the Trader Lane lot constrains available development for 24 months until

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construction is completed. This constraint and two-year delay for further development results in future development not being achieved for either the weekday or weekend. This constraint only allows between 82 and 84 percent of the total future achievable development.

Table 6 – Future Land Use Types and Square Footages

Land Use Type	Future Square Footage or Dwelling Units			
	Planned / Approved Projects ¹	Trader Lane Structure Ground Floor Retail	Additional Development Accommodated by 442 Space Trader Lane Structure	Total Future Development
Retail	25,350	19,850	21,350	66,550
Restaurant	8,500	-	15,250	23,750
Office	11,780	-	24,400	36,180
Club/Bar/Tasting Rooms	-	-	-	-
Theater (Seats)	-	-	-	-
Museum / Exhibit Space	-	-	-	-
Residential (Dwelling Units – D.U.)	60	-	-	60
Total	45,630 + 60 D.U.	19,850	61,000	126,480 60 D.U.

¹ Includes Historic Folsom Station Project



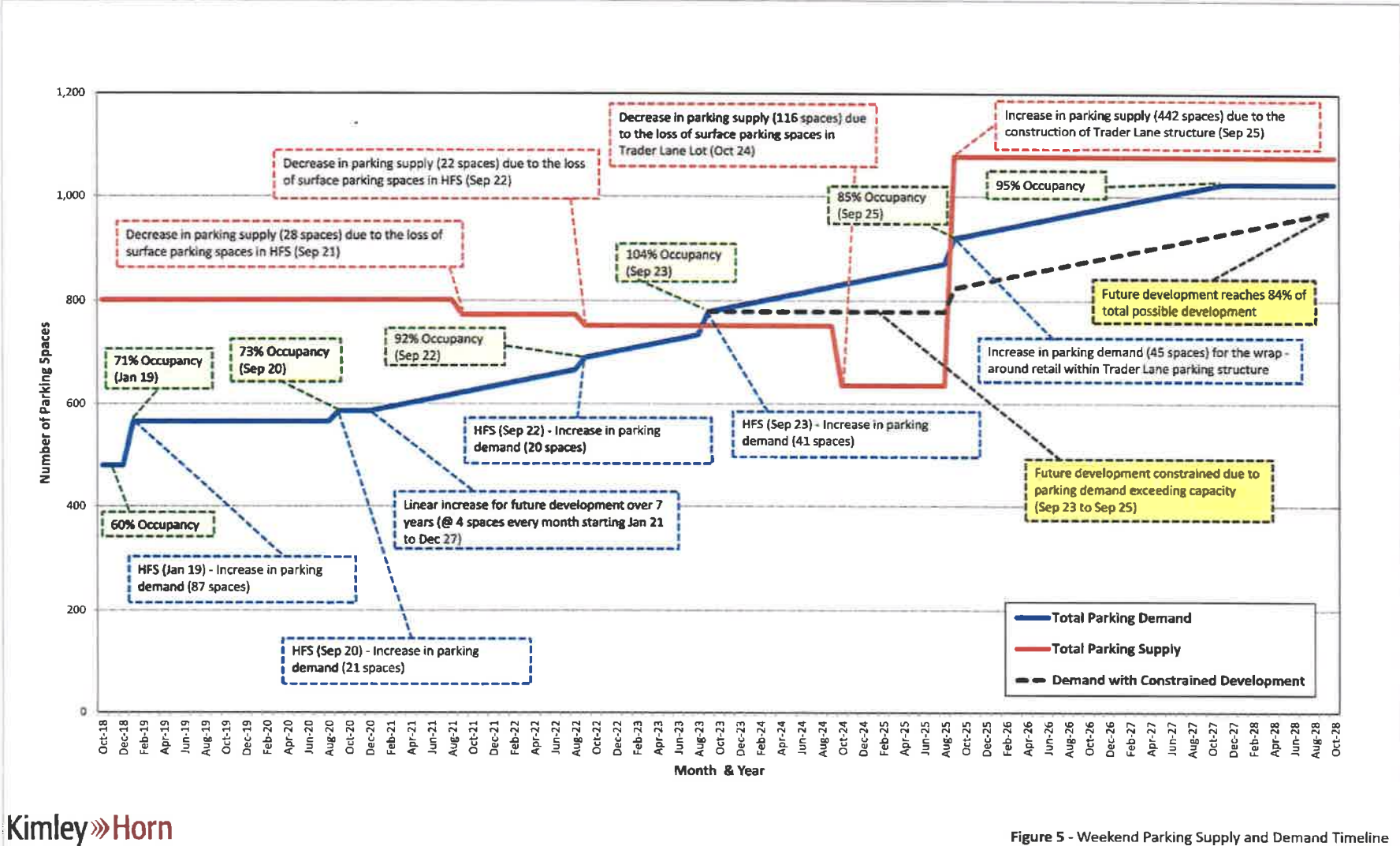
Table 7 – Permissible Future Development Based on Future Parking Supply

Step #	Steps	Weekday	Weekend	
1	Estimated Parking Spaces in Trader Lane structure	442 spaces	442 spaces	
2a	Parking Demand for Planned/Approved Projects	151 spaces	168 spaces	
2b	Existing Parking Demand	479 spaces	479 spaces	
3	Total Parking Demand	630 spaces	647 spaces	
4a	Future Parking Supply (excludes the existing surface and proposed structure parking spaces in Trader Lane Lot) ¹	635 spaces	635 spaces	
4b	Excess Parking Spaces	5 spaces	-12 spaces	
5a	Available Parking Supply for Future Development (step 1 + step 4b)	447 spaces	430 spaces	
5b	Parking Demand for Wrap-Around Retail	66 spaces	45 spaces	
5c	Total Available Parking Supply for Future Development	381 spaces	385 spaces	
6a	Practical Capacity Reduction	10%	10%	
6b	Net Total Available Parking Supply for Future (90% of step 5c)	343 spaces	347 spaces	
	Future Land Uses	Quantity	Peak Weekday Demand	Peak Weekend Demand
7	Retail	21,350 SF	96 spaces	96 spaces
	Restaurant	15,250 SF	136 spaces	227 spaces
	Office	24,400 SF	110 spaces	9 spaces
	Total	61,000 SF	342 spaces	333 spaces
¹ The future parking supply includes 179 on-street spaces and 456 off-street spaces for a total of 635 spaces. The off-street parking spaces includes the following: - Riley/Scott Lot = 75 spaces - Scalzi = 51 spaces - Rail Block Parking Structure = 330 spaces				

Attachments:

A – Parking Occupancy Data

B – District-Wide Parcel-by-Parcel Land Use Assumptions



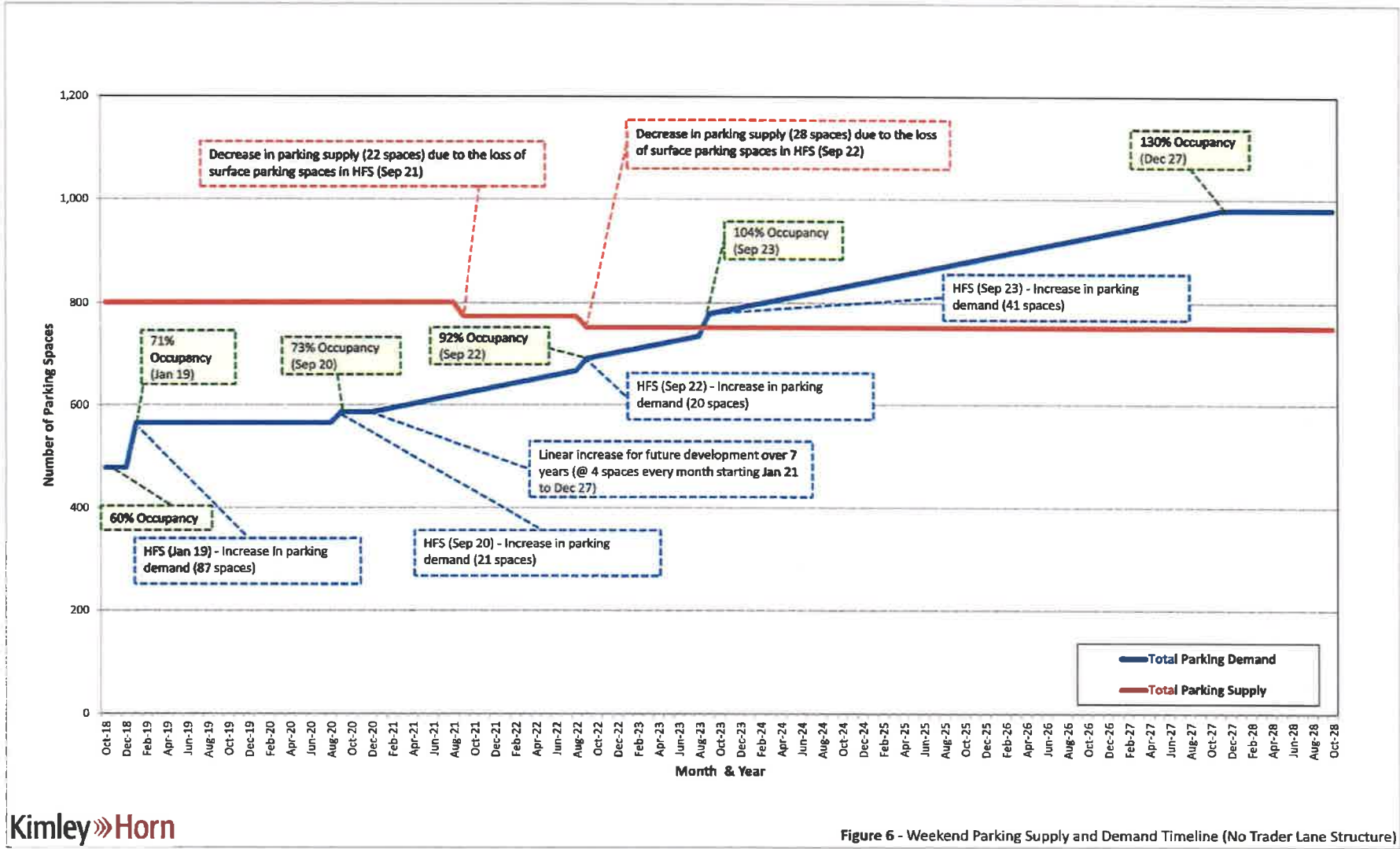
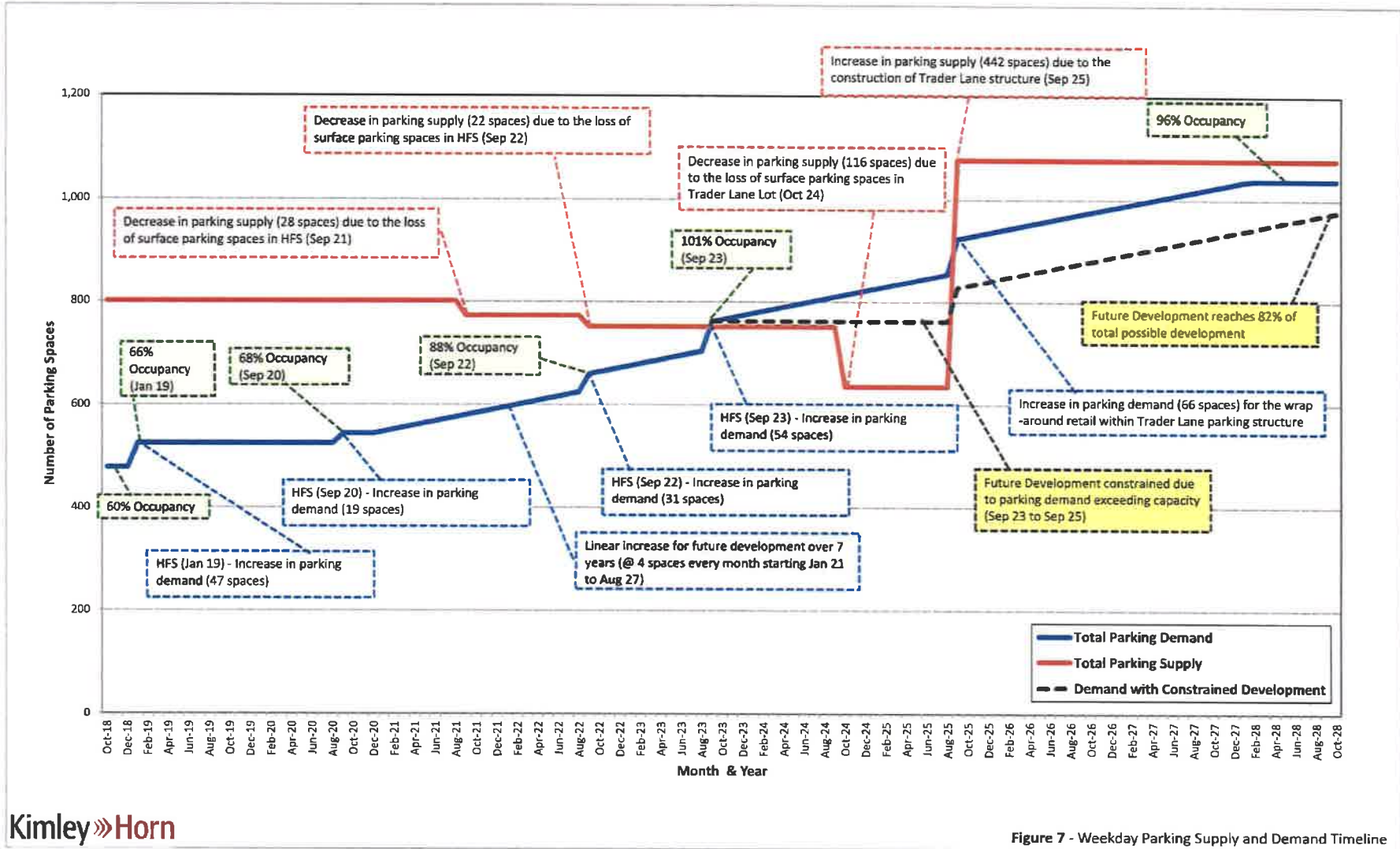


Figure 6 - Weekend Parking Supply and Demand Timeline (No Trader Lane Structure)



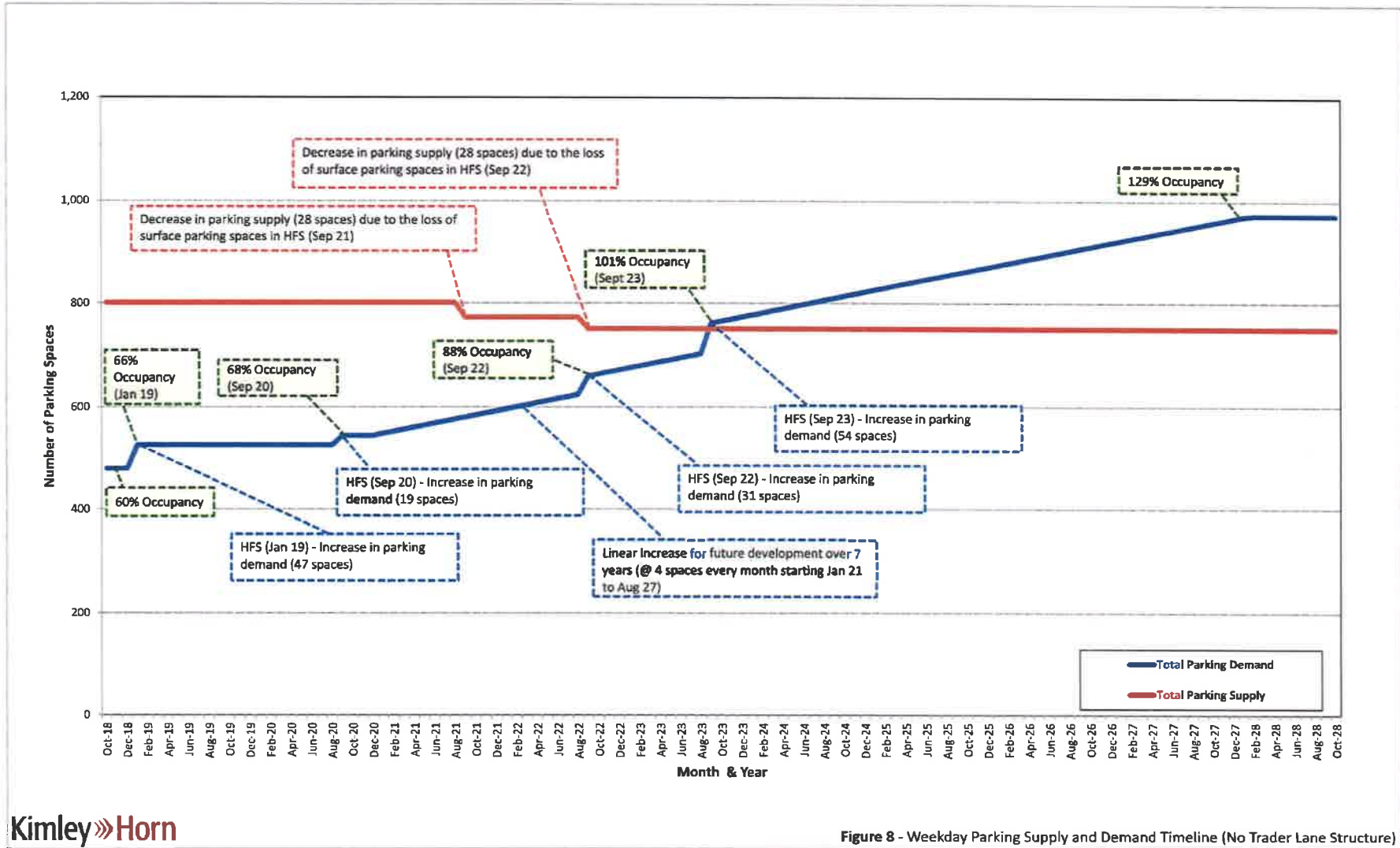
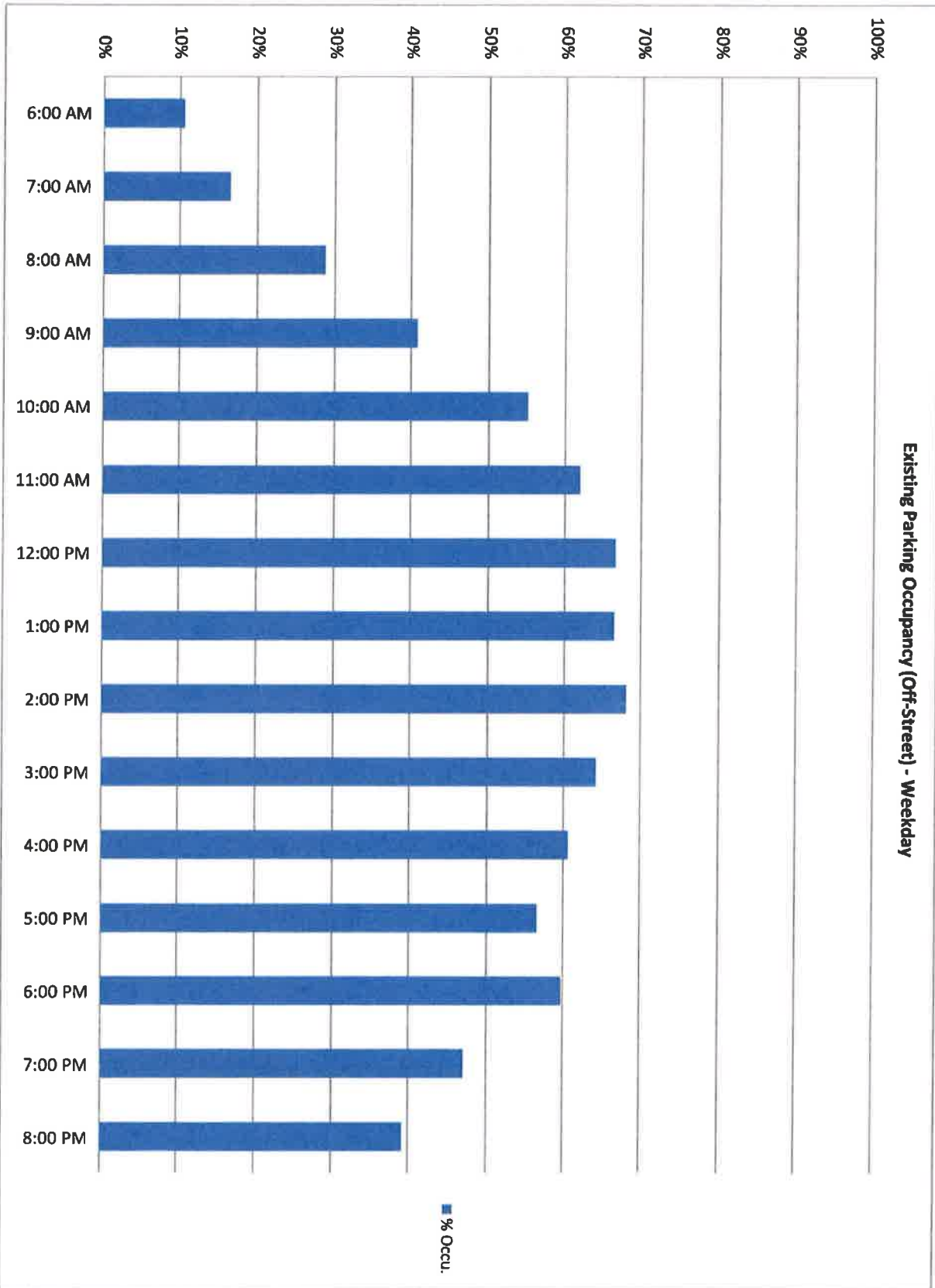
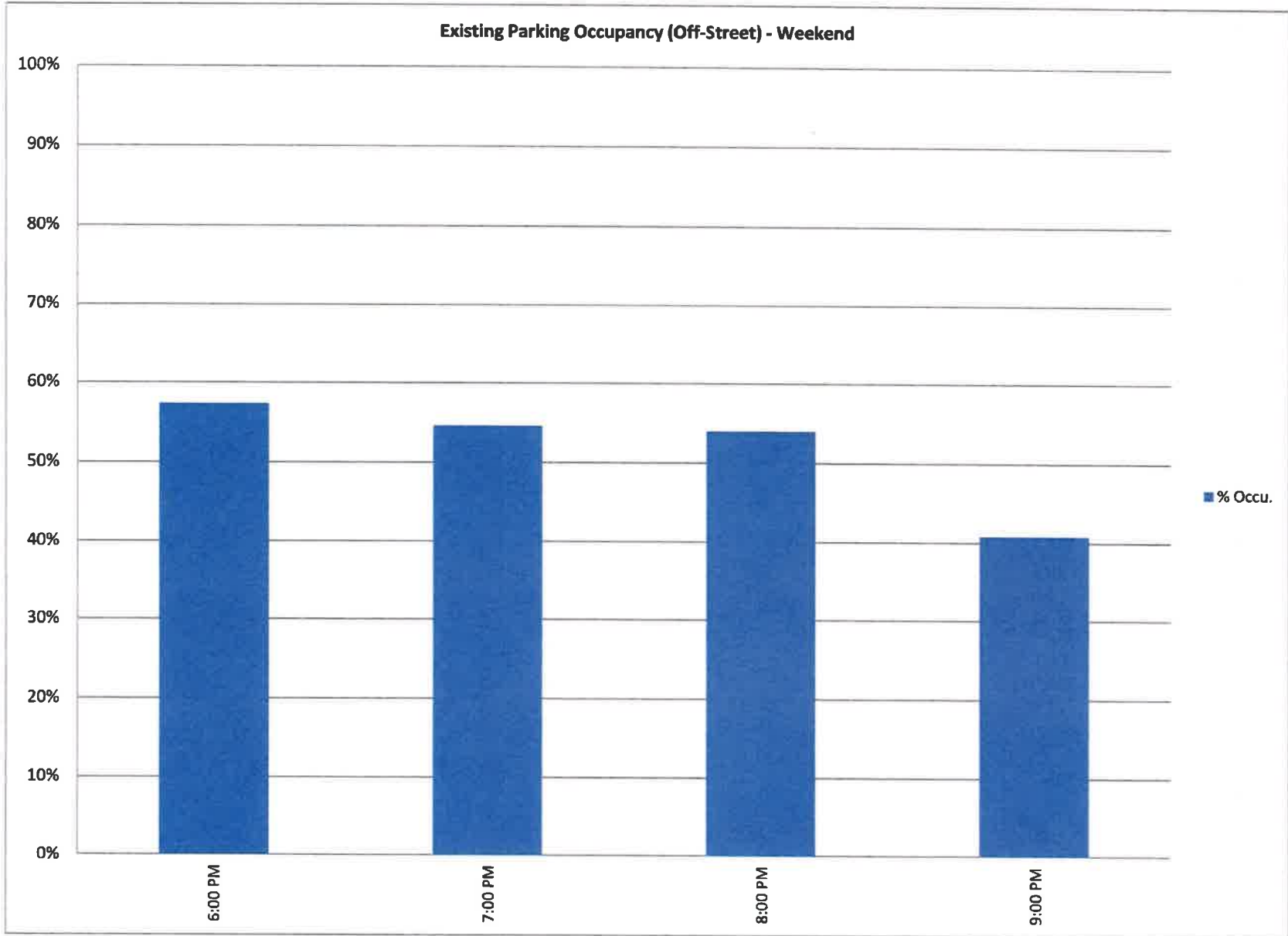


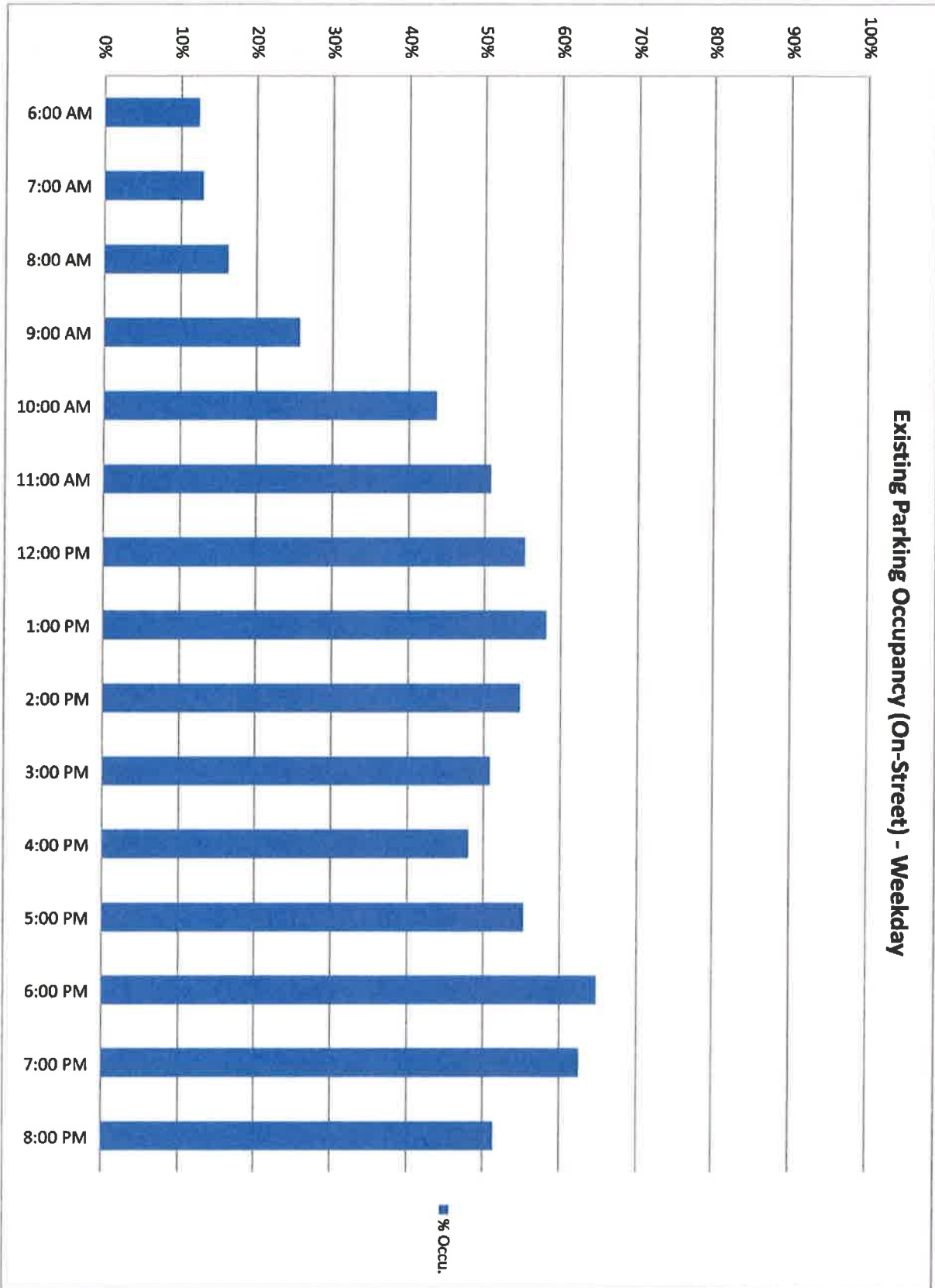
Figure 8 - Weekday Parking Supply and Demand Timeline (No Trader Lane Structure)

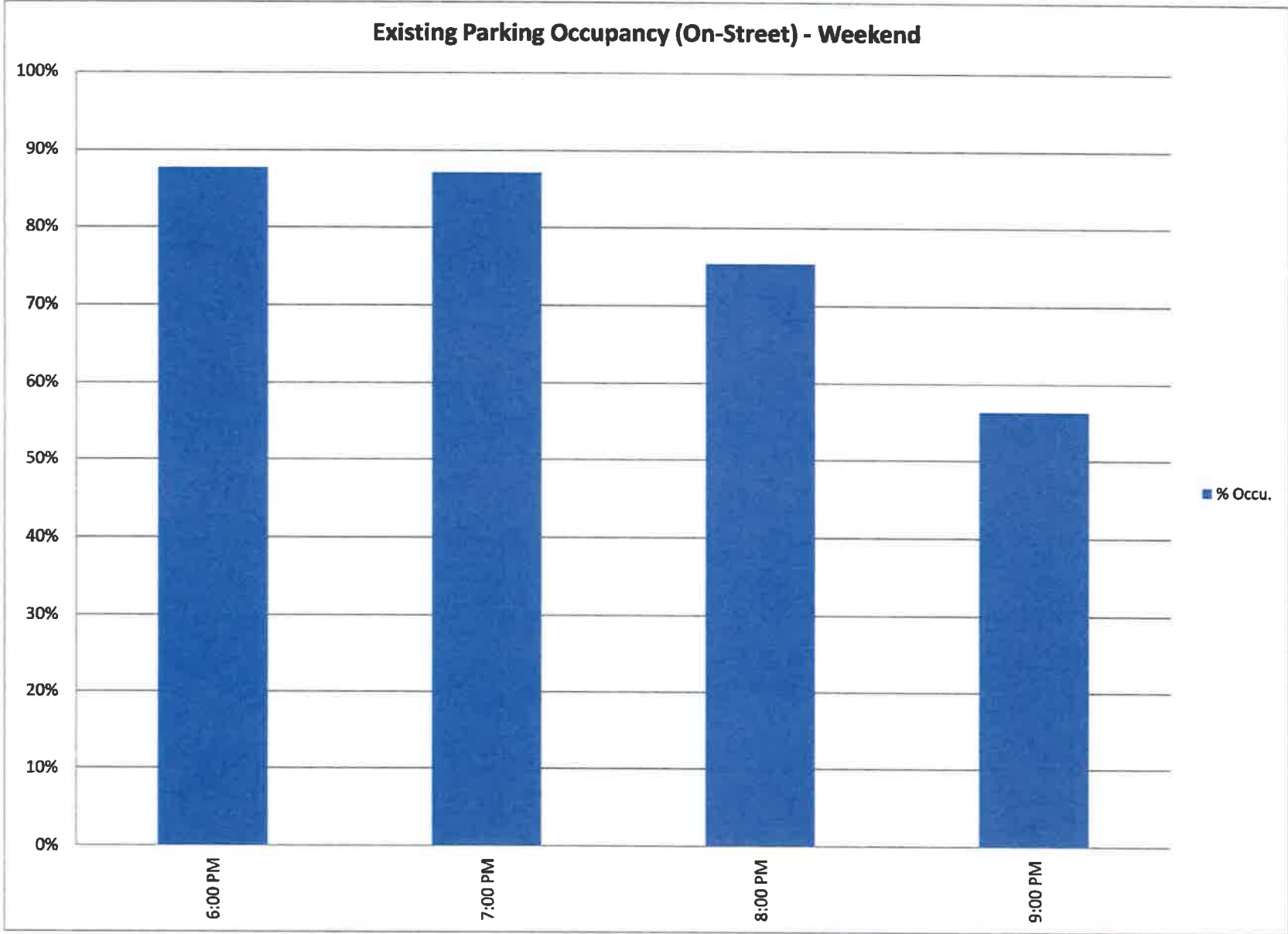


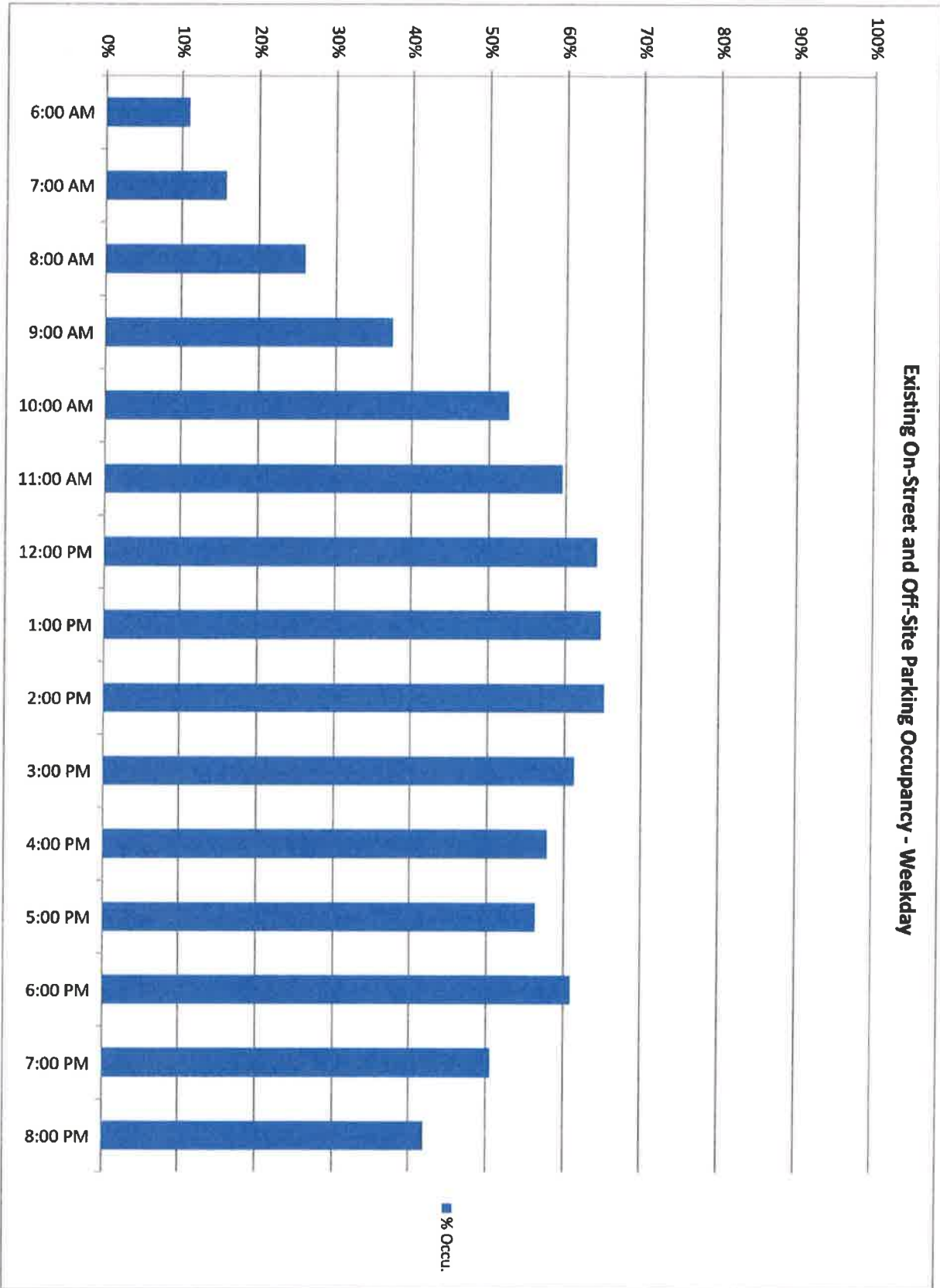
Attachment A – Parking Occupancy Data

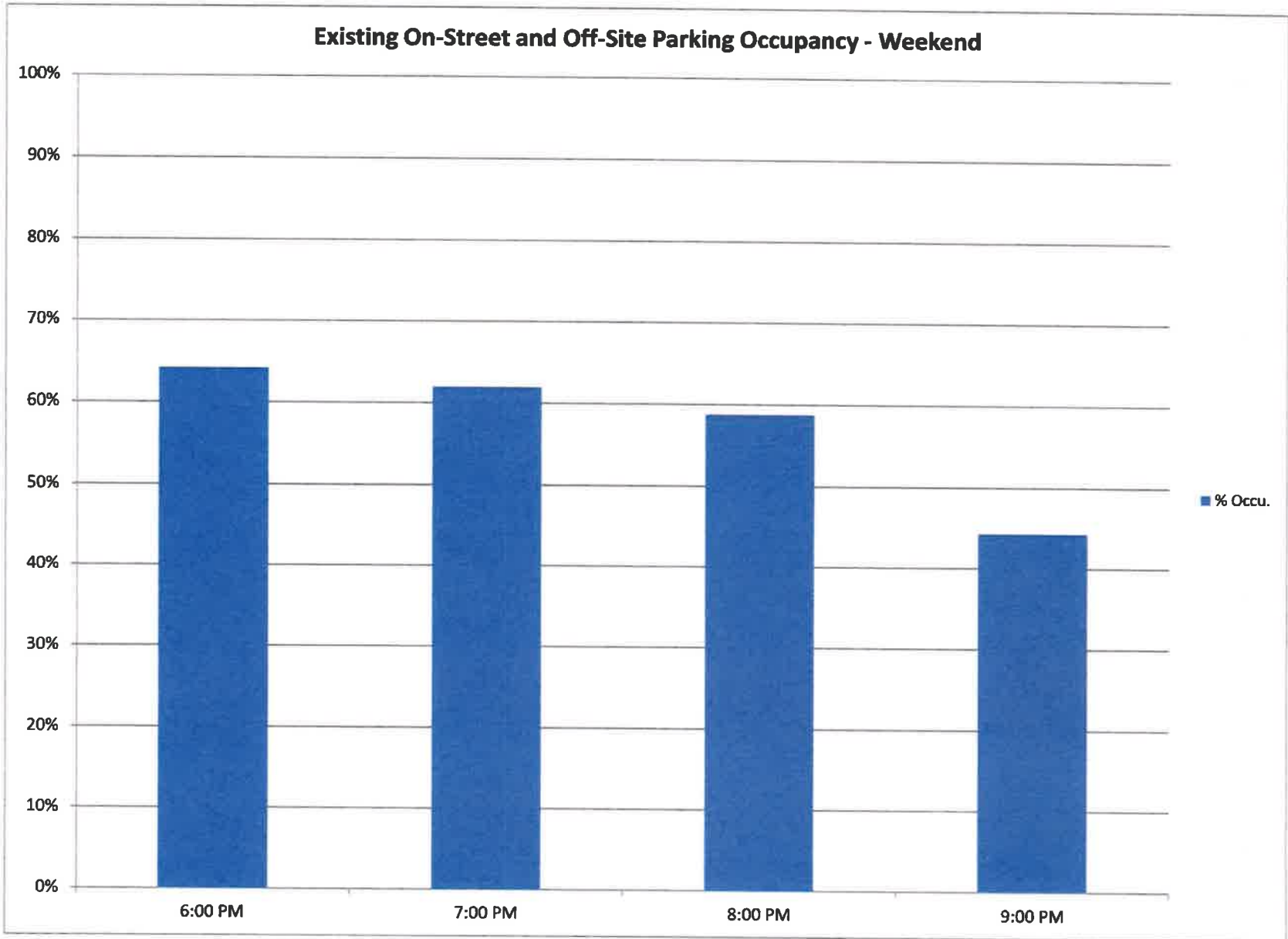


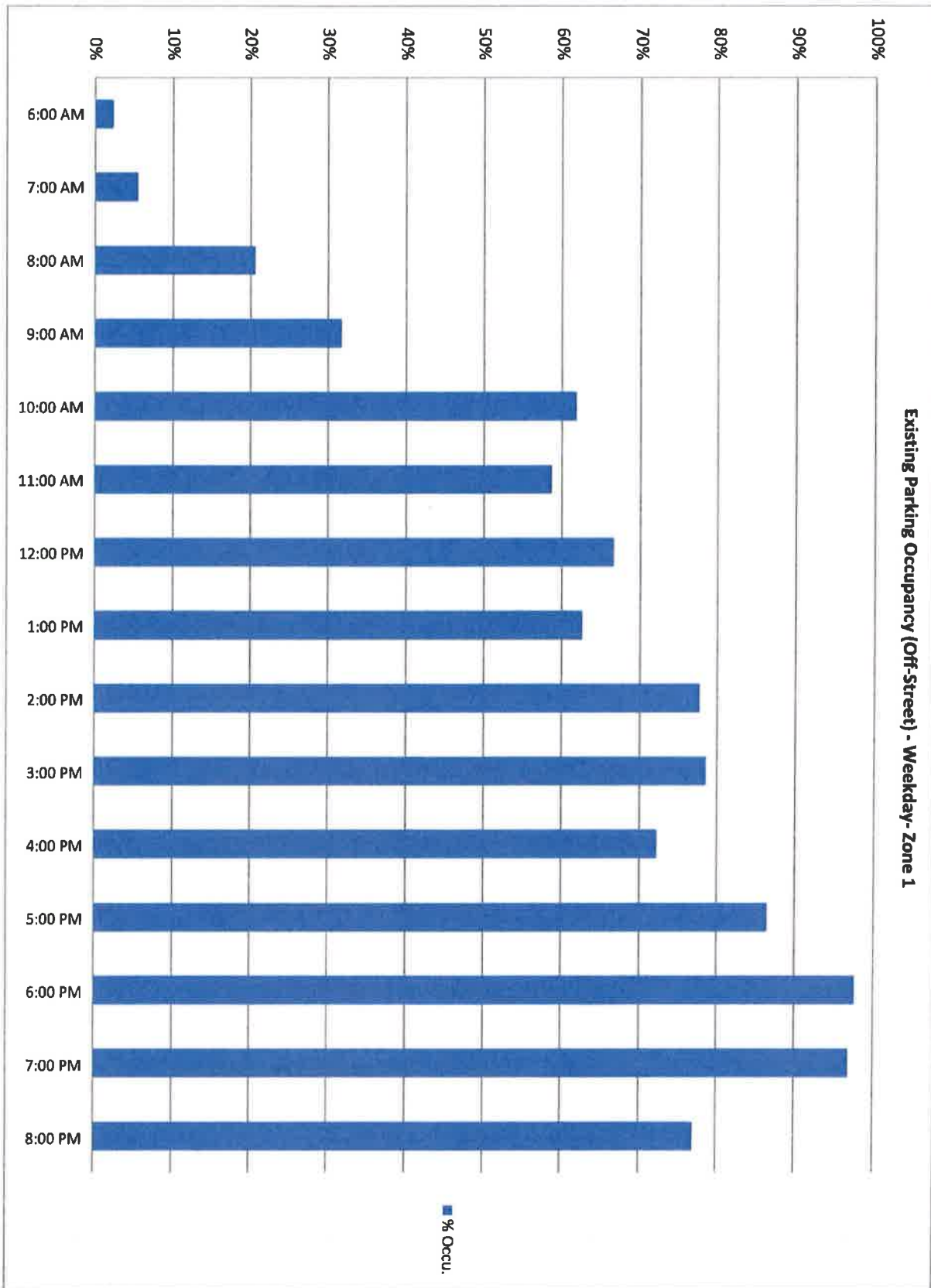


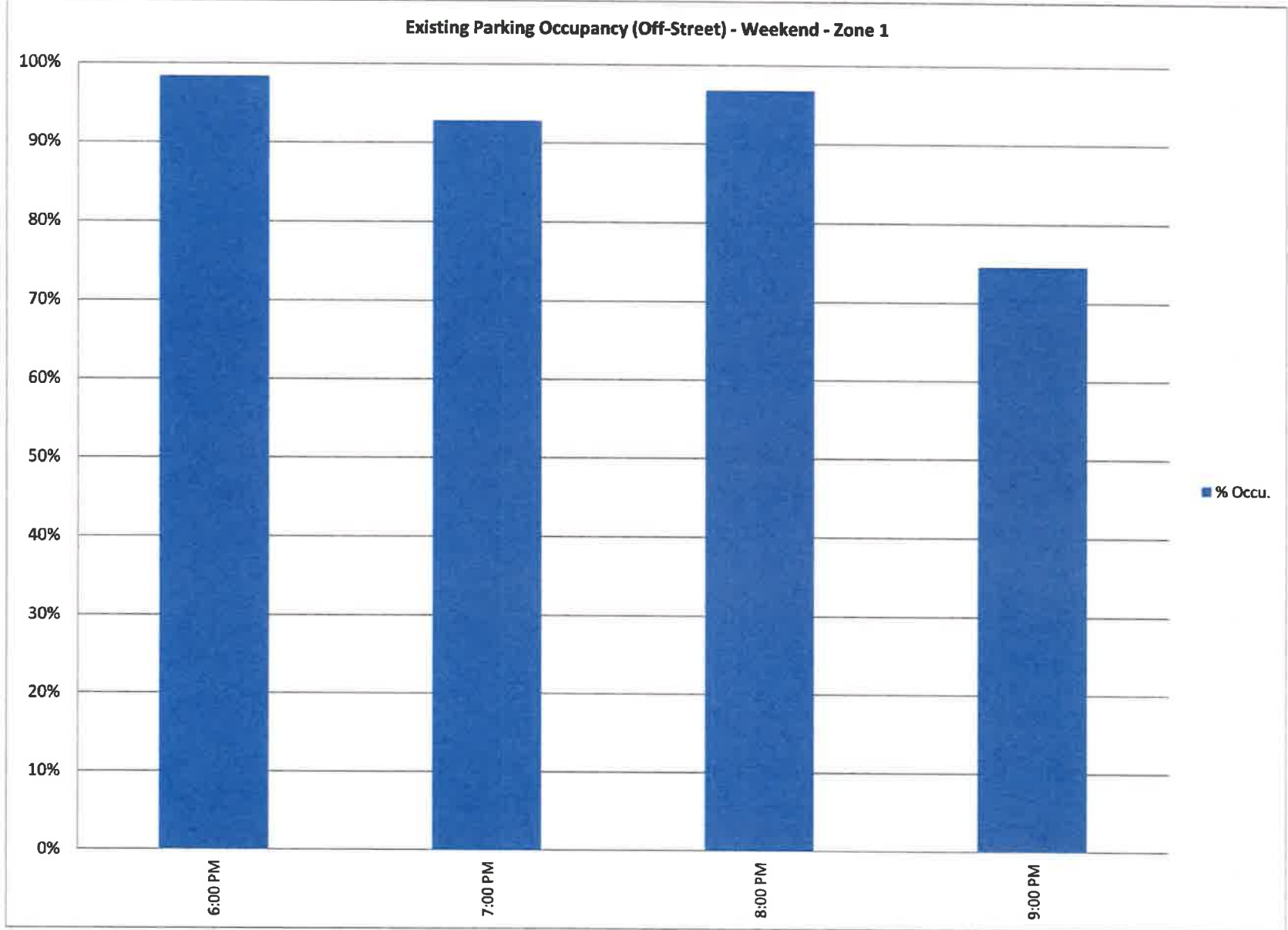


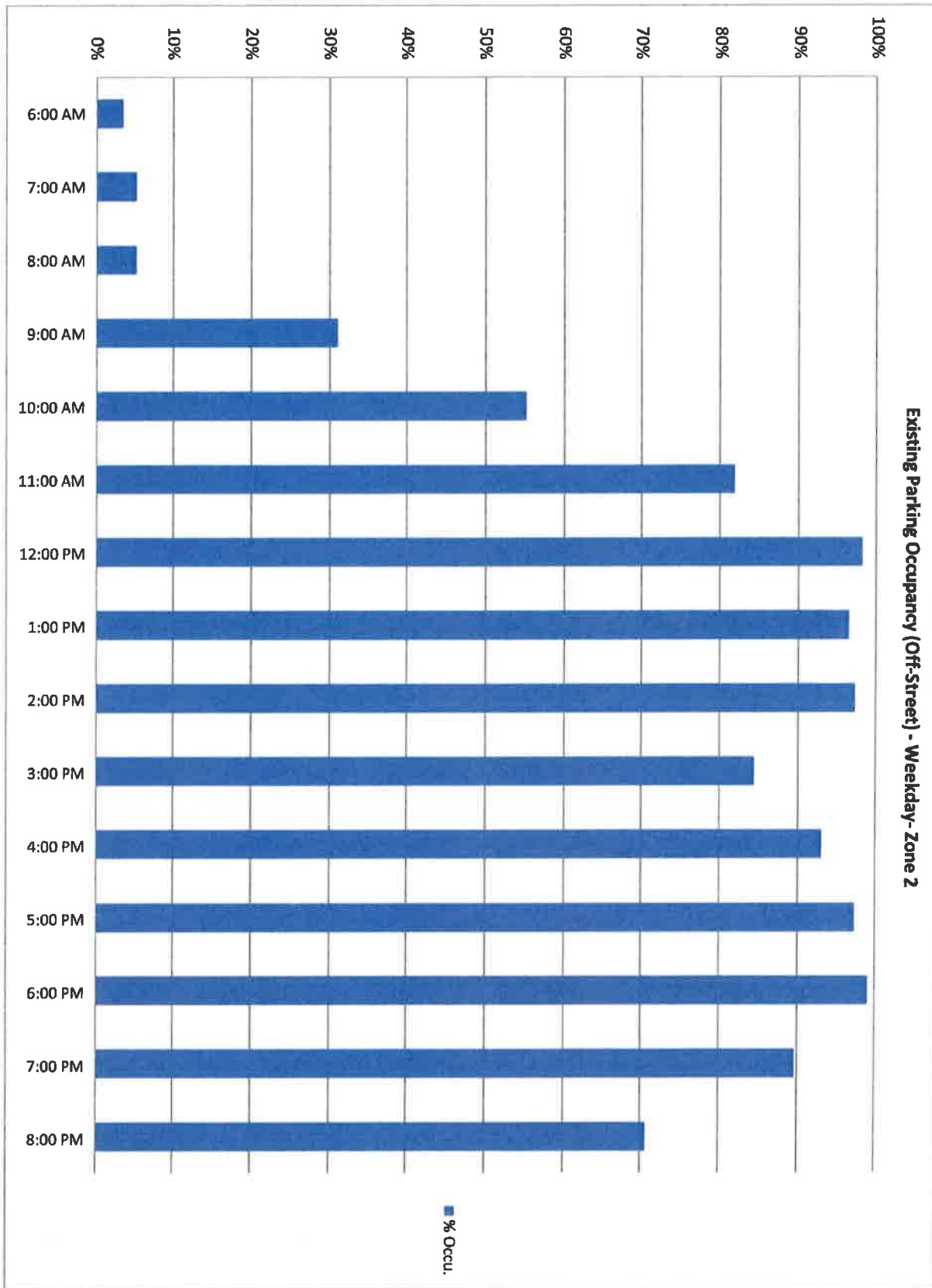


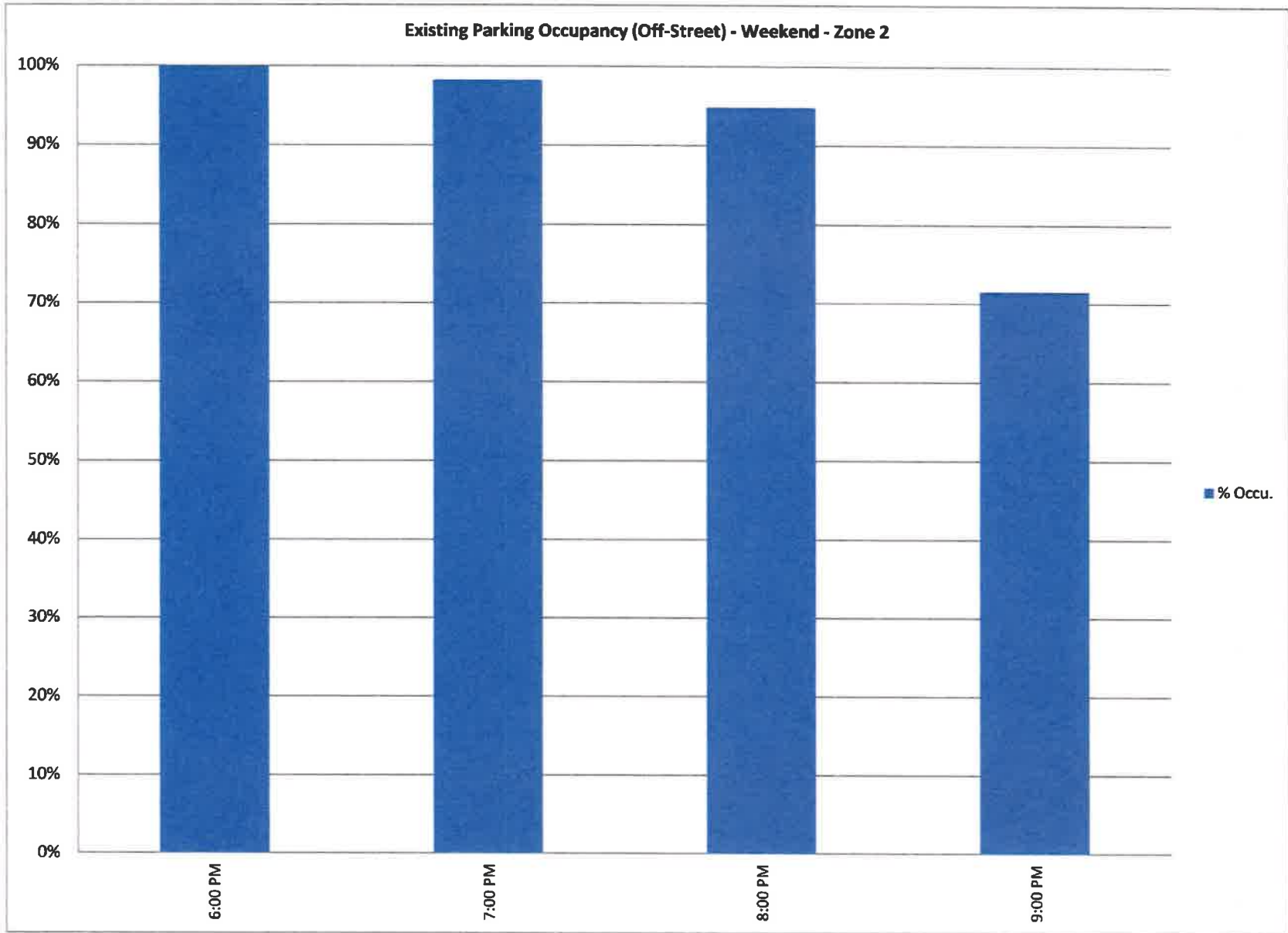


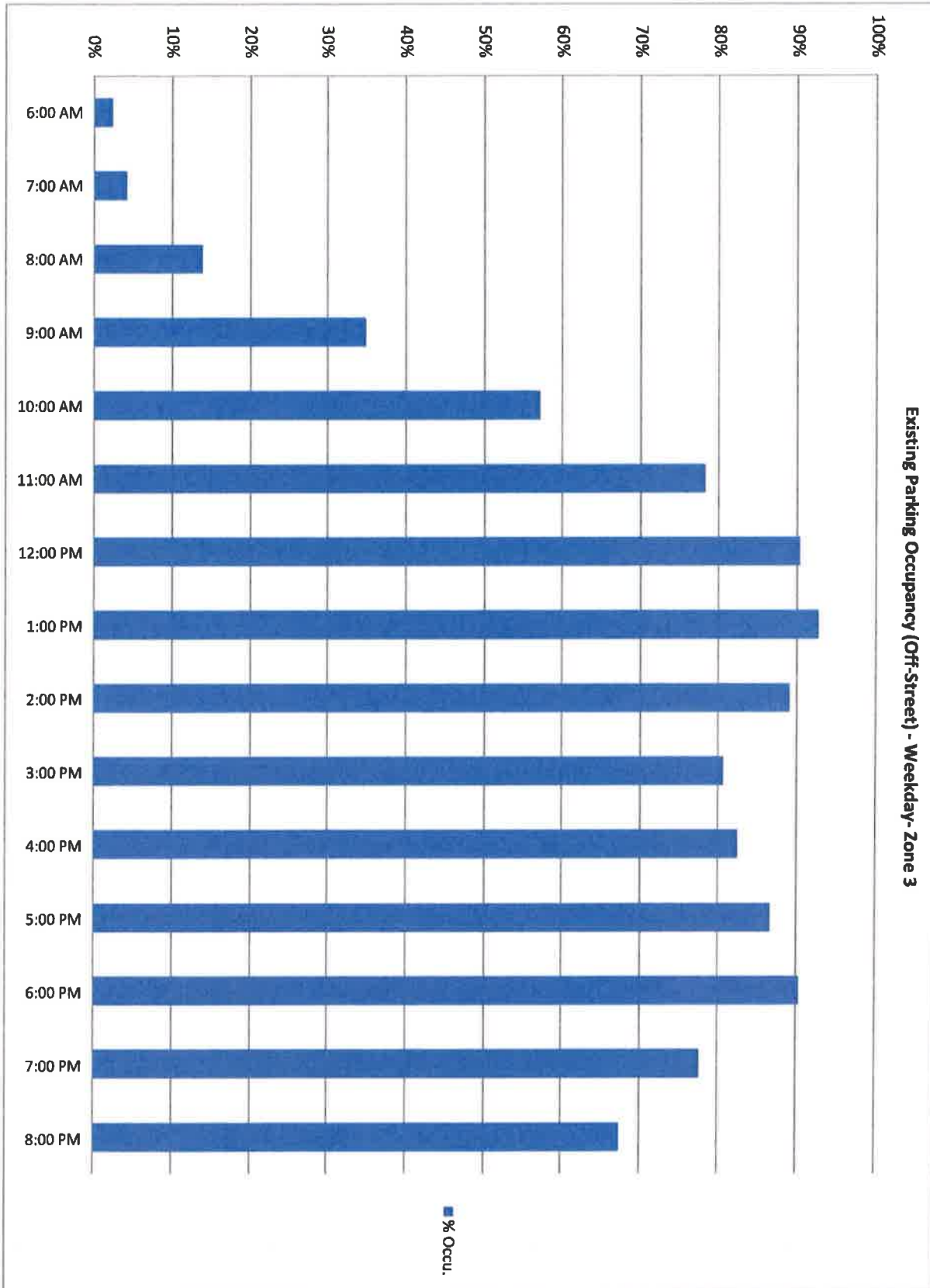


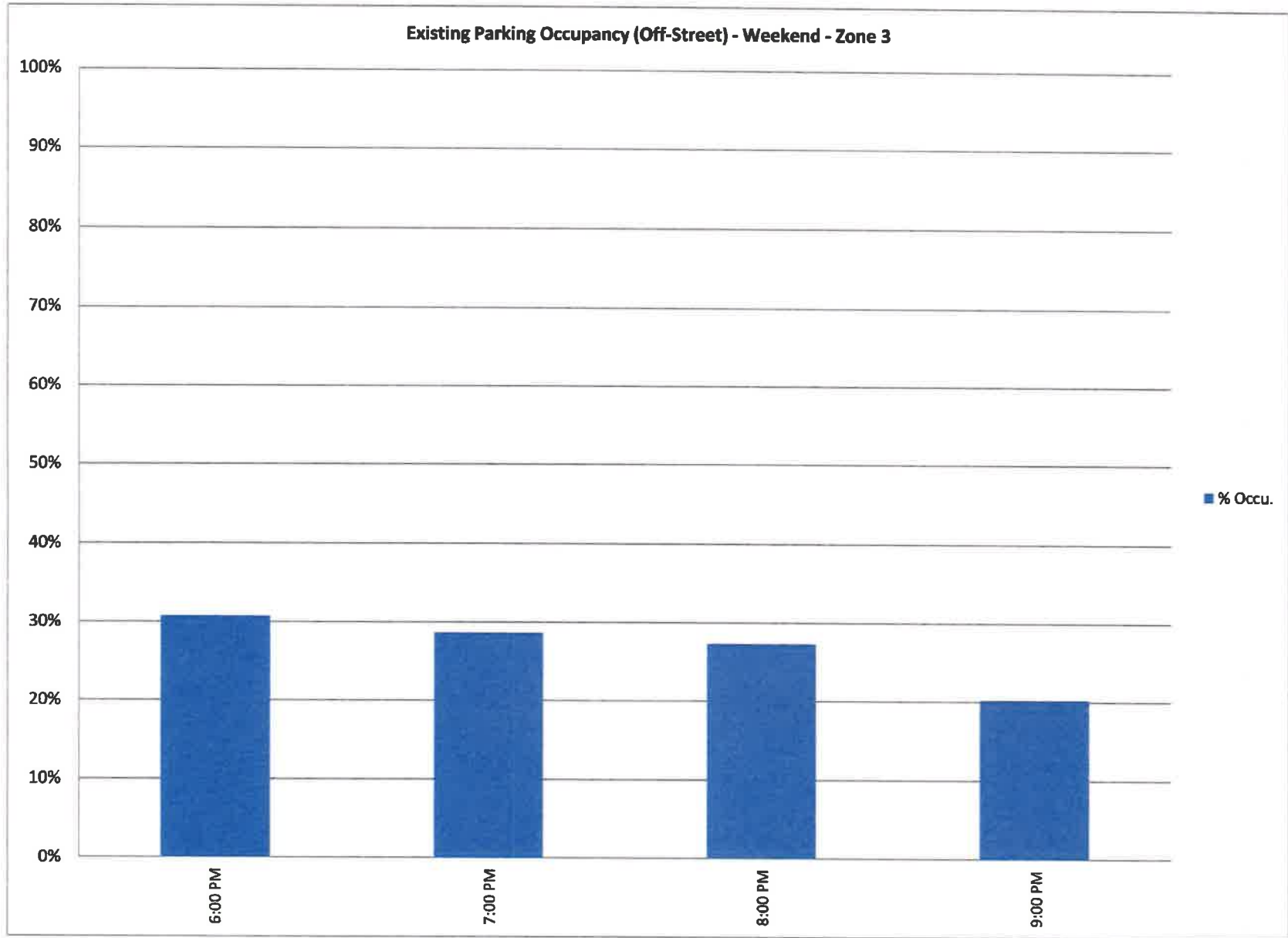














Attachment B – District-Wide Parcel-by-Parcel Land Use Assumptions

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
303	Riley St		500						500	Novelties/Gifts	The Bag Lady	1	
307	Riley St		1200						1200	Novelties/Gifts	Melange	1	
203	Scott St									Club/bar/tasting room	Moose Lodge	1	A
215	Scott St									Club/bar/tasting room	Eagles Lodge	1	A
605	Sutter St		750						750	Health/Beauty	District 605 A Hair Boutique	1	
606	Sutter St		2100					900	3000	Office	Coyne Maur Bane Design	1	
607	Sutter St		3000						3000	General Retail	Fire Rain	1	
607	Sutter St				2623				2623	Office	Fire Rain	1	
607	Sutter St								2	Residential Units	Fire Rain 2 two-bed apts	1	
608	Sutter St		1298		1209				2507	Restaurant	Hampton's on Sutter	1	
608	Sutter St							1091	1091	Restaurant	Hampton's on Sutter	1	
608 1/2	Sutter St		4800						4800	Art Studio	Cloud's studio	1	
609	Sutter St									Vacant		1	
611	Sutter St		1386						1386	Novelties/Gifts	Gracefully Vintage	1	
614	Sutter St		3040						3040	Club/bar/tasting room	Powerhouse Pub	1	
614	Sutter St									Restaurant	Chicago Fire Pizza	1	A
614	Sutter St									Club/bar/tasting room	Scarlet's Saloon	1	A
625	Sutter St									Novelties/Gifts	Planet Earth Rising	1	A
627	Sutter St		1150						1150	Club/bar/tasting room	Petra Vineyard Wine Gallery	1	
627	Sutter St		1150						1150	Art Gallery	Sutter Street Artists	1	
629	Sutter St		1586		1586				3172	Office	Sierra West Valuation	1	
600	Sutter St								11700	Restaurant	Scalzi	1	
600	Sutter St								18250	Office	Scalzi	1	
306	Riley St		500						500	Novelties/Gifts	Buriap & Bees	2	
305	Wool St		2500						2500	Art Gallery	Pacific Western Traders	2	
731	Trader Lane		1250		1250				2500	Church	Church of Scientology	2	
722	Trader Lane		750						750	Health/Beauty	Karen Kay's Salon	2	
701	Sutter St		500						500	Novelties/Gifts	Katrina's	2	
702	Sutter St									Health/Beauty	Heather Alyce	2	A
702	Sutter St									Health/Beauty	Padgett Chiropractic	2	A
702	Sutter St									Office	Atlantic & Pacific Real Estate	2	A
702	Sutter St									Restaurant	Hacienda Del Rio	2	A
702	Sutter St									Restaurant	Pizzeria Classico	2	A
702	Sutter St									Office	Carrington Mortgage Services, LLC	2	A
702	Sutter St									Health/Beauty	Maribou Salon on Sutter	2	A
703	Sutter St		1200						1200	Club/bar/tasting room	Folsom Hotel	2	
703	Sutter St				2400	1280		2400	6080	Hotel	Folsom Hotel	2	A
703	Sutter St		1200						1200	Restaurant	Folsom Hotel	2	
705	Sutter St		2800						2800	Art Gallery	American Vision Gallery	2	
707	Sutter St									Vacant		2	
709	Sutter St		1680						1680	Furniture	Snyders House of Jade	2	
710	Sutter St		1325						1325	Clothing	The Firehouse	2	
711	Sutter St		1600						1600	Novelties/Gifts	Starlight Starbright	2	

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
713	Sutter St		2000						2000	Novelties/Gifts	We Olive	2	
715	Sutter St								750	General Retail	Outdoor Link	2	
715	Sutter St								750	Health/Beauty	Alchemy Day Spa and Boutique	2	
715	Sutter St								750	Health/Beauty	Indie Salon	2	
715	Sutter St								750	Health/Beauty	Liberty Tattoo	2	
717	Sutter St		3210		989				4199	Theatre	Stage Nine (115 seats)	2	
718	Sutter St								1500	Restaurant	Beach Hut Deli	2	
718	Sutter St								2000	Office	Roost Vintage Living	2	
718	Sutter St								1500	Office	Stanfield Systems Inc.	2	
718	Sutter St								750	Office	Capital Equity Group Real Estate	2	
718	Sutter St								1000	Health/Beauty	Tre Salon Spa	2	
718	Sutter St								1500	Club/bar/tasting room	Lockdown Brewing Co.	2	
718	Sutter St								750	Office	CMC Gaming Systems	2	
719	Sutter St		1800						1800	Club/bar/tasting room	Samuel Hornes Tavern	2	
720	Sutter St		1750						1750	Club/bar/tasting room	Sutter Club	2	
721	Sutter St		1250						1250	Jewelry	Rainbow Bridge Jewelers	2	
722	Sutter St								1000	Sports/recreation	Mama Bootcamp	2	
722	Sutter St								1750	Health/Beauty	Psychic Gallery	2	
722	Sutter St								1000	Health/Beauty	Shannon's Skin Studio	2	
723	Sutter St		1600						1600	Jewelry	Precious Gem Jewelers	2	
723	Sutter St								750	General Retail	Vasliiy Watch, Clock and Jewelry R	2	
726	Sutter St				6500				6500	Vacant		2	
727	Sutter St		1800						1800	Club/bar/tasting room	Cellar Wine and Cheese Bar	2	
728	Sutter St		1450						1450	Antiques	Williams Carriage House	2	
729	Sutter St		2370						2370	Novelties/Gifts	Not Too Shabby	2	
731	Sutter St		3100						3100	Candy	Snooks	2	
732	Sutter St								750	General Retail	Princess Academy	2	
732	Sutter St		1300						1300	Antiques	Emily's Corner	2	
300/302	Reading St		1500						1500	Restaurant	Guido's Deli	3	
198	Wool St		10000						10000	Museum	Interpretive Center	3	
200	Wool St								2500	Office	Folsom Tourism Bureau	3	
200	Wool St		6000						3000	Office	Chamber of Commerce	3	
801	Sutter St		1400						1400	Novelties/Gifts	Dorothea's	3	
801	Sutter St				1000				1000	Novelties/Gifts	Curiosity Shoppe	3	
801	Sutter St								1500	Club/bar/tasting room	Painted Cork	3	
802	Sutter St								750	Health/Beauty	Mellow Moments	3	
802	Sutter St								750	Office	Adam Reeder Studios	3	
805	Sutter St								750	Office	Vida Mia Photography	3	
805	Sutter St				300				300	Office	Mark Roberts	3	
805	Sutter St		1600						1600	Restaurant	Hop Sing Palace	3	
807	Sutter St		1150						1150	Restaurant	Black Rooster	3	
809	Sutter St		1150						1150	Antiques	Gray's Place/Dal Bello	3	
811	Sutter St		2100						2100	Restaurant	Sutter Street Grill	3	

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
813	Sutter St							1000	Health/Beauty	American Barber Shop	3		
813	Sutter St		650					650	Novelties/Gifts	Charming Jules	3		
813	Sutter St		650					650	Jewelry	Gem N I Jewelry Gallery	3		
813	Sutter St		660					660	General Retail	Shanei	3		
813	Sutter St							650	Novelties/Gifts	Timeless Passion	3		
813	Sutter St							650	Novelties/Gifts	It's Just Your Style and Friends	3		
815	Sutter St							650	Novelties/Gifts	Betty's House of Turquoise	3		
815	Sutter St							650	Novelties/Gifts	Sutter St Pastels	3		
823	Sutter St		3357		2346			5703	Museum	Folsom History Museum	3		
825	Sutter St		3200					3200	Restaurant	Fat Rabbit	3		
800 Future (HFS)								25350	General Retail	Historic Folsom Station	3	B	
800 Future (HFS)								8500	Restaurant	Historic Folsom Station	3	B	
800 Future (HFS)								11780	Office	Historic Folsom Station	3	B	
800 Future (HFS)								Residential Units		60	Historic Folsom Station	3	B
905	Sutter St	100	5000					5000	Office	Folsom Lake Bank	3		
905	Sutter St	200			5661			5661	Office	REY Engineering	3		
905	Sutter St							1250	Office	Sutter Court, LLC	3		
915	Sutter St							750	General Retail	UnWined	3		
915	Sutter St							750	Office	ID Solutions	3		
915	Sutter St							750	Office	Bemau Development Corp	3		
915	Sutter St							750	Office	Essex Mortgage	3		
915	Sutter St							750	Office	Folsom Historic District Association	3		
915	Sutter St							750	Office	Historic Folsom Station	3		
915	Sutter St							750	Office	Kensington Homes, Inc.	3		
915	Sutter St							750	Office	Today'sSpecialsApp.com	3		
921	Sutter St							1250	Office	Capital Equit Group Corporate Office	3		
921	Sutter St							1250	Office	Folsom Telegraph	3		
929	Sutter St							1250	Office	Hampton Photography	3		
929	Sutter St							750	Office	Jiva Wellness	3		
TOTALS													
Existing								165,968 + 115 Theater Seats + 2 D.U.					
Future								45,630 + 60 D.U.					
Existing + Future								211,598 + 115 Theater Seates + 62 D.U.					

Notes:
 A - These existing developments provide small, private off-street parking exclusively for their patrons, and do not rely on the public parking supply. Therefore, they were not surveyed and are excluded from the model validation process.
 B - Approved/Pending Project



Memorandum

To: Mark Rackovan, P.E.
From: Matt Weir, P.E., T.E., PTOE
Re: **Technical Memorandum #2 – Implementation Plan Update**
Historic District Parking Implementation Plan Update
Date: January 17, 2014

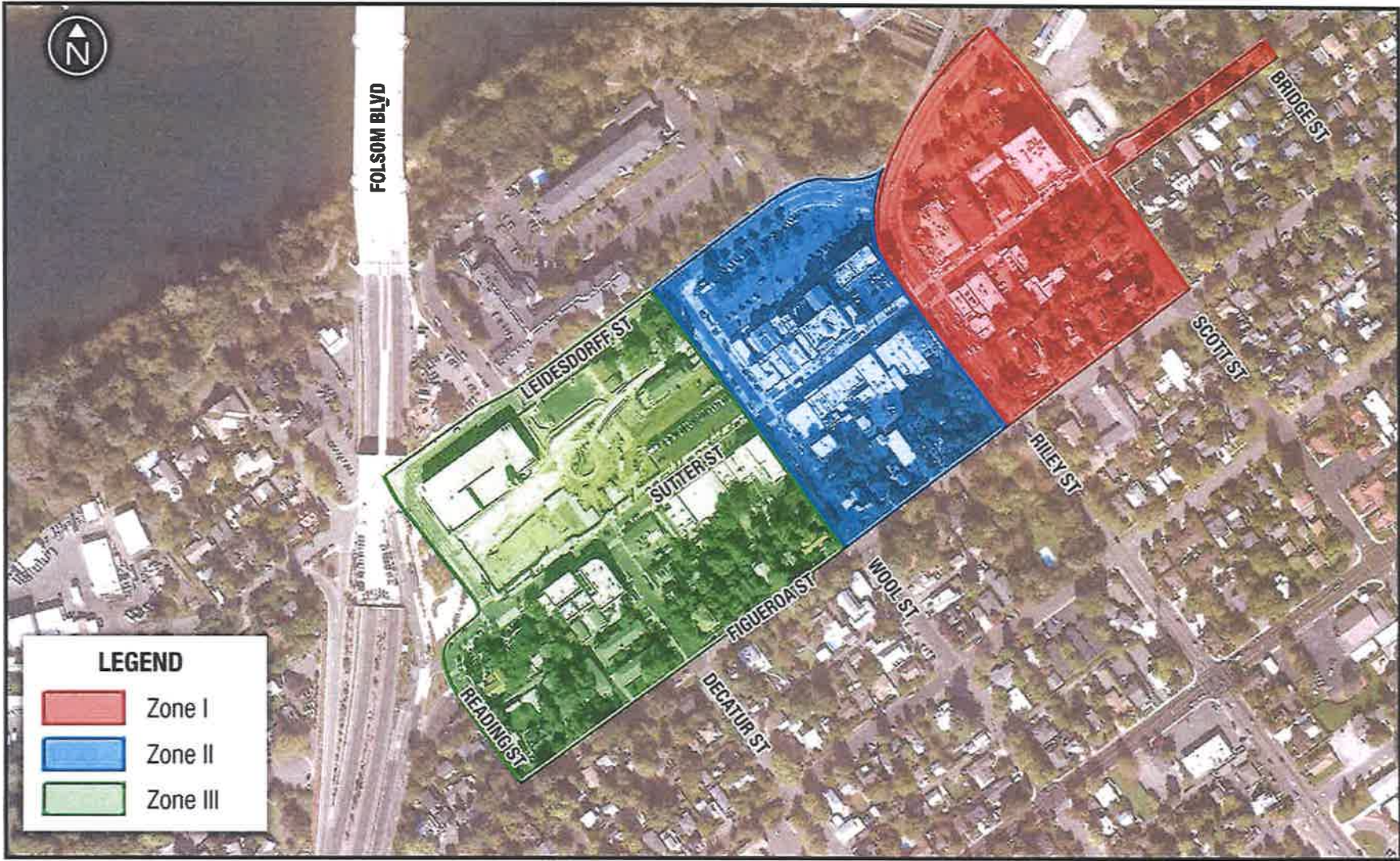
This memorandum builds upon the previously completed Existing Conditions evaluation (October 3, 2013) and is intended to provide the City with an updated projection of Historic District parking supply and demand over the next decade. **Figure 1** graphically depicts the three zones that have been established in the Historic District for the purposes of this study. **Table 1** presents the observed existing on-street and off-street parking supply which is also reflected in **Figure 2** and **Figure 3**.

Table 1 – Summary of Existing Off-Street and On-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Public Parking Supply		Total Existing Supply
I	Riley / Scott	75	Riley St. – Sutter St. to Figueroa St.	7	
			Sutter St. – Riley St. – Scott St.	13	
			Sutter St. – Scott St. – Bridge St.	10	
	Scalzi	51	Scott St. – Riley St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	17	
	Subtotals:	126		50	
II	Trader Lane	116	Wool St. – Leidesdorff to Sutter St.	14	
			Wool St. – Sutter St. to Figueroa St.	16	
			Leidesdorff St. – Wool St. to Riley St.	11	
			Sutter St. – Wool St. to Riley St.	10	
	Subtotals:	116		51	
III	Rail Block Structure	330	Reading St. – Sutter St. to Figueroa St.	13	
	Leidesdorff / Gold Lake	28	Decatur St. – Sutter St. to Figueroa St.	18	
	Sutter / Wool	22	Leidesdorff St. – Reading St. to Gold Lake Cr.	8	
			Leidesdorff St. – Gold Lake Cr. to Wool St.	13	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	13	
	Subtotals:	380		83	
Total Off-Street Spaces:		622	Total On-Street Spaces:		184
					806
<i>Kimley-Horn and Associates, Inc., September 2013</i>					

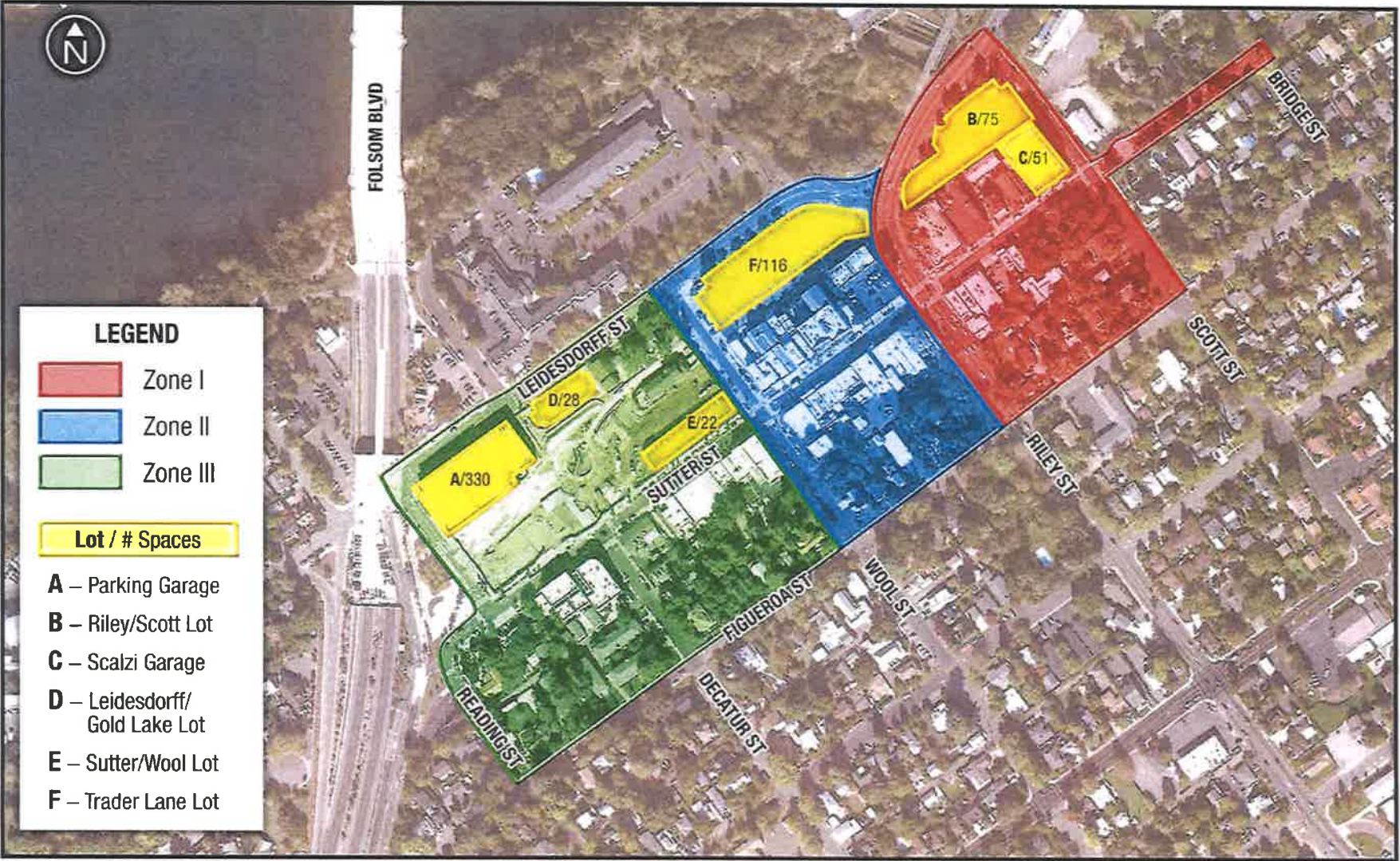
FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 1 — Parking Zones



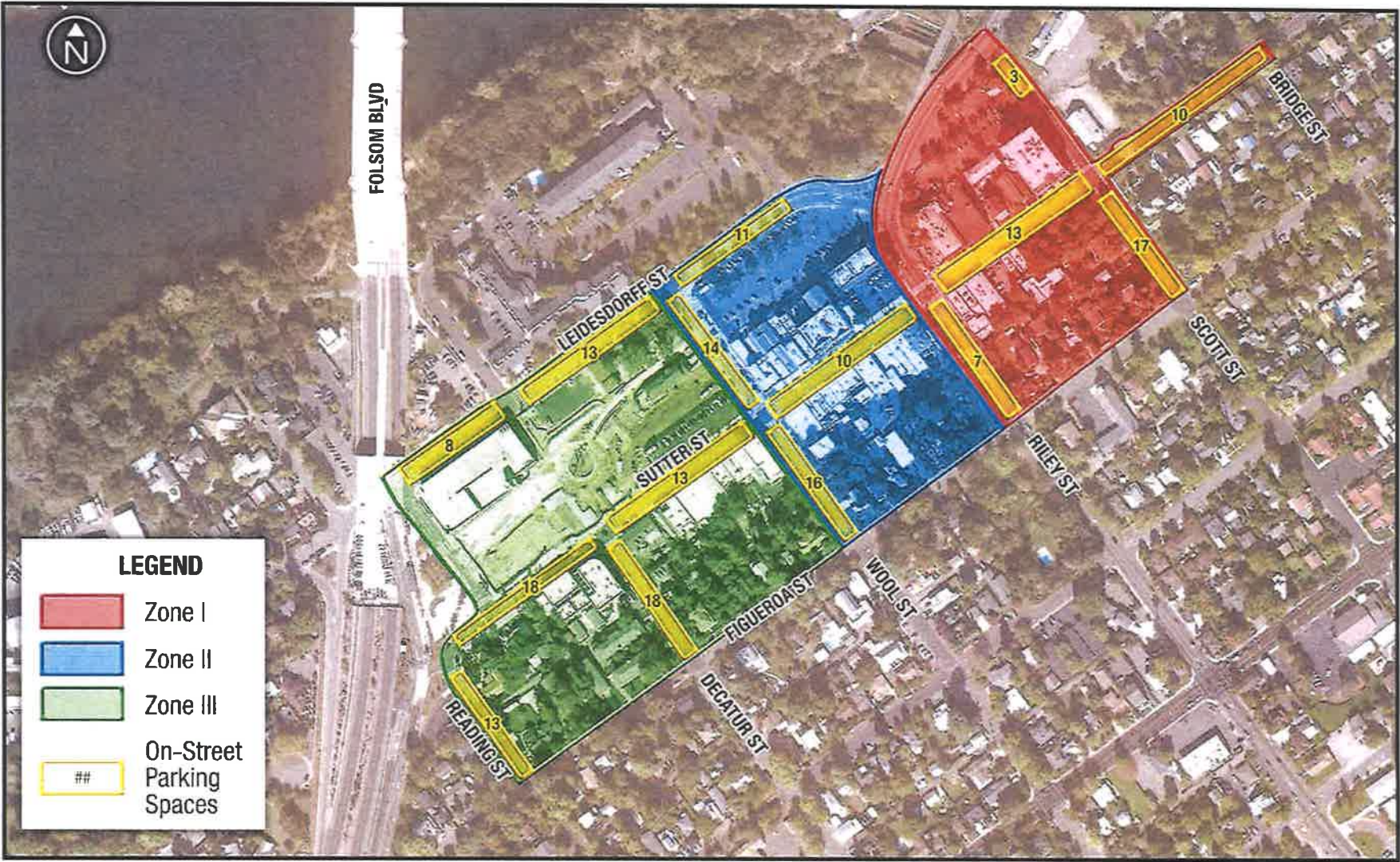
FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 2 — Existing Off-Street Parking Lots



FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 3 — Existing On-Street Parking Spaces





When compared to the data contained in our original study¹, the off-street and on-street parking supply included in the study has decreased by 53 (622 vs. 675) and 48 (184 vs. 232) spaces respectively. In total, the current parking supply included in the study is 101 spaces (806 vs. 907) less than was documented in 2008.

Parking occupancy data was collected on Wednesday, September 25 and Friday September 27, 2013. This data is included as **Attachment A** to this memorandum. When compared to the data contained in our original study¹, it is apparent that parking behavior has changed in the Historic District. Unlike the 2008 data which reflected peak weekday occupancies (off- and on-street) of over 70 percent, the current data peaks at less than 40 percent combined occupancy. Likewise, the weekend (Friday evening) data previously peaked at nearly 85 percent occupancy with the current data reflecting less than 50 percent occupancy.

As previously discussed, we acknowledge that the most recent occupancy data includes vehicles that are parked in the Rail Block parking structure for the purposes of using Light Rail specifically, and not as a result of the land uses within the Historic District. In addition to removing the Light Rail off-street lots from the existing demand calculations, will also calculated the proportion of the Rail Block parking structure's parked vehicles that are not specific to Light Rail. The data contained in **Attachment A** reflects these assumptions.

Parking Model Development

As was the case with the original study, the first step towards determining the updated future parking demand is to update and validate the Historic District parking model to ensure that it accurately predicts/mimics existing conditions. The parking model is considered to be "validated" if the difference in model-predicted peak parking demand and the observed peak parking demand is within ± 10 percent. Also, validation is considered to be achieved when the model-predicted time-of-day hourly profile closely matches observed profiles. Once validated for the updated existing conditions, the parking model was then used to project updated future parking demand.

Existing Land Uses

The existing Historic District land uses were obtained from the Folsom Historic District Association. Where appropriate, assumptions were made using the original study and professional judgment. A detailed parcel-by-parcel list of District parcels and their assumed development status is provided in **Attachment B**.

Table 2 summarizes the existing land uses by Zone. Existing private land uses which provide parking exclusively for their patrons are excluded from the parking model.

¹ *Historic District Parking Implementation Plan Update*, Kimley-Horn and Associates, Inc., January 16, 2009.

**Table 2 – Existing Land Use Types and Square Footages**

Land Use Type	Existing Square Footage			
	Zone 1	Zone 2	Zone 3	All Zones
Retail	9,786	30,975	9,460	50,221
Restaurant	15,298	2,700	3,600	21,598
Office	24,422	7,500	28,961	60,883
Club/Bar/Tasting Rooms	4,190	6,250	1,500	11,940
Theater (Seats)	0	115	0	115
Museum / Exhibit Space	0	0	15,703	15,703
Total	53,696	47,425 + 115 Theater Seats	59,224	144,642 + 115 Theater Seats

Consistent with the original study, parking demand was estimated based on parking generation rates published by the Institute of Transportation Engineers' (ITE) *Parking Generation, 3rd Edition, 2004* and the Urban Land Institute's (ULI) *Shared Parking, 2nd Edition*. Because these rates are developed from isolated suburban land uses poorly served by transit, they do not represent the true parking demand generated by uses located in walkable, mixed-use districts such as Folsom's Historic District. Therefore, the rates have been adjusted to reflect 1) the unique parking generation characteristics of the Historic District, 2) linked trips whereas people park once in a public parking space and walk to multiple locations, 3) internal non-auto trips whereas people who reside in or near the Historic District walk to commercial establishments, 4) a reasonable level of transit use, and 5) the interaction of uses at sites with multiple land use types (mixed use internal capture). The adjusted parking demand generation rates used in this study include the following adjustment factors:

- Two (2) percent reduction for transit trips
- Three (3) percent reduction for bicycle trips
- Four (4) percent reduction for walk trips,
- Fifteen (15) percent reduction for captive trips

Parking Model Validation – Weekday

Following calibration of the parking model, existing weekday conditions were predicted. The results were compared to the observed weekday parking occupancy for existing land uses. The results of the weekday comparison are summarized in **Table 3** below:

Table 3 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekday

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekday Parking Demand	378 spaces	339 spaces	10%
2	Existing Peak Hour	12:00 Noon	12:00 Noon	N/A
3	Existing Peak Demand Periods	12:00 a.m. to 2:00 p.m., 5:00 p.m. and 7:00 p.m.	11:00 a.m. to 1:00 p.m., 5:00 p.m. and 7:00 p.m.	



As per the parking model, the weekday peak parking demand is 378 spaces and the peak parking demand observed using occupancy survey is 339 spaces, a difference of 39 spaces, or a 10 percent difference. Based on this finding, the parking model is considered to be validated.

Parking Model Validation – Weekend

Following calibration of the parking model, existing weekday conditions were predicted. The results were compared to the observed weekday parking occupancy for existing land uses. The results of the comparison are summarized in **Table 4** below. It is important to note that weekend parking occupancy surveys were conducted only between 6:00 p.m. and 9:00 p.m. on a Friday night.

Table 4 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekend

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekend Parking Demand	442 spaces	446 spaces	-1%
2	Existing Peak Hour	7:00 p.m.	6:00 p.m.	N/A
3	Existing Peak Demand Periods	6:00 p.m. to 8:00 p.m.	6:00 p.m. and 7:00 p.m.	

The model predicted weekend peak parking demand is 422 spaces and the observed peak parking demand is 446 spaces, a difference of 4 spaces, or 1 percent. Based on this finding, the parking model could be concluded as validated.

Future Parking Supply and Demand Analysis

Consistent with the City's direction as part of the original study, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot.

The purpose of this analysis was to estimate the amount of future available parking supply, and the corresponding amount of future development, which can be accommodated by the addition of a single new parking structure on the Trader Lane lot. Consistent with current Historic District design guidelines², this single structure would have a 50-foot height limitation. The amount of future available parking supply correlates into an amount of supported future development. The future parking supply is approximated as the sum of excess existing parking supply after accounting for parking demand generated by existing and planned/approved development, and the parking supply that could be accommodated in a new Trader Lane structure.

It is important to note that, per the City's direction the "planned/approved projects" include Fire Rain (Zone I), Westwood (Zone III), and Historic Folsom Station (Zone III). Furthermore, because existing land uses (excluding the specialty uses such as Club/Bar/Tasting Rooms, Theater, Museum/Exhibit Space) within the Historic District are classified primarily as retail, restaurant, or office uses, future development was also similarly allocated across these three land use types.

² *Historic District Design and Development Guidelines*, City of Folsom, October 1, 1998.



Future Parking Supply

Future Off-Street Parking Supply

The future off-street parking supply is comprised of existing off-street parking facilities and planned public spaces as part of known new development. Loss of parking spaces from new development includes 50 spaces with development of the Rail Block, and 116 spaces with the development of a parking structure on the Trader Lane lot. The number of future off-street parking locations, as well as the number of spaces provided are shown in **Figure 4**.

Future On-Street Parking Supply

The future on-street parking supply is equal to the existing conditions. No on-street changes are anticipated or incorporated in this update. Consistent with the existing conditions, the study area contains a total of 184 on-street parking spaces.

Total Future On- and Off-Street Parking Supply

Table 5 summarizes the total future number of parking spaces by Zone and in total. There are 640 total future off- and on-street parking spaces within the study area. The future off- and on-street parking supply of 640 spaces is 166 spaces less than the existing parking supply.

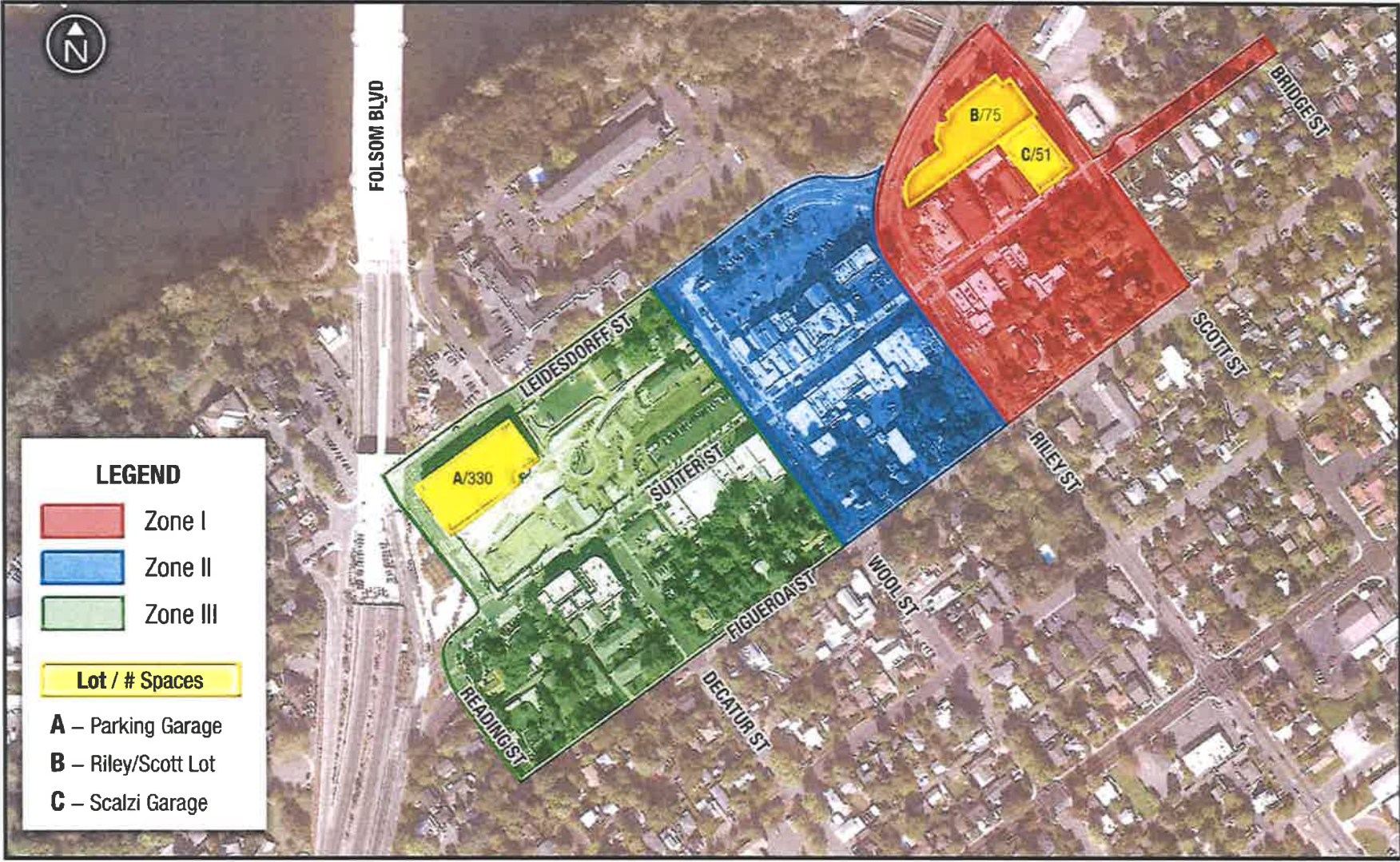
Table 5 – Summary of Future Off-Street and On-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Public Parking Supply		Total Existing Supply
I	Riley / Scott	75	Riley St. – Sutter St. to Figueroa St.	7	
			Sutter St. – Riley St. – Scott St.	13	
			Sutter St. – Scott St. – Bridge St.	10	
	Scalzi	51	Scott St. – Riley St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	17	
Subtotals:	126		50	176	
II			Wool St. – Leidesdorff to Sutter St.	14	
			Wool St. – Sutter St. to Figueroa St.	16	
			Leidesdorff St. – Wool St. to Riley St.	11	
			Sutter St. – Wool St. to Riley St.	10	
	Subtotals:	0		51	
III	Rail Block Structure	330	Reading St. – Sutter St. to Figueroa St.	13	
			Decatur St. – Sutter St. to Figueroa St.	18	
			Leidesdorff St. – Reading St. to Gold Lake Cr.	8	
			Leidesdorff St. – Gold Lake Cr. to Wool St.	13	
			Sutter St. – Reading St. to Decatur St.	18	
			Sutter St. – Decatur St. to Wool St.	13	
	Subtotals:	330		83	
Total Off-Street Spaces:	456	Total On-Street Spaces:	184	640	

Note: Excludes off-street parking supply gained in proposed Trader Lane parking structure.

FOLSOM HISTORIC DISTRICT PARKING IMPLEMENTATION PLAN UPDATE

FIGURE 4 — Future Off-Street Parking Lots





Existing plus Future Parking Demand

In context of this study, future parking demand is defined as a demand for parking that cannot be accommodated by individual on-site, private supply. Therefore, this demand must be accommodated by the municipal parking supply, either on-street or off-street. The purpose of this analysis is to estimate existing plus future parking demand and determine whether the existing and planned public parking supply (including the proposed Trader Lane parking structure) is sufficient.

For this study, the demand generated by future Historic District residential uses is assumed to be accommodated on-site. Residential visitors, and employees and patrons of the commercial uses, are assumed to park off-site and rely on the public parking supply. Based on these assumptions, the future parking demand is estimated.

Future Land Uses

As previously stated, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot, and incorporate ground floor retail. Based on a preliminary schematic and feasibility evaluation, 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity, is up to 445 spaces. This level of parking supply (445 spaces) was determined to accommodate 40,600 square feet of retail, 29,000 square feet of restaurant, and 46,400 square feet of office uses in addition to the planned/approved projects and ground floor retail within the Trader Lane parking structure.

The future square footages were estimated using the existing proportion of square footages within the District. The total future development that could be accommodated is 135,850 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure. **Table 6** shows the land use categories and square footages representing future land uses.

Existing plus Future Parking Supply and Demand

Using the adjusted parking generation demand rates and the trip reduction percentages for transit, bike, walk, and captive trips, the parking model predicts existing plus future weekday and weekend parking demand.

Table 7 presents the results of the determination of the amount of future development which can be accommodated by the available District parking supply with the addition of a Trader Lane parking structure.

**Table 6 – Future Land Use Types and Square Footages**

Land Use Type	Future Square Footage or Dwelling Units			
	Planned / Approved Projects ¹	Trader Lane Structure Ground Floor Retail	Additional Development Accommodated by 442 Space Trader Lane Structure	Total Future Development
Retail	28,350	19,850	40,600	88,800
Restaurant	8,500	-	29,000	37,500
Office	16,334	-	46,400	62,734
Club/Bar/Tasting Rooms	1,717	-	-	1,717
Theater (Seats)	-	-	-	-
Museum / Exhibit Space	-	-	-	-
Residential (Dwelling Units – D.U.)	62	-	-	62
Total	54,901 62 D.U.	19,850	116,000	190,751 62 D.U.

¹ Includes Fire Rain, Historic Folsom Station, and Westwood projects

As shown in **Table 7**, based on the future parking supply limitations (445 weekday and 398 weekend), an assumed future development scenario of 40,600 square feet of retail, 29,000 square feet of restaurant, and 46,400 square feet of office uses should be assumed and utilized in future planning efforts for the District.

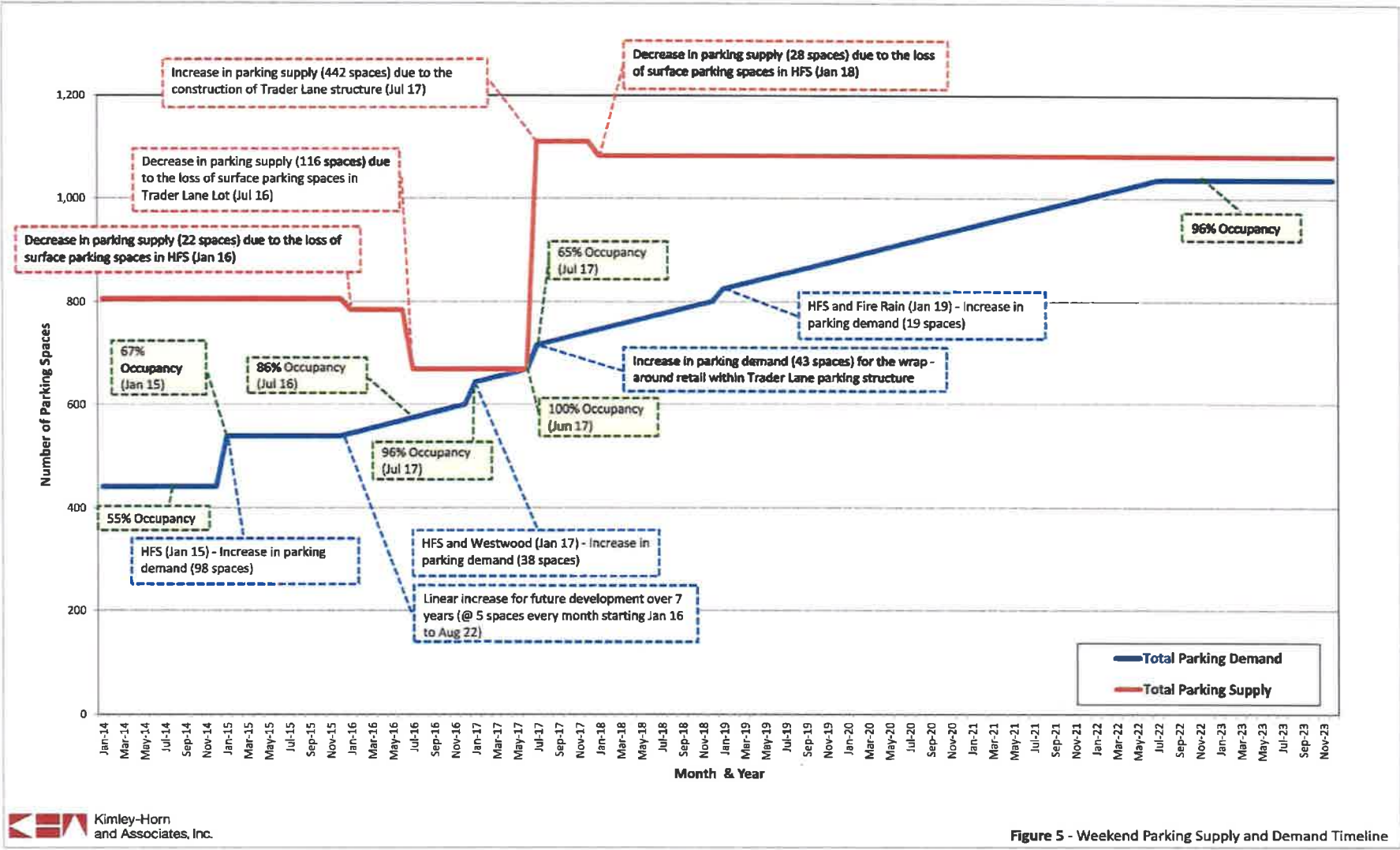
Accounting for assumed construction timelines and logical, sequential implementation of District development, the anticipated parking supply and demand were plotted to graphically depict parking conditions in the District over time for conditions both with and without a new parking structure on the Trader Lane lot. This information is provided in **Figures 5-8**. As demonstrated, the City should begin construction of a Trader Lane parking structure in July 2016, at which point the District-wide parking occupancy is anticipated to be approximately 85 percent. An assumed 12-month construction timeline will allow the parking structure to be completed and operational in mid-2017 to achieve a District-wide occupancy of 65 percent.

**Table 7 – Permissible Future Development Based on Future Parking Supply**

Step #	Steps	Weekday	Weekend	
1	Estimated Parking Spaces in Trader Lane structure	442 spaces	442 spaces	
2	Parking Demand for Planned/Approved Projects	150 spaces	155 spaces	
	Existing Parking Demand	378 spaces	442 spaces	
3	Total Parking Demand	528 spaces	597 spaces	
4	Future Parking Supply (excludes the existing surface and proposed structure parking spaces in Trader Lane Lot) ¹	640 spaces	640 spaces	
	Excess (Deficit) Parking Spaces	112 spaces	43 spaces	
5	Available Parking Supply for Future Development (step 1 + step 4)	554 spaces	485 spaces	
	Parking Demand for Wrap-Around Retail	60 spaces	43 spaces	
	Total Available Parking Supply for Future Development	494 spaces	442 spaces	
6	Practical Capacity Reduction	10%	10%	
	Net Total Available Parking Supply for Future (90% of step 5)	445 spaces	398 spaces	
	Future Land Uses	Quantity	Peak Weekday Demand	Peak Weekend Demand
7	Retail	40,600 SF	124 spaces	106 spaces
	Restaurant	29,000 SF	85 spaces	287 spaces
	Office	46,400 SF	112 spaces	3 spaces
	Total	116,000 SF	321 spaces	396 spaces
¹ The future parking supply includes 184 on-street spaces and 456 off-street spaces for a total of 640 spaces. The off-street parking spaces includes the following: <ul style="list-style-type: none"> - Riley/Scott Lot = 75 spaces - Scalzi = 51 spaces - Rail Block Parking Structure = 330 spaces 				

Attachments:

- A – Parking Occupancy Data
- B – District-Wide Parcel-by-Parcel Land Use Assumptions



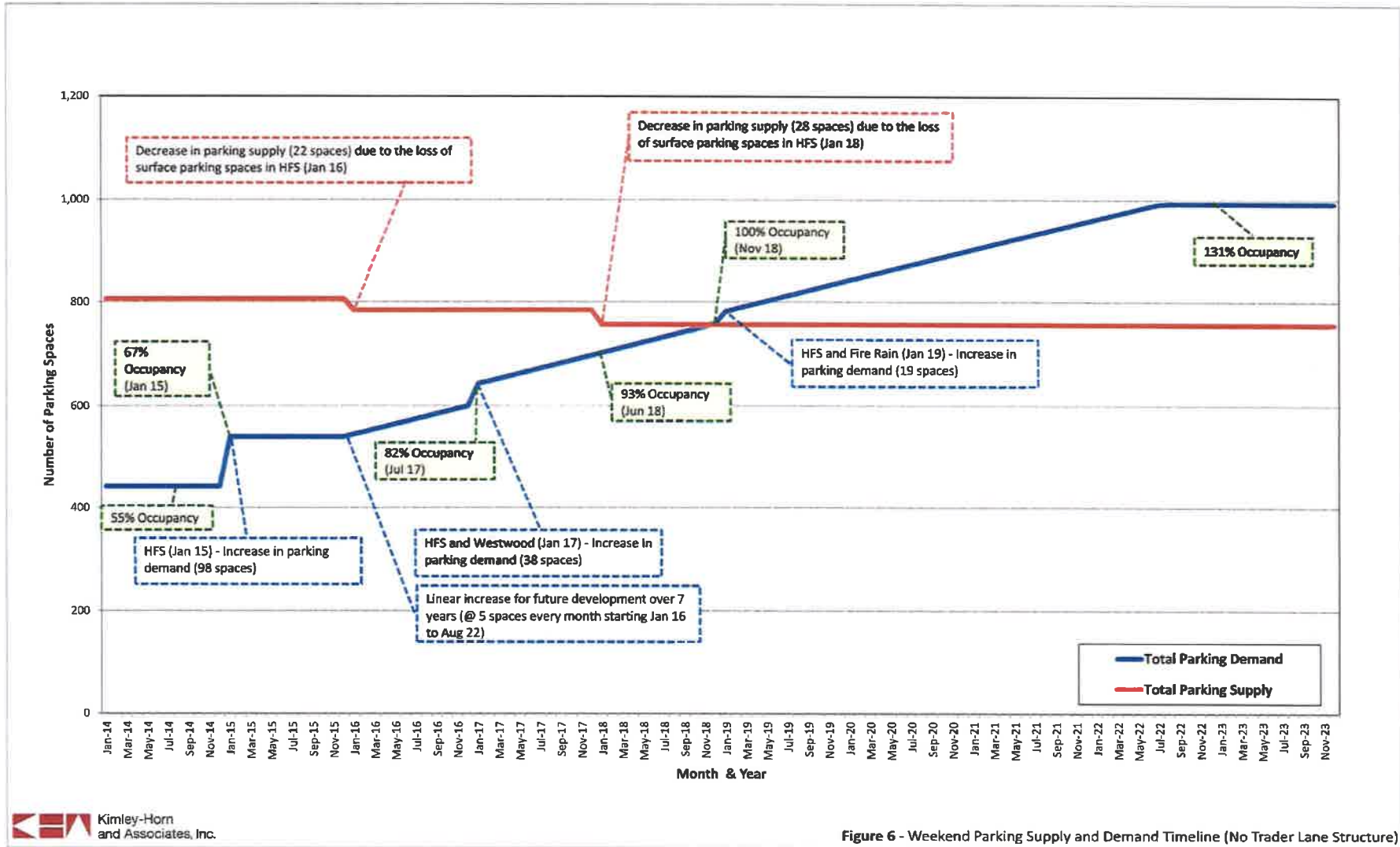


Figure 6 - Weekend Parking Supply and Demand Timeline (No Trader Lane Structure)

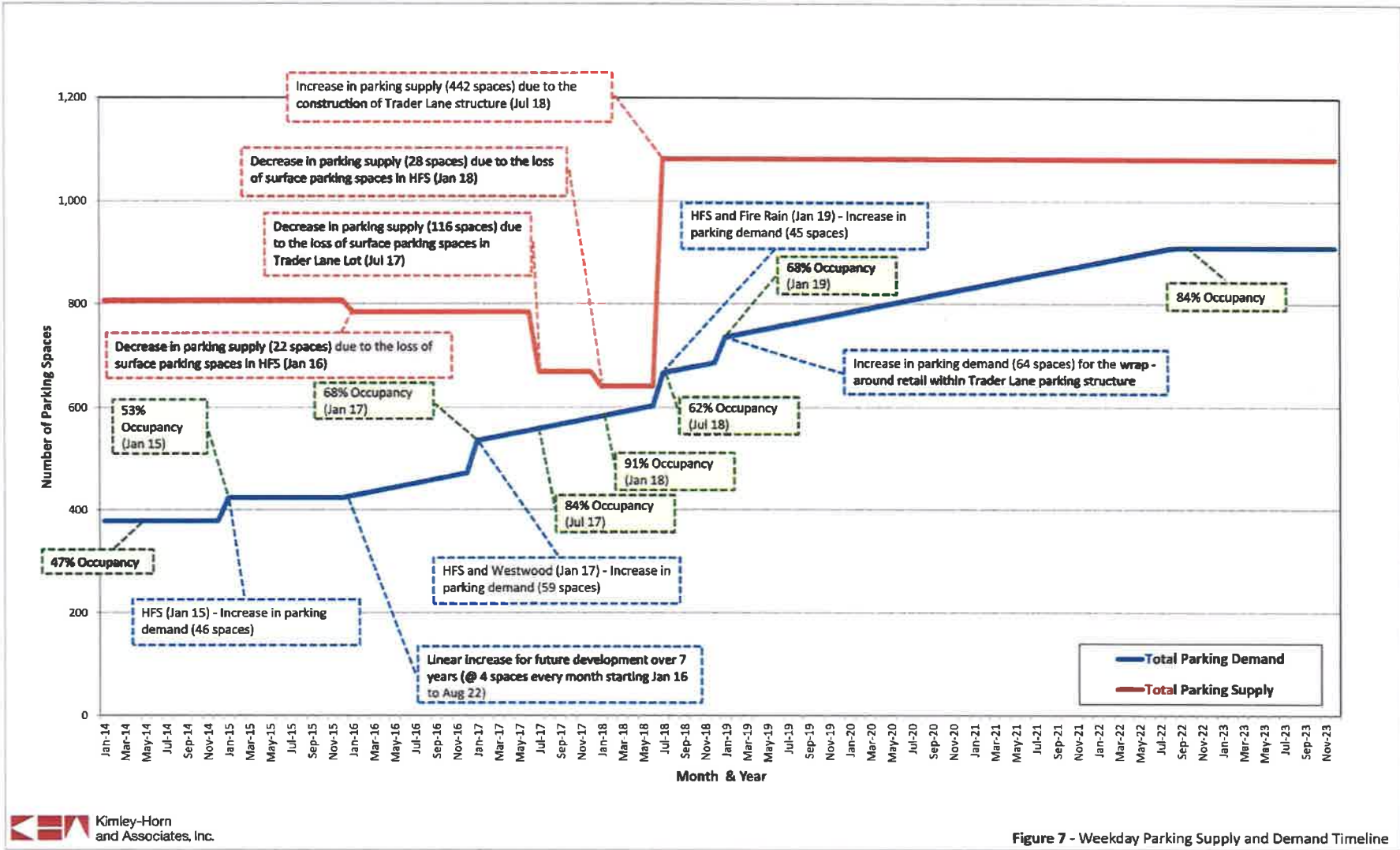


Figure 7 - Weekday Parking Supply and Demand Timeline

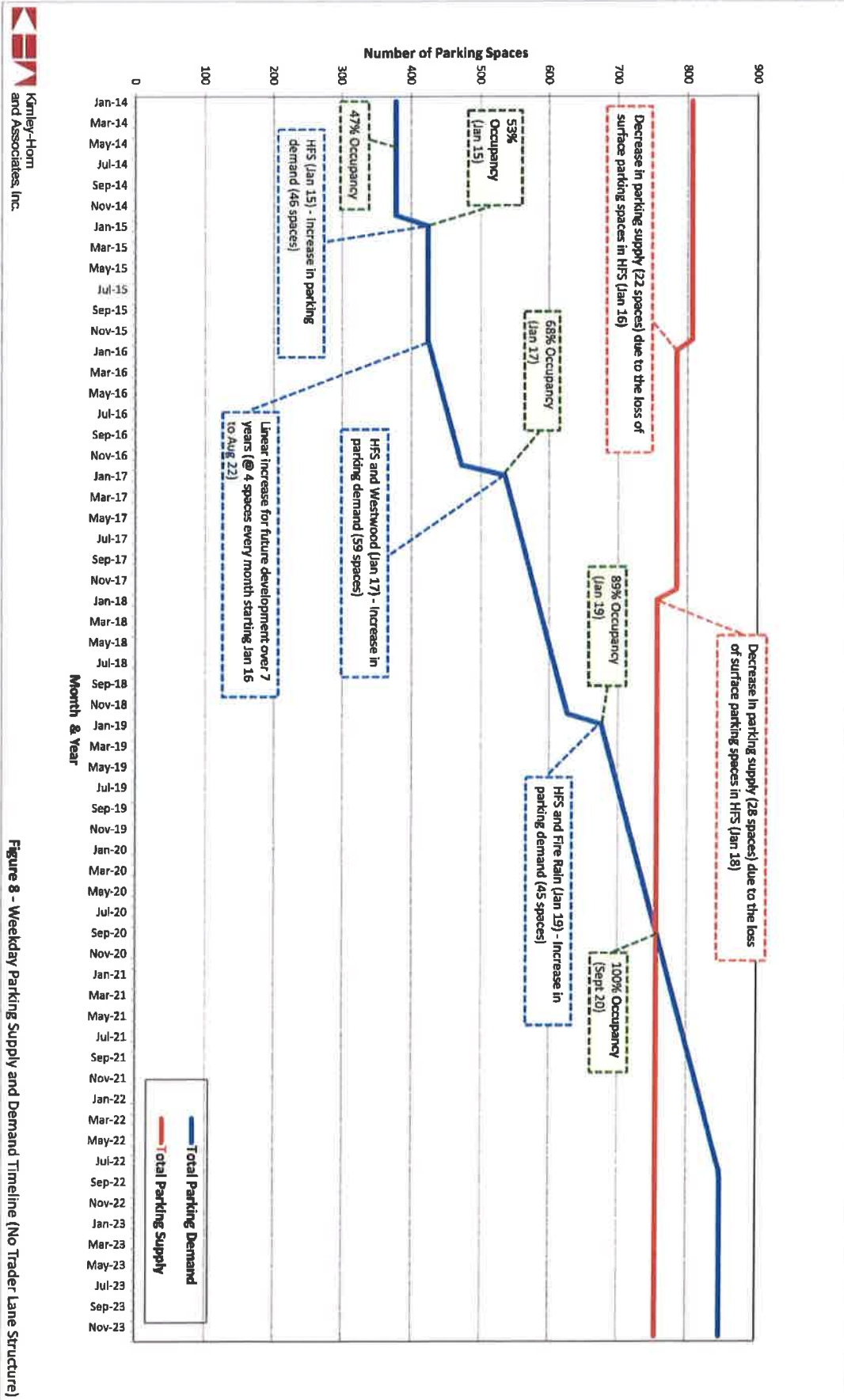
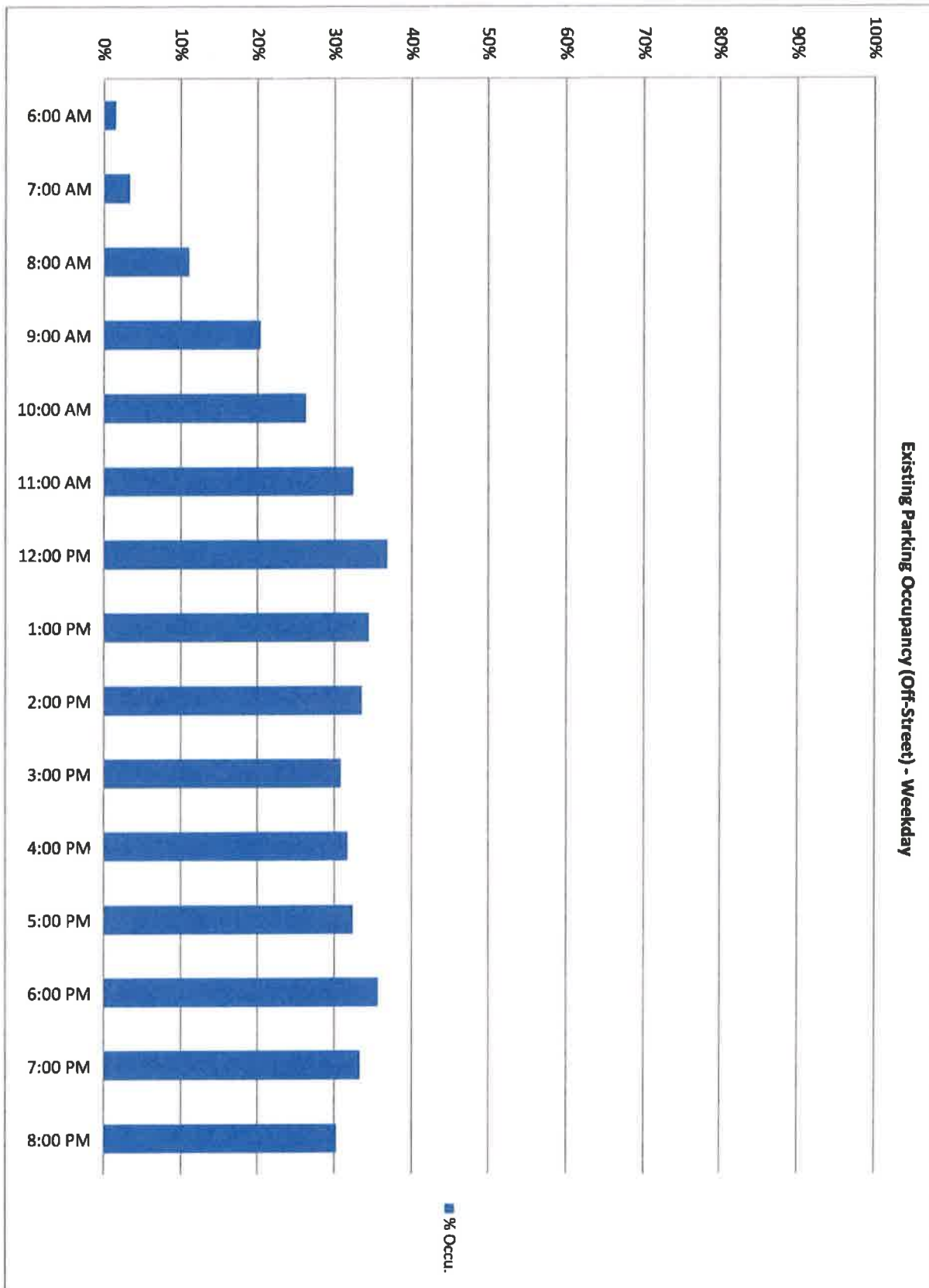


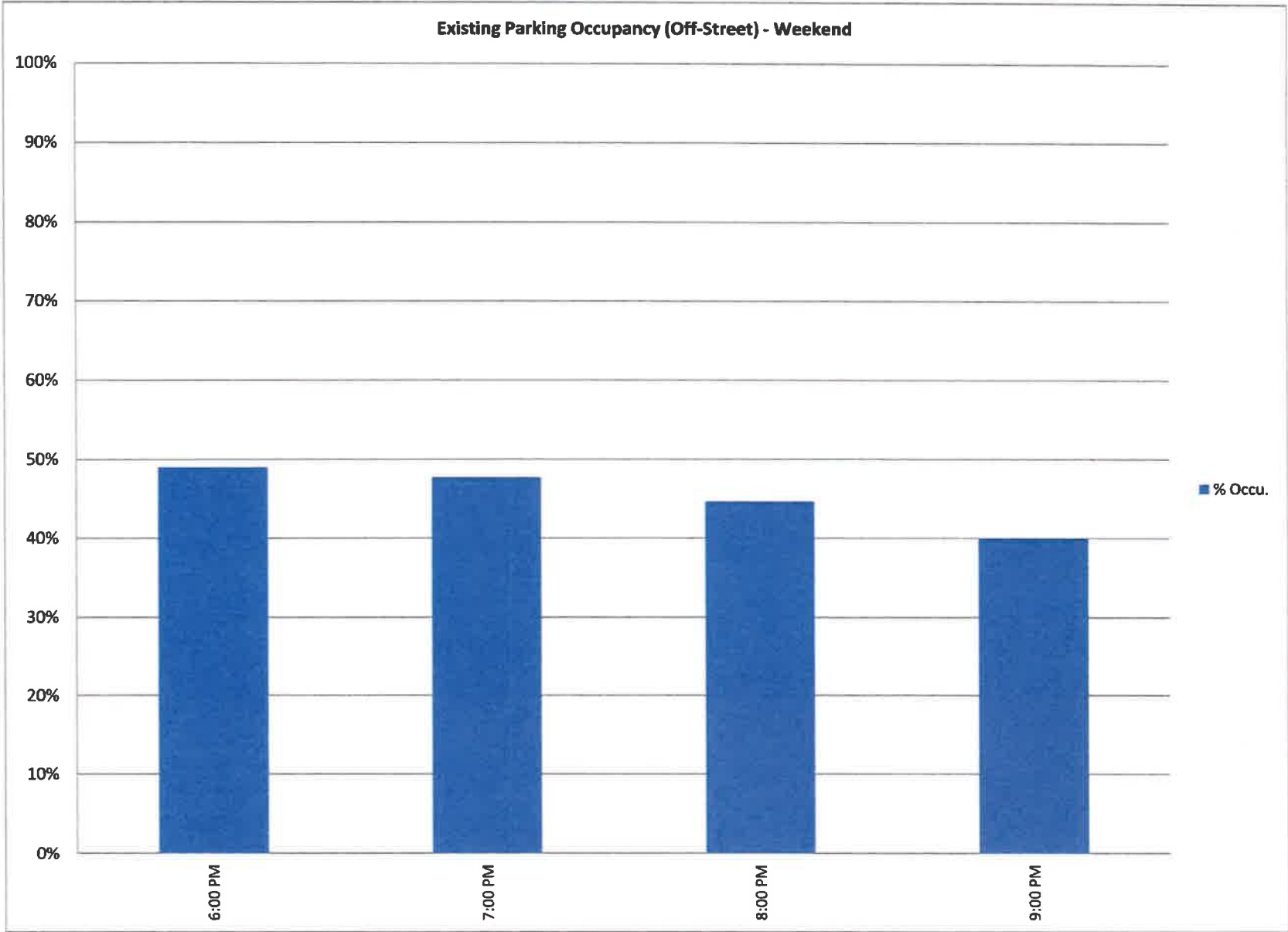
Figure 8 - Weekday Parking Supply and Demand Timeline (No Trader Lane Structure)

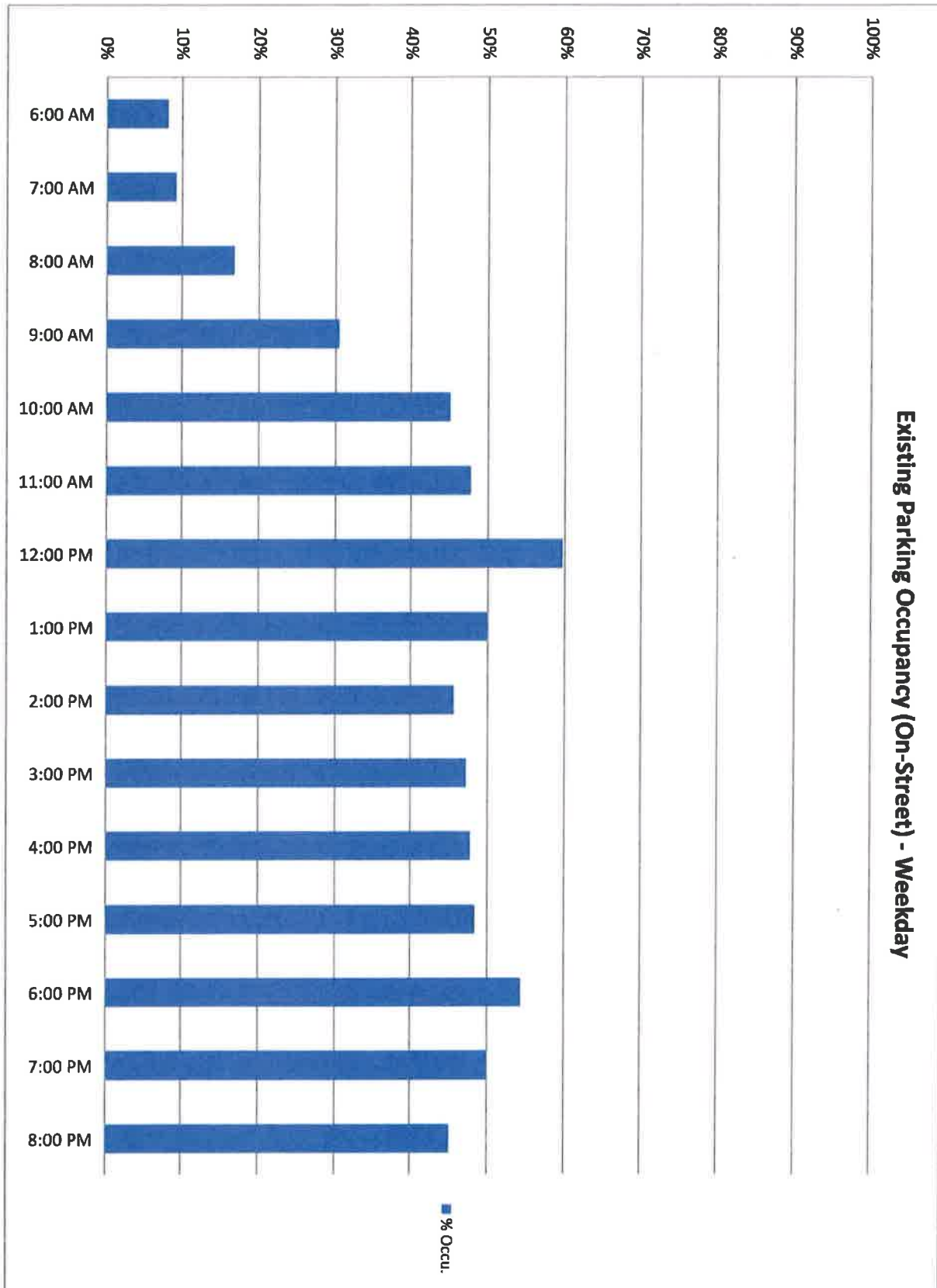


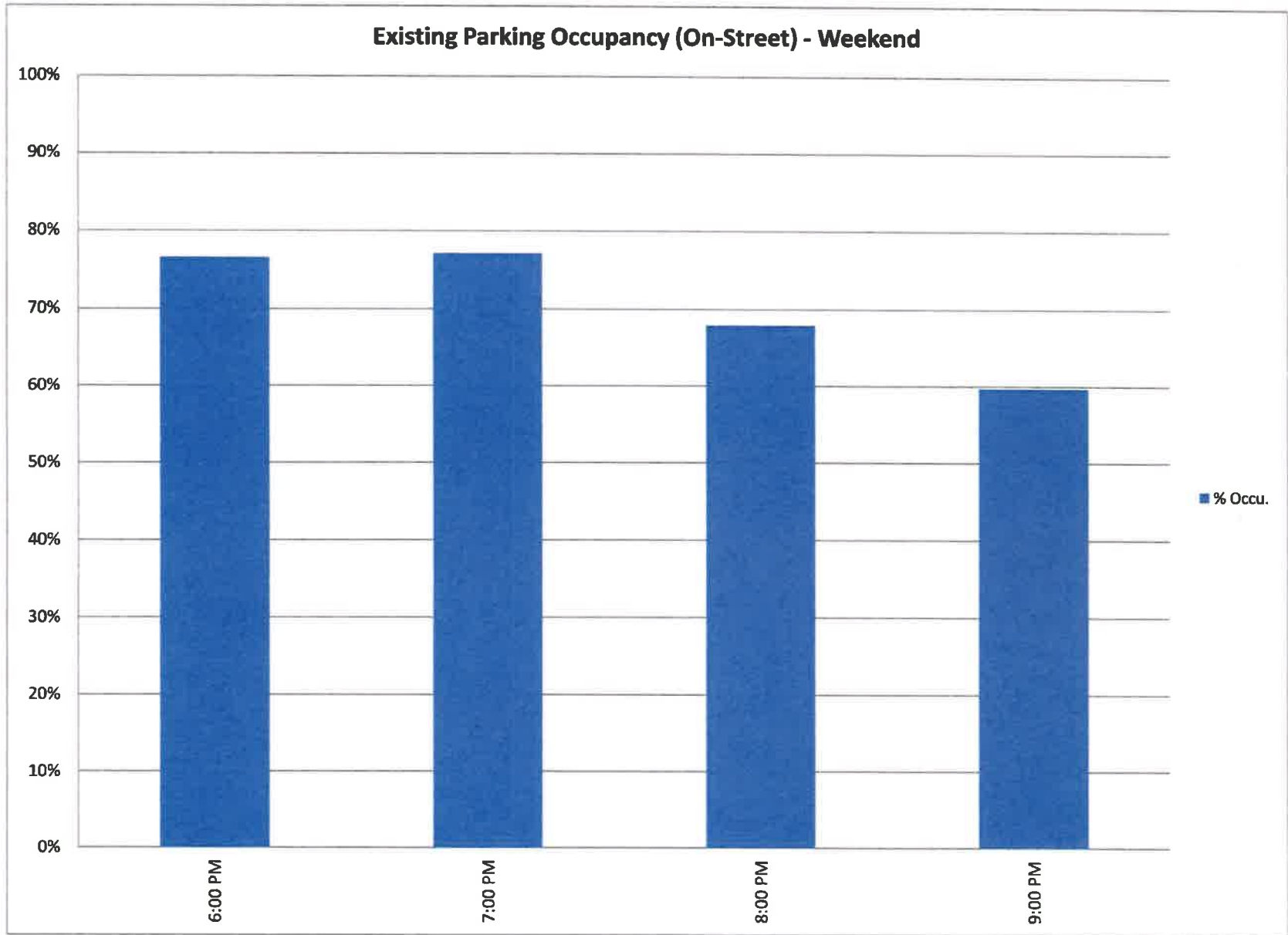


Attachment A – Parking Occupancy Data

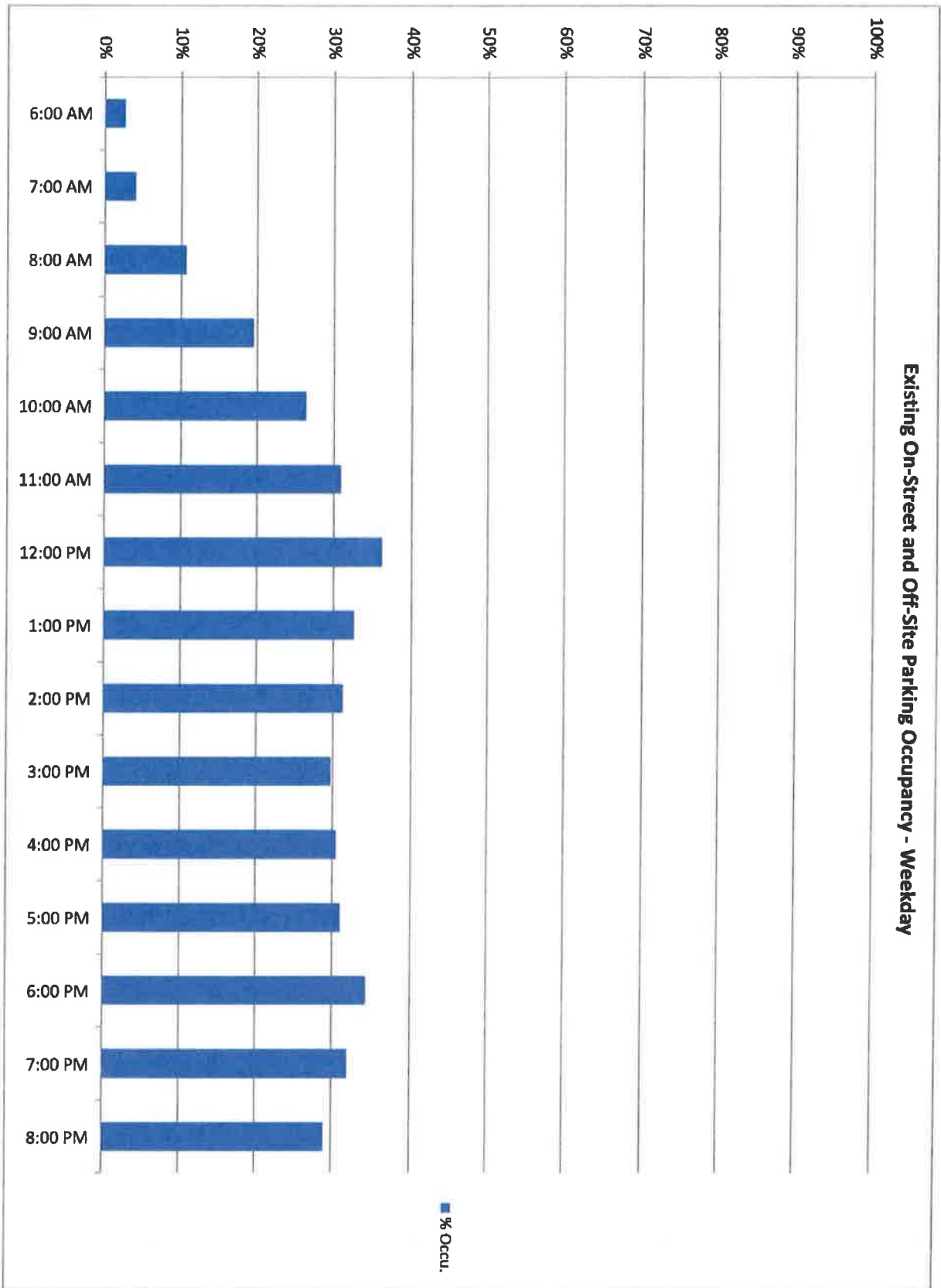


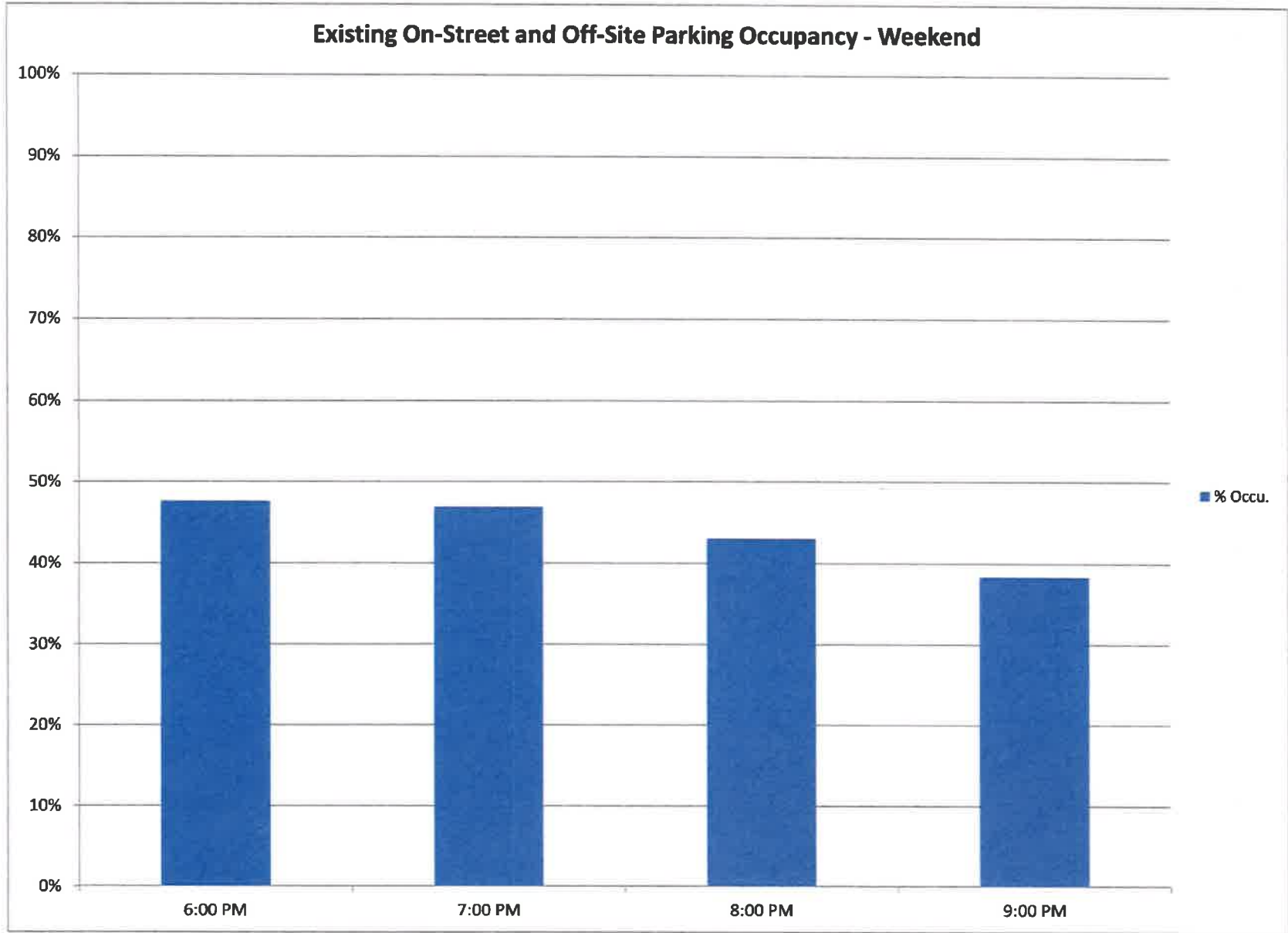


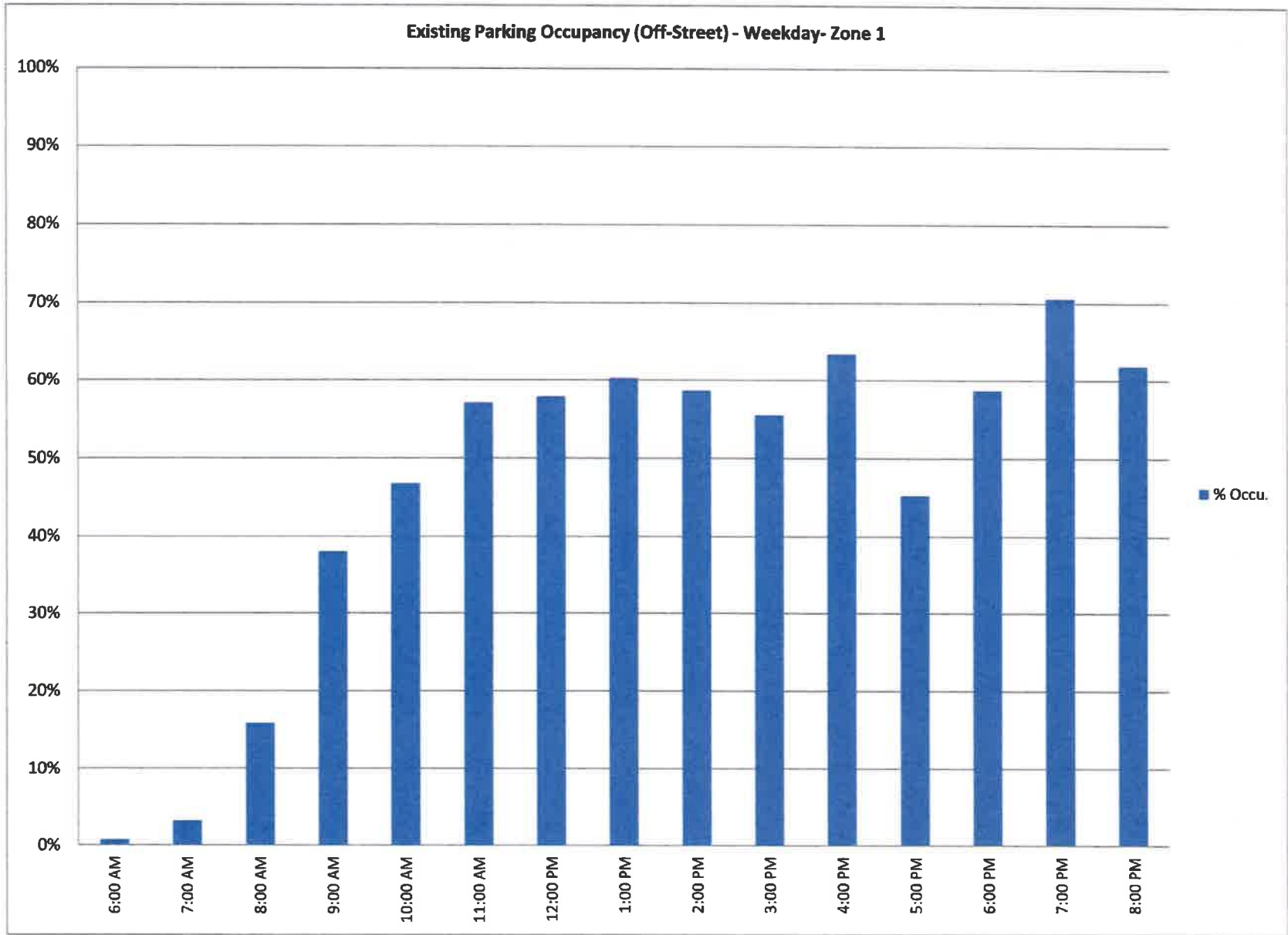


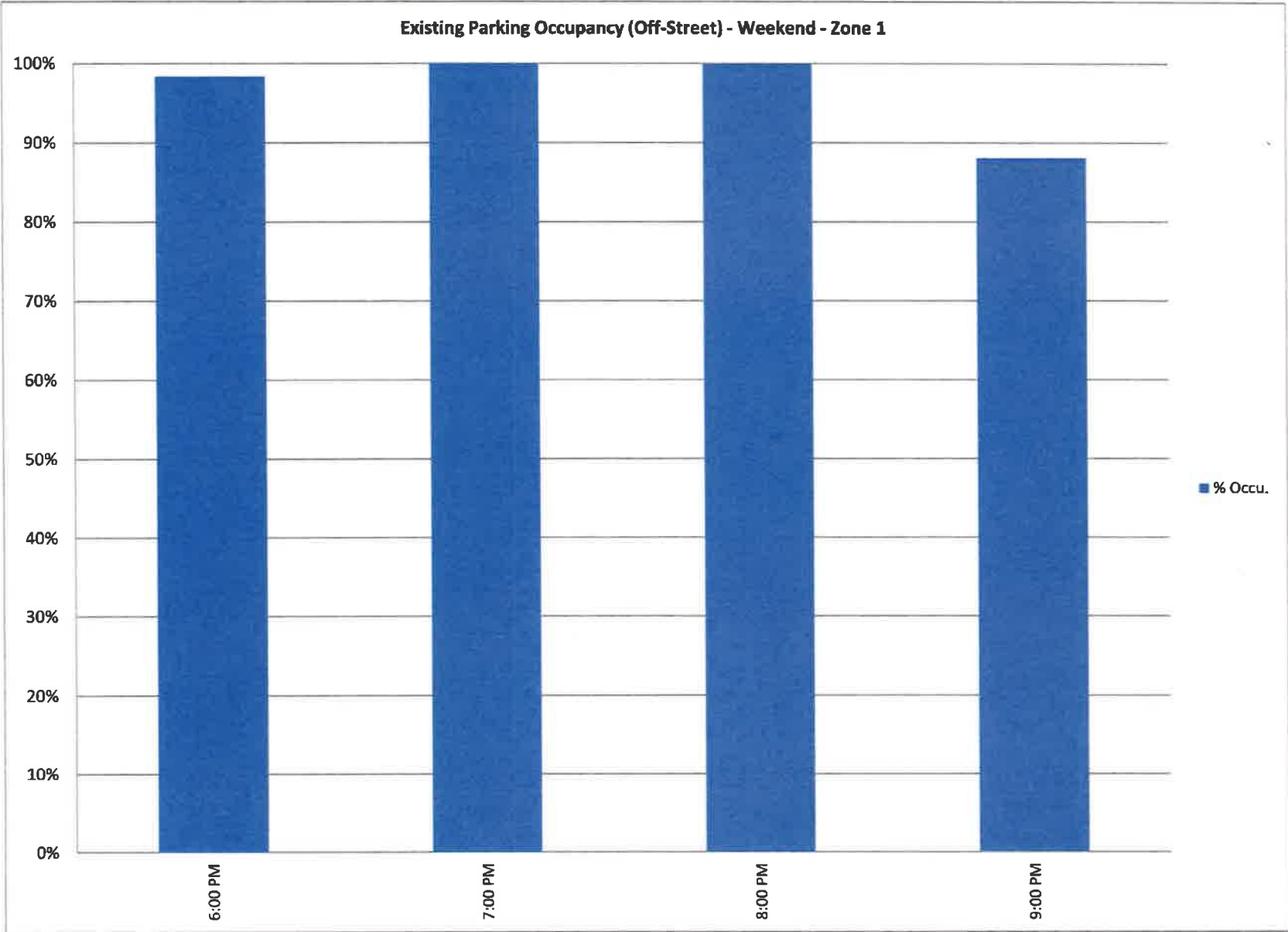


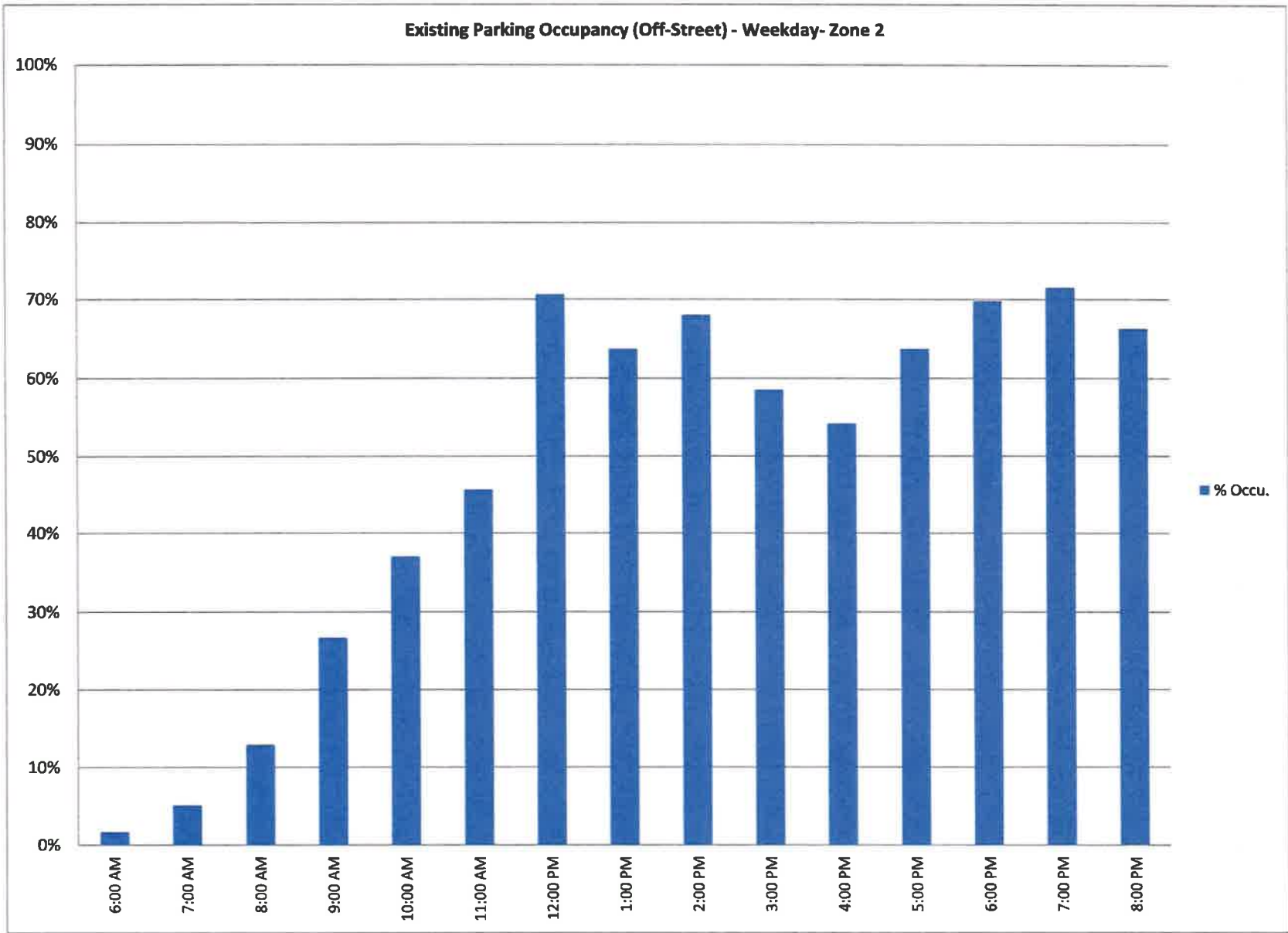
Existing On-Street and Off-Site Parking Occupancy - Weekday

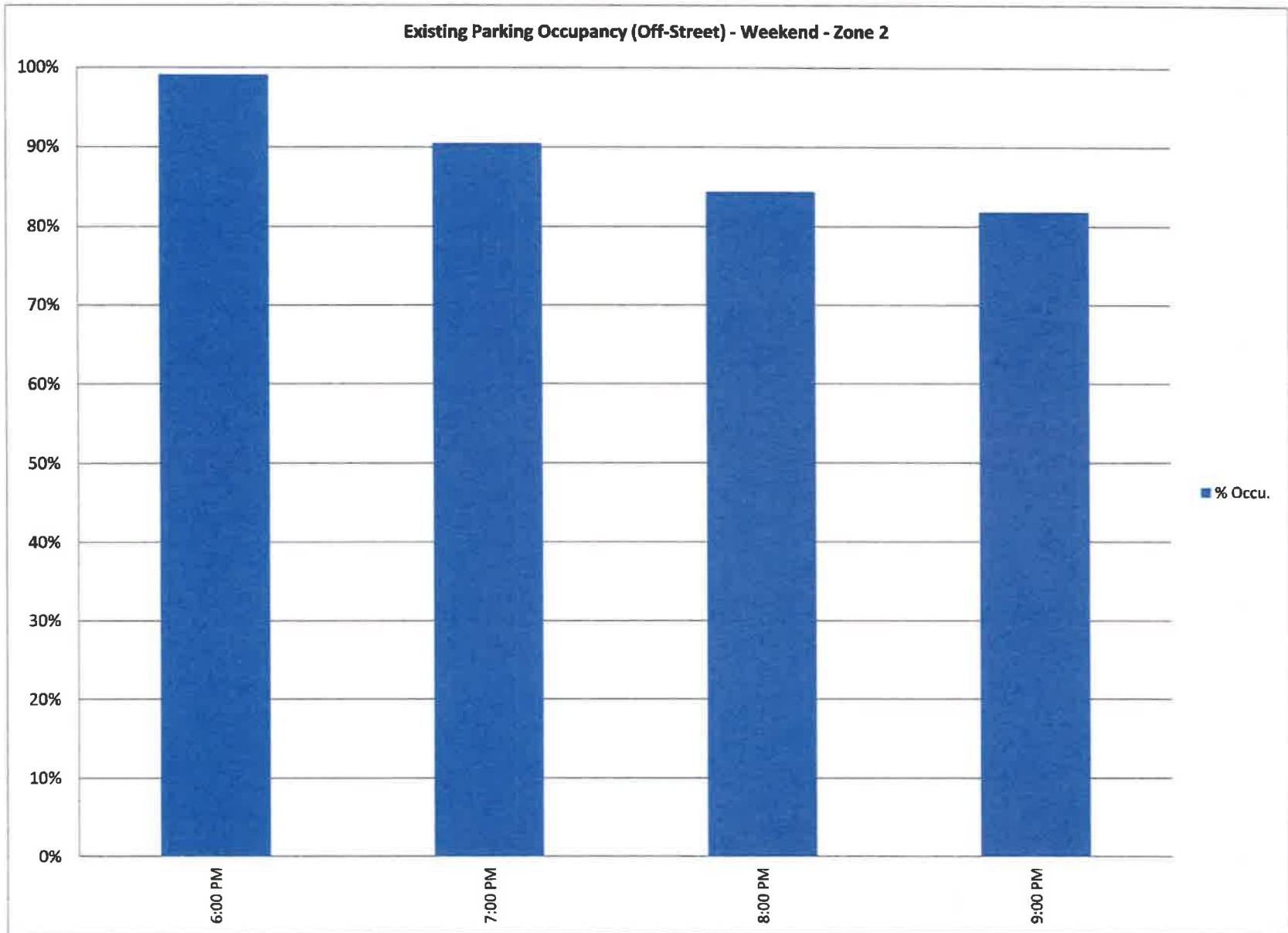


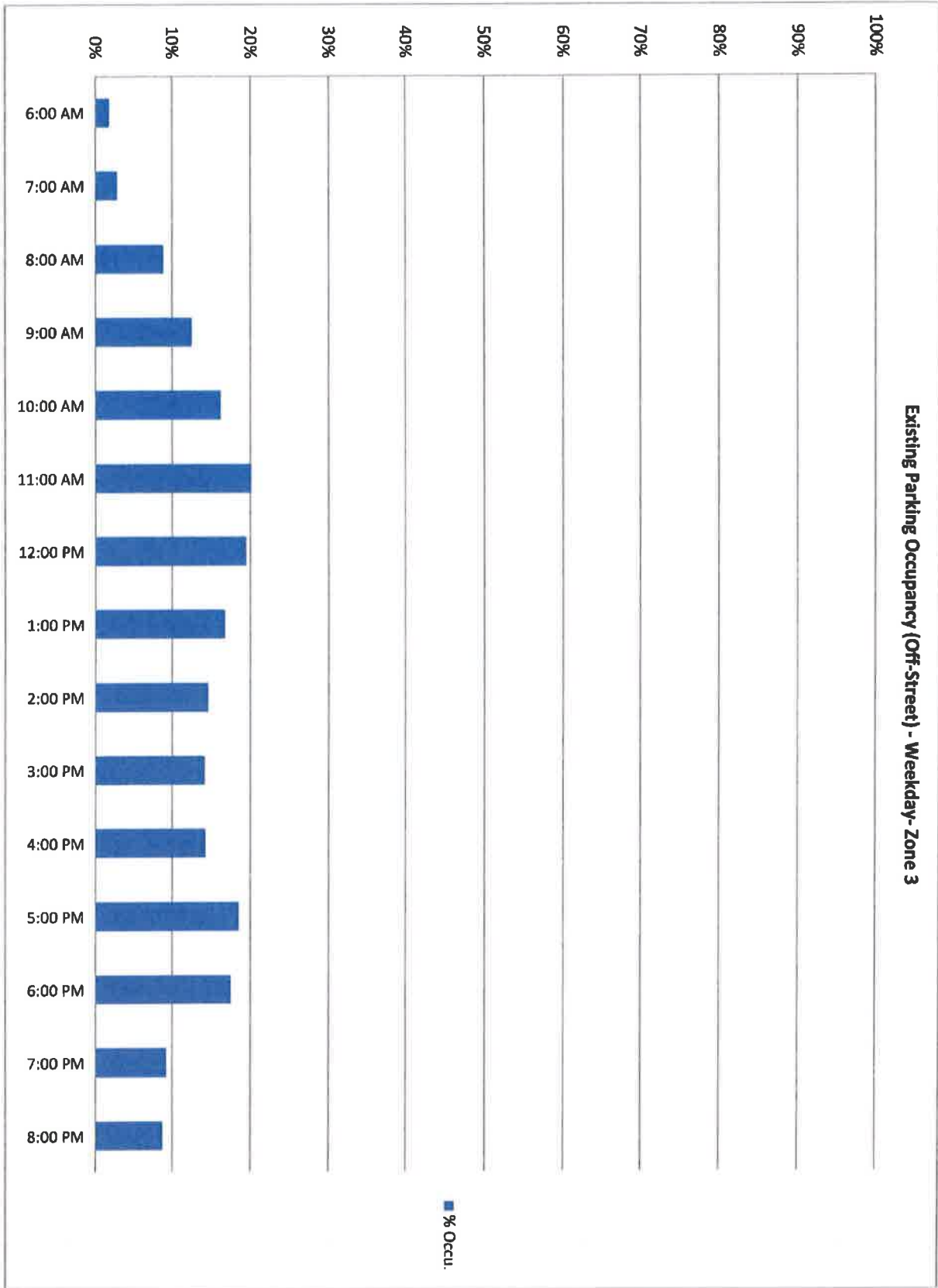


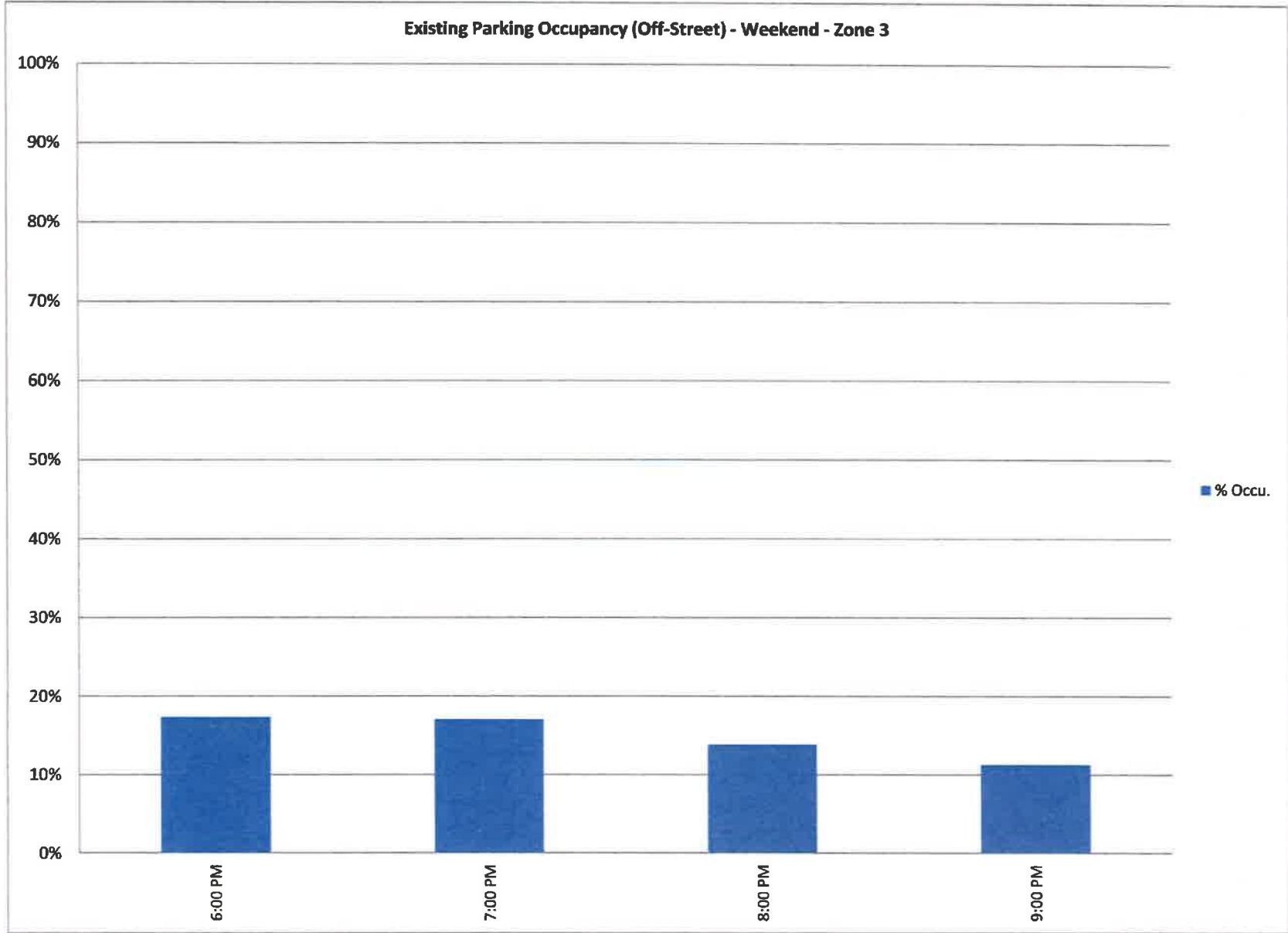














Attachment B – District-Wide Parcel-by-Parcel Land Use Assumptions

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
303	Riley St		500						500	Novelties/Gifts	The Bag Lady	1	
307	Riley St		1200						1200	Novelties/Gifts	Melange	1	
203	Scott St									Club/bar/tasting room	Moose Lodge	1	A
215	Scott St									Club/bar/tasting room	Eagles Lodge	1	A
305	Scott St		7192						7192	Club/bar/tasting room	Cohn Club	1	A, B
605	Sutter St		750						750	Health/Beauty	District 605 A Hair Boutique	1	
606	Sutter St		2100					900	3000	Office	Coyne Maur Bane Design	1	
607	Sutter St		3000						3000	General Retail	Fire Rain	1	B
607	Sutter St				2623				2623	Office	Fire Rain	1	B
607	Sutter St								2	Residential Units	Fire Rain 2 two-bed apts	1	B
608	Sutter St		1298		1209				2507	Restaurant	Hampton's on Sutter	1	
608	Sutter St							1091	1091	Restaurant	Hampton's on Sutter	1	
608 1/2	Sutter St		4800						4800	Art Studio	Cloud's studio	1	
609	Sutter St									Vacant		1	
611	Sutter St		1386						1386	Novelties/Gifts	Gracefully Vintage	1	
614	Sutter St		3040						3040	Club/bar/tasting room	Powerhouse Pub	1	
614	Sutter St									Restaurant	Chicago Fire Pizza	1	A
614	Sutter St									Club/bar/tasting room	Scarlet's Saloon	1	A
625	Sutter St									Novelties/Gifts	Planet Earth Rising	1	A
627	Sutter St		1150						1150	Club/bar/tasting room	Petra Vineyard Wine Gallery	1	
627	Sutter St		1150						1150	Art Gallery	Sutter Street Artists	1	
629	Sutter St		1586		1586				3172	Office	Sierra West Valuation	1	
600	Sutter St								11700	Restaurant	Scalzi	1	
600	Sutter St								18250	Office	Scalzi	1	
306	Riley St		500						500	Novelties/Gifts	Burlap & Bees	2	
305	Wool St		2500						2500	Art Gallery	Pacific Western Traders	2	
731	Trader Lane		1250		1250				2500	Church	Church of Scientology	2	
722	Trader Lane		750						750	Health/Beauty	Karen Kay's Salon	2	
701	Sutter St		500						500	Novelties/Gifts	Katrina's	2	
702	Sutter St									Health/Beauty	Heather Alyce	2	A
702	Sutter St									Health/Beauty	Padgett Chiropractic	2	A
702	Sutter St									Office	Atlantic & Pacific Real Estate	2	A
702	Sutter St									Restaurant	Hacienda Del Rio	2	A
702	Sutter St									Restaurant	Pizzeria Classico	2	A
702	Sutter St									Office	Carrington Mortgage Services, LLC	2	A
702	Sutter St									Health/Beauty	Maribou Salon on Sutter	2	A
703	Sutter St		1200						1200	Club/bar/tasting room	Folsom Hotel	2	
703	Sutter St				2400	1280		2400	6080	Hotel	Folsom Hotel	2	A
703	Sutter St		1200						1200	Restaurant	Folsom Hotel	2	
705	Sutter St		2800						2800	Art Gallery	American Vision Gallery	2	
707	Sutter St									Vacant		2	
709	Sutter St		1680						1680	Furniture	Snyders House of Jade	2	
710	Sutter St		1325						1325	Clothing	The Firehouse	2	
711	Sutter St		1600						1600	Novelties/Gifts	Starlight Starbright	2	
713	Sutter St		2000						2000	Novelties/Gifts	We Olive	2	

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Basement					
715	Sutter St								750	General Retail	Outdoor Link	2	
715	Sutter St								750	Health/Beauty	Alchemy Day Spa and Boutique	2	
715	Sutter St								750	Health/Beauty	Indie Salon	2	
715	Sutter St								750	Health/Beauty	Liberty Tattooc	2	
717	Sutter St		3210		989				4199	Theatre	Stage Nine (115 seats)	2	
718	Sutter St								1500	Restaurant	Beach Hut Deli	2	
718	Sutter St								2000	Office	Roost Vintage Living	2	
718	Sutter St								1500	Office	Stanfield Systems Inc.	2	
718	Sutter St								750	Office	Capital Equity Group Real Estate	2	
718	Sutter St								1000	Health/Beauty	Tre Salon Spa	2	
718	Sutter St								1500	Club/bar/tasting room	Lockdown Brewing Co.	2	
718	Sutter St								750	Office	CMC Gaming Systems	2	
719	Sutter St		1800						1800	Club/bar/tasting room	Samuel Homes Tavern	2	
720	Sutter St		1750						1750	Club/bar/tasting room	Sutter Club	2	
721	Sutter St		1250						1250	Jewelry	Rainbow Bridge Jewelers	2	
722	Sutter St								1000	Sports/recreation	Mama Bootcamp	2	
722	Sutter St								1750	Health/Beauty	Psychic Gallery	2	
722	Sutter St								1000	Health/Beauty	Shannon's Skin Studio	2	
723	Sutter St		1600						1600	Jewelry	Precious Gem Jewelers	2	
723	Sutter St								750	General Retail	Vasily Watch, Clock and Jewelry R	2	
726	Sutter St				6500				6500	Vacant		2	
727	Sutter St		1800						1800	Club/bar/tasting room	Cellar Wine and Cheese Bar	2	
728	Sutter St		1450						1450	Antiques	Williams Carriage House	2	
729	Sutter St		2370						2370	Novelties/Gifts	Not Too Shabby	2	
731	Sutter St		3100						3100	Candy	Snooks	2	
732	Sutter St								750	General Retail	Princess Academy	2	
732	Sutter St		1300						1300	Antiques	Emily's Corner	2	
300/302	Reading St		1500						1500	Restaurant	Guido's Deli	3	
198	Wool St		10000						10000	Museum	Interpretive Center	3	
200	Wool St								2500	Office	Folsom Tourism Bureau	3	
200	Wool St		6000						3000	Office	Chamber of Commerce	3	
801	Sutter St		1400						1400	Novelties/Gifts	Dorothea's	3	
801	Sutter St				1000				1000	Novelties/Gifts	Curiosity Shoppe	3	
801	Sutter St								1500	Club/bar/tasting room	Painted Cork	3	
802	Sutter St								750	Health/Beauty	Mellow Moments	3	
802	Sutter St								750	Office	Adam Reeder Studios	3	
805	Sutter St								750	Office	Vida Mia Photography	3	
805	Sutter St				300				300	Office	Mark Roberts	3	
805	Sutter St		1600						1600	Restaurant	Hop Sing Palace	3	
807	Sutter St		1150						1150	Restaurant	Black Rooster	3	
809	Sutter St		1150						1150	Antiques	Gray's Place/Dal Bello	3	
811	Sutter St		2100						2100	Restaurant	Sutter Street Grill	3	
813	Sutter St								1000	Health/Beauty	American Barber Shop	3	
813	Sutter St		650						650	Novelties/Gifts	Charming Jules	3	
813	Sutter St		650						650	Jewelry	Gem N I Jewelry Gallery	3	

Folsom Historic District Development Inventory (By Address)

Street No	Street Name	Suite #	Entry Sq Ft	Other Sq Ft					Gross Sq Ft	Business type	Business Name	Study Zone (I, II, or III)	Note
				1st floor	2nd floor	3rd floor	4th floor	Base ment					
813	Sutter St		660						660	General Retail	Shanei	3	
813	Sutter St								650	Novelties/Gifts	Timeless Passion	3	
813	Sutter St								650	Novelties/Gifts	It's Just Your Style and Friends	3	
815	Sutter St								650	Novelties/Gifts	Betty's House of Turquoise	3	
815	Sutter St								650	Novelties/Gifts	Sutter St Pastels	3	
823	Sutter St		3357		2346				5703	Museum	Folsom History Museum	3	
825	Sutter St		3200						3200	Restaurant	Fat Rabbit	3	
800 Future (HFS)									25350	General Retail	Historic Folsom Station	3	B
800 Future (HFS)									8500	Restaurant	Historic Folsom Station	3	B
800 Future (HFS)									11780	Office	Historic Folsom Station	3	B
800 Future (HFS)									60		Historic Folsom Station	3	B
900	Sutter St		1717						1717	Club/bar/tasting room	Westwood	3	B
900	Sutter St				1931				1931	Office	Westwood	3	B
905	Sutter St	100	5000						5000	Office	Folsom Lake Bank	3	
905	Sutter St	200			5661				5661	Office	REY Engineering	3	
905	Sutter St								1250	Office	Sutter Court, LLC	3	
915	Sutter St								750	General Retail	UnWined	3	
915	Sutter St								750	Office	ID Solutions	3	
915	Sutter St								750	Office	Bernau Development Corp	3	
915	Sutter St								750	Office	Essex Mortgage	3	
915	Sutter St								750	Office	Folsom Historic District Association	3	
915	Sutter St								750	Office	Historic Folsom Station	3	
915	Sutter St								750	Office	Kensington Homes, Inc.	3	
915	Sutter St								750	Office	Today'sSpecialsApp.com	3	
921	Sutter St								1250	Office	Capital Equit Group Corporate Office	3	
921	Sutter St								1250	Office	Folsom Telegraph	3	
929	Sutter St								1250	Office	Hampton Photography	3	
929	Sutter St								750	Office	Jiva Wellness	3	
TOTALS													
Existing									160,345	+ 115 Theater Seats			
Future									54,901	+ 62 D.U.			
Existing + Future									215,246	+ 115 Theater Seats, 62 D.U.			

Notes:

A - These existing developments provide small, private off-street parking exclusively for their patrons, and do not rely on the public parking supply. Therefore, they were not surveyed and are excluded from the model validation process.

B - Approved/Pending Project

Historic District Parking Implementation Plan Update

DRAFT
December 9, 2008

Prepared for:
City of Folsom, California

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EXECUTIVE SUMMARY

The City of Folsom desires to develop a thorough understanding of the dynamics of development and parking in its Historic District, and how it will evolve over time, while ensuring that the City anticipates, and keeps current with, changing demands. The City took an initial step towards this understanding in July 2002, with the preparation of the *Historic District Parking Improvement Implementation Plan* (Gordon H. Chong & Partners/Walker Parking Consultants). This study's objective was to "determine the best way to add parking inventory and thus support the development of commercial activity in the Historic District." While the 2002 *Plan* established recommendations for the future, the dynamics in the Historic District have certainly changed over the past six years. In addition, the City recently prepared the *Parking Management 5-Year Plan* which updates parking conditions and near-term parking management strategies.

The purpose of this *Implementation Plan Update* is to refresh the 2002 *Plan* to more accurately quantify the effect of recent District development and a better defined future build-out scenario on parking supply and demand. More specifically, this report documents both existing and future parking supply and demand, evaluates potential sites for additional parking structures, considers parking and funding strategies, and assesses special events and parking interaction with other concurrent District studies.

Existing Parking Supply and Demand

Based on the data collection and analysis of existing supply and peak demand, there is sufficient parking within the study area to accommodate current typical weekday and weekend peak demands, particularly since the Rail Block parking structure was completed. While some zones experience relatively high demands, overall, there is ample available parking within the entire District. However, recent field observations show spillover parking into adjacent residential neighborhoods, particularly in the vicinity of the intersection of Wool Street and Figueroa Street.

Future Parking Supply and Demand

A single future development scenario was developed which is constrained by the amount of future parking supply that can be achieved by the addition of one new parking structure. This new structure is assumed to be constructed on the Trader Lane lot, and incorporates ground floor retail. Based on a preliminary schematic and feasibility evaluation, 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity¹, is up to 425 spaces. This level of parking supply (425 spaces) was determined to accommodate approximately 55,000 square feet of retail, 27,000 square feet of restaurant, and 20,000 square feet of office uses in addition to the planned/approved projects, as well as the proposed retail on the ground floor of Trader Lane parking structure. The future retail and restaurant square footages were estimated using the existing proportion of retail and restaurant square footages within the District. The total future development that could be accommodated is 121,850 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure.

Adequacy of City's Current Historic District Parking Supply Strategy

Currently, the City of Folsom requires a flat parking ratio of 1 space per 350 square feet for all land use types (retail, offices, restaurants, museums, etc.) within the Historic District. The detailed parking analysis in this study indicates that this requirement is not sufficient to address the future parking needs of the District. The District proposes to add approximately 121,850 square feet (SF) of commercial use, in addition to existing land uses and planned/approved projects. Utilizing the City's existing requirement of 1 space per 350 SF, the additional proposed development (121,850 SF) would require approximately 350 parking spaces, yet the parking demand analysis identifies a need for 425 spaces. In order to meet the existing and future parking demand, the City should either increase its current parking ratio from 1 space per 350 SF, to 1 space per 305 SF, or adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine

¹ The practical capacity for parking is defined at 85-90 percent utilization of parking spaces.

dining, and 1 space per 210 SF for casual dining), and office (1 space per 460 SF) uses. Revising the City's parking ratio is applicable for private development that would provide some, or all, of its required parking on-site. It would also be applicable should the City select to permit new development to meet its parking requirements in municipal parking structures by paying an in-lieu fee (see funding strategies).

Assessment of Potential Parking Structure Sites

Six potential sites were initially identified by the City for the construction of additional Historic District parking supply. Through preliminary discussions with City staff, this initial list of six sites was subsequently reduced to five with the elimination of one site determined to be generally infeasible, and the least desirable location of all potential sites. Two sites were determined to best meet site evaluation criterion. Subsequent discussions with the City determined that one of these sites, the Trader Lane lot, should be the single location considered for the development of a new parking structure.

Parking Implementation Strategies

The implementation of parking management strategies is intended to ultimately result in more efficient use of limited parking resources. Thirteen parking management strategies, including both near- and long-term components, are identified which could be implemented within the Historic District to address the existing and the projected future parking conditions. These strategies are summarized as follows:

Near-Term Strategies

- a. Increase the current parking ratio from 1 space per 350 SF to 1 space per 305 SF.
- b. Monitor neighborhoods, especially the neighborhood adjacent to the intersection of Wool Street and Figueroa Street, for spillover parking as development intensifies within the District.
- c. Monitor the implementation of planned/approved projects to determine when 80 percent of the parking demand occurs within the District.
- d. Add provision to the City's Municipal Code requiring large developments to provide on-site loading and unloading zones.
- e. Identify existing on-street parking spaces which could be used for loading and unloading during off-peak hours.
- f. Enforce parking restrictions by issuing warning parking tickets during an acclimation period.
- g. Identify time restricted, on-street valet parking spaces to be used by restaurants during the mid-day (noon to 2:00 p.m.) for lunch, and during the evening (6:00 p.m. to 8:00 p.m.) for dinner.
- h. Add on-street parking spaces as suggested by City's *5-Year Parking Management Plan* (January 2008).
- i. Encourage subsidized transit fares and continue operating the Valet/Pedicab program. Also, identify additional bike storage facilities within the District.
- j. Implement City recommended parking management strategy within the Rail Block parking structure.

Long-Term Strategies

- a. Adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and for office (1 space per 460 SF) uses.
- b. Establish and implement in-lieu parking fees. The timing of the in-lieu parking fees could coincide with the City's decision (if implemented) of adopting separate parking ratios for retail, restaurants, and office uses with the District.
- c. Gradually implement a Residential Permit Parking Program (RPPP) in neighborhoods experiencing spillover parking impacts.
- d. Start construction of a 422 space parking structure on the Trader Lane Lot when the district-wide parking demand reaches approximately 85 percent of the available parking supply at the time, or when approximately 80 percent of the planned/approved projects' parking demand occurs within the District.
- e. Identify heavily utilized off-peak loading and unloading zones and designate them as permanent loading and unloading zones without time restrictions.

- f. Restrict all on-street parking within the District to 2 hours and enforce parking restrictions by issuing parking tickets.
- g. Remove the 3-hour parking limit from all off-street parking lots, and institute parking charges based on the number of hours parked. Also, during the construction of the Trader Lane parking structure, the City should identify off-street parking lots within the vicinity of the District to be used as overflow in case the parking spaces within the District are fully utilized. Identify permanent off-street valet parking spaces for existing and future restaurant uses throughout the District.
- h. Conduct a detailed study to identify streets within the District where angled, on-street parking could be implemented.
- i. Gradually implement parking meters for on-street parking spaces on streets serving retail/restaurant uses.
- j. Continue to explore the feasibility of a full-time parking enforcement position, or volunteer help.
- k. Encourage Pool Vehicles/Guaranteed Rides Home program.
- l. Work with Regional Transit to fully and appropriately address the Light Rail Transit parking situation within the District.

Funding Strategies

The City of Folsom currently provides free parking for users in the Historic District. The City currently pays for parking through a combination of bonds issued by the Redevelopment Agency, which paid for the construction of the new Rail Block parking garage, and from City Department budgets, which pays for maintenance of the garage. The maintenance budget is shared equally among all of the City departments, although the funding is not allocated specifically for parking during the budgeting process.

The funding strategies discussed in this report are available to the City should the current financing mechanisms no longer meet the City's needs. It is understood that user fees are not being considered for the Historic District parking. If that policy decision continues, the City may want to consider charging for event parking in the existing parking structure, perhaps on "Thursday Night Market" nights, as a way to raise at least some revenue to be used for operations and maintenance.

Other Considerations

Special Events Assessment

The Historic District has several routine "special" events which result in parking and circulation restrictions different from normal conditions. These "special events" all incorporate closure of a portion(s) of Sutter Street, and alter vehicular access and circulation. Through consultation with the City, it was determined that the Thursday Night Market is the most representative of the conditions experienced during abnormal events within the District, and should be used as the basis of this assessment.

Based on assessment of existing conditions and consultation with the Merchant's Association representatives, two primary special event management strategies were developed: overall improved utilization of Historic District parking facilities, and concentrated vendor access, parking, and circulation.

Assessment of City's 5-Year Parking Management Plan

In January 2008, the City prepared a *Historic District 5-Year Parking Management Plan* which addresses existing parking conditions, as well as the anticipated changes that will occur over the next four to six years. The *Plan* concludes with seven recommendations for addressing the established objects. This report provides a discussion and evaluation of the *Plan's* conclusions.

Historic District Streetscape Project

The City's concurrent Historic District Streetscape Project is intended to enhance the human scale of the District by widening sidewalks, narrowing vehicle travel ways, and providing uniform aesthetic components to unify the entire District. The conceptual improvements to Sutter Street also include the addition of on-street parking between Riley Street and Wool Street, the only segment of Sutter Street within the District that does not currently have on-street parking. This block of Sutter Street between Riley Street and Wool Street experiences the greatest parking supply deficit for both existing and build-out conditions. Considering its central location, this block serves as the core, attracting dense development and associated vehicle and pedestrian activity.

The additional parking supply proposed to be provided along this block of Sutter Street is anticipated to serve as premium parking for the businesses located along this segment, and should be designed, implemented, and enforced as such.

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INTRODUCTION

Project Overview

The City of Folsom's Historic District (the "District") is a vibrant cultural and economic center. The eight block District spans from Folsom Boulevard to Scott Street, and from Lake Natoma to just south of Sutter Street. As a result of the varying uses within the District, there are varying degrees of parking demand. The western portion of the District currently serves primarily park-and-ride commuters using light rail during weekdays, with those same parking facilities experiencing under-utilization during the evening peak periods. Conversely, the area generally bounded by Riley Street, Lcidesdorff Street, Wool Street, and Sutter Street (the "700 Block") experiences consistent demand throughout both day and night peaks. It is this high demand for parking within this core area of the District that is believed to contribute to over-flow parking into the residential areas located immediately south of Sutter Street. Further complicating the future parking supply and demand discussion is the fact that some areas that are currently used for public parking are anticipated to be redeveloped, which will lead to a decrease in parking supply accompanied by an increase in parking demand. Furthermore, special events add an additional layer of complexity to the District's parking environment, but also provide an opportunity to maximize the efficiency of the City's parking system. Routine events, primarily during the Spring-Fall months, result in changes in traffic patterns, the need for parking and access restrictions, and parking overflow into the adjacent residential areas.

The City of Folsom recognizes that parking is the foundation for the Historic District's economic vitality and the quality of life enjoyed by the City's citizens. The total amount of parking available, its location, and how it is managed play important roles in promoting Historic District businesses, attracting visitors, and accommodating commuters and residents. With these important factors in mind, the City of Folsom desires to develop a thorough understanding of its Historic District parking dynamics, and how it will evolve over time, while ensuring that the City anticipates, and keeps current with, changing demands. The City took an initial step towards this understanding in July 2002, with the preparation of the *Historic District Parking Improvement Implementation Plan* (Gordon H. Chong & Partners/Walker Parking Consultants). This study's objective was to "determine the best way to add parking inventory and thus support the development of commercial activity in the Historic District." While the 2002 *Plan* established recommendations for the future, the dynamics in the Historic District have certainly changed over the past six years. Furthermore, the City's recent *Parking Management 5-Year Plan* updates parking conditions, although its scope is limited to relatively near-term (5-year) recommendations.

The purpose of this *Implementation Plan Update* is to refresh the 2002 *Plan* to more accurately quantify the effect of recent District development and a better defined future full build-out scenario on parking supply and demand. More specifically, this report documents both existing and future parking supply and demand, evaluates potential sites for additional parking structures, considers parking and funding strategies, as well as assesses special events and parking interaction with other concurrent District studies. The following sections address each of these study components.

PARKING SUPPLY AND DEMAND

The primary objective of this effort is to project future parking demand and supply, and to determine whether there will be a surplus or shortfall of parking. A second objective is to assess the current City requirement for new development to provide 1 space per 350 square feet for all land use types within the Historic District. This assessment is to determine if the current requirement adequately meets future needs, or whether the requirement should be modified. Modification to the requirement considers changing the single parking ratio globally for all uses or deriving separate parking requirements for each land use type.

Definitions

Study Area

The City of Folsom's eight block Historic District spans from Folsom Boulevard to Scott Street, and from Lake Natoma to just south of Sutter Street. For the purposes of this evaluation, the Historic District is divided into three zones (Zone I, Zone II, and Zone III) which are illustrated in Figure 1. The study area does not include the Light Rail Transit station parking lots.

Zone I

The area bounded by Riley Street to the North and West, Figueroa Street to the South, and Scott Street and private land uses to the East.

Zone II

The area bounded by Leidesdorff Street to the North, Wool Street to the West, Figueroa Street to the South, and Riley Street to the East. This zone also includes the dirt embankment located north of Leidesdorff Street generally between Wool Street and Riley Street.

Zone III

The area bounded by Leidesdorff Street to the North, Reading Street and Folsom Boulevard to the West, Figueroa Street to the South, and Wool Street to the East. Zone I also includes Gold Lake Drive, from Leidesdorff Street to the street bend on the north end. This zone also includes the off-street public parking lot (Baker Lot) located on the northwest corner of the intersection of Gold Lake Drive and Leidesdorff Street.

Parking Demand

The number of parked vehicles expected of a specific type and amount of land use during the peak period of a typical weekday or weekend. Parking demand is estimated using "rates" indicating the number of parked vehicles per independent variable of land use such as thousands of square feet (similar to trip generation). Parking demand is independent of parking supply.

Parking Supply

The number of parking spaces provided on a development block, on-street, or in common facilities. Parking supply in new development is governed by the parking standards in the City's Municipal Code.

Parking Occupancy

The number of actual vehicles parked during the peak period of a typical weekday or weekend. Parking occupancy is summarized in terms of the percentage of parking spaces that are occupied at any given time of day. Generally, there is a single peak period on a typical weekday or weekend that contains the highest number of accumulated parked vehicles.

Parking Turnover

The average number of vehicles using a given parking space over a specified period of time. The rate equals the total number of parked vehicles divided by the number of parking spaces. Turnover is a measure of parking duration and indicates whether a parking space is predominantly used by long-term parking (more than 4 hours) or short-term parkers (less than 4 hours).

Parking Ratios/Standards

Parking ratios (or standards) are the regulations that determine parking supply for each individual building and type of land use. It is described as the number of required parking spaces per unit of development (e.g., per dwelling unit or per 1,000 square feet of commercial building space). The City's Municipal Code is the guiding document for these standards. The current parking standard in the Folsom Historic District is 1 space per 350 square feet of building regardless of the type of land use.

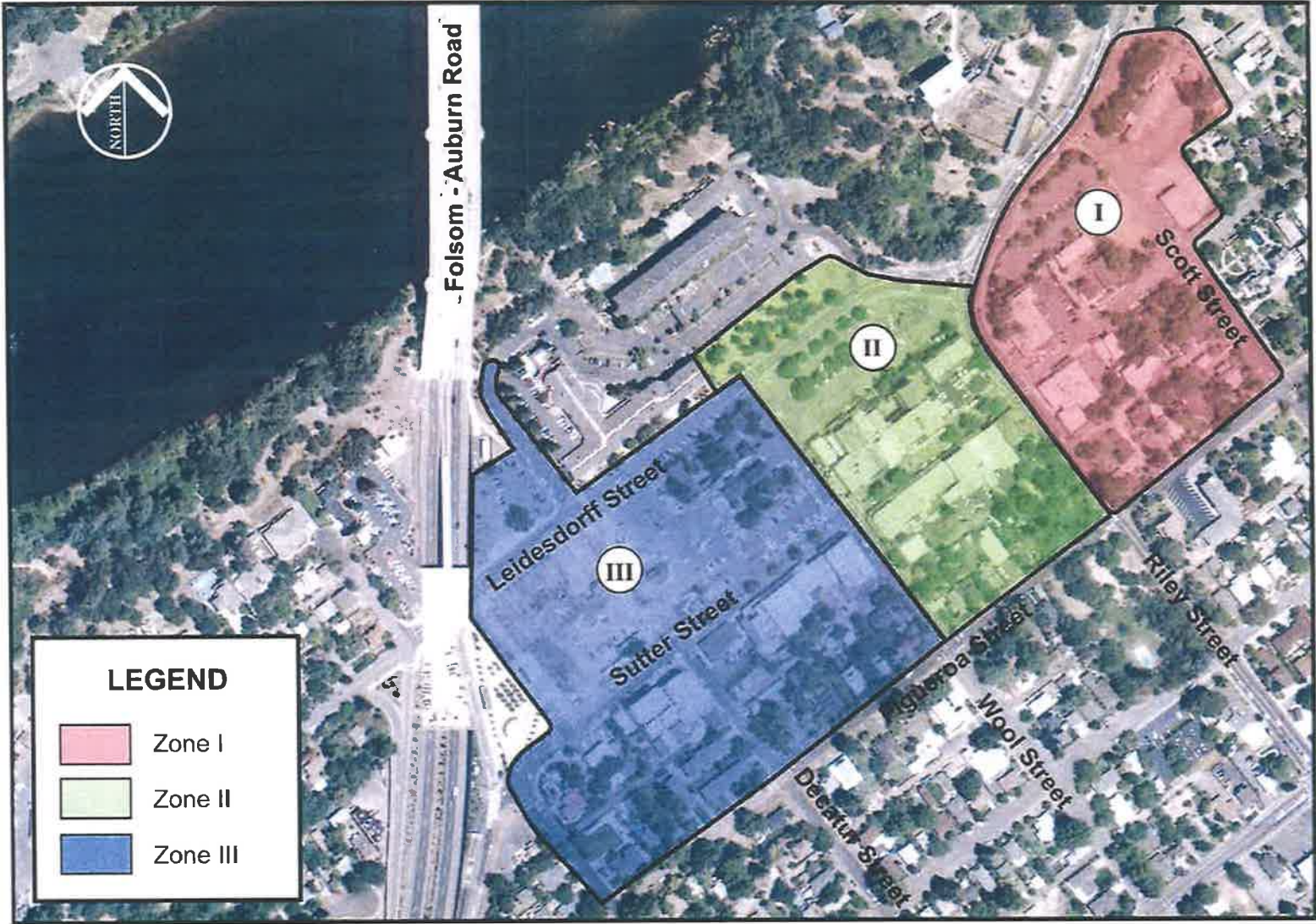


Figure 1
Folsom Historic District Parking
Parking Zones

Shared Parking

The concept of using a parking space to serve two or more land uses without conflict. Conventional regulations require that each development, or land use type, provide enough parking to serve its own peak demand, leaving unused parking spaces during the off-peak periods. Shared parking allows multiple complementary land uses, whose peak parking demands do not coincide, to share the same pool of parking spaces, resulting in a more efficient use of those spaces.

Practical Capacity

The practical capacity for parking is defined at 85 percent to 90 percent utilization of parking spaces. Keeping about 10 percent to 15 percent of the spaces vacant provides a cushion in excess of necessary parking spaces to allow for the dynamics of parking (i.e., people circulating in search of a space, and moving in and out of parking space). When occupancy exceeds the practical capacity, drivers will experience delays and frustration while searching for a parking space, as well as contribute to area traffic congestion while circling the block looking for parking.

Data Collection

Parking data for most of the study area was provided by the City of Folsom for weekday and weekend periods. Kimley-Horn and Associates, Inc. augmented the City-collected data with surveys at selected locations in June 2008. Parking data used in this study included the following:

- An inventory of on-street and off-street parking spaces by street and by individual parking lot (collected by the City in January 2008);
- Weekday parking occupancy survey data conducted every hour from 6:00 AM to 8:00 PM (collected during October and November 2007);
- Weekend parking occupancy survey data conducted every hour from 6:00 PM to 9:00 PM (collected during October and November 2007); and
- Parking turnover surveys (collected in January 2008).

It is important to note that weekday parking occupancy data for 7:00 AM was missing most of the off-street and on-street parking locations. Because this time period was determined to not be a critical time period within the District, it was not included in this analysis.

Existing Parking Supply

On-Street Parking Supply

Most streets within the study area have on-street parking spaces. Along Leidesdorff Street, Wool Street, and Sutter Street, angled on-street parking is provided. Some of the on-street spaces are delineated with pavement markings, but most streets have no parking space delineation.

Table 1 summarizes the number of parking spaces along each street and the total parking spaces for each zone. The study area contains a total of 232 on-street parking spaces.

Off-Street Parking Supply

Within the study area there are a total of six (6) off-street public parking lots. Off-street private parking lots which allow parking only for the patrons of private businesses and not for general public, were not included in the analysis. All of the public lots with the study area are paved and have marked spaces.

Table 1 summarizes the number of off-street parking spaces in each zone. There are a total of 675 off-street public parking spaces in the study area. Note the off-street parking supply includes the recently completed 330-space parking structure located within the Rail Block.

Table 1 – Summary of Existing On-Street and Off-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply	On-Street Parking Supply	Total Existing Supply			
I	Riley St. / Scott St. (Powerhouse) Lot	82	Riley St. – Sutter St. to Figueroa St.	7		
			Sutter St. – Riley St. – Scott St.	20		
			Scott St. – Leidesdorff St. to Sutter St.	3		
			Scott St. – Sutter St. to Figueroa St.	12		
			Subtotal	42		124
II	Trader Lane Lot	125	Riley St. – Sutter St. to Figueroa St.	7		
			Wool St. – Leidesdorff to Sutter St.	11		
			Wool St. – Sutter St. to Figueroa St.	9		
			Leidesdorff St. – Wool St. to Riley St.	11		
			Sutter St. – Wool St. to Riley St.	0		
Subtotal	38	163				
III	Baker Lot	28	Reading St. – North of Leidesdorff St.	10		
			Reading St. – Leidesdorff St. to Sutter St.	0		
			Reading St. – Sutter St. to Figueroa St.	10		
	Parking Structure	330	Gold Lake Circle	24		
			Decatur St. – Sutter St. to Figueroa St.	18		
			Wool St. – Leidesdorff St. to Sutter St.	11		
			Wool St. – Sutter St. to Figueroa St.	8		
	Rail Block	110	Leidesdorff St. – Decatur St. to Wool St.	23		
			Sutter St. – Reading St. to Decatur St.	25		
			Sutter St. – Decatur St. to Wool St.	23		
Subtotal	468	Subtotal	152	620		
Total Off-Street Spaces		675	Total On-Street Spaces		232	907
Total Off-Street Spaces (Prior to Completion of New Structure)		323	Total On-Street Spaces (Prior to Completion of New Structure)		232	555
Notes: The 330 space structure in Zone III was not open to the public at the time occupancy data was collected. Existing off-street parking facilities equaled 323 spaces at the time of data collection.						

Total Parking Supply

Table 1 summarizes the total number of parking spaces (on-street and off-street) by zone and in total. There are a total of 907 on- and off-street parking spaces within the study area.

The number of off-street and on-street parking locations, as well as the number of spaces available are shown in Figure 2 and Figure 3.

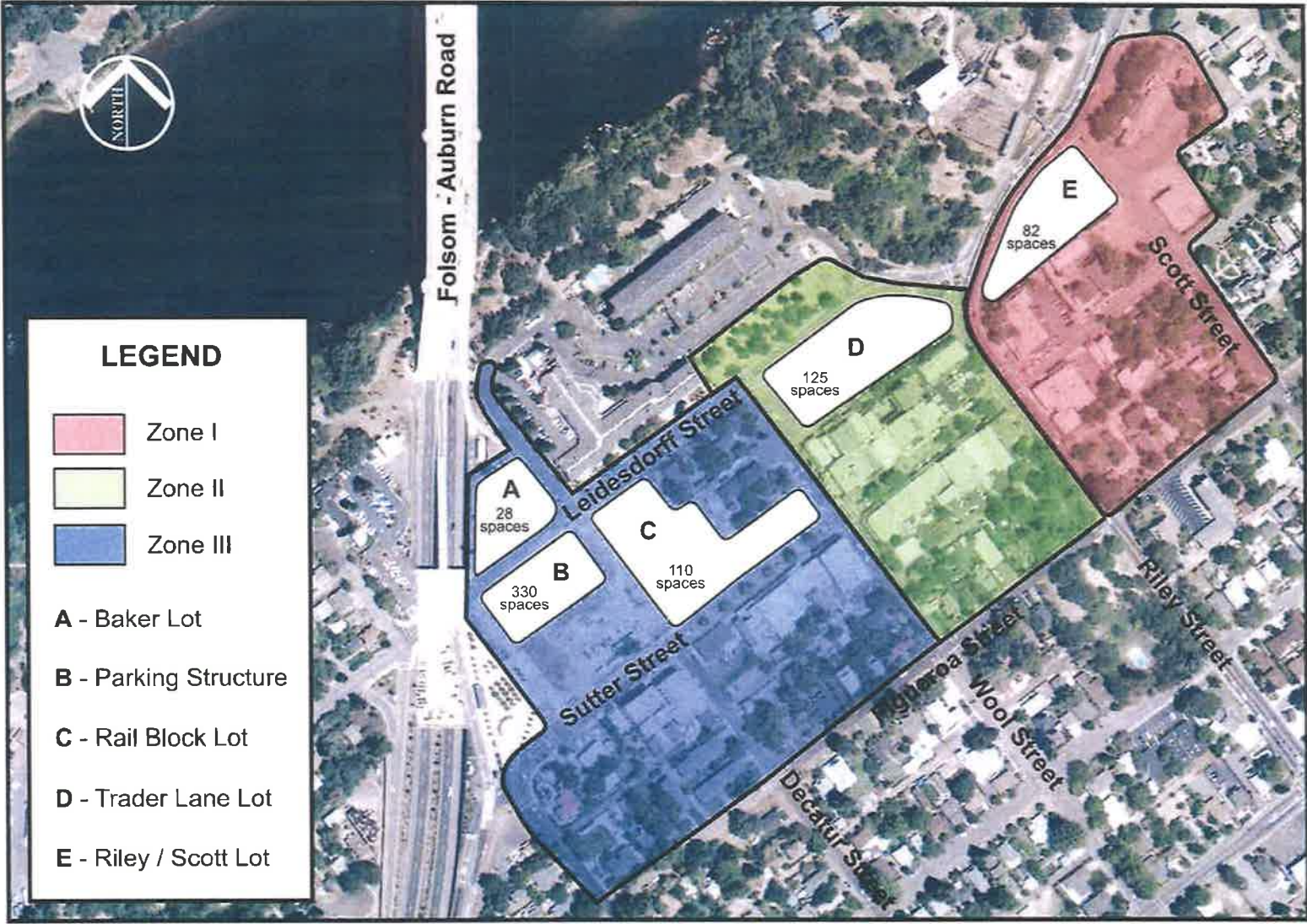


Figure 2
Folsom Historic District Parking
Off-Street Parking Lots

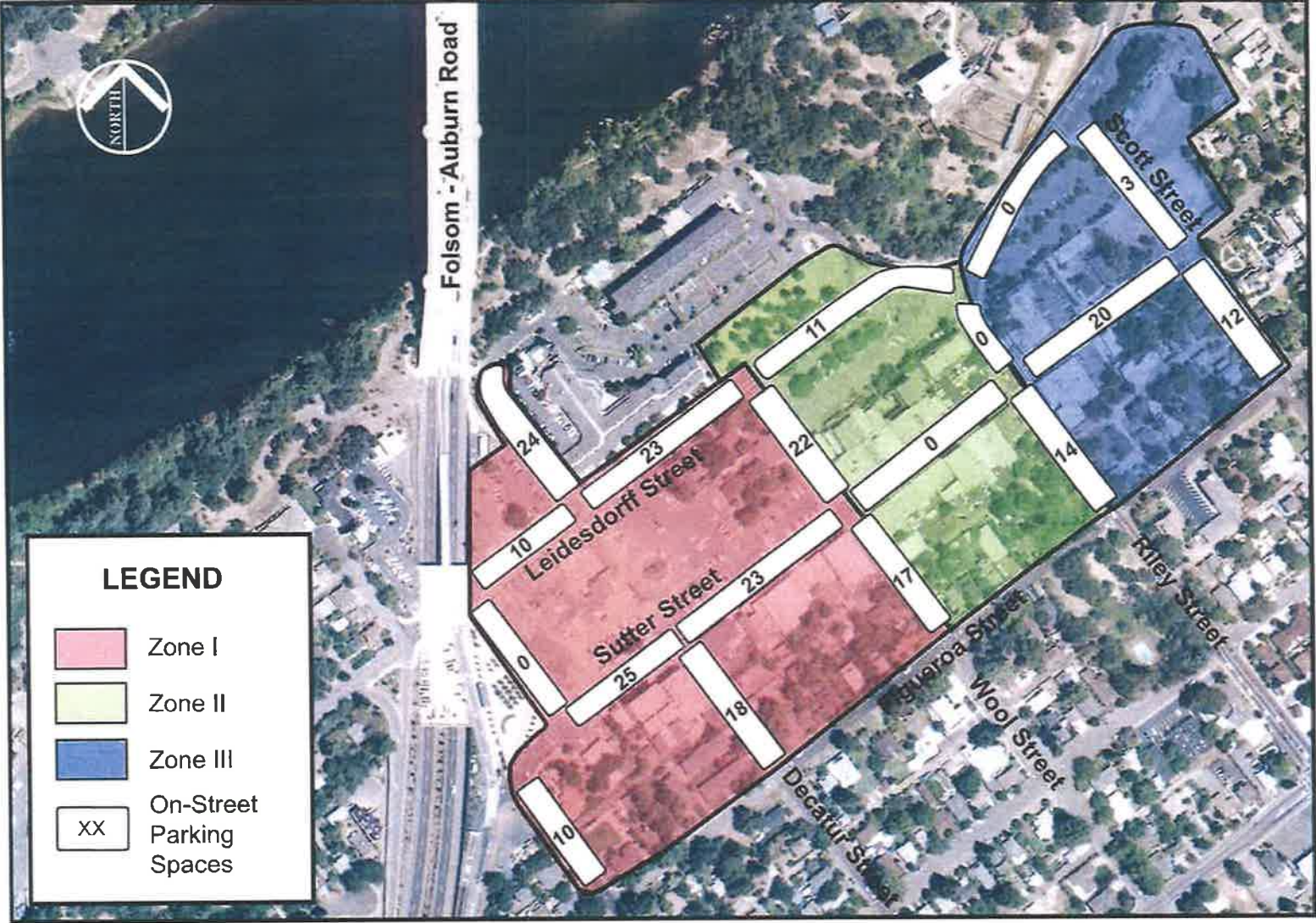


Figure 3
Folsom Historic District Parking
On-Street Parking Spaces

Existing Parking Demand

Existing parking demand was estimated using the parking occupancy data collected by the City of Folsom in October and November, 2007, and supplemented by occupancy surveys conducted by KHA in June 2008. The demand analysis presented in the sections below represents data collection prior to the opening of the new 330-space parking structure in the Rail Block. Therefore, conclusions related to existing parking supply and demand are drawn based on pre-structure conditions.

Weekday (Monday through Thursday)

On-Street Parking Occupancy

Parking occupancy is summarized in terms of the percentage of parking spaces that are occupied at any given time of day. Generally, there is a single peak period on a typical weekday that contains the highest number of accumulated parked vehicles. Table 2 summarizes the on-street parking occupancy between 6:00 a.m. and 8:00 p.m. on a typical weekday for the entire study area² and Figure 4 shows the on-street parking occupancy by time-of-day. As shown in Figure 4, between 75 percent and 83 percent of on-street parking spaces are occupied between 10:00 a.m. and 1:00 p.m., after which occupancy drops to approximately 60 percent between 2:00 p.m. and 4:00 p.m. Between 5:00 p.m. and 7:00 p.m. the occupancy is between 40 percent and 60 percent and drops dramatically to 27 percent at 8:00 p.m. The peak on-street parking demand (83 percent) occurs at about 11:00 a.m. and again at 1:00 p.m.

Table 2 – Summary of On-Street Parking Occupancies (Weekday)

Time	Total Number of On-Street Spaces Surveyed	Total Number of On-Street Spaces Occupied	% Occupancy
6:00 AM	162	9	6%
8:00 AM	162	94	58%
9:00 AM	162	96	59%
10:00 AM	162	121	75%
11:00 AM	162	134	83%
12:00 PM	162	124	77%
1:00 PM	162	134	83%
2:00 PM	162	101	62%
3:00 PM	162	98	60%
4:00 PM	162	99	61%
5:00 PM	162	67	41%
6:00 PM	162	79	49%
7:00 PM	162	95	59%
8:00 PM	162	43	27%

Off-Street Parking Occupancy

Off-street public parking lots within the study area have slightly lower occupancies than on-street parking when averaged over the entire study area. Table 3 summarizes the off-street parking occupancies between 6:00 a.m. and 8:00 p.m. Figure 5 shows that off-street parking lots sustain an occupancy averaging 58 percent between 11:00 a.m. and 3:00 p.m. (with 71 percent occupancy at 12:00 noon), then drops to 43 percent and 52 percent between 4:00 p.m. and 5:00 p.m. Between 6:00 p.m. and 7:00 p.m. the parking occupancy increases to 70 percent and 78 percent before dropping dramatically to 21 percent at 8:00 p.m. The increase in the early evening coincides with the peak dining period. The peak off-street parking demand occurs at 7:00 p.m. with 78 percent occupancy.

² Weekday parking occupancy data for 7:00 a.m. was missing much of the off-street and on-street parking locations within the study area. Because this time period was determined to not be a critical time period within the District, it was not included in this analysis.

Figure 4 – Study Area On-Street Parking Occupancy (Weekday)

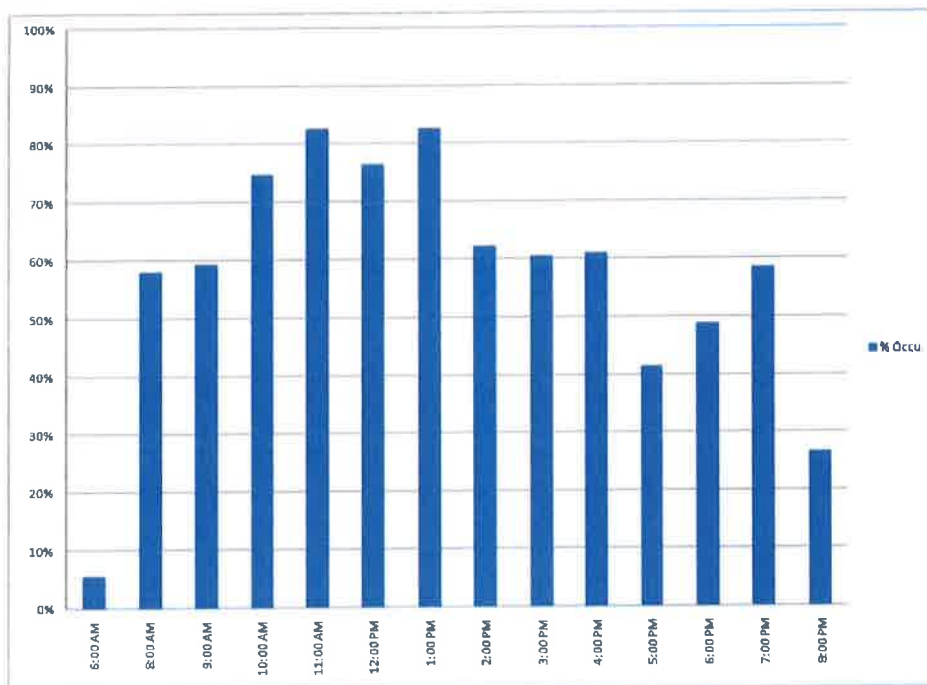


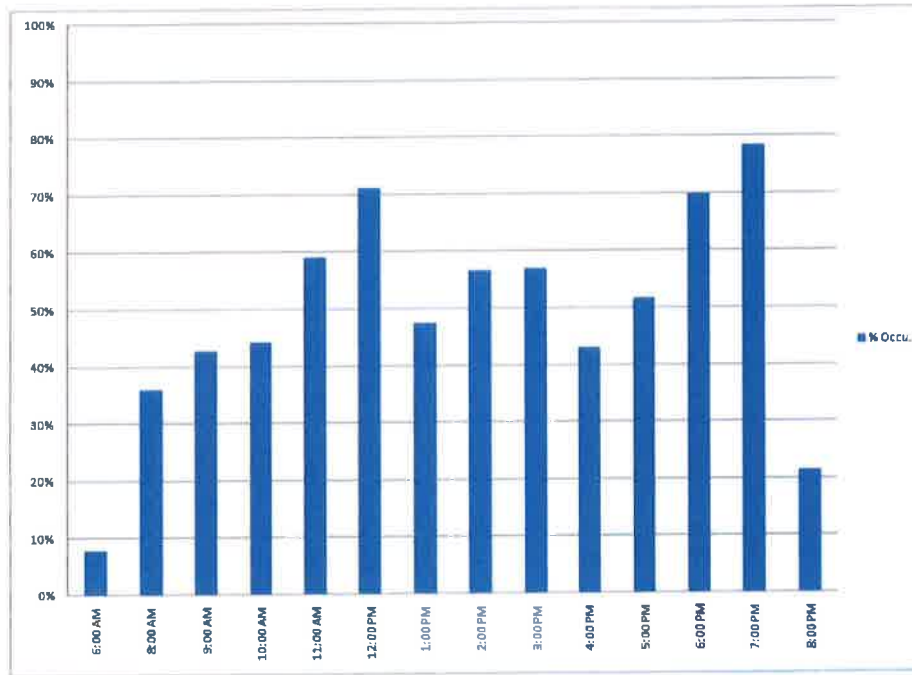
Table 3 – Summary of Off-Street Parking Occupancies (Weekday)

Time	Total Number of Off-Street Spaces Surveyed	Total Number of Off-Street Spaces Occupied	% Occupancy
6:00 AM	323	25	8%
8:00 AM	323	116	36%
9:00 AM	323	138	43%
10:00 AM	323	143	44%
11:00 AM	323	191	59%
12:00 PM	323	230	71%
1:00 PM	323	153	47%
2:00 PM	323	183	57%
3:00 PM	323	184	57%
4:00 PM	323	139	43%
5:00 PM	323	167	52%
6:00 PM	323	226	70%
7:00 PM	323	253	78%
8:00 PM	323	69	21%

At the district level, parking lots in individual zones have a wide range of occupancies between 6:00 a.m. and 8:00 p.m. Average occupancy ranges from a low of about 27 percent (Zone 1) to a high of about 58 percent (Zone II). Appendix A contains detailed graphs and tables for individual zones showing the average number of vehicles parked in each parking lot throughout the day³.

³ Since the on-street parking occupancy survey data does not distinguish occupancies by specific street segments, on-street parking occupancy data was not documented by zone.

Figure 5 – Study Area Off-Street Parking Occupancy (Weekday)



Total Parking Occupancy and Accumulation

Daily Parking Accumulation (On plus Off-Street) in Study Area:

Table 4 summarizes the on-street and off-street peak parking demand within the study area. Figure 6 shows the daily accumulation of parked vehicles (both on and off-street) within the study area. Parking spaces in the morning hours are occupied around 53 percent, climbing to a peak of about 73 percent at noon, gradually decreasing to 56 percent between 1:00 and 6:00 p.m., then climbing to 72 percent at 7:00 p.m., before dropping to 23 percent at 8:00 p.m. This daily profile is indicative of both short-term retail and office uses which peak during the midday and restaurant land uses peak in the early evening.

Peak Occupancy in Study Area:

On weekdays, the study area reaches its peak parking demand at noon as shown in Table 4 and in Figure 6. The study area also peaks at 7:00 p.m., but the occupancy percentage drops significantly at 8:00 p.m. Overall, the parking supply⁴ in Folsom Historic District is almost 73 percent utilized during the weekday peak period. Parking demand in many downtown’s peak around noon to 1:00 p.m. because this is the time that retail/restaurant uses peak during weekday and the time when many short-term visitors come to the downtown for lunch. Folsom Historic District weekday peak is indicative of a predominantly retail/restaurant-based commercial mix.

Conclusions

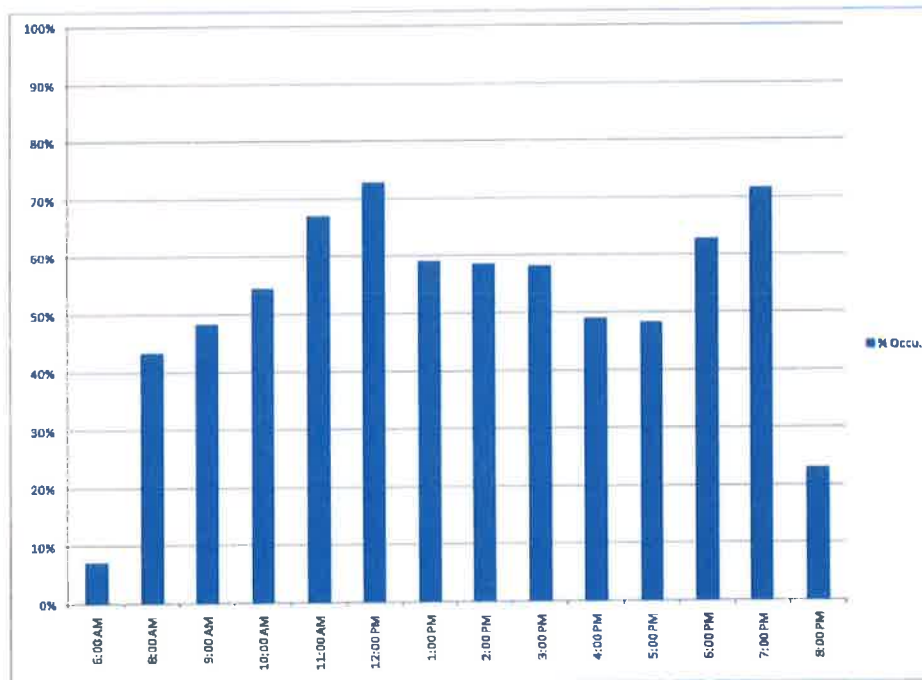
Based on the data collection and analysis of existing supply and weekday peak demand, there is sufficient parking within the study area to accommodate current typical weekday demands. While some zones experience relatively high demands, overall, there is ample available parking within the entire study area.

⁴ Since the parking occupancy surveys were not conducted at all on-street and off-site parking locations, peak occupancy for weekday is compared to the actual number of parking spaces surveyed (485 spaces).

Table 4 – Summary of On-Street and Off-Street Parking Occupancies (Weekday)

Time	Total Number of (On & Off-Street) Spaces Surveyed	Total Number of (On & Off-Street) Spaces Occupied	% Occupancy
6:00 AM	485	34	7%
8:00 AM	485	210	43%
9:00 AM	485	234	48%
10:00 AM	485	264	54%
11:00 AM	485	325	67%
12:00 PM	485	354	73%
1:00 PM	485	287	59%
2:00 PM	485	284	59%
3:00 PM	485	282	58%
4:00 PM	485	238	49%
5:00 PM	485	234	48%
6:00 PM	485	305	63%
7:00 PM	485	348	72%
8:00 PM	485	112	23%

Figure 6 – Total Parking (On-Street and Off-Street) Accumulation in Study Area (Weekday)



Parking occupancy analysis indicates that there is sufficient parking supply available to meet the existing parking demand within the study area. However, recent field observations show spillover parking into adjacent residential neighborhoods, particularly in the vicinity of the intersection of Wool Street and Figueroa Street. This spillover parking could be because customers/visitors are not fully utilizing the public parking lots available within the District and would like to park close to their destinations. Existing spillover parking is not discussed in detail in this study as occupancy survey data was not available for residential streets.

Weekend (Friday Evening)

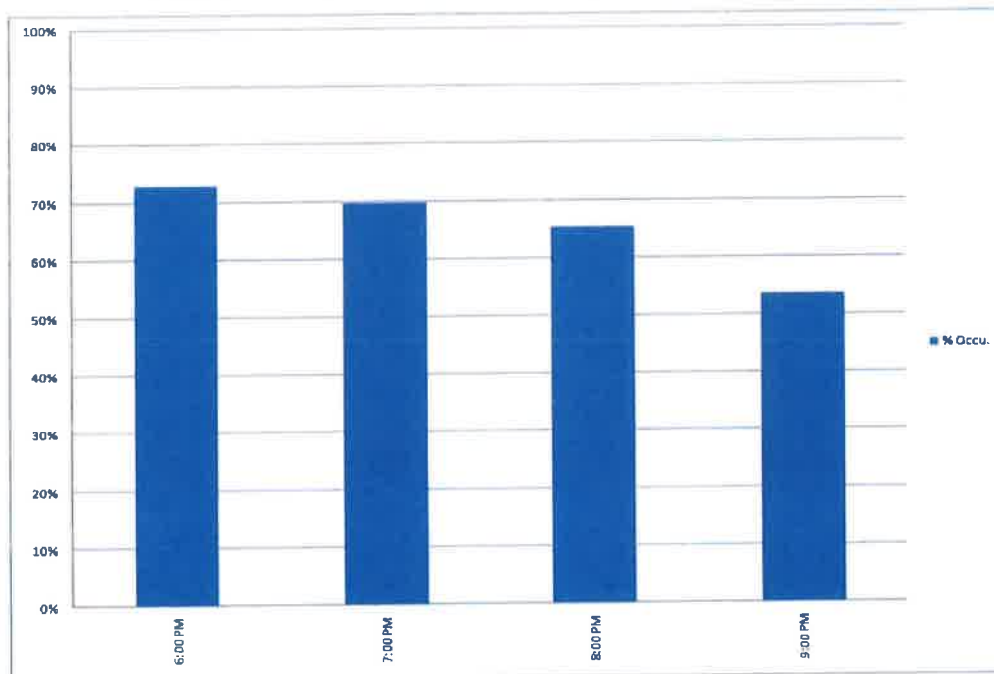
On-Street Parking Occupancy

Table 5 summarizes the average on-street parking occupancy between 6:00 p.m. and 9:00 p.m. on a typical weekend (Friday) for the entire study area, and Figure 7 shows the on-street parking occupancies⁵. As shown in Figure 7, between 65 percent and 73 percent of on-street parking spaces are occupied between 6:00 p.m. and 8:00 p.m. This percentage drops to 54 percent at 9:00 p.m. The peak on-street parking demand (73 percent) occurs at about 6:00 p.m., although the on-street parking demand is at 7:00 p.m. (70 percent) is close to the peak.

Table 5 – Summary of On-Street Parking Occupancies (Weekend)

Time	Total Number of On-Street Spaces Surveyed	Total Number of On-Street Spaces Occupied	% Occupancy
6:00 PM	162	118	73%
7:00 PM	162	113	70%
8:00 PM	162	106	65%
9:00 PM	162	87	54%

Figure 7 – Study Area On-Street Parking Occupancy (Weekend)



Off-Street Parking Occupancy

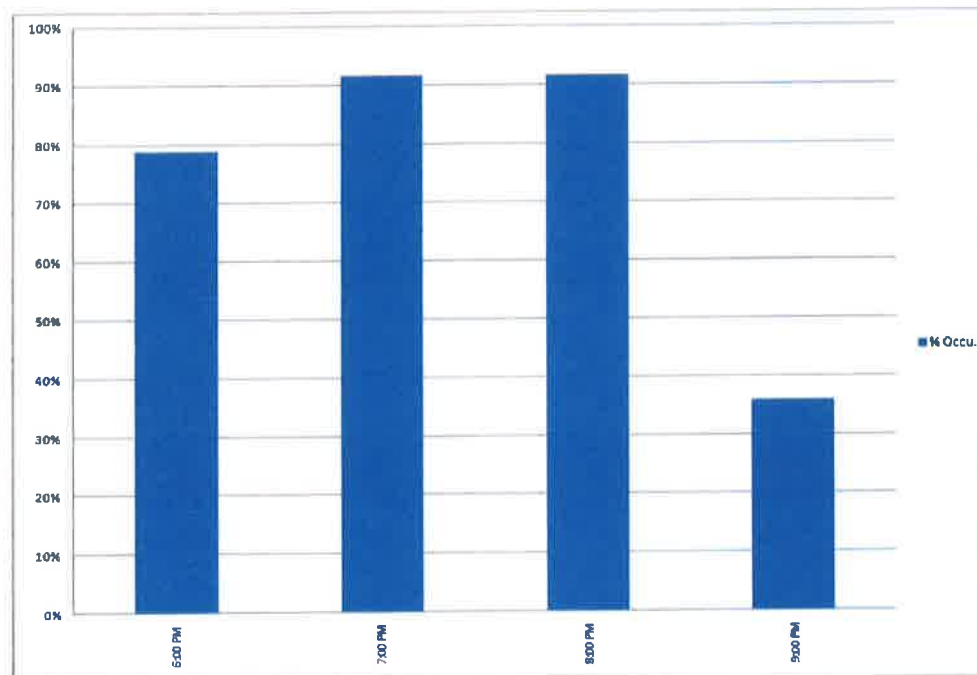
Off-street parking lots within the study area have slightly higher occupancies than on-street parking when averaged over the entire study area for the weekend peak period. Table 6 summarizes the off-street parking occupancies between 6:00 p.m. and 9:00 p.m. Figure 8 shows that off-street parking lots sustain an occupancy averaging 92 percent between 7:00 p.m. and 8:00 p.m., then drop dramatically to about 36 percent around 9:00 p.m. The peak off-street parking demand occurred at 7:00 p.m. and at 8:00 p.m. with 92 percent occupancy.

⁵ Historical parking data indicate that Friday evenings represent the highest period of demand for weekends when compared to Saturday afternoons and evenings, and Sundays. This determination excludes special events such as Farmers Market.

Table 6 – Summary of Off-Street Parking Occupancies (Weekend)

Time	Total Number of Off-Street Spaces Surveyed	Total Number of Off-Street Spaces Occupied	% Occupancy
6:00 PM	323	255	79%
7:00 PM	323	296	92%
8:00 PM	323	296	92%
9:00 PM	323	116	36%

Figure 8 – Study Area Off-Street Parking Occupancy (Weekend)



The observations might indicate that most of the off-street parking spaces are being used by restaurant users which peak around dinner time within the study area.

At the district level, occupancy in the parking lots in all individual zones stay relatively high with an average occupancy of approximately 72 percent for Zone 1, 78 percent for Zone 2, and 73 percent for Zone 3. Appendix B contains detailed graphs and tables for individual zones showing the average number of vehicles parked in each parking lot between 6:00 p.m. and 9:00 p.m.

Total Parking Occupancy and Accumulation

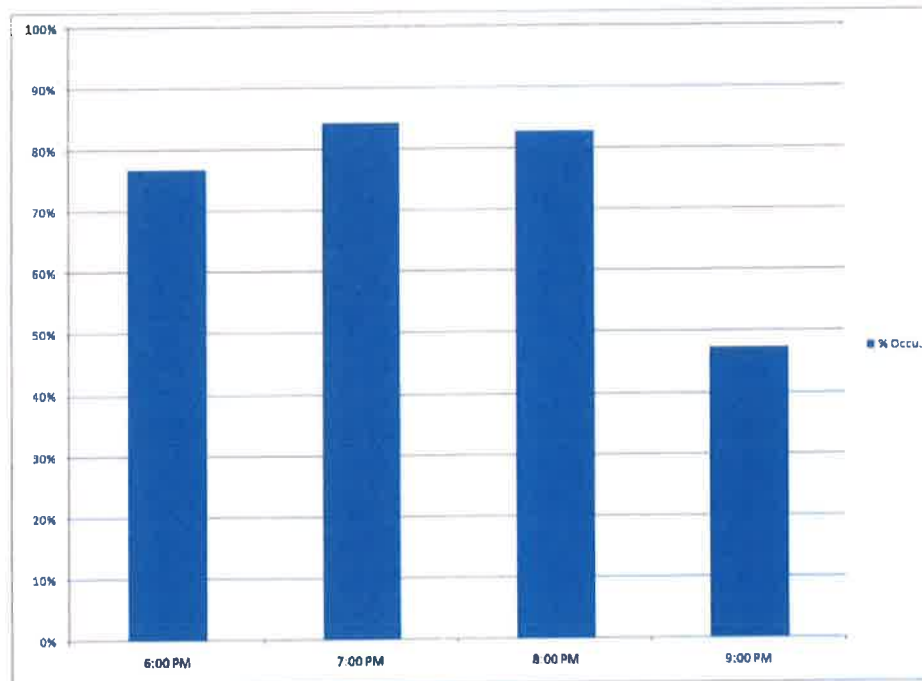
Daily Parking Accumulation (On plus Off-Street) in Study Area:

Table 7 summarizes the weekend on-street and off-street peak parking demand for the study area. Figure 9 shows the daily accumulation of parked vehicles (both on and off-street) within the study area. Parking spaces at 6:00 p.m. are occupied at 77 percent, climbing to a peak of 84 percent at 7:00 p.m. and 83 percent at 8:00 p.m., and significantly decreasing to 47 percent at 9:00 p.m. This weekend evening profile is indicative of short-term restaurant parking demand where the profile shows high occupancy during the evening dining period.

Table 7 – Summary of On-Street and Off-Street Parking Occupancies (Weekend)

Time	Total Number of (On & Off-Street) Spaces Surveyed	Total Number of (On & Off-Street) Spaces Occupied	% Occupancy
6:00 PM	485	373	77%
7:00 PM	485	409	84%
8:00 PM	485	402	83%
9:00 PM	485	230	47%

Figure 9 – Total Parking (On-Street and Off-Street) Accumulation in Study Area (Weekend)



Peak Occupancy in Study Area:

The study area reaches its peak parking demand at 7:00 p.m. (84 percent), although the parking demand at 8:00 p.m. (83 percent) is very close to the peak parking demand indicating a long peak. The peak on-street and off-street occupancy in the study area is shown in Table 7 and in Figure 9. Overall, the parking supply⁶ in Folsom Historic District is more than half utilized during the weekend peak period. Typical downtown areas peak around 7:00 p.m. and 8:00 p.m. because this is the time that restaurant uses peak with many short-term visitors coming to the downtown for dinner on weekends. Folsom Historic District weekend peak is indicative of a predominantly restaurant-based commercial mix.

Conclusions

Based on the data collection and analysis of existing supply and weekend peak demand, there is sufficient parking within the study area to accommodate current weekend demands. While some zones experience relatively high demands, overall, there is available parking within the entire study area. However, based on data collected prior to the completion of the new 330-space parking structure, the District's overall weekend occupancy is nearing "practical capacity" of 85 percent occupancy. This finding, although moot with the completion of the new structure, indicates the need for providing additional public parking.

⁶ Since the parking occupancy surveys were not conducted at all on-street and off-site parking locations, peak occupancy for weekday is compared to the actual number of parking spaces surveyed (485 spaces).

Parking occupancy analysis indicates that there is sufficient parking supply available to meet the existing weekend peak parking demand within the study area. However, recent field observations show spillover parking into adjacent residential neighborhoods during weekend evening, particularly in the vicinity of the intersection of Wool Street and Figueroa Street. This spillover parking could be because customers/visitors are not fully utilizing the public parking lots available within the District and would like to park close to their destinations. Existing spillover parking is not discussed in detail in this study as occupancy survey data was not available for residential streets.

Parking Model Development

The first step towards determining the future parking demand is to develop and validate a parking model that accurately predicts/mimics existing conditions. The steps involved in developing and validating the existing parking model include:

1. Identify existing land uses which rely on publicly available parking within the study area. The model excludes existing land uses which provide private parking exclusively for their patrons.
2. Use Institute of Transportation Engineers' (ITE) Parking Generation, 3rd Edition, 2004 and Urban Land Institute (ULI) Shared Parking, 2nd Edition, parking generation rates to establish un-calibrated parking generation rates.
3. Adjust base parking generation rates to reflect specific conditions in Downtown Folsom (detailed text about adjustments is discussed later in this document).
4. Adjust time-of-day profiles to reflect local conditions.
5. Adjust rates to reflect amount of transit, bicycle, walk, and captive trips within the study area. Captive trips reflect people who park once within the study area and visit multiple land uses.
6. Use the model to predict existing peak parking demand using the adjusted rates and the existing land uses.
7. Compare the model-predicted peak parking demand and time-of-day hourly parking profile with the peak parking demand and time-of-day hourly profile observed in the occupancy surveys. Adjust (calibrate) parking generation rates, time-of-day profiles, and/or other factors as necessary, and repeat in an iterative manner.

The parking model is validated if the difference in model-predicted peak parking demand and the observed peak parking demand is within ± 10 percent. Also, validation is achieved when the model-predicted time-of-day hourly profile closely matches observed profiles. Once validated for existing conditions, the parking model is used to project future parking demand.

Existing Land Uses

The existing land use information for the study area was provided by the City of Folsom. Land use types were grouped by general category because of similarities (e.g., retail). Table 8 below shows the land use categories used to aggregate existing land uses along with the square footages by zone.

As mentioned earlier, existing private land uses which provide parking exclusively for their patrons are excluded from the parking model.

Table 8 – Existing Land use Types and Square Footages

Land Use Type	Existing Square Footage			
	Zone 1	Zone 2	Zone 3	All Zones
Retail	13,843	48,241	8,880	70,964
Restaurant	0	8,000	5,500	13,500
Office	6,922	7,525	24,117	38,564
Club/Bar/Tasting Rooms	4,690	3,750	0	8,440
Theater (Seats)	0	115	0	115
Museum / Exhibit Space	0	0	15,703	15,703
Total	25,455	67,516 115 Theater Seats	54,200	147,171 115 Theater Seats

Parking Generation Demand Rates

Parking demand is estimated based on parking generation rates published by the Institute of Transportation Engineers' (ITE) *Parking Generation, 3rd Edition, 2004* and the Urban Land Institute's (ULI) *Shared Parking, 2nd Edition*. Because the ITE and ULI rates are developed from isolated suburban land uses poorly served by transit, they do not represent the true parking demand generated by uses located in walkable, mixed-use districts such as downtown Folsom. Therefore, the rates have been adjusted to reflect 1) the unique parking generation characteristics of Folsom, 2) linked trips whereas people park once in a public parking space and walk to multiple locations, 3) internal non-auto trips whereas people who reside in or near downtown walk to commercial establishments, 4) a reasonable level of transit use, and 5) the interaction of uses at sites with multiple land use types (mixed use internal capture).

The adjusted parking demand generation rates for a typical weekday and weekend are summarized in Table 9. The rates summarized in Table 9 include additional adjustment factors including:

- Two (2) percent reduction for transit trips
- Two (2) percent reduction for bicycle trips
- Three (3) percent reduction for walk trips,
- Fifteen (15) percent reduction for captive trips

Table 9 – Adjusted Parking Demand Generation Rates for Weekday and Weekend

Land Use	Weekday (12:00 to 1:00 p.m.)	Weekend (7:00 to 8:00 p.m.)	Units
Retail	4.00	3.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Restaurant			
Fine Dining	8.50	15.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Casual Dining	6.50	12.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Office	3.15	0.04	Spaces per 1,000 sq.ft. (Gross Floor Area)
Club/Bar/Tasting Rooms	0.43	15.00	Spaces per 1,000 sq.ft. (Gross Floor Area)
Theater	0.07	0.32	Spaces per seat

Parking Model Validation – Weekday

Following the calibration process described above, the parking model was used to predict existing weekday conditions. The results were compared to the observed weekday parking occupancy for existing land uses (Observed parking occupancy is summarized in Section II). The results of the comparison are summarized in Table 10 below:

Table 10 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekday

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekday Parking Demand	420 spaces	354 spaces	19%
2	Existing Peak Hour	12:00 Noon	12:00 Noon	N/A
3	Existing Peak Demand Periods	11:00 a.m. to 2:00 p.m. 6:00 p.m. and 7:00 p.m.	11:00 a.m. to 2:00 p.m. 6:00 p.m. and 7:00 p.m.	N/A

As per the parking model, the weekday peak parking demand is 420 spaces and the peak parking demand observed using occupancy survey is 354 spaces, a difference of 66 spaces, or a 19 percent difference. However, the occupancy surveys performed by the City did not cover the entire study area, certain on-street segments and certain portions of the off-street parking lots were not included. Therefore, these parking spaces need to be included in the comparison. As shown in Table 1, the total existing parking supply (excluding the parking garage in Zone 3⁷) within the study area is 555 spaces. The parking occupancy surveys covered a total of 485 spaces, a difference of 70 spaces.

Using a conservative assumption that 50 percent of the spaces that were not surveyed during the parking occupancy surveys would be occupied during the weekday peak hour would add approximately 35 spaces (70 x 0.50) to the existing observed peak parking demand of 354 spaces, resulting in a combined total of 389 spaces. With the inclusion of the un-surveyed parking spaces, the difference in the weekday peak parking demand estimate from parking model is within 10 percent of the observed weekday peak parking demand (420 vs. 389). Hence the parking model is considered validated for existing weekday conditions. Detailed calculation sheets and graphs related to the calibration and validation of the parking model for weekday are shown in Appendix C.

Parking Model Validation - Weekend

Utilizing the calibration process described above, the parking model was used to predict existing weekend conditions. The results were compared to the observed weekend parking occupancy for existing land uses. The results of the comparison are summarized in Table 11 below. It is important to note that parking occupancy surveys were conducted only between 6:00 p.m. and 9:00 p.m. on a weekend (Friday Night).

The model predicted weekend peak parking demand is 422 spaces and the observed peak parking demand is 409 spaces, a difference of 12 spaces, or 3 percent. Based on this finding, the parking model could be concluded as validated. However, as the occupancy surveys did not cover the entire study area, certain on-street segments and certain portions of the off-street parking lots were not included. Therefore, these parking spaces need to be included in the comparison. As shown in Table 1, the total existing parking supply (excluding the parking garage in Zone 3⁷) within the study area is 555 spaces. The parking occupancy surveys covered on a total of 485 spaces, a difference of 70 spaces.

⁷ The parking garage was not open to public and was still under construction at the time of occupancy surveys.

Table 11 – Comparison of Parking Model Calibration Results with Observed Parking Occupancy – Weekend

No.	Item	Model Prediction of Demand	Observed Demand	Percent Difference
1	Existing Peak Weekend Parking Demand	422 spaces	409 spaces	3%
2	Existing Peak Hour	8:00 p.m.	7:00 p.m.	N/A
3	Existing Peak Demand Periods	1:00 p.m. to 3:00 p.m. 7:00 p.m. to 9:00 p.m.	7:00 p.m. and 8:00 p.m.	N/A

Using a conservative assumption that 50 percent of the spaces that were not surveyed during the parking occupancy surveys would be occupied during the weekday peak hour would add approximately 35 spaces (70 x 0.50) to the existing observed peak parking demand of 409 spaces giving us a combined total of 444 spaces. Even with the inclusion of the un-surveyed parking spaces, the difference in the weekend peak parking demand estimate from parking model is within 10 percent of the observed weekday peak parking demand (422 vs. 444). Hence the parking model is considered validated for existing weekend conditions. Detailed calculation sheets and graphs related to the calibration of the parking model for weekend are shown in Appendix D.

Future Parking Supply and Demand Analysis

This section of the report discusses future planned development, and provides a future parking supply and demand analysis within the study area. As directed by the City, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one (1) new parking structure. This new structure is assumed to be constructed on the Trader Lane lot. Initial analysis efforts considered multiple structures and locations throughout the District. The full, District-wide future parking supply assessment is provided in Appendix E.

The purpose of this analysis is to estimate the amount of future available parking supply, and the corresponding amount of future development, which can be accommodated by the addition of a single new parking structure on the Trader Lane lot. Consistent with current Historic District design guidelines⁸, this single structure would have a 50-foot height limitation. The amount of future available parking supply correlates into an amount of supported future development. The future parking supply is approximated as the sum of excess existing parking supply after accounting for parking demand generated by existing and planned/approved development, and the parking supply that could be accommodated in a new Trader Lane structure.

The methodology utilized to estimate the amount of allowable future development for the Historic District is as follows:

1. Determine the total number of parking spaces that could be accommodated in a Trader Lane structure, consistent with the 50-foot height limitation. Ground floor retail is assumed to be accommodated in this structure.
2. Using the parking demand rates calibrated for existing conditions, estimate the parking demand for planned/approved projects. Parking demand for the parking structure's ground floor retail is included in this estimate.

⁸ *Historic District Design and Development Guidelines*, City of Folsom, October 1, 1998.

3. Estimate total future parking demand by adding the parking demand for planned/approved projects, including the structure's ground floor retail, to existing parking demand.
4. Subtract the total future parking demand from the total future parking supply within the District to obtain the total excess or (deficit) of parking spaces. The future parking supply does not include the existing 125 surface parking spaces on the Trader Lane lot that would be lost with construction of the new parking structure.
5. Add the total excess or (deficit) parking spaces to the parking spaces estimated for the proposed Trader Lane structure (from Step 1) to obtain total available parking spaces for future development.
6. The total available parking spaces are reduced by 10 percent to account for practical capacity, resulting in net total available parking spaces for future development.
7. Estimate the amount of future development that can be accommodated by the net total available parking spaces (from Step 6).

It is important to note that the "planned/approved projects" include only the Scalzi development located in the northwest corner of Sutter/Scott intersection, as well as the Historic Folsom Station (Rail Block). Furthermore, because existing land uses (excluding the specialty uses such as Club/Bar/Tasting Rooms, Theater, Museum/Exhibit Space) within the Historic District are classified primarily as retail, restaurants, or offices uses, future development was also similarly allocated across these three land use types.

Future Parking Supply

Future On-Street Parking Supply

The future on-street parking supply remains similar to existing parking supply (Figure 3), except seven (7) additional on-street parking spaces are added on Leidesdorff Street between Gold Lake Drive and Reading Street. Table 12 summarizes the future number of parking spaces along each street and total parking spaces for each zone. The study area contains a total of 239 future on-street parking spaces.

Future Off-Street Parking Supply

The future off-street parking supply is comprised of existing off-street parking facilities, the new 330-space parking structure in the Rail Block, and planned public spaces as part of known new development. Loss of parking spaces from new development includes 110 spaces with development of the Rail Block, and 125 spaces with the development of a parking structure on the Trader Lane lot. An additional 51 public spaces are added in Zone 1 with the development of the Scalzi site.

The number of future off-street parking locations, as well as the number of spaces provided are shown in Figure 10. Table 12 summarizes the future number of off-street parking spaces in each zone. There are a total of 491 future off-street public parking spaces in the study area.

Total Future On- and Off-Street Parking Supply

Table 12 summarizes the total future number of parking spaces by zone and in total. There are 730 total future on-street and off-street parking spaces within the study area.

The future on- and off-street parking supply of 730 spaces is 175 spaces more than the existing parking supply prior to the completion of the new parking structure, and 177 spaces less than the existing parking supply after completion of the structure.

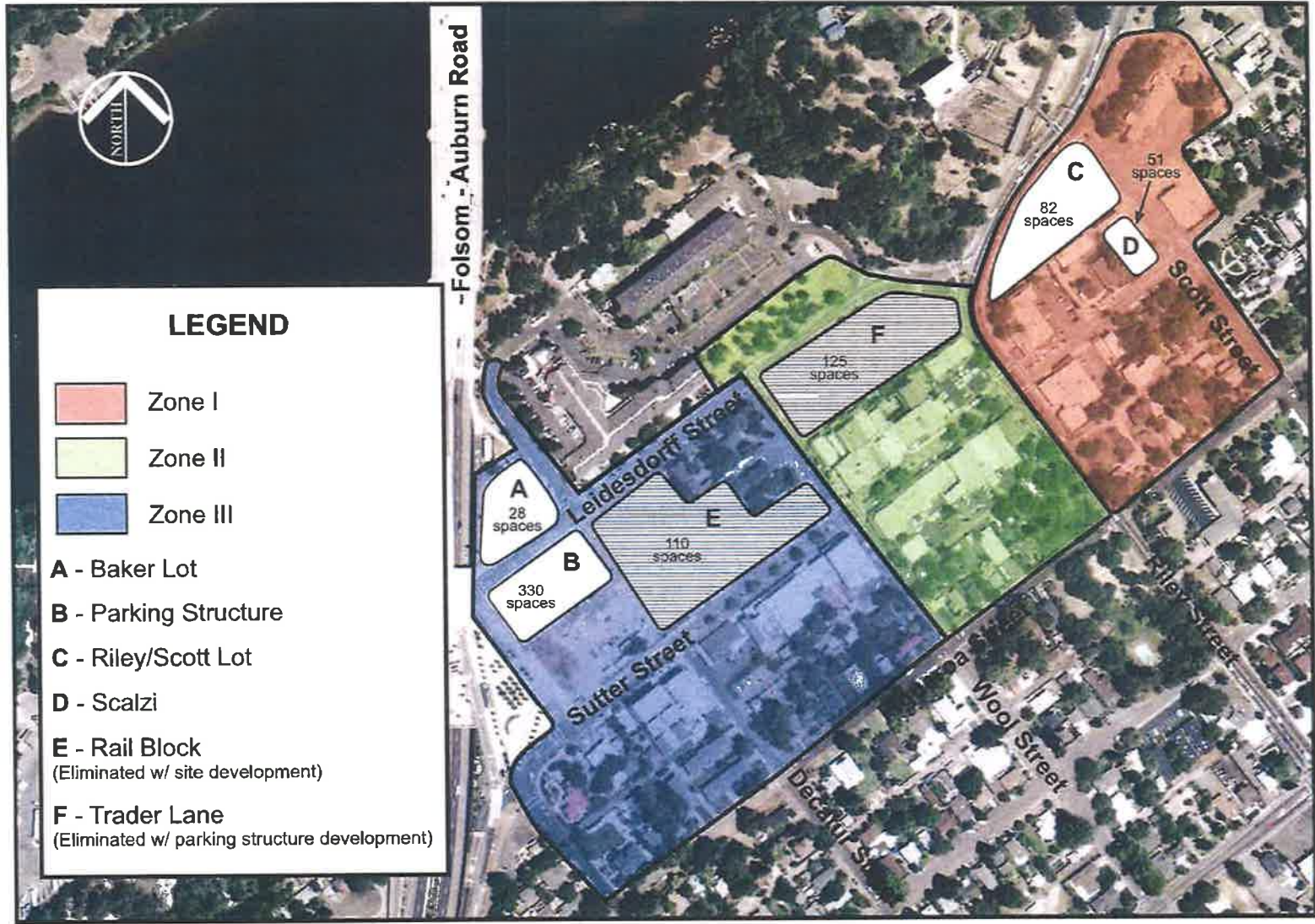


Figure 10
Folsom Historic District Parking
Future Off-Street Parking Supply

Table 12 – Summary of Future On-Street and Off-Street Parking Supply by Zone

Zone	Off-Street Public Parking Supply		On-Street Parking Supply		Total Existing Supply
I	Riley St. / Scott St. (Powerhouse) Lot	82	Riley St. – Sutter St. to Figueroa St.	7	
			Sutter St. – Riley St. – Scott St.	20	
	Scalzi	51	Scott St. – Leidesdorff St. to Sutter St.	3	
			Scott St. – Sutter St. to Figueroa St.	12	
	Subtotal	133	Subtotal	42	
II			Riley St. – Sutter St. to Figueroa St.	7	
			Wool St. – Leidesdorff to Sutter St.	11	
			Wool St. – Sutter St. to Figueroa St.	9	
			Leidesdorff St. – Wool St. to Riley St.	11	
			Sutter St. – Wool St. to Riley St.	0	
	Subtotal		Subtotal	38	
III	Baker Lot	28	Reading St. – North of Leidesdorff St.	10	
			Reading St. – Leidesdorff St. to Sutter St.	0	
			Reading St. – Sutter St. to Figueroa St.	10	
	Parking Structure	330	Gold Lake Circle	24	
			Decatur St. – Sutter St. to Figueroa St.	18	
			Wool St. – Leidesdorff St. to Sutter St.	11	
			Wool St. – Sutter St. to Figueroa St.	8	
			Leidesdorff St. – Decatur St. to Wool St.	23	
			Sutter St. – Reading St. to Decatur St.	25	
			Sutter St. – Decatur St. to Wool St.	23	
	Leidesdorff St. – Gold Lake Circle to Reading St.	7			
Subtotal	358	Subtotal	159	517	
Total Off-Street Spaces	491	Total On-Street Spaces	239	730	

Note: Excludes off-street parking supply gained in proposed Trader lane parking structure.

Existing plus Future Parking Demand

In context of this study, future parking demand is defined as a demand for parking that cannot be accommodated by individual on-site, private supply. Therefore, this demand must be accommodated by the municipal parking supply, either on-street or off-street. Because the data collection and analysis of existing supply and demand indicated a supply surplus, it can be assumed that, although frequently observed, the study area does not experience spillover parking into surrounding neighborhoods resulting from a parking supply deficit during typical weekdays and weekends. Therefore, the future parking demand analysis focuses on the study area, and does not include the surrounding neighborhoods. The purpose of this analysis is to:

1. Estimate existing plus future parking demand and determine whether the existing and planned public parking supply (including the proposed Trader Lane parking structure) is sufficient; and
2. If existing plus future demand exceeds supply, determine if there is the potential for spillover parking into adjacent residential neighborhoods.

For this study, the demand generated by future District residential uses is assumed to be accommodated on-site. Residential visitors, and employees and patrons of the commercial uses, are assumed to park off-site and rely on the public parking supply. Based on these assumptions, the future parking demand is estimated.

Future Land Uses

As previously stated, the future development scenario is constrained by the amount of future parking supply achieved by the addition of one (1) new parking structure. This new structure is assumed to be constructed on the Trader Lane lot, and incorporate ground floor retail. Based on a preliminary schematic and feasibility evaluation (Figure 11), 442 spaces can be accommodated in this structure. The net available parking spaces within the District, after accounting for existing and planned/approved parking demand and practical capacity, is up to 425 spaces. This level of parking supply (425 spaces) was determined to accommodate approximately 55,000 square feet of retail, 27,000 square feet of restaurant, and 20,000 square feet of office uses in addition to the planned/approved projects and ground floor retail within the Trader Lane parking structure.

The future retail and restaurant square footages were estimated using the existing proportion of retail and restaurant square footages within the District. The total future development that could be accommodated is 121,850 square feet, including 19,850 square feet of ground floor retail within the proposed parking structure.

Table 13 shows the land use categories and square footages representing future land uses.

Table 13 – Future Land Use Types and Square Footages

Land Use Type	Future Square Footage or Dwelling Units			
	Planned / Approved Projects	Trader Lane Structure Ground Floor Retail	Additional Development Accommodated by 442 Space Trader Lane Structure	Total Future Development
Retail	32,908	19,850	55,000	107,758
Restaurant	11,700	-	27,000	38,700
Office	31,301	-	20,000	51,301
Club/Bar/Tasting Rooms	-	-	-	-
Theater (Seats)	-	-	-	-
Museum / Exhibit Space	-	-	-	-
Residential (Dwelling Units – D.U.)	60	-	-	60
Total	75,909 60 D.U.	19,850	102,000	197,759 60 D.U.

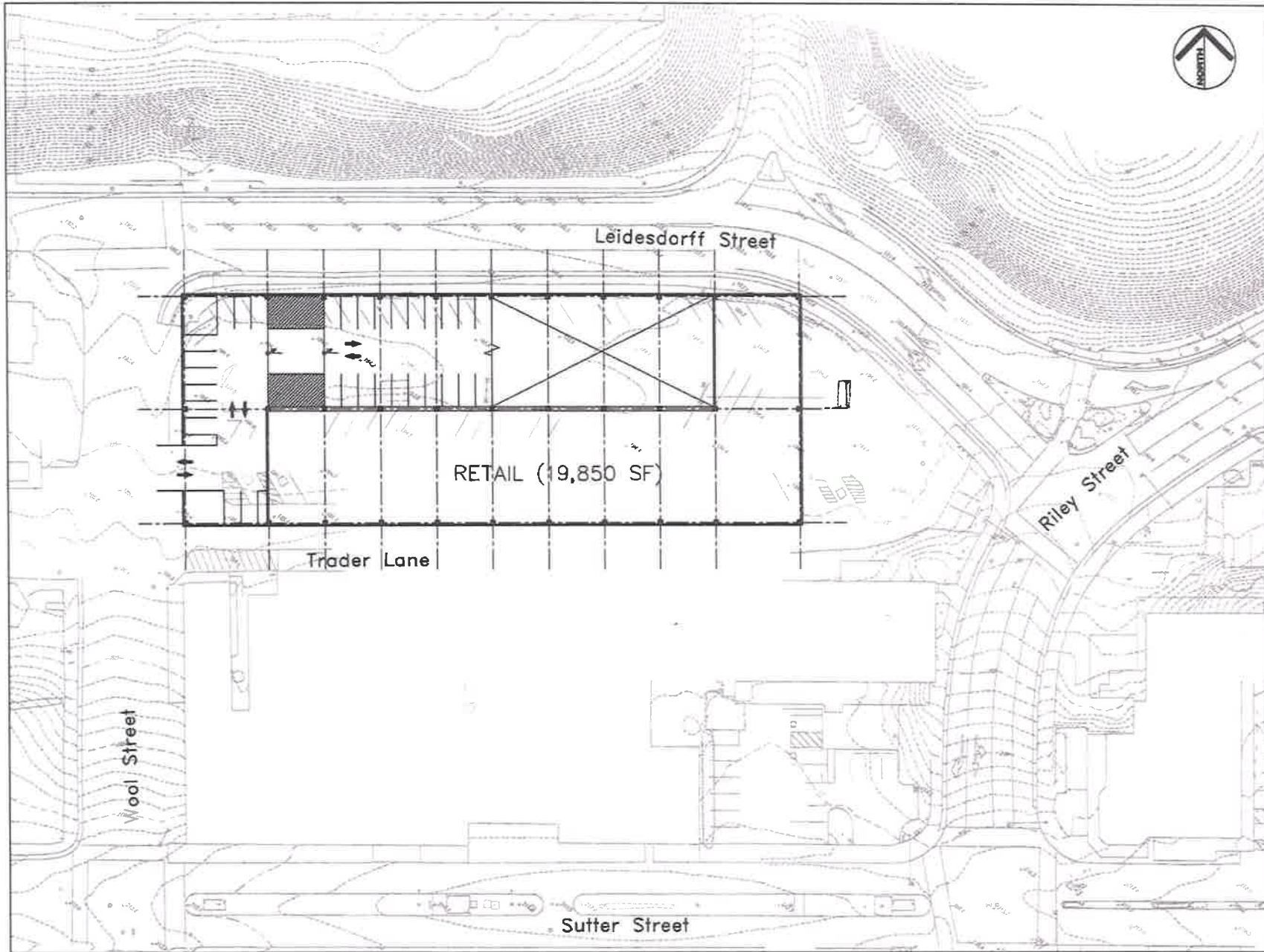


Figure 11
Trader Lane Parking Structure Details

Existing plus Future Parking Supply and Demand

Using the adjusted parking generation demand rates and the trip reduction percentages for transit, bike, walk, and captive trips, the parking model predicts existing plus future weekday and weekend parking demand. Table 14 presents the results of the determination of the amount of future development which can be accommodated by the available District parking supply with the addition of a Trader Lane parking structure.

Table 14 – Permissible Future Development Based on Future Parking Supply

Step #	Steps	Weekday	Weekend	
1	Estimated Parking Spaces in Trader Lane structure	442 spaces	442 spaces	
2	Parking Demand for Planned/Approved Projects	256 spaces	215 spaces	
	Existing Parking Demand	420 spaces	422 spaces	
3	Total Parking Demand	676 spaces	637 spaces	
4	Future Parking Supply (excludes the existing surface and proposed structure parking spaces in Trader Lane Lot) ¹	730 spaces	730 spaces	
	Excess (Deficit) Parking Spaces	54 spaces	93 spaces	
5	Available Parking Supply for Future Development (step 1 + step 4)	496 spaces	535 spaces	
	Parking Demand for Wrap-Around Retail	64 spaces	64 spaces	
	Total Available Parking Supply for Future Development	432 spaces	471 spaces	
6	Practical Capacity Reduction	10%	10%	
	Net Total Available Parking Supply for Future (90% of step 5)	390 spaces	425 spaces	
	Future Land Uses	Quantity	Peak Weekday Demand	Peak Weekend Demand
7	Retail	55,000 SF	176 spaces	132 spaces
	Restaurant	27,000 SF	162 spaces	292 spaces
	Office	20,000 SF	50 spaces	1 space
	Total	102,000 SF	388 spaces	425 spaces
¹ The future parking supply includes 239 on-street spaces and 491 off-street spaces for a total of 730 spaces. The off-street parking spaces includes the following: <ul style="list-style-type: none"> - Powerhouse Lot = 82 spaces - Baker Lot = 28 spaces - Rail Block Parking Structure = 330 spaces - Scalzi = 51 spaces 				

As shown in Table 14, based on the future parking supply limitations (390 weekday and 425 weekend), an assumed future development scenario of 55,000 square feet of retail, 27,000 square feet of restaurant, and 20,000 square feet of office uses should be assumed and utilized in future planning efforts for the District.

Adequacy of City's Current Parking Strategy

Currently, the City of Folsom requires a flat parking ratio of 1 space per 350 square feet for all land use types within the Historic District. Assuming that all new development will provide parking in one form or another (i.e., either build parking on-site or contribute to the cost of public parking equivalent to their on-site requirement), Table 15 estimates the total future parking supply needed by new development using the City's existing parking ratio. As shown in Table 15, new development would result in 348 spaces.

Table 15 – Estimate of Future Parking Supply Based on Current Parking Ratio

	Future Land Use (Square Footage)	City's Existing Parking Ratio	Total Estimated Future Supply (spaces) Needed
Entire District	121,850	1 space per 350 sq. ft.	348
Note: The estimates above do not include requirements for residential visitor parking that might be located off-site.			

This analysis indicates that using the City's current parking ratio (1 space per 350 square feet) would result in a number of spaces that would be less than the maximum deficit of 398 spaces (see below) calculated using the calibrated parking demand rates developed in this report. The City's current ratio would under-provide parking by 50 spaces.

Revised Average Flat Parking Rate to Accommodate Parking Deficit

The peak weekday parking demand, with a factor to reflect practical capacity, is 1,128 spaces. The amount of future parking supply is 730 spaces, which is 398 spaces less than required.

For these 398 spaces to be provided through development requirements, the City could revise the existing parking ratio of 1 space per 350 square feet to 1 space per 305 square feet (see calculations below).

- Peak weekday parking demand for existing plus future conditions = 1,128 spaces
(676 + 64 + 388 = 1,128 per Table 14)
- Future parking supply (existing plus proposed) = 730 spaces
- The peak weekday parking demand for existing plus future conditions exceeds the future parking supply by a total of 398 spaces (1,128 - 730 = 398)
- City's revised parking ratio = 121,850 sq. ft. of new development at 1 space per 305 square feet will be equal to approximately 400 spaces.

Individual Parking Ratio by Land Use Types

If the City chose to apply individual parking ratios by land use types, then individual parking ratios for each future land use type is estimated using the future land use square footages, adjusted peak weekday parking demand, and the number of parking spaces required. The future land uses were divided into retail, restaurant (fine dining and casual dining), and office uses. Table 16 shows the calculations of individual parking rate by land use types, assuming 398 spaces (one parking structure) are required to meet the deficit.

Table 16 – Individual Parking Ratio by Land Use Types (Based on Need for 398 Spaces)

Land Use	Future Land Use Square Footages (A)	Adjusted Weekday Peak Demand Rates ¹ (B)	Estimated Demand ² (C)=(A)x(B) x80%	% Percent (D)	No. of Pkg. Spaces Needed (E)	Spaces Required by Land Use Type (F)=(D)x(E)	Approximate Individual Parking Ratio (G) = (A) / (F)
Retail	74,850	4.00	240	53%	398	211	1 Space per 350 sq. ft.
Restaurant							
Fine Dining	13,500	8.50	92	20%	398	80	1 Space per 170 sq. ft.
Casual Dining	13,500	6.50	70	16%	398	64	1 Space per 210 sq. ft.
Office	20,000	3.15	50	11%	398	43	1 Space per 460 sq. ft.
Total	121,850	-	452	100%	398	398	1 Space per 305 sq. ft.

¹ Adjusted weekday peak demand rates from Table 9.
² Estimated demand includes adjustment for transit, walk, bike, and captive trips (a total of 20%).

Conclusions

The overall conclusions of this analysis result in the following:

- The current ratio of 1 space per 350 square feet would result in about 348 spaces and would fail to accommodate the projected maximum deficit of 398.
- A revised ratio of 1 space per 305 square feet would result in about 400 spaces and would adequately accommodate the maximum deficit of 398 spaces.
- Individual ratios by land use type ranging from 1 space per 170 square feet to 1 space per 460 square feet would result in about 398 spaces, which would accommodate the maximum deficit.

ASSESSMENT OF PARKING STRUCTURE SITES

Identification of Potential Sites

As part of the Request for Proposals for this project, as well as a carry-over from the 2002 *Plan*, the City identified six (6) potential sites for the construction of additional Historic District parking supply. Through preliminary discussions with City staff, this initial list of six sites was subsequently reduced to five (5) with the elimination of one site determined to be generally infeasible, and the least desirable location of all potential sites. As such, the assessment of parking structure sites focused on the following five locations:

1. Folsom Hotel

This site is generally described as the vacant ravine behind the Folsom Hotel, adjacent to Riley Street. Access would likely be provided from Figueroa Street and/or the alley between Sutter Street and Figueroa Street.

2. Gold Lake Center

This site is generally described as the vacant, earthen embankment adjacent to the Gold Lake Center commercial development, along the north side Leidesdorff Street in the vicinity of Wool Street. Access to this site would likely be provided from Leidesdorff Street and from the existing surface parking lot within the Gold Lake Center property.

3. Moose/Eagles Lodges
 This site is generally described as the parcels currently occupied by the Moose and Eagles Lodges located east of Scott Street, between Riley Street and Sutter Street. Access would likely be provided from Sutter Street and/or Scott Street.
4. Riley/Scott
 This site would replace the existing surface parking lot located south of Riley Street between Leidesdorff Street and Scott Street. Access would be provided from Scott Street.
5. Trader Lane
 This site would replace the existing Trader Lane surface parking lot. Ground level access would be provided from Wool Street and/or Leidesdorff Street.

These five potential parking structure sites are depicted in Figure 12.

Evaluation Criteria and Matrix

In order to evaluate and provide a meaningful relative comparison of the five potential parking structure sites, five evaluation criterion were identified:

- a. Capacity: Does the site contribute toward lessening future parking deficit?
- b. Implementation: Does the site minimize implementation effects on existing parking supply, businesses, and circulation?
- c. Site Accessibility: Is the site located near District generators and localized parking deficits, and is visible?
- d. Community Considerations: Does the site provide for mixed-use opportunities and incorporate urban design characteristics?
- e. Cost Considerations: Does the site incur reasonable construction costs?

The evaluation matrix provided in Table 17 provides a summary of the evaluation of the five potential parking structure sites. More detailed concepts for each of the sites are provided in Appendix F.

Table 17 – Parking Structure Site Evaluation Matrix

Site Alternative Assessment Evaluation Criterion		Parking Structure Alternative Location				
		Folsom Hotel	Gold Lake Center	Moose / Eagles	Riley / Scott	Trader Lane
a	Contributes toward lessening future parking deficit?					
b	Minimizes implementation effects on existing supply, businesses, and circulation?					
c	Is located near District generators and localized parking deficits, and is visible?					
d	Provides for mixed-use opportunities and incorporates urban design characteristics?					
e	Incurs reasonable construction cost?					
Identified as viable site for potential parking structure development?						
Poorly Addresses Criterion Moderately Addresses Criterion Addresses Criterion Effectively Addresses Criterion						

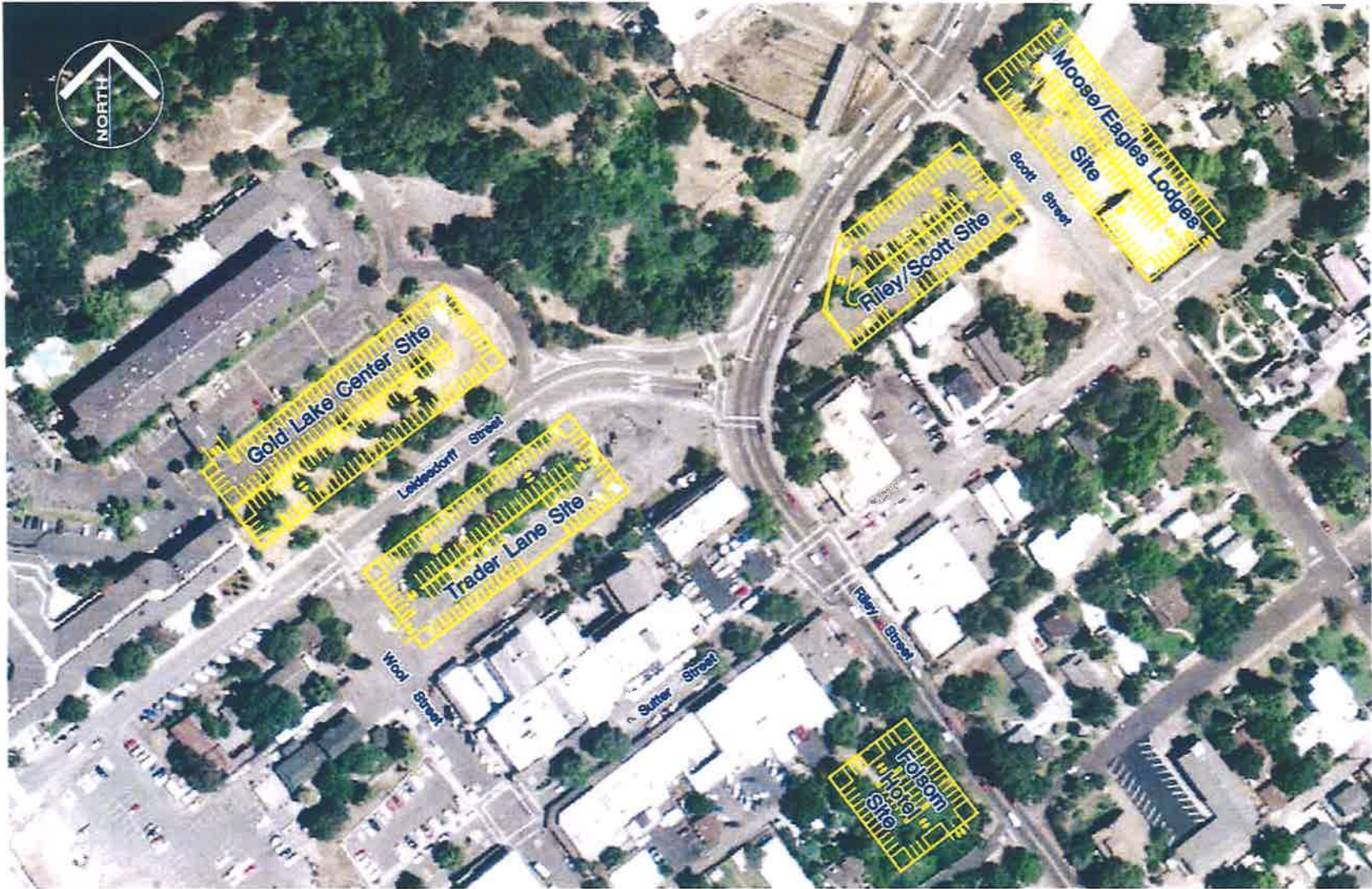


Figure 12
Paking Structure Evaluation Sites

As demonstrated in Table 17, the Trader Lane and Moose/Eagles sites were determined to most effectively address the site evaluation criterion. Conversely, the Folsom Hotel and Gold Lake Center sites were determined to most poorly address the criterion. As previously discussed, subsequent discussions with the City determined that the Trader Lane lot should be the preferred location considered for the development of a new parking structure. The evaluation conducted as part of this effort supports the direction offered by the City.

Conclusions

Based on the aforementioned evaluation of the five potential parking structure sites, the Trader Lane and Moose/Eagles sites were determined to best satisfy the established criterion for the addition of Historic District parking supply. Therefore, these two sites are recommended for design implementation according to the outcomes of this study. The City's subsequent direction to consider only a single structure on the Trader Lane lot is consistent with the outcome of this effort.

PARKING IMPLEMENTATION STRATEGIES

Because the City of Folsom's Historic District is anticipated to realize a parking deficit of approximately 400 spaces at build-out, it is necessary for the City to consider various strategies on how best to address this anticipated shortfall. This section provides a menu of potential general parking strategies, and presents a series of specific recommended near-term and long-term strategies for the Historic District.

Objectives

According to the *Historic District Design and Development Guidelines*⁹, "Because historic downtown lot sizes and development patterns were established prior to the advent of the automobile, however, the opportunities for individual sites in the Sutter Street Subarea to provide on-site parking are severely constrained. In order to preserve the historic structures and ambiance of this area, the City has assumed a share of the responsibility for providing adequate parking for the entire Subarea."

Furthermore, the *Guidelines* specify that "All uses must provide parking spaces conforming to City standards as established by this document, the Folsom Municipal Code, and any other adopted City ordinances, policies and requirements. The parking requirement may be met by providing spaces on-site (if found appropriate through the design review process) or on nearby property controlled for that purpose for the life of the use. The typical means of providing required parking in this Subarea is property-owner and/or business-owner financial participation in community-planned-and-operated parking facilities, established under the aegis of the City of Folsom or its Redevelopment Agency and subject to the design review process."

As such, the overall objective of parking strategies for the City of Folsom's Historic District revolve around the *Guideline's* principles in which the City is a stakeholder in the development of adequate parking supply for the District. This adequate parking is acknowledged to be comprised of both structured and other off-street surface parking facilities.

Historic District Users and Needs

Parking strategies, in general, need to accommodate the multiple users of the Historic District. The mixed-use nature of the District dictates that the users include residents, residential visitors, light-rail transit (LRT) users and commuters, customers (non-residential visitors, shoppers, diners), employees, delivery and public services (police, fire, refuse, etc.), special event visitors, and residents of the surrounding neighborhoods.

⁹ *The City of Folsom, Historic District Design and Development Guidelines*, City of Folsom, October 1, 1998.

Each of these user groups have their own specific needs, most significantly distinguished by the duration of their parking demand.

The parking strategies described herein specify the particular users that are anticipated to benefit from the various parking strategies. The ultimately selected parking strategies, in cumulative, should address each of the multiple District users' needs.

Historic District Parking Principles

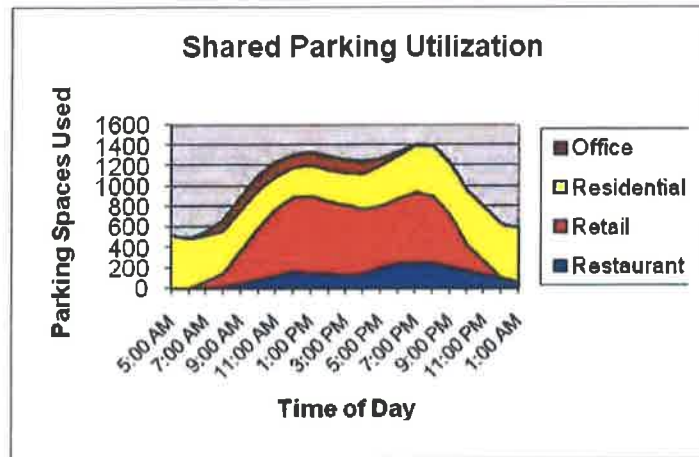
A vibrant, economically viable and successful Historic District (i.e., “downtown”) combines both public and private parking opportunities to create an environment in which visitors park once, and walk to multiple destinations. As specified in the District’s *Guidelines*, private development is essentially expected to rely on the public parking supply to accommodate nonresidential parking demand. As a result, where public parking supply is shared by uses with varying and complementary peak periods of demand, the concept of “shared parking” is introduced. For example, office uses in the District generate their peak parking demand in the mid-morning and early afternoon timeframes, whereas restaurants generate their peak demand midday and in the evenings. These two land uses can effectively share a lower number of parking spaces than if each use was required to accommodate its own peak demand. This “sharing” of parking supply is in contrast to typical suburban parking requirements where each building is required to provide parking on-site for its own users, but rarely fully utilizes its own supply. According to the Urban Land Institute’s *Shared Parking (Second Edition)* “...shared parking has been a fundamental principle of downtown planning from the earliest days of the automobile.”

The following figures (Figure 13 and Figure 14) illustrate the concept of shared parking. Figure 13 is an example of the amount of parking provided based on minimum parking requirements or standards. This approach is based on providing each land use a minimum number of parking spaces as if it were an isolated use. Figure 14 illustrates the actual utilization of the parking spaces for each land use by time of day. Since different land uses have peak parking demands at different times, the land use can effectively “share” a common pool of parking spaces, as long as the highest demand of the day can be accommodated. The result of shared parking is a lower total number of parking spaces than if each individual use is required to provide for its own peak period.

Figure 13 – Minimum Required Parking Example



Figure 14 – Minimum Shared Parking Example



In addition to increasing the efficiency of a limited parking supply, the concept of shared parking reduces the overall cost of providing parking. In downtown areas where development intensity and floor area ratios are high, blocks and individual parcels are small, and land uses are predominantly small businesses, it can be prohibitively expensive to provide parking which satisfies typical zoning code requirements, particularly if structured or underground parking is required. Typical downtown areas have the advantage of being able to combine resources to fund and maintain a common pool of parking for all users. In addition to the principle of shared parking, there are several general principles that should guide decisions regarding parking in a downtown core. These principles include:

1. Provide adequate, but not excessive public parking supply.
2. Provide a simple, easily understood parking environment with adequate way-finding.
3. Maximize the provision of on-street parking as a primary source of short-term customer parking, and enforce time restrictions.
4. Strategically locate municipal lots to provide short-term and long-term parking. Identify at least one location for the eventual construction of a parking structure within the core when needed.
5. Gradually implement pricing as a parking management strategy to reduce long term parking in the downtown core, to balance the level of utilization between on- and off-street parking, and to recover the costs of operating and maintaining parking facilities.
6. Provide options for long-term parking including long-term parking within the core controlled by pricing and free or low-cost long-term in the periphery of the core.
7. Improve the walkability of the downtown to encourage employees to park farther from the downtown core.
8. Ensure high-quality pedestrian connections.
9. Protect neighborhoods from spillover parking.

The strategies identified below are consistent with the principles described above.

Parking Management and Implementation Strategies

The implementation of parking management strategies is intended to ultimately result in more efficient use of limited parking resources. A number of parking management strategies could be implemented within the Historic District to address the existing and the projected, future parking conditions. Potential parking management strategies include:

1. Update Private Parking Requirements
2. Establish and Implement In-Lieu Parking Fees
3. Improve Management of Rail Block Parking Structure
4. Implement Residential Permit Parking or Alternative Neighborhood Protection
5. Establish Public Parking Phasing Threshold
6. Establish Loading and Delivery Strategies
7. Implement On-Street Parking Management Strategies
8. Implement Off-Street Public Parking Management Strategies
9. Establish and Implement Valet Parking
10. Implement Additional On-Street Parking
11. Establish Pricing Strategies
12. Establish Parking Demand Reduction Strategies
13. Address LRT Commuter Parking in the District

The following is a discussion of each of these strategies and associated near- and long-term implementation recommendations:

1. Update Private Parking Requirements

Currently, the City of Folsom requires a flat parking ratio of 1 space per 350 square feet for all land use types (retail, offices, restaurants, museums, etc.) within the Historic District. The previously documented detailed parking analysis indicated that this requirement is not sufficient to address the future parking needs of the District. As per the parking analysis, the District proposes to add approximately 121,850 square feet (SF) of commercial use, in addition to existing land uses and known planned/approved projects. Utilizing the City's existing requirement of 1 space per 350 SF, the additional proposed development (121,850 SF) will require approximately 350 parking spaces. The parking analysis also indicated that using the City's current parking ratio (1 space per 350 SF) for future parking demand would under-provide parking by approximately 50 spaces.

Recommendation #1: Update the private parking requirements in the Municipal Code to accommodate existing and future parking demand.

The parking analysis evaluated the adequacy of the existing flat parking ratio to meet future parking demand. As per the parking analysis, in order to meet the future weekday parking demand, the City should either increase its current parking ratio from 1 space per 350 SF, to 1 space per 305 SF, or adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and office (1 space per 460 SF) uses. By adjusting the parking ratio, the District would be able to accommodate the future parking demand.

In the near-term, the City should consider increasing the flat parking rate from 1 space per 350 SF to 1 space per 305 SF to meet the future parking needs. In the long-term, the City should consider adopting separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and for office (1 space per 460 SF) uses. Adopting separate ratios for different uses will allow the City to more accurately identify future parking needs.

2. Establish and Implement In-Lieu Parking Fees

Under this strategy, developers are allowed to pay a fee in-lieu of providing on-site parking spaces traditionally required by the Municipal Code. The revenue collected by this fee is used to finance public parking spaces. This strategy gives developers an option to either provide the parking required or pay a fee if it is infeasible to construct parking on-site. Alternatively, a development may provide some parking on-site and provide the balance required through payment of the in-lieu fee. This

approach is highly applicable in downtown areas where development opportunity sites are small, and providing on-site parking is difficult and often expensive. Since the City uses Redevelopment Funds to finance public parking spaces in the District, the revenue collected could alternatively be used to pay for a Parking Enforcement Office position.

Recommendation #2: Establish and implement in-lieu parking fees to provide options for developers within the District.

A number of development opportunities exist within the District. However, the size of the development for most of these opportunity sites is small because of existing uses, and it would be difficult for developers to provide the on-site parking spaces required by the Municipal Code. An in-lieu parking fee provides the developer an option of paying a one-time fee for each parking space not provided on-site, thus encouraging development within the District. Cities are often faced with a dilemma where they would like developers to invest in their City, but do not provide developers with an option where they can rely on public parking facilities to meet their parking demand by paying an in-lieu parking fee. Parking for development sites where providing on-site parking is difficult or expensive typically relies upon on-street parking. Increased on-street parking demand has the tendency to discourage customers from visiting.

As a long-term parking strategy, the City could establish and implement in-lieu parking fees. The timing of the in-lieu parking fee could coincide with the City's decision (if implemented) of adopting separate parking ratios for retail, restaurants, and office uses with the District.

3. *Improve Management of Rail Block Parking Structure*

The recently constructed Rail Block public parking structure is currently used by Historic District employees, customers, and Light Rail Transit (LRT) commuters. Improved management of the different users will result in more effective utilization of public parking resources.

Generally speaking, it is recommended that the City institute a simple, straight forward management strategy that is easily understood by all users of the parking structure. The most effective parking management strategy will simplify structure enforcement, and will meet the expectations of current and future Historic District users. With that said, it is also recommended that the City continue to preserve the ultimate intended use of the structure, with minimal, strategic, short-term deviations to most effectively address current economic, development, and user conditions.

This topic is discussed in detail, and implementation recommendations are provided later in this document within the "Assessment of City's 5-Year Parking Management Plan" portion of the "Other Considerations" section on Page 53.

4. *Implement Residential Permit Parking or Alternative Neighborhood Protection*

This strategy has multiple objectives, primarily to protect residential neighborhoods surrounding the District from spillover parking. This strategy would allow residents of the District to obtain permits to park on streets in the surrounding neighborhoods, provided that there is sufficient on-street parking capacity to accommodate the needs of the neighborhood. The revenue generated by this strategy may be used to administer, and enforce, the residential permit parking program, or may be used to fund improvements specific to the neighborhood in which the permit was sold (e.g., traffic calming, landscaping, streetscapes, etc.).

Recommendation #4: As development intensifies in the District, it is recommended to periodically monitor parking conditions to determine if residents are parking on-street, or within surrounding neighborhoods. If so determined, develop and implement a program to administer and enforce a Residential Permit Parking Program (RPPP).

Criteria for triggering the need to implement permit parking also need to be established. There are two purposes for these criteria: a) for Historic District residents to park in public spaces within the District area, and b) to minimize impacts of spillover parking in surrounding neighborhoods (District visitors parking in the adjacent neighborhoods).

Criteria for a) includes: More than 10 percent of the public parking spaces are being utilized by Historic District residents (e.g., overnight parking) on a regular basis. Criteria for b) includes: A neighborhood association registered with the City's Planning Department circulates a petition, and obtains signatures for 60 percent or more of the households in the area. It is also critical that the City has conducted a parking study to demonstrate that spillover parking is occurring.

The City of Folsom has an ongoing neighborhood Permit Parking ordinance which will enable neighborhoods to establish permit parking zones. Also, recent field observations indicate spillover parking into adjacent neighborhoods, particularly in the vicinity of the intersection of Wool Street and Figueroa Street. This spillover parking could be because customers/visitors are not fully utilizing the public parking lots available within the District, and would like to park closer to their destinations.

In the near-term, the City does not need to implement an RPPP for neighborhoods adjacent to the intersection of Wool Street and Figueroa Street. However, the City should continue to monitor this, and other neighborhoods for spillover parking as growth intensifies within the District. A RPPP is an inconvenience for residents, and should be avoided as long as practical.

The long-term strategy is to establish an RPPP, if found to be needed. A RPPP should be implemented gradually, and applied only to neighborhoods that are experiencing spillover impacts. If implementation of RPPP in one neighborhood is determined to push the impact to an adjacent neighborhood, the RPPP should be expanded to that adjacent neighborhood.

5. Establish Public Parking Phasing Threshold

As per the parking analysis, the future parking supply (on-street and off-street) within the District is 730 spaces. The estimated existing parking demand for a weekday is 420 spaces which is approximately 50 percent of the future parking supply. The parking demand for planned/approved projects within the District is estimated to be 256 spaces. With the construction of all planned/approved projects, the parking demand of 676 spaces (existing + planned/approved projects) would be approximately 79 percent of the future parking supply within the District.

The parking analysis indicated an additional 121,850 SF of commercial development is feasible within the District without exceeding the parking capacity of a future parking structure. A 422 space parking structure is proposed at the existing Trader Lane Lot, which will in turn eliminate 125 off-street parking spaces. With the elimination of the Trader Lane Lot, the parking demand of 676 spaces (existing + planned/approved projects) would be approximately 93 percent of the future parking supply within the District. Typically, the construction of any new parking facility begins when the parking demand reaches 85 percent of the parking supply. This approach ensures that enough parking spaces are available during the period of construction. Accordingly, the construction of the proposed parking structure at the Trader Lane Lot should begin when the parking demand of planned/approved projects reaches 80 percent (205 spaces).

Recommendation #5: The City should start construction of the parking structure at the Trader Lane lot when the district-wide parking demand reaches approximately 85 percent of the available parking supply at the time, or when approximately 80 percent of the planned/approved projects' parking demand occurs within the District.

In the near-term, the implementation of planned/approved projects should be closely monitored to determine when 80 percent of the development's parking demand is reached. Any additional loss of parking spaces within the District should also be closely monitored.

In the long-term, the construction of a 422 space parking structure should begin when the parking demand within the District reaches 85 percent of the available parking supply.

6. *Establish Loading and Delivery Strategies*

Loading areas for the delivery of goods, merchandise, and supplies is essential for the economic health of the District. Deliveries should be accommodated through a combination of on-site loading docks, on-street loading zones restricted to certain hours, and permanent on-street loading areas. Larger development projects should provide on-site loading.

Smaller, or otherwise constrained sites may be served by on-street loading zones that are restricted to loading in the early morning hours and afterward revert to public parking. These loading areas are project-specific, but should be selected to serve several properties. These restricted loading areas should be as convenient as possible to the service entrances of the buildings they serve, but if not feasible, loading zones should be on side streets or in the rear of the buildings.

The District should provide several permanent on-street loading zones distributed in all three zones to permit deliveries throughout the day. The City's Municipal Code requires commercial uses where large amounts of goods are received and shipped to provide adequate loading and unloading space to handle the volume and frequency of the truck traffic (Section 17.57.060). The City requires the loading zones be a minimum of 10-foot wide, 35-foot long, and 14-foot high.

Recommendation #6a: For large developments, the City should recommend on-site loading and unloading zones.

Currently, the City's Municipal Code does not require large developments to provide on-site loading and unloading zones, which puts the burden upon on-street parking spaces to serve as loading and unloading zones. For these large developments, additional on-street parking spaces are required (as per Municipal Code Section 17.57.060) which are likely to reduce the general availability of on-street parking spaces for customers/visitors within the District. Therefore, it is recommended that in the near-term the City add a provision within their Code which requires large developments to provide on-site loading and unloading zones.

Recommendation #6b: Based on the location of existing and anticipated commercial businesses, identify and implement restricted and permanent loading zones on curbs with parallel parking.

With the amount of development proposed within the District, sufficient on-street loading and unloading spaces should be provided to accommodate the needs of the future developments. The following locations are recommended for on-street loading and unloading zones (Note: the exact location of existing loading and unloading zones are not known and the recommendations are made based on anticipated future demand from proposed developments):

- Trader Lane between Wool Street and Riley Street
- Sutter Street between Reading Street and Decatur Street
- Sutter Street between Decatur Street and Wool Street
- Sutter Street between Wool Street and Riley Street
- Sutter Street between Riley Street and Scott Street
- Leidesdorff Street between Gold Lake Drive and Wool Street
- Scott Street between Riley Street and Sutter Street

The City should maintain flexibility to change the location of loading zones in response to changes in development. In the near-term, some on-street parking spaces along the recommended sections should be designated as loading and unloading zones during the off-peak hours.

In the long-term, some of these off-peak loading and unloading zones, which are heavily utilized, should be designated as permanent loading and unloading zones without time restrictions. This approach should only be done if the loss of on-street parking spaces does not significantly affect the parking supply, and additional on-street parking spaces exist within the surroundings. The timing for permanent loading and unloading zones could also be coordinated with the construction of the Trader Lane parking structure, as the parking supply within the District will be increased and the loss of on-street parking spaces is compensated.

7. Implement On-Street Parking Management Strategies

Most streets within the District have on-street parking. Along Leidesdorff Street, Wool Street, and Sutter Street, angled on-street parking is provided. Some of the on-street spaces are delineated with pavement markings, but most streets have no parking space delineation. Under future conditions there are a total of 239 on-street parking spaces. Table 12 of this report details the on-street parking locations within the District.

On-street parking is used by employees, customers, and visitors of the District. To some extent, existing on-street parking is used by LRT commuters as parking enforcement is not strictly provided. Proper on-street parking management will increase its efficiency by making sure that adequate parking is available within the District to accommodate short-term peak parking demand. Shoppers, diners, and commercial visitors will comprise the majority of peak period parking demands in future Folsom. This group of users has short-term parking needs (3 hours or less). Therefore, the time restriction and potential pricing strategies discussed below are intended to serve this group of users.

Time Restrictions

Time Restrictions are intended to maximize parking turnover of the most convenient and therefore, the most valuable, spaces in the District. The objective of this strategy is to reserve on-street parking spaces in proximity of retail land uses within the District for customers, while providing unrestricted parking in the periphery for employees or residents.

Existing on-street parking occupancy results indicate peak weekday demand of approximately 80 percent to 85 percent and the peak to be between 11:00 a.m. and 2:00 p.m. During the weekend (Friday evening), the peak on-street parking demand is approximately 75 percent with the peak time between 6:00 p.m. and 8:00 p.m. Parking demand in many downtowns peaks around noon to 1:00 p.m. as this is the time that retail/restaurant uses peak during weekdays. The District weekday peak is indicative of a predominantly retail/restaurant-based commercial mix. For the weekend, the observations suggest on-street parking spaces are being used by restaurant users, which peak around dinner time within the study area.

Approximately 75 percent of the District's on-street parking should be restricted to short-term parking. While time restrictions can vary depending on the needs of the adjacent land uses, the basic time limit should encourage the desired turnover (typically 1 ½ to 2 hours). Longer term parking should be provided within the immediate periphery, or near outer ends of the District (e.g. Sutter Street east of Scott Street, Canal Street, Reading Street, and Bridge Street). These streets should be restricted to 10-hours, or left unrestricted in the near-term. The City may provide shorter time restrictions for street segments at the request of property owners.

The following streets within the District currently have time restrictions:

- Wool Street: Between Sutter Street and Figueroa Street (2-hour limit)
- Wool Street: Between Sutter Street and Leidesdorff Street (3-hour limit)
- Sutter Street: Between Wool Street and Reading Street (3-hour limit)
- Gold Lake Drive (3-hour limit)
- Decatur Street: Between Sutter Street and Figueroa Street (3-hour limit)
- Leidesdorff Street: Between Wool Street and Gold Lake Drive (3-hour limit)

However, these time restrictions are not enforced, and do not cover all streets within the District. Recent parking turnover surveys conducted in January 2008 show vehicles parked throughout the day at some of these on-street parking spaces.

Criteria/Guidelines for Time Restrictions

- Maintain consistent time restrictions within the District. Avoid piecemeal time restrictions unless there are compelling reasons to change.
- Time restriction serving the commercial core should be 2 hours (the average time parking in downtown's nationally is 90 minutes).
- Property owners may petition for time restrictions less than 2 hours on the streets which their property is located, but the change should be applied to the entire street. The majority of property owners fronting the street (at least 51 percent) must agree to the change in restriction. The City may require a parking turnover survey to support changes to the time restriction.
- 30-minute time restrictions may be used for streets serving very high intensity retail activity where rapid turnover is required (e.g., post office, banks, ATMs, dry cleaners, etc.).
- Long-term parking (no time restriction except standard 72 hour limit) should not be signed. Designation of unrestricted parking should be based on whether or not:
 - The parking area is conducive to employee and resident parking outside of the District;
 - There is adequate on-street parking capacity (85 percent or less occupied); and
 - The current adjacent uses on either side of the street do not require high turnover parking.
- Unrestricted long term parking should be provided adjacent to residential development (not mixed use) and in the periphery of the Historic District based on the above criteria.

Recommendation #7a: Change the existing 3-hour parking restrictions to a 2-hour parking restriction within the District. Install revised parking restriction signs on these streets. Consistent enforcement of the time restriction is necessary to maintain adherence.

Recommendation #7b: Adopt the time-restriction recommendations described above. Identify 30-minute parking zones on streets serving high intensity retail or service activity. Also identify long-term parking within the immediate periphery or near outer ends of the District (e.g. Sutter Street east of Scott Street, Canal Street, Reading Street, and Bridge Street).

In the near term, no change to 3-hour parking restriction is needed. However, enforcement of time restriction is recommended to maintain adherence and to acclimate downtown parkers that enforcement is being consistently applied. Parking tickets, which only give a warning to vehicles parked longer than the time allowed, may be issued during the acclimation period.

In the long-term, as the development intensifies within the District, it is recommended that all on-street parking within the commercial core be limited to 2 hours and parking tickets (appropriate amount should be decided by the City) be issued to vehicles violating the time limits. Parking enforcement could also be coordinated with the construction of Trader Lane parking structure as more parking will be available for long-term parkers.

8. Implement Off-Street Public Parking Management Strategies

Within the District, off-street parking lots were observed to have occupancy averaging 58 percent between 11:00 a.m. and 3:00 p.m. (with 71 percent occupancy at 12:00 noon), then a drop to 43 percent and 52 percent between 4:00 p.m. and 5:00 p.m. Between 6:00 p.m. and 7:00 p.m., the parking occupancy increases to 70 percent and 78 percent before dropping dramatically to 21 percent at 8:00 p.m. The increase in the early evening coincides with the peak dining period. The peak off-street parking demand occurs at 7:00 p.m. with 78 percent occupancy.

Nearly all existing off-street parking lots within the District have a 3-hour time limit on parking. However, these time limit parking restrictions are not enforced, and the recent parking turnover survey conducted in January 2008 showed vehicles parked in off-street public parking lots throughout the day.

Recommendation #8a: Restripe existing off-street parking lots to enhance the delineation of the parking spaces.

Recommendation #8b: Remove existing 3-hour time limit from all off-street parking lots and charge a parking fee based on number of hours parked.

Removing the existing 3-hour time limit and charging a parking fee based on the number of hours parked will provide options for employees, commuters, and visitors who need to park for a longer duration. The parking fee charged will provide revenue which can be used for the operation and maintenance of the off-street parking facilities.

In the near-term, the City does not need to make any changes and should continue with the 3-hour time limit for all off-street parking lots within the District. As the development within the District intensifies, the City should start parking enforcement by issuing warning tickets.

In the long-term, the City should remove the 3-hour parking limit from all off-street parking lots and institute parking charges based on the number of hours parked. Also, during the construction of the Trader Lane parking structure, the City should identify off-street parking lots within the vicinity of the District to be used as over-flow in case the parking spaces within the District are fully utilized. The City should encourage employees to utilize off-street parking during the construction of Trader Lane structure.

Recommendation #8c: Identify off-street parking lots within the vicinity of the District, and encourage employees to use these parking lots during the construction of the Traders Lane parking structure.

9. Establish and Implement Valet Parking

A total of approximately 39,000 SF of future restaurant use is either planned or estimated within the District. Identifying on-street and off-street valet parking locations within the District will provide much needed convenience for the restaurant patrons. Restaurants peak during the mid-day (noon to 2:00 p.m.) for lunch, and during the evening (6:00 p.m. to 8:00 p.m.) for dinner.

Recommendation #9: Almost exclusively used for restaurants, this strategy increases parking capacity as well as convenience for restaurant patrons. The City should permit restaurants, or other commercial businesses, to institute valet parking through a conditional use permit, including permission to reserve one to two parking spaces in front of the businesses to conduct valet operations. Valet parking can utilize private parking facilities through agreements with the facilities' owners.

In the near and long term, the City may consider valet parking operations to be used by restaurants during the evening (6:00 p.m. to 8:00 p.m.). This requires establishing conditional use permits, reserving portions of off-street public facilities for valet parking, and allowing reservation of curb space for valet operations.

10. Implement Additional On-Street Parking

One approach to increasing the public parking supply is to implement angled parking spaces on appropriate existing streets. The minimum street width to accommodate angled parking on one side of the street and parallel parking on the other side is 53-feet for 60-degree angled parking, and 50-feet for 45-degree angled parking. These street widths allow for a wider lane adjacent to the angled parking so that vehicles backing out of the parking spaces do not encroach into the opposing travel lane. A minimum curb to curb width of 50-feet is needed for streets to have angled parking. Currently, angled parking exists on Leidesdorff Street, west of Wool Street, and on Wool Street, north of Sutter Street. Streets with sufficient widths to accommodate angled parking should be identified within the District to increase on-street parking supply.

Recommendation #10a: Identify streets within the District with sufficient widths to accommodate angled parking.

In the near-term, additional on-street parking spaces as suggested by the City's *5-Year Parking Management Plan* (January 2008) should be implemented. Additional on-street parking spaces which involve the Trader Lane Lot should be coordinated with the construction of the Trader Lane Lot parking structure.

In the long-term, the City should conduct a detailed study to identify streets within the District where angled parking could be implemented.

11. Establish Pricing Strategies

Currently within the District, parking is provided free of charge. There is minimal parking enforcement and, therefore, no source of revenue for the City. As per the City's *5-Year Parking Management Plan* (January 2008), the installation of parking meters within the District is not recommended, citing the installation and maintenance costs, as well as the potential of diverting funds away from other more beneficial improvements. It is also speculated that the implementation of parking meters could drive customers away to nearby shopping districts without parking fees.

While the perception of deterring patrons away from the District may be true for the near-term, it may play less of a role for future conditions. The District can accommodate future commercial development of approximately 121,850 SF in addition to the already planned/approved projects. The future development of the District is likely to attract more customers, and lack of available on-street parking due to time limit violations, and no parking enforcement would also discourage them from visiting. Parking meters are typically found in most downtowns within California.

In the long-term, the City should install parking meters for on-street parking spaces on streets where the recommended two-hour parking restriction is implemented. As suggested in the City's *5-Year Plan*, the City should continue to explore the feasibility of creating either a full-time parking enforcement position, or using help from volunteer agencies to perform parking enforcement. The revenue generated from the parking meters could be used to fund the parking enforcement officer.

Recommendation #11a: In the long-term, the City should install parking meters for on-street parking on streets where the recommended two-hour parking restriction is implemented.

Recommendation #11b: Create a full-time parking enforcement officer position. Installation of parking meters should be gradual and should start with streets serving retail/restaurant uses which require short-term parking. Also, strict parking enforcement should be performed for effective utilization of on-street parking spaces. As development intensifies within the District, parking meters could be installed on additional streets.

Instead of parking meters, the City should consider installing newer parking machines which can accommodate various payment methods (coins, bills, credit and debit cards, and by cellular telephone or Internet), charge only for time parked, incorporate multiple rates, and have the flexibility to vary rates by time of the day. One parking machine could be installed on each street for all on-street parking spaces on that street. The customer using the on-street parking space on that street buys a parking permit from the machine for the time parked and displays this parking permit on the dashboard of the vehicle for verification by the parking enforcement officer. These newer parking machines also produce receipts and record data for auditing, thus preventing fraud, and also record parking utilization data for planning purposes.

Unbundled Cost of Parking

The cost of parking is typically included in the sales price, or rent of housing. While not a common practice today, the City should provide developers flexibility to separate the cost of parking from the cost or rent of the units, as long as the maximum parking requirements for the development, as a whole, are met. This approach provides a financial incentive for, and attracts, those households with low or zero auto ownership. The developer may be able to separate the cost of parking from all the units, a portion of the units, or offer additional spaces for monthly lease. It would be important that buyers and renters are made aware that they are not paying more for parking, but that the cost of parking is simply being separated out from the other costs of purchasing or renting a unit.

Recommendation #11c: Explore allowing developers to unbundle the cost of parking from dwelling unit sales price or rent. Let developers decide whether there is a market for implementing this innovative parking technique.

12. Establish Parking Demand Reduction Strategies

This strategy is aimed at reducing the parking demand within the District. This approach could be accomplished by encouraging alternate modes of travel (transit, bicycle, and walk), by providing shuttle services which connects remote parking, and by guaranteeing rides home. The City's *5-Year Parking Management Plan* (January 2008) identified a number of parking demand reduction methods that could be accomplished within the District to reduce the dependence on parking. The methods discussed in the *Plan* included:

Transit Incentives: "Encourage use of Light Rail and bus transit by subsidizing transit fares and allowing flexible work schedules."

Remote Parking with Shuttle: "Introducing an off-site location for employee parking and providing a safe and convenient shuttle system can displace long-term parked vehicles out of the District and open up more space for visitors. This can be done on a regular basis or during special events, but may require employee incentives to encourage its use."

Pool Vehicles / Guaranteed Rides Home: "Employers can create incentives by guaranteeing the employee that they will have a ride to their car or home at any time necessary. Some districts will also purchase a small number of fuel efficient, low-cost vehicles that will be available to any employee that needs to use one to run an errand or for overnight use."

Valet/Pedicab Services: “The Chamber of Commerce created valet parking and volunteer pedicab programs last year, which were successful methods of improving the use of less desirable parking spaces”. The City should continue the successful implementation of the Valet/Pedicab program last year and expand if possible.

Improving Walk and Bicycle Access: “A consistent network of safe bicycle and pedestrian trails, coupled with storage and shower facilities can promote non-motorized transportation use, freeing up additional parking for customers”. The Plan identified the current Streetscape effort and bike storage facility in the Rail Block public parking structure as near-term parking strategies.

Recommendation #12: Implement the parking demand reduction strategies suggested by the City’s *5-Year Parking Management Plan* (January 2008).

In the near-term, the City should encourage employers to subsidize transit fares, continue the Valet/Pedicab program, and provide bike storage facilities within the District. In the long-term, the City should identify remote parking areas outside the District and encourage employee parking within these parking areas with convenient shuttle service (financed through a Business Improvement District or service provided by RT).

13. Address LRT Commuter Parking in District

The presence of Light Rail Transit (LRT) introduces a layer of complexity in the evaluation and assessment of parking management strategies in the Historic District. A recent strategy to address the inevitable presence of LRT users within the new Rail Block parking structure was developed in which 100 LRT parking permits would be provided, for a fee, with an established expiration date. Furthermore, District-wide, various time limit parking restrictions have been implemented to further combat the effect of these daily, long-term parking users.

Recommendation #13: It is recommended that the City institute simple, straight forward parking management strategies that are easily understood by all users of the District’s parking supply, including the new Rail Block parking structure. The most effective parking management strategy will simplify enforcement, and will meet the expectations of current and future Historic District users. With that said, it is also recommended that the City continue to preserve the ultimate intended use of the Rail Block parking structure, with minimal, strategic, short-term deviations to most effectively address current economic, development, and user conditions.

As discussed later in this document, the near-term conditions of the Rail Block parking structure are recommended to be considered as follows:

- Level 4 (roof) is the least desirable parking, as it is uncovered and requires the most circuitous route to access. This level should be utilized by the longest term parkers including light rail and employees.
- Level 1 (ground level) is the most desirable parking, as it offers the most convenient access to light rail, adjacent existing commercial uses, and the future Rail Block development. This level should be utilized by the shortest term parkers including primarily Historic District visitors.
- Levels 2 and 3 are essentially overflow parking for Level 4 (roof) and Level 1.

The City’s contemplated 6-hour maximum time limit within the structure may be a viable temporary option, but it is viewed as a fatal flaw in the long-term management of the parking structure. Parking structures are typically intended for long-term parkers (6+ hours), especially employees, with the shorter-term parkers using on-street and other off-street parking supply.

Light rail and employee passes could be considered as an alternative to the 6-hour maximum time limit, although it does not address long-term customers (customers who park longer than six hours are rare). As such, it may be advantageous to designate floors 1 and 2 with a 3-4 hour limit for customers (must be enforced), and a floors 3 and 4 with light rail permits and employee permits (also must be enforced).

Also as discussed later in this document, in the long-term, the light rail parking issue needs to be addressed because, ideally, over-management of the garage parking is not recommended, as a simple enforcement system is ultimately desirable. Considering the increase in light rail ridership, the City and Regional Transit should address the long-term parking demands (i.e., remote parking, new RT structure, etc.).

Furthermore, it is acknowledged that the actual parking demand at the Historic Folsom light rail station may be limited more by the capacity of the Regional Transit Gold Line, as opposed to the supply of parking. This theory should be considered in the ultimate parking supply decisions that are made within the Historic District.

Summary of Recommended Strategies

Near-Term Strategies

The near-term parking strategies identified in the Parking Management and Implementation Strategies section above include the following:

- a. Increase the current parking ratio from 1 space per 350 SF to 1 space per 305 SF.
- b. Monitor neighborhoods, especially the neighborhood adjacent to the intersection of Wool Street and Figueroa Street, for spillover parking as development intensifies within the District.
- c. Monitor the implementation of planned/approved projects to determine when 80 percent of the parking demand occurs within the District.
- d. Add provision to the City's Municipal Code requiring large developments to provide on-site loading and unloading zones.
- e. Identify existing on-street parking spaces which could be used for loading and unloading during off-peak hours.
- f. Enforce parking restrictions by issuing warning parking tickets during an acclimation period.
- g. Identify time restricted, on-street valet parking spaces to be used by restaurants during the mid-day (noon to 2:00 p.m.) for lunch, and during the evening (6:00 p.m. to 8:00 p.m.) for dinner.
- h. Add on-street parking spaces as suggested by City's *5-Year Parking Management Plan* (January 2008).
- i. Encourage subsidized transit fares and continue operating the Valet/Pedicab program. Also, identify additional bike storage facilities within the District.
- j. Implement City recommended parking management strategy within the Rail Block parking structure.

Long-Term Strategies

The long-term parking strategies identified in the Parking Management and Implementation Strategies section above include the following:

- a. Adopt separate parking ratios for retail (1 space per 350 SF), restaurants (1 space per 170 SF for fine dining, and 1 space per 210 SF for casual dining), and for office (1 space per 460 SF) uses.
- b. Establish and implement in-lieu parking fees. The timing of the in-lieu parking fees could coincide with the City's decision (if implemented) of adopting separate parking ratios for retail, restaurants, and office uses with the District.
- c. Gradually implement a Residential Permit Parking Program (RPPP) in neighborhoods experiencing spillover parking impacts.

- d. Start construction of a 422 space parking structure on the Trader Lane Lot when the district-wide parking demand reaches approximately 85 percent of the available parking supply at the time, or when approximately 80 percent of the planned/approved projects' parking demand occurs within the District.
- e. Identify heavily utilized off-peak loading and unloading zones and designate them as permanent loading and unloading zones without time restrictions.
- f. Restrict all on-street parking within the District to 2 hours and enforce parking restrictions by issuing parking tickets.
- g. Remove the 3-hour parking limit from all off-street parking lots, and institute parking charges based on the number of hours parked. Also, during the construction of the Trader Lane parking structure, the City should identify off-street parking lots within the vicinity of the District to be used as overflow in case the parking spaces within the District are fully utilized. Identify permanent off-street valet parking spaces for existing and future restaurant uses throughout the District.
- h. Conduct a detailed study to identify streets within the District where angled, on-street parking could be implemented.
- i. Gradually implement parking meters for on-street parking spaces on streets serving retail/restaurant uses.
- j. Continue to explore the feasibility of a full-time parking enforcement position, or volunteer help.
- k. Encourage Pool Vehicles/Guaranteed Rides Home program.
- l. Work with Regional Transit to fully and appropriately address the Light Rail Transit parking situation within the District.

FUNDING STRATEGIES

This section provides information about the different types of parking costs and different financing options and strategies. The information focuses on structured, free parking, as the City of Folsom plans to construct a new structured parking garage without implementing development funding mechanisms. Based upon the City's stated objectives and findings from other sections of this report, general information that applies to most cities is provided in this report, as well as specific ideas and recommendations for the City of Folsom.

The City of Folsom is not unique in its objectives to provide efficient parking without yet knowing how all of the costs will be paid. And like many cities, parking structures are seen as a catalyst to development and redevelopment activities. Most structured parking facilities are not self-supporting and, even when there are operating revenues, they are often insufficient to cover operating expenses and debt service. Because of this reality, it is often not possible for an owner to obtain 100 percent financing on their parking project without subsidies of some kind. Furthermore, many municipalities are in the process of eliminating parking from their budgets and intend to remain to be involved in managing the parking without being the sole provider of funding and financing for parking.

While there are many cities similar to Folsom that intend to become or remain responsible for the costs of parking, they should be aware that there are a number of strategies that have been successfully used to finance parking facility capital projects. Common financing methods include federal grants, tax-increment financing, taxes from business improvement districts or parking tax districts, and net revenues from other facilities. These and other options are described in this report. To determine the most appropriate means of financing for Folsom, a market and financial analysis study may need to be completed. These financing decisions typically are approved by city councils. Market and financial studies are often completed by an economist with a parking professional providing existing and forecast demand data. When user fees (paid parking revenues) are a part of the financing equation, the projected demand and revenues of a proposed parking facility project are quantified, and so is the extent to which the user fees will cover the operating expenses and debt service. If during the course of such a study it is determined that operating revenues are projected to

adequately cover operating costs and debt service, then there is no need to identify additional funding sources. However, for those projects that do not “pencil out”, a subsidy is required. This subsidy may be defined and quantified through this study process. Since parking is intended to remain free in the Historic District, the City would be seeking subsidy or total financing.

Parking Costs

Parking costs are divided into two categories – capital costs for construction of parking infrastructure, and operations and maintenance costs which are typically combined. Both kinds of cost need to be considered for funding, and each may require separate funding sources because of the timing for when the financing is needed. Capital costs are infrequent, but may be large sums. Operations and maintenance costs are regular (typically budgeted for annually), smaller costs. Capital (or development) costs and operating/maintenance costs vary widely. Land acquisition costs, construction costs, soft costs, and operating expenses are types of costs that should be considered during the planning phase of a parking project.

Estimating the cost of constructing a new parking structure is dependent upon several variables, including the number of spaces needed, the number of parking structure levels, the size/dimensions of the site, the architectural features for the structure, and whether the garage will have ground floor uses. Other variables that affect parking structure costs include the type of flow system (one-way or two-way drive aisles), the number of access points, the amount of underground levels, and the size and shape of the site. Certain site dimensions and topography can make one site more efficient and less costly than other sites. In the event that the City chooses to build parking structures on multiple sites, the cost per space may vary depending on site characteristics and structure sizes. These factors need to be considered in the site selection process.

Land Acquisition Costs

Although not a factor in the District’s proposed use of the Trader Lane site, land costs are often not included during the preparation of a parking project’s economic analysis. In many cases, the institution that is planning a parking facility, an airport, hospital, municipality, university, etc., already owns the land that serves as the site for the proposed parking facility. However, in those cases where land costs do need to be recouped, land acquisition costs become a significant part of the equation. There is not rule of thumb for typical land acquisition costs. These costs vary significantly from one location to another and depend upon a multitude of issues including access, density of development, surrounding land uses, income potential, etc. Land acquisition costs can often add from \$15 to \$100 or more per square foot of land area to the overall project cost.

Construction Costs

The most significant variable impacting construction or “hard” costs is the type of parking improvement. Surface parking lots can be constructed for as little as \$1,000 per space or less for a basic paving and striping project, and as much as \$3,000 or more per space for a grander project featuring an elaborate drainage systems, premium light fixtures, signage and graphics, and landscaping.

Structured parking costs represent comparatively higher costs per space than surface parking, and typically range anywhere from \$8,000 to \$30,000 or more per space, depending on the project particulars. The low end of this range will likely buy a simple concrete parking structure with limited aesthetic appeal. More unique architectural features can drive the cost upward significantly.

Soft Costs

To derive a total project cost, other costs must be added to the construction and land costs. These additional costs are referred to as “soft” costs, and may include items such as a construction contingency, architectural/engineering fees, soils and materials testing, debt service reserve funds, legal fees, and financing costs. Soft costs can vary significantly but typically fall within 15 to 35 percent of construction costs.

Operating Expenses

Operating expenses of parking facilities also vary dramatically. Variations are due to geographical location, size of facility staffing patterns, method of operation, and local legal requirements. These expenses include enforcement, the cost of utilities, supplies, daily maintenance, lighting, cashing, management and accounting services, on-site security, structural maintenance, landscaping and insurance. Multi-story structures may require additional costs for fire control equipment and elevators, and underground parking may require mechanical ventilation. Public parking facilities typically do not pay taxes.

Annual O&M costs for a parking structure are dependent upon several variables, including whether or not the garage is free or for pay (which would require personnel), whether or not there are restrooms, and how large the structure is or how many levels of parking it provides. Annual costs per space range from about \$200 for basic maintenance, up to \$800 for a facility with attendants.

Types of insurance coverage include comprehensive liability, the garage operator's legal liability, fire and extended coverage, workers' compensation, equipment coverage, money and security coverage (theft occurring on the premises), blanket honest coverage (employee theft), and rent and business interruption coverage, (structural damage resulting from natural phenomena). Annual operating expenses for structured parking facilities typically range from \$200 to more than \$800 per space. These figures exclude parking, property, and sales taxes.

Financing Strategies

The financing mechanisms discussed in this section are typical strategies used by cities similar in size to Folsom. A menu of options is provided for the City to use to finance future parking costs. The decision-making process for the parking facility financing should begin with a general agreement regarding basic principles and end with a more detailed approach for resolving funding, management, and cost allocation issues. Kimley-Horn has identified a number of guiding principles that can guide future actions and decisions regarding the sources and use of funds for parking facilities. A consensus among key stakeholders on general principles will help guide and resolve financing-related issues as they arise throughout the implementation process.

Guiding Principles

The City's financing strategy should be guided by the following principles:

- The improvement program that is ultimately adopted must be financially feasible, i.e., funding sources must be identified, and quantified that match programmed expenditures. In addition, maintenance, operations and depreciation must be considered prior to project development. Given the significant cost associated with construction of parking facilities, it will be important to develop a strategic approach to project financing and prioritization of investments. As a general principle, the investment in new parking facilities should occur only after adequate funding sources have been identified and committed for both one-time and ongoing costs. Consequently, the actual project schedule and phasing will need to be adapted to funding realities. In addition, since the construction of parking facilities generally leads to Operations and Maintenance (O&M) costs, capital investment must be matched with increased operation revenues.
- Innovative ways of covering project costs should be pursued based on a concerted public-private partnership and leveraging the diverse spectrum of potential sources available. The large cost of meeting the parking needs suggests that existing sources and standard techniques will need to be leveraged and expanded in a number of ways. Private funding through fees and assessments will also be required, and the support of local stakeholders and the Folsom community will be critical for success. Under some proposed financing scenarios, voter approved funding mechanisms may be necessary. In addition, funding mechanisms and programs should be established early on so as to build up reserve accounts that grow over time. In general, it is anticipated that the financing program will be based on a concerted public-private partnership.

- The costs associated with parking facilities should be allocated in a proportional and equitable manner and, to the extent possible, across a range of potential beneficiaries and user groups associated with the facilities. No single financing mechanism is expected to cover the full cost of construction and operating a parking structure. Rather, a combination of sources will be required in order to provide adequate funding and allocate costs among different groups. The section below outlines several financing scenarios developed to illustrate the range of financial responsibilities that could be assigned to various entities, and provides further detail on the nature and potential applicability of various funding mechanisms.

Alternative Financing Strategies

The following is an overview of the most commonly used strategies for financing parking facilities, most of which fall short of generating operating revenues that are sufficient to cover operating expenses and debt service:

Federal Grants

At least two potential funding sources are available at the federal level. Location, intended use of the facility, and availability of grant money are the variables that typically govern whether a project receives federal grant money. The U.S. Department of Transportation offers two types of grants that may be applicable to a parking project: Federal Transit Capital Investment Grants and Federal Transit Formula Grants. The capital grant can be applied to virtually any infrastructure improvement pertaining to the establishment or improvement of mass transit systems. Qualified applicants include: public agencies, states, municipalities, public corporations, boards and commissions, and private agencies through contractual agreements with a public agency grantee. Qualifying parties must submit an application with detailed requirements and approval of the project by the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA).

Tax Increment Financing

Implementation of a tax increment finance (“TIF”) district is a common financing mechanism employed by municipalities. Tax increment financing is a way to use tax revenue growth produced by an increase in the tax base of a specified area to fund improvements. A TIF is an increasingly viable solution to funding the development of needed infrastructure, including structured parking. Projects are taxed through an anticipated increase in the area’s property tax revenues. TIF districts do not generate tax revenues by increasing tax rates. Rather, the TIF district generates revenues by permitting the municipality to temporarily capture the tax revenues generated by the enhanced valuation of properties resulting from various redevelopment projects.

Parking Tax Districts

A parking tax district typically addresses a narrow selection of issues directly related to parking. In cases where the municipality is the sole provider of parking, the collection of parking taxes tends to be applied in a uniform manner on an assessed value basis or as a fee per space based on zoning parking standards or requirements, and typically with a partial exemption for parking spaces provided above a threshold percentage. Typically, no commercial property is 100 percent exempt unless its owner provides 100 percent of the parking requirements mandated through the zoning ordinance within the district. Single-family residential property is usually exempt, but multi-family apartments usually are not exempt. Examples of some California cities with this strategy are provide below.

Covina, California has a vehicle Parking District Tax. This tax is assessed only on the difference between the number of spaces provided and the number required by the zoning ordinance. There are no exceptions to this tax for owners who provide parking.

Alhambra, California includes parking within a Business Assessment District Tax. This tax is assessed uniformly on all commercial property based on the gross receipts of the business. Because this tax supports functions other than parking, such as beautification, cleaning signage, etc., there are no exceptions for parking provided.

Fullerton, California owns almost all of the off-street parking within the city, and all businesses within the parking district were assessed a parking district tax to retire bonds for the construction of parking. No exemptions were offered as almost no properties supplied their own parking needs. Because the bond debt was retired several years ago, the parking tax district was also retired.

General Obligation Bonds

General obligation bonds obtain the lowest possible interest rate or cost of borrowing for any given municipality. Because the full faith and credit of the municipality is pledged to such bonds, the rate of interest will reflect the best that the community has to offer. The primary way for a municipality to improve on its own full faith and credit pledge to a bond issue is to purchase municipal bond insurance.

The general obligation bonds of local governments are most commonly paid from ad valorem property taxes and other general revenues. These bonds are considered the most secure of all municipal debt and are limited in California by Proposition 13 to debt authorized by a vote of two thirds of voters in the case of local governments.

Revenue Bonds

When revenue bonds are issued to finance a parking project, the bond issuer pledges to the bond holders the revenue generated by the parking project. Revenue bonds are payable only from specifically identified sources of revenue, including pledged revenues derived from the operation of the financed parking facility, grants, and excise or other taxes. Parking revenue bonds secured solely by the revenues from a single, stand-alone, municipality-owned parking facility are acceptable at a reasonable tax-exempt rate only when irrefutable evidence is presented.

In-Lieu Fees

In-lieu fees are charged to development "in-lieu" of parking that developers would otherwise be required to construct on site. Such fees are generally optional, apply only to new development, and are typically collected when building permits are issued. Because different land uses generate different levels of parking demand, cities typically establish a schedule of specific in-lieu fees for retail, office/light industrial, and lodging uses that reflect variations in demand. This approach assumes that residential development typically constructs its own on-site parking.

Parking District / Special Assessments

Special assessments are charges to real property based upon a benefit conferred by a public improvement, in this instance, parking. In order to collect special assessments from Historic District property owners, the City would need to establish a Parking District. A special assessment would require the support of the owners of a majority of the proposed district. Alternatively, the City could generate similar revenues through an increase in the business license tax without voter approval. It is assumed that in either case residential development would be excluded from this fee.

Business license taxes can be assessed based on the land use of the business. For example, an annual assessment of \$0.62 per square foot of retail restaurants, \$0.42 per square foot of office/light industrial, and \$0.31 per square foot of lodging could be charged to the businesses. These fees would be based on future land use projections and would be charged as the land develops. If parking facilities are built before all projected development occurs, the City may experience a funding gap period during which General Fund loans or alternative short-term funding mechanisms would be required to pay for capital costs and operations.

Certificates of Participation

A Certificate of Participation (COP) allows the public to purchase a share of the lease revenues paid by a municipal entity for the acquisition or construction of specific equipment, land, or facilities. COP proceeds are then used to fund the project or acquisition. The technique provides long-term financing that does not constitute indebtedness under the state constitutional debt limit and does not require voter approval.

Repayment of COPs can come from a variety of sources, including general fund revenues or earmarked funds in the general fund such as special tax proceeds or fees. Potential revenues from tax increases and parking meter fees are discussed below. These sources could also be used to cover operations and maintenance costs.

Conventional Debt Financing

Conventional loans are loans that are not insured or guaranteed by a government agency. This method of obtaining funds for a capital improvement project involves a lending process that is often rigorous, and may result in higher financing costs incurred by the borrower. Banks want to lend to parties that have a clear record of profitable operations, that generate a cash flow sufficient to repay the load, and that have enough collateral or assets to secure the load. Conventional financing requirements include a clean credit record and no bankruptcies or foreclosures.

Sales Tax Increase

A voter-approved, City-wide sales tax increase could provide a revenue stream to make lease payments on parking structure capital construction. If intended to provide dedicated funding for parking-related projects, this type of sales tax measure would require a two-thirds majority vote of residents and would depend on significant public support. A general tax increase, in contrast, would require only a simple majority but would not be earmarked specifically for parking-related projects and might be subject to changing budget priorities.

Transient Occupancy Tax Increase

A transient occupancy tax (TOT) is similar to a sales tax increase as it requires two-thirds voter approval if it is to be dedicated to a specific purpose, or simple majority approval if it is to be a general tax. A TOT increase could provide a revenue stream to secure COP financing or other form of debt financing.

Meters, Fees, and Enforcement Fines

Many jurisdictions have been able to partially finance construction of parking structures using bonds funded through parking meter revenues and fines. And some jurisdictions utilize meters as a parking management tool to encourage turnover and control employee parking. Ultimately, the ability to generate net revenues from meters (after accounting for enforcement and capital costs) depends upon local parking demand and supply dynamics as well as public policy objectives. For example, larger cities with high parking demand are generally capable of charging higher meter rates and spreading enforcement cost over a larger area. Meter revenues could also provide funding for a portion of ongoing O&M costs.

Redevelopment Agency

The Historic District falls within the City's redevelopment area. As new redevelopment occurs in the District, tax increments will accrue to the Redevelopment Agency. While a substantial portion of Redevelopment funds are already committed to existing projects, some share of tax increment funding may be available for parking structure financing. In addition, RDA-owned land could be sold to generate revenues for parking structure construction and operations.

Private Funding

In rare cases, private developers may build parking facilities. This generally occurs in dense urban areas, where parking is at a premium and operators are able to charge extremely high parking fees. Given Folsom's size and relative low level of parking demand, it is unlikely that private developers would pursue construction of a parking structure in the City entirely on their own.

Potentially, City-owned land could be provided to a developer with the requirement that development of the property include a parking facility. However, this option could limit the City's control and flexibility. Selling City-owned land and using the revenues to cover a portion of parking structure costs would produce similar results while allowing the City greater involvement in project implementation.

Conclusions

There is no such thing as “free parking.” Even if parking is provided free of charge to users, someone pays for the land, construction, and maintenance of parking facilities and spaces. Folsom currently provides free parking for users in the Historic District. The City currently pays for parking through a combination of bonds issued by the Redevelopment Agency, which paid for the construction of the new Rail Block parking garage, and from City Department budgets, which pays for maintenance of the garage. The maintenance budget is shared equally among all of the City departments, although the funding is not allocated specifically for parking during the budgeting process.

The funding strategies discussed in this report are available to the City should the current financing mechanisms no longer meet the City’s needs. Based on our discussions with the City, we understand that user fees are not being considered for the Historic District parking. If that policy decision continues, the City may want to consider charging for event parking in the City garage, perhaps on “Thursday Night Market” nights, as a way to raise additional funds during peak periods.

OTHER CONSIDERATIONS

Special Events Assessment

The Historic District of the City of Folsom has several routine “special” events which result in parking and circulation restrictions different from normal conditions. These “special events” all incorporate closure of a portion(s) of Sutter Street, and alter vehicular access and circulation. Through consultation with the City, it was determined that the Thursday Night Market is the most representative of the conditions experienced during abnormal events within the District, and should be used as the basis of this assessment.

Existing Conditions

The Thursday Night Market is a special event that takes place every Thursday night from early June through late August. These approximately 12 weekly events require routine parking and access restrictions, as well as deviations from normal traffic patterns. To obtain firsthand knowledge of the current “special event” parking and traffic management strategies, Kimley-Horn visited the August 7, 2008, Folsom Historic District’s Thursday Night Market. At this event, representatives from the Folsom Merchant’s Association were consulted to further complete the assessment of existing conditions.

Based on our site visit and discussions with the Merchant’s Association representatives, the conditions resulting from the Thursday Night Market include the following, and are generally depicted in Figure 15:

- Restriction of all vehicular access to Sutter Street from Reading Street to Scott Street. To accomplish this level of access control, barricades are utilized along the Decatur Street, Wool Street (both north and south of Sutter Street), and Scott Street approaches. Sutter Street cross traffic is further restricted at Riley Street.
- Three of the seven barricaded street closures are staffed during the entire duration of each event. These staff members were observed to provide direction to patrons, allow vehicle admittance for vendors and residence, and to provide general guidance at these three key locations.
- Pedestrian access is retained and permitted throughout the District.
- Patrons were observed to utilize adjacent residential streets for parking to access the event. Two general areas were observed to receive a majority of this “overflow” parking: Figueroa Street in the vicinity of Wool Street, and Sutter Street between Scott Street and Coloma Street.

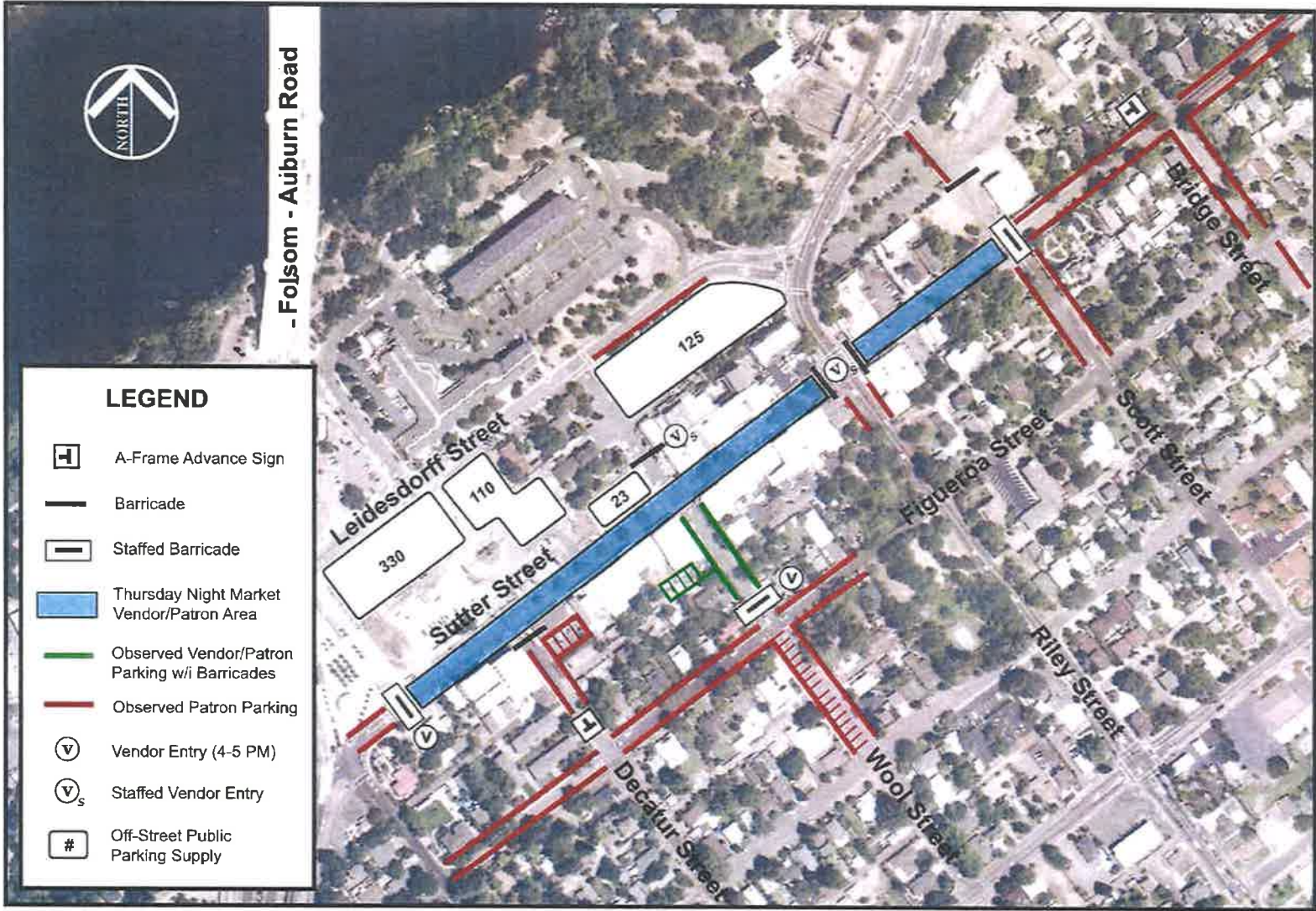


Figure 15
Folsom Historic District Parking
Existing Thursday Night Market Traffic & Circulation Restrictions

- The recently completed parking structure was observed to be underutilized with ample parking available.
- The majority of the vendor booths, patrons, and activity were observed to be located in the 700 block of Sutter Street, between Wool Street and Riley Street.
- The starting time of the event (approximately 6:00 p.m.) coincides with the typical commute peak period experienced along Riley Street and Folsom Boulevard. Vendors arrive between 4:00 and 5:00 p.m. which further contributes to congested peak-hour traffic conditions.

Furthermore, the following issues were identified by the Merchant's Association representatives as being critical to the consideration of revised management strategies:

- *Parking Structure Management*
 Because entering vehicles receive no indication of the structure's occupancy status, during peak conditions, vehicles entering are required to circulate to the roof to make the reverse trip back down to exit. The representatives suggested that the addition of electronic technology or other means by which to convey occupancy conditions would improve this condition.
- *Improved Supply and Demand Management*
 Because there is limited parking supply within the District, special events routinely result in overflow patron parking into the adjacent residential neighborhoods, as well as the Lake Natoma Inn. The representatives suggested that improved public information directing patrons to the new parking structure, as well as other supply maximizing techniques could minimize the special event effect on adjacent areas.
- *Vendor Access and Parking*
 Market vendors currently arrive between 4:00 and 5:00 p.m. to unload at their respective booths in order to be in position for the opening of the event around 6:00 p.m. Due to the advance notification and enforcement of on-street parking restrictions associated with the event, vendors are typically required to enter the restricted area to unload and then must leave to find convenient, available adjacent parking. The process is reversed at the conclusion of the event when similar convenience is preferred during the loading process. The representatives suggested that designated vendor parking could improve the attractiveness of the event. Furthermore, they indicated that improved access for loading/un-loading could also contribute to a better event.
- *Streetscape Project and Short-Term On-Street Parking*
 The representatives indicated that, as part of the on-going Historic District Streetscape Project, consideration should be given to providing short term (10-15 minute) parking to promote patronage of the numerous District businesses.

Recommended Management Strategies

Based on our assessment of existing conditions (Figure 15) and consultation with the Merchant's Association representatives, the following special event management strategies are recommended:

Improved District Parking Utilization and Minimized Overflow

Overall improved utilization of Historic District parking facilities will contribute significantly toward minimizing the effect of District special events on the adjacent residential areas, as well as the Lake Natoma Inn.

Because special event conditions confirmed the general existing parking trends of underutilization of existing supply in the western portions of the District, this management strategy is aimed at improving the occupancy and utilization of the new parking structure and other available off-street public parking in this area. As such, the following specific strategy components are recommended:

- Improved Advertisement and Communication of Existing Parking Structure
 - Flyers could be distributed at the beginning of the year by placing on patron vehicles, handing to patrons, and through the media. The flyers would provide a simple District map with clear indication of the magnitude of the supply in the parking structure and the close proximity to Sutter Street.
 - Incentives (coupons) could be provided from Market vendors to encourage patrons to park in the structure.
 - Additional vendors could be aligned to provide a cohesive connection to the structure from the other Sutter Street vendors.
 - The use of Market staff to control/monitor the structure occupancy and maximize operations could further improve the utilization of the structure. An additional consideration is to modify structure access to entrance only from Reading Street and exit only to Leidesdorff Street.
- Improved Way-Finding to New Parking Structure
 - Way-finding signage could be added to Riley Street and Natoma Street to direct Historic District traffic west toward the new parking structure. This strategy would apply to both northbound and southbound approaching traffic.
 - In particular, enhanced signage could be provided to traffic entering the District from Folsom Boulevard due to their close proximity to the parking structure.
- Standardized Appearance and Application of Devices
 - A more consistent application of uniform restriction barriers could assist in better defining the District and restricted areas. The uniformity and consistency with other District signing could further enhance the overall District way-finding effectiveness.
- Residential Parking Permits
 - The development of Parking Districts would allow for the application of residential parking permits. Residential parking permits would likely be the most effective means by which to eliminate the District's overflow parking and dramatically improve the utilization of currently underutilized supply.
- Remote Parking
 - Promotion of off-site, remote parking could contribute to minimizing the District's overflow parking into adjacent residential areas. Effective remote parking should include ample public communication and frequent, reliable transportation between locations.

Vendor Access and Circulation

Because Thursday Night Market vendors arrive early, it is presumed that they, in-turn occupy the most convenient parking supply. This strategy includes concentrating vendor access, parking, and circulation in an effort to preserve the prime parking supply for Market patrons and create a predictable, uniform management environment.

- Weekly Vendor Passes/Display Cards
 - Considering that vendors are required to reserve their Market booth on a weekly basis, the opportunity exists to provide a vendor "pass" at that time to denote each week's participants. Once the vendors are identified, numerous additional strategies become available including the use of dedicated parking areas, exclusion from parking restrictions, etc.
- Dedicated Parking Designation
 - Vendor parking could be designated in a portion of the parking structure, the Baker lot, a portion of the Trader Lane lot, or within the public lot in the corner of Riley Street/Scott Street. Designation of these areas should not conflict with existing time of day restrictions. This strategy would provide predictable, appropriate parking supply for the vendors.

Assessment of City's 5-Year Parking Management Plan

In January 2008, the City prepared a *Historic District 5-Year Parking Management Plan* which addresses existing parking conditions, as well as the anticipated changes that will occur over the next four to six years. The primary objectives of the *Plan* are to:

- Determine existing parking supply and utilization in the commercial portion of the Historic District under normal conditions
- Recommend strategies to maximize use of existing and planned parking while minimizing impacts to the surrounding residential areas, until such time as additional parking facilities can be constructed
- Identify opportunities for providing additional, cost-effective parking

The *Plan* concludes with seven recommendations for addressing the established objects. The following is a discussion and evaluation of the *Plan's* conclusions.

Rail Block Parking Structure

This recommendation proposes to post the bottom three levels with 2-hour time limit parking, retaining the roof level as untimed parking. It was indicated that if excessive light rail parking use develops, the roof could be posted for no parking between midnight and 7:00 a.m.

It should be noted that the current management of the parking structure deviated slightly from the original recommendation above. At the time of this study, floors 1 through 3 were signed for 3-hour time limit parking, Monday through Friday from 5:00 a.m. to 5:00 p.m. The roof level was untimed Monday through Friday from 7:00 a.m. to 3:00 a.m., with no parking from 3:00 a.m. to 7:00 a.m.

Assessment

Subsequent to the release of the *Plan*, a revised parking management strategy was proposed by the Historic District Merchant's for consideration by the City. The revised strategy consisted of the following components:

- a. All Floors = 6-hour time limit (visitors/customers allowed on all 4 floors)
- b. Floors 2, 3, and 4 = light rail and employee permits permitted
- c. Provide up to 100 light rail permits for a fee with an established expiration date
- d. Provide an unspecified number of employee permits without a fee

Generally speaking, it is recommended that the City institute a simple, straight forward management strategy that is easily understood by all users of the parking structure. The most effective parking management strategy will simplify structure enforcement, and will meet the expectations of current and future Historic District users. With that said, it is also recommended that the City continue to preserve the ultimate intended use of the structure, with minimal, strategic, short-term deviations to most effectively address current economic, development, and user conditions.

The addition of permit parking, almost regardless of its complexity, will require City staff effort to develop, advertise, implement, and maintain the program. Such costs should be considered when evaluating the effectiveness of a new parking management strategy.

The near-term conditions of the new parking structure are recommended to be considered as follows:

- Level 4 (roof) is the least desirable parking, as it is uncovered and requires the most circuitous route to access. This level should be utilized by the longest term parkers including light rail and employees.
- Level 1 (ground level) is the most desirable parking, as it offers the most convenient access to light rail, adjacent existing commercial uses, and the future Rail Block development. This level should be utilized by the shortest term parkers including primarily Historic District visitors.
- Levels 2 and 3 are essentially overflow parking for Level 4 (roof) and Level 1.

The proposed 6-hour maximum time limit may be a viable temporary option, but it is viewed as a fatal flaw in the long-term management of the parking structure. Parking structures are typically intended for long-term parkers (6+ hours), especially employees, with the shorter-term parkers using on-street and other off-street parking supply.

The proposed light rail and employee passes could be considered as an alternative to the 6-hour maximum time limit, although it does not address long-term customers (customers who park longer than six hours are rare). As such, it may be advantageous to designate floors 1 and 2 with a 3-4 hour limit for customers (must be enforced), and floors 3 and 4 with light rail permits and employee permits (also must be enforced).

In the long-term, the light rail parking issue needs to be addressed because, ideally, over-management of the garage parking is not recommended, as a simple enforcement system is ultimately desirable. Considering the increase in light rail ridership, the City and Regional Transit should address the long-term parking demands (i.e., remote parking, new RT structure, etc.).

Furthermore, it is acknowledged that the actual parking demand at the Historic Folsom light rail station may be limited more by the capacity of the Regional Transit Gold Line, as opposed to the supply of parking. This theory should be considered in the ultimate parking supply decisions that are made within the Historic District.

Rail Block Surface Parking

This recommendation proposes to maintain the existing time-limited surface parking while fencing off the current construction staging area. It is also proposed to open the staging area parking only for special events only until construction of the Rail Block development begins.

Assessment

It is recommended that all viable surface parking be made available until a time at which Rail Block development construction necessitates the closure of these areas. Considering the current overflow parking into adjacent residential areas, as well as the Lake Natoma Inn site, the near term benefit of additional off-street public parking will likely be significant. Applicable time-limits should be uniformly applied to these spaces as well.

Time Limit Parking

This recommendation proposes to convert additional Trader Lane lot parking to time-limit with subsequent turnover studies to evaluate the time-limit durations. A residential permit program is also considered as part of the strategy.

Assessment

Previously documented parking occupancy and turn-over studies confirmed the desirable nature of the Trader Lane parking lot. This lot is located within the previously defined Zone II of the District which is documented to currently, and in the future, experience the greatest parking deficit in the District. The application of additional time-limit restrictions to preserve this premium parking supply is strongly supported.

Additional On-Street Parking

This recommendation proposes to maximize the efficiency of existing on-street pavement to provide additional on-street parking supply.

Assessment

A more efficient use of existing on-street pavement is supported as a means by which to increase the parking supply within the District.

Alternative Modes

This recommendation proposes to continue the use of valet and pedicab services, as well as establishing consistent shuttle bus services for all special events to and from the adjacent Glenn Light Rail Transit station. The feasibility of extending light rail transit hours to encourage employees to utilize light rail parking lots as remote evening/special event parking is also recommended.

Assessment

The use of remote parking lots with viable, predictable shuttle/transportation services is an effective approach to preserving the limited Historic District public parking supply for patrons and special event attendees. Considering the close proximity of light rail and the adjacent Glenn station, use of this connection to the District should be considered as a primary strategy in remote parking management.

Parking Enforcement

This recommendation proposes to create a parking enforcement officer position and conduct consistent, regular parking enforcement City-wide.

Assessment

The effectiveness of timed parking restrictions is most significantly influenced by the public's perception of the enforcement of said restrictions. It is anticipated that the intended turnover of the various parking supply can be achieved by consistent, regular parking enforcement.

Parking Management/Outreach

This recommendation proposes to form an ad-hoc Parking Advisory Committee to meet quarterly to review parking issues and consider other strategies. In addition, a parking website and printable parking maps for new visitors is recommended. Furthermore, way finding signs at major public parking lots, consistent with guide sign design standards, and noting the associated time limits is also recommended.

Assessment

The formation of a committee and improved public outreach are considered to be two highly effective means by which to maximize the operation of the District's limited parking supply. Additional consideration should be given to extending the signing concept to special events to further emphasize the uniformity of the District.

Historic District Streetscape Project

The City's concurrent Historic District Streetscape Project is intended to enhance the human scale of the District by widening sidewalks, narrowing vehicle travel ways, and providing uniform aesthetic components to unify the entire District. According to material presented at a May 1, 2008, Streetscape Design Committee Meeting, the conceptual improvements to Sutter Street also include the addition of on-street parking along Sutter Street, between Riley Street and Wool Street, the only segment of Sutter Street within the District that does not currently have on-street parking.

As previously documented, this block of Sutter Street between Riley Street and Wool Street, experiences the greatest parking supply deficit for both existing and build-out conditions. Considering its central location, the block serves as the core, attracting dense development and the associated vehicle and pedestrian activity.

The additional parking supply is proposed to be provided along this block of Sutter Street is anticipated to serve as premium parking for the businesses located along this segment. Considering the location and limited new supply of these spaces, the streetscape plan should, at a minimum, incorporate the following strategies:

- Diagonal on-street parking is preferred due to the relative ease of use when compared to the parallel parking currently proposed. Nonetheless, parallel parking stalls should be designed appropriately to promote high-turnover, ease of access and departure.
- A short-term time-restriction (10-20 minutes) for the proposed Sutter Street on-street parking spaces is recommended to encourage high turnover of this premium parking supply.
- Strict enforcement of on-street time restrictions.
- On-going promotion (e.g. way finding and advertisement) of the District-wide parking supply to further maximize utilization of documented parking surplus elsewhere in the District.

Attachment 9

Remy-Moose-Manley CEQA Response Letter Dated December 23, 2021



R E M Y | M O O S E | M A N L E Y

L.L.P.

Sabrina V. Teller
steller@rmmenvirolaw.com

December 23, 2021

Honorable Mayor Kerri Howell
and Councilmembers
City of Folsom
50 Natoma Street
Folsom, CA 95630
Via email to: CityClerkDept@folsom.ca.us

Re: Applicant's Response to CEQA Issues Raised in Appeals for Barley Barn Tap House (PN 19-174)

Dear Mayor Howell and Councilmembers:

On behalf of the Property Owner and Applicant for the Barley Barn Tap House Conditional Use Permit and Design Review, we provide the following responses to the points raised regarding the City's compliance with the California Environmental Quality Act (CEQA) in the appeal filed by Mr. Delp challenging the Historic District Commission's approval of the proposed project. Robert Holderness is responding separately on behalf of the Applicant to the appeal claims regarding the adequacy of parking and other issues of compliance with City regulations and standards.

CEQA Compliance

Mr. Delp asserts that the proposed project does not qualify for the Class 3 categorical exemption (CEQA Guidelines, § 15303) from CEQA and that certain potential exceptions to the use of categorical exemptions (CEQA Guidelines, § 15300.2) are triggered here. He is incorrect on all of these points. The project qualifies for multiple categorical exemptions—the Class 1 exemption for existing facilities, the Class 3 exemption for new construction or conversion of small structures, and the Class 32 exemption for infill development projects. Furthermore, none of the potential exceptions to the use of categorical exemptions are triggered here.

Substantial evidence supports a determination that the project qualifies for multiple exemptions from CEQA.

First, it is important to note that the administrative record for this project contains

December 23, 2021

Applicant's Response re: CEQA Appeal for Barley Barn Tap House (PN 19-174)

substantial evidence¹ supporting City staff's determinations that the Class 3 exemption applies to the proposed project and that the potential exceptions to the use of exemptions are not met. The HDC Staff Report explained at length the reasons that staff made these determinations and the Applicant concurs with staff's reasoning and evidence. If the Council denies the appeals and there is a legal challenge, a reviewing court affords substantial deference to the City's determinations where those are supported by substantial evidence.² The burden is on the project challenger to show that the determination is not supported by any substantial evidence in the record.³ That the challenger merely disagrees or would interpret the exemption differently if he were on the Council is not sufficient to overturn the City's determinations.

When an agency concludes that a project fits within one or more categorical exemptions, the agency must also consider whether the project is subject to one of the enumerated exceptions to the exemptions, also set forth in the CEQA Guidelines.⁴ If a project fits within a categorical exemption and is not subject to an enumerated exception, the agency's inquiry under CEQA ends; the project is exempt and no further review is required.⁵

As explained further below, the record for this project demonstrates that it meets the

¹ Substantial evidence is "enough relevant information and reasonable inferences from [that] information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." Conversely, substantial evidence "is not argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment." (CEQA Guidelines, § 15384, subd. (a).)

² *Walters v. City of Redondo Beach* (2016) 1 Cal.App.5th 809, 817 (an agency's determination that a project qualifies for a categorical exemption must be supported by substantial evidence); see also *San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District* (2006) 139 Cal.App.4th 1356, 1386–1387; *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1097.

³ *Protect Telegraph Hill v. City and County of San Francisco* (2017) 16 Cal.App.5th 261, 266, 270.

⁴ CEQA Guidelines, § 15300.2.

⁵ CEQA Guidelines, §§ 15300, 15300.2, 15061, subd. (b)(2) (CEQA does not apply where a categorical exemption applies and "the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2"); *San Lorenzo, supra*, 139 Cal.App.4th at pp. 1373, 1380–1381, 1386 (it is a "fundamental concept" that "CEQA does not apply to exemption decisions").

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criteria for more than one categorical exemption from CEQA. The City Council may also exercise its discretion to determine that various components of the proposed project qualify for different exemptions.⁶

The project qualifies for the Class 1 categorical exemption from CEQA.

CEQA Guidelines section 15301 exempts the “operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.” It goes on to list non-exclusive examples of such projects, emphasizing that the “key consideration is whether the project involves negligible or no expansion of use.” Relevant to this project, these examples include:

- (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;
...
- (c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails and similar facilities
- (d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, . . . ;
- (e) Additions to existing structures provided that the addition will not result in an increase of more than: (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or (2) 10,000 square feet if (A) the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and (B) the area in which the project is located is not environmentally sensitive.
- (f) Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities, or mechanical equipment, or topographical features including navigational devices.

The modifications to the existing structure on the proposed project site meet several of these examples. The Applicant plans to reduce the second-story floor area by 578 square feet to use it as storage. A former loading dock area of about 480 square feet located on the west side of the barn will be fenced in to make a patio. The footprint of the existing structure will not change. The entry doors will be modified to mimic those common to

⁶ *Surfrider Foundation v. California Coastal Commission* (1994) 26 Cal.App.4th 151, 155–156 (an agency may rely on more than one categorical exemption to exempt an entire project from CEQA).

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barn construction to accommodate wagons and livestock. Windows similar to those constructed for packing sheds will be included to provide natural light, and reclaimed barnwood will be added to create the appearance of an iconic old western type barn. Other minor modifications include the addition of architecturally appropriate exterior lighting and signage that will comply with the Historic District Design and Development Guidelines. The project also includes an ADA-compliant lift to assist patrons in accessing the tap house patio and sidewalk from the adjacent lower-level parking lot. Minor utility repairs and upgrades are necessary to meet current code standards but the project site has existing water, sewer and electrical connections.

The structure has had a variety of uses over its approximately 60-year-existence, including manufacturing, storage for commercial businesses, retail, and entertainment. The currently proposed use as a beverage-serving, subdued-entertainment venue is consistent with those previous commercial uses and surrounding businesses, and is allowed under the current zoning with the issuance of a CUP.

The proposed project and its minor modifications to the existing structure are consistent with the examples and overall purpose stated in the Class 1 exemption. Therefore, the City Council may properly exercise its discretion to determine that the project qualifies for the exemption.

The project qualifies for the Class 3 categorical exemption from CEQA.

Guidelines section 15303 describes the Class 3 exemption for new construction or conversion of small structures, as follows:

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to:

...

- (c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding

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2500 square feet in floor area. In urbanized areas,⁷ the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

- (d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.
- (e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

City staff reasonably concluded, based on substantial evidence set forth in the HDC Staff Report and elsewhere in the City's record, that the proposed project and minor modifications in the existing structure meet the criteria of the Class 3 exemption. Mr. Delp asserts in his appeal that the existing 4,377-square-foot building does not qualify as a "small structure" under this criteria, arguing that the alternate 10,000-square-foot criterion for urbanized areas only applies where there are multiple buildings. Mr. Delp's interpretation is not consistent with the plain language of the example given in the exemption, which states it can apply "up to four such commercial buildings." The term "up to" obviously encompasses a potential range, from one to four.

Mr. Delp further claims that the modifications proposed for the structure are not "minor," yet he cites no authority for his interpretation that the proposed modifications do not meet this criterion, only his own opinion that the modifications are "substantial." Because the footprint of the building will not change and the modifications are typical of those made to modernize an existing building to bring it up to current standards and to suit a legal use for which it is zoned, the City may reasonably determine that these modifications are "minor." Indeed, some of the proposed modifications that Mr. Delp complains of are exactly the types of changes provided in the non-exclusive examples listed in the exemption (e.g., utility extensions, patios, fences). Moreover, since the stated scope of the exemption also includes the *entire construction of a new structure*, Mr.

⁷ The CEQA Guidelines define "urbanized area" as "a central city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile." Folsom qualifies as an "urbanized area" according to the current U.S. Bureau of Census data, with a population of 81,238 people.

<https://www.census.gov/quickfacts/folsomcitycalifornia>

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Delp's argument that it excludes the kinds of modifications proposed here to an existing structure is at odds with the plain language of the exemption. The Council should affirm staff's and the HDC's determinations that the Class 3 exemption applies to the project.

The project qualifies for the Class 32 categorical exemption from CEQA.

The Class 32 exemption applies to "in-fill developments" that: (a) are consistent with applicable general plan and zoning designations and policies; (b) are within city limits on a site of no more than five acres substantially surrounded by urban uses; (c) are located on a site that is not valuable habitat for special status species; (d) do not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) can be adequately served by all requisite utilities and public services.⁸ The Barley Barn Tap House project meets all of the criteria for the infill exemption.

As stated in the HDC Staff Report, the proposed project is consistent with the applicable General Plan and zoning designation with approval of a Conditional Use Permit. The staff further determined that the proposed project, which does not alter the building footprint or location of the existing structure, meets all applicable development standards (building height, setbacks, etc.) established for the Sutter Street Subarea of the Historic District. The project site is located within City limits on a 0.12-acre parcel, bounded by commercial development on three sides and a parking lot. It sits in a highly urbanized environment and the Applicant does not propose to remove the minimal existing landscaping on the site. Thus the project will not take away any valuable habitat for any special status species. As further documented in the HDC Staff Report and elsewhere in the record, the project will not result in any significant effects relating to traffic, noise, air quality, or water quality. It will comply with all standard conditions required by the City of similar businesses in the area. And it can be adequately served by all requisite utilities and public services.

The proposed project will not result in any significant traffic, noise, air or water quality impacts. Firstly, there is no grading or other earth-moving equipment needed for the modifications to the existing barn site, which is typically the largest source of air pollutant emissions for new construction. The equipment that will be used in the proposed modifications is of the type commonly used for home renovations and other small projects. Mr. Delp asserts that the use of the off-site parking lot at the Eagle Lodge will cause air quality impacts due to increased dust, but he provides no evidence to support

⁸ CEQA Guidelines, § 15332.

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this claim, only opinion. The HDC conditioned the project approval to require the Applicant to pave the Eagle Lodge lot, thereby avoiding new dust generation that Mr. Delp is concerned about.

The barn site is already paved and no new impervious cover will be added, so there will be no increase in stormwater runoff to adversely affect water quality. When the Eagle Lodge parking lot is paved all required, standard erosion control and water quality best management practices will be followed.

The HDC staff report thoroughly discusses City staff's assessment of the proposed project's potential for noise impacts and how the conditions adopted by the HDC in approving the project will prevent any significant noise impacts from occurring. These conditions are common to the other similar hospitality and entertainment businesses in the area and there are no unique features of the proposed project or operations that would warrant a different assessment or conclusion. The subdued live entertainment (solo, duet, or trio-type performers) planned for the venue will occur inside the building only. Mr. Delp offers no evidence that the noise levels resulting from the operation of a largely-indoor bar with a few outdoor tables and indoor-only music will exceed any significance thresholds or result in greater or dissimilar noise than the other entertainment and hospitality businesses in the immediate area.

Mr. Delp asserts at various places in his appeal that the project will cause traffic impacts, primarily founded on his belief that parking is inadequate for the project and that the project will cause pedestrian safety impacts. The traffic metric currently allowed under CEQA is the amount of vehicle miles that a project will generate, not levels of service (congestion). An infill project of this small size is generally assumed not to result in a significant traffic impact. The Governor's Office of Planning and Research's Technical Advisory for the implementation of SB 743 (the bill that eliminated LOS as a traffic metric) recommends that lead agencies find projects that generate 110 trips or fewer per day or that are consistent with the local Sustainable Communities Strategy to have a less than significant impact. The capacity of the proposed project is approximately 160 people. Even conservatively assuming the tap house would be completely full every day, it is reasonable to also assume that a substantial percentage of the patrons will share rides to their destination or will visit the project as part of a trip to other businesses in the Historic District. Thus, the project is not likely to result in a significant traffic impact under CEQA.

To the extent that Mr. Delp (and the other appellants) are arguing that the project's alleged parking deficiencies result in an unstudied environmental impact under CEQA in

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their pages and pages of complaints about parking availability for the project, they are wrong. The courts have repeatedly held that having to hunt for a parking space is not an impact under CEQA.⁹ Moreover, in 2009, the California Natural Resources Agency deleted "parking availability" from the CEQA Guidelines Appendix G checklist, and it has been absent from the list ever since. The Agency's rationale was that it agreed with the court's decision in the *San Franciscans Upholding the Downtown Plan* case and knew of "no authority requiring an analysis of parking adequacy as part of a project's environmental review." Moreover, Mr. Delp provides no substantial evidence that the number of people who could hunt for a parking spot to patronize the proposed project would be so great as to result in any measurably significant secondary impact on air quality or other resources. He offers only his own opinion and speculation, which is not substantial evidence.

Lastly, Mr. Delp also asserts, in the context of his claims regarding potential traffic impacts, that the project will increase risks to pedestrians and bicyclists. Again, he offers no evidence that such a modest-sized project will cause so much traffic that it would result in a significant pedestrian or bicyclist safety impact. The project site is already served by a combination of public sidewalks and private pathways, one of which leads to the adjacent public parking lot. Public access will continue to be allowed on this pathway. The Historic District has numerous sidewalks serving the existing local businesses and public parking areas, which regular patrons of the existing nearby businesses are accustomed to using. Mr. Delp points to no unique features of the project design or location or operation that could result in any substantially increased risk to pedestrian and bicycle safety.

The proposed project meets all of the criteria of the Class 32 exemption for infill projects, and the Council should exercise its discretion to determine that this exemption applies in addition to the Class 1 and Class 3 exemptions.

None of the potential exceptions to categorical exemptions apply here.

Once an agency determines that a project fits within one or more categorical exemptions, the agency must consider whether any of the exceptions to the exemption, described in

⁹ *San Franciscans Upholding the Downtown Plan v. City & County of San Francisco* (2002) 102 Cal.App.4th 656, 697 (the "social inconvenience of having to hunt for scarce parking spaces is not an environmental impact"); *Save Our Access-San Gabriel Mountains v. Watershed Conservation Authority* (2021) 68 Cal.App.5th 8, 25 ("Parking deficits are always inconvenient for drivers, but they do not always cause a significant adverse physical impact on the environment.")

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Guidelines section 15300.2 applies to the project. Here, the staff and the HDC found that the potential exceptions to the exemptions do not apply. That determination is supported by substantial evidence in the record.

Mr. Delp disputes the conclusion that the exceptions to the exemptions do not apply, claiming the cumulative impact, "unusual circumstances," and historical resources exceptions disqualify the use of the Class 3 exemption for the project.

Regarding cumulative impacts, Mr. Delp focuses mainly on his claim that this project will exacerbate alleged parking shortages in the Historic District and somehow lead to a cascade of environmental catastrophes in the area. But again, even if the project were to generate substantial amounts of traffic (which it will not), congestion is no longer a cognizable CEQA impact, and neither is the hunt for a parking space. Mr. Delp offers no substantial evidence showing that the project will result in significant environmental impacts, only speculation and exaggerated opinion. The HDC Staff Report adequately explains the reasons and evidence supporting staff's conclusion that the project will not make a substantial contribution to any significant cumulative impacts.

The unusual circumstances exception, contained in Guidelines section 15300.2, subdivision (c), provides that "[a] categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." The California Supreme Court addressed the "unusual circumstances" exception in *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1097. There, the court explained that merely questioning the agency's conclusions of significance was not enough to disqualify a project from using a categorical exemption. Instead, the court provided two alternative options for proving the exception applies. Mr. Delp fails to meet his burden under either of them.

In the first alternative, a challenger must prove both unusual circumstances exist and a significant effect on the environment due to those circumstances.¹⁰ The first prong, whether there are any "unusual circumstances," is a factual question for the agency, to which a reviewing court is deferential to the agency's conclusion.¹¹ Where there are no

¹⁰ *Id.* at p. 1105.

¹¹ *Id.* at p. 1114; *Citizens for Environmental Responsibility v. State ex rel. 14th Dist. Ag. Association* (2015) 242 Cal.App.4th 555, 574 (*Citizens*). "[R]eviewing courts, after resolving all evidentiary conflicts in the agency's favor and indulging in all legitimate and reasonable inferences to uphold the agency's finding, must affirm that finding if there is *any substantial evidence, contradicted or uncontradicted*, to support it." (*Berkeley*

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unusual circumstances, the inquiry ends and the exception does not apply.¹²

Here, the City explicitly determined that “no unusual circumstances exist to distinguish this project from others in the exempt class.”¹³ The City supported that determination with substantial evidence in the record, explaining why the project's setting, size, proposed use and other factors are not “unusual.”

In the second approach articulated by the Court in *Berkeley Hillside*, “a party may establish an unusual circumstance with evidence that the project *will* have a significant environmental effect.”¹⁴ Under this test, great deference is given to the public agency; a challenger must establish more than merely substantial evidence of a fair argument that the project will have a significant environmental effect.¹⁵ The burden rests on the challenging party to produce evidence showing that the project *will* have a significant effect.¹⁶

A project opponent may try to establish that the Project will have a significant environmental effect due to an unusual circumstance by showing it has some feature distinguishing it from others in the exempt class, such as the Project's size, scope, location, or inconsistency with surrounding zoning and land uses.¹⁷ But, “the presence of comparable facilities in the immediate area adequately supports [an] implied finding that there were no ‘unusual circumstances’ precluding a categorical exemption.”¹⁸ As noted in the HDC Staff Report, the project is consistent with the surrounding zoning and land uses, as there are other restaurants and bars in close proximity to the project site.

Mr. Delp has not shown that the project *will* have a significant effect, offering only his own opinions and interpretations of City standards and unsupported, hyperbolic predictions of impacts that are wildly disproportionate to a modest project such as this one. A challenger's burden under the test created by the Supreme Court under this exception is high, and he fails to meet that burden.

Hillside, *supra*, 60 Cal.4th at p. 1114, emphasis added; *Berkeley Hillside II*, *supra*, 241 Cal.App.4th at pp. 954–955.

¹² *Citizens*, *supra*, 242 Cal.App.4th at p. 588, fn. 24.

¹³ HDC Staff Report, p. 26

¹⁴ *Berkeley Hillside*, *supra*, 60 Cal.4th at p. 1105, emphasis added.

¹⁵ *Citizens*, *supra*, 242 Cal.App.4th at pp. 575–576.

¹⁶ *Berkeley Hillside*, *supra*, 60 Cal.4th at p. 1105; *Walters*, *supra*, 1 Cal.App.5th 809 at p. 823.

¹⁷ *Berkeley Hillside*, *supra*, 60 Cal.4th at p. 1105.

¹⁸ *Walters*, *supra*, 1 Cal.App.5th at p. 821.

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Mr. Delp does not further explain or support his claim that the historical resource exception to exemptions applies here, so the City should consider his argument waived. In any event, the HDC Staff Report adequately explained why staff concluded this exception is not met, and there is no evidence provided to the contrary.

The City's determination that the potential exceptions to the use of categorical exemptions do not apply to the project is supported by substantial evidence in the record. The City Council should find that the proposed project is categorically exempt from CEQA under the three exemptions described above and deny the appeals.

Very truly yours,



Sabrina V. Teller

cc: City Clerk's Office
City Attorney's Office
Steve Banks, Principal Planner
Murray Weaver, for the Applicant
Robert Holderness, for the Applicant

Attachment 10

Applicant Response Letter, dated December 28, 2021

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Mayor Kerri Howell and
 City Council Members
 City of Folsom
 50 Natoma Street
 Folsom, CA 95630

RE: Opposition to Three Appeals from HDC Approval of
 Barley Barn Tap House Project (PN 19-174)

Dear Mayor Howell:

I. Introduction: This letter brief is written on behalf of Murray Weaver, who is the Applicant/Respondent in the matter of the three appeals against the approval of design review and a conditional use permit ("CUP") for the Barley Barn Tap House Project (PN 19-174). Said approval was granted by Folsom's Historic District Commission ("HDC") on or about November 18, 2021, and pursuant to the Folsom Municipal Code ("FMC"). This letter brief addresses the relevant FMC provisions, and the public policy issues raised by the three Appellants.

In addition to the submission of this letter brief, attorney Sabrina V. Teller, a principal in the Sacramento law firm of Remy Moose Manley, has submitted her letter brief on behalf of the Applicant/Respondent. Her letter brief addresses the CEQA issues raised by the Appellants herein, and Appellant Bob Delp in particular

II. The Case:

A. The Project: The Barley Barn Tap House is proposed to sell beer, soft drinks, and snack items in the existing red barn located at 608 ½ Sutter Street. No wine; no hard liquor. It is also proposed to have low volume music inside the building, and tables outside on the west side of the building for those patrons who want to enjoy the out of doors while at the tap house drinking their favorite beverage. The barn was built in 1958 or 40 years

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before the City's adoption of the FMC provisions here in issue. It sits on a parcel of about .12 acres in area, including the barn and a wide walkway that connects the barn directly to Sutter Street. The walkway also connects to the public parking lot located at Riley & Scott Streets and which is to the rear of the barn.

B. The Role & Powers of the HDC: Under the provisions of FMC Section 17.52.300, the HDC "shall have final authority relating to the design and architecture of the following structures within the historic district boundaries. All exterior renovations, remodeling, modification or addition to existing structures. (Ord. 890 Section 2 (part), 1998." Likewise, under FMC Section 17.52.360, "A. The [HDC] shall have final authority relating to the issuance of [CUPs] for any of the uses or purposes for which such permits are required or permitted by the terms of this title within the boundaries of the [HDC]."

C. The Role & Powers of the City Council in this case under the FMC: The procedural requirements of the appeal and the powers of the City Council are set out in FMC Sections 17.52.700, 17.52.710, and 17.52.720 (Ord. 89-section 2(part) 1998). In sum, the procedure is "[i]f a ... person whose property rights may be affected is dissatisfied with any determination made by the [HDC] such person may appeal to the city council," provided she or he complies with the timeliness requirements of the FMC in the filing of a written appeal.

Thereafter, the Council "shall review the entire proceeding relating to the act or decision being appealed, de novo, and may make any order it deems just and equitable including granting of a permit..." but must do so by written decision and findings. Section 17.52.710, above. The Council's findings must be supported by substantial evidence presented for its consideration. Topanga Ass'n For A Scenic Community v. County of Los Angeles (1974) 11 C.3d 506. See also, BreakZone Billiards v. City of Torrance (2000) 81 CA4th 1205, which held that in a CUP case, a court should resolve all reasonable doubts in favor of the administrative findings and the decision. Similarly, the City Council, when exercising its powers

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under the FMC to review the findings and decision of the HDC, should resolve all reasonable doubts in favor of the HDC's decision and render it final. FMC 17.52.360A, above.

In this case, the City's written staff report as well as the written submission of the Applicant, and the oral presentations of staff, Applicant and others [as evidenced by the minutes of the HDC], establish substantial evidence in support of the HDC's decision approving design review and granting the CUP as requested, but on condition of the maintenance of the lease of the Eagles' parking lot during the period of the CUP, and the paving and striping of that parking lot by Applicant before building permits are issued.

D. HDC's Decision & The Appeals: On or about November 18, 2021, the HDC unanimously approved the design of the project [with two recusals] and granted the CUP by a vote of 4 to 1 [also with two recusals]. The Applicant's reply to the three appeals follows in Section III., hereof.

E. The Conditional Use Permit Requirement: City Staff has determined that the underlying zoning for this property is C-2, which is set out at FMC Section 17.22.030 A.2. and E.29 [bar & tavern]. Per FMC Section 17.22.040 6., City Staff has concluded that a CUP is required in this instance because the proposed Project is within 500 feet of residences and because the application requests permission to stay open until 12:30a.m. the following morning on Thursdays, Fridays, and Saturdays. That is, the requested closing time is beyond 11pm limit under the C-2 zoning for "bar & taverna," the relevant provisions are set out, above.

III. Argument:

A. Appellants' Parking Issues: Either explicitly or implicitly, each of the three appellants centers their appeal on a "parking" issue. But none of them has defined what exactly is the "parking" issue for them, and they don't seem to agree among themselves.

1. Delp Position on Parking: In the case of Mr. Delp, he employs rough tactics on all issues, largely CEQA based, and his arguments are taken up in the letter

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brief submitted by the Applicant's CEQA counsel, Sabrina Teller.

2. The HFRA Position on Parking:

a. The parking issue for the Historic Folsom Residents' Association ("HFRA") appears based on their desire to eliminate altogether the incidence of people parking their cars on the public streets in front of their members' homes, even though the city has not restricted parking there, and furthermore, HFRA is not alleging that there are whole-sale violations of established parking restrictions in their neighborhood.

b. HFRA advances this goal by claiming that this Project will "be detrimental or injurious 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 Section 17.52.510.

c. However, aside from repetitive *ipse dixit* argumentation, neither HFRA nor its testifying members offered any probative evidence to HDC that this project was in any way detrimental or injurious. For example, they complain that the parking studies of 2008, 2013 and 2018 were not presented to HDC, but they fail to point out how or in what particular way those parking studies would establish that this project would be detrimental or injurious to the members of HFRA or anyone else. While they imply that the three studies establish that there is "a lack of parking relative to the existing businesses" they do not establish a factual basis for that assertion. Moreover, and to the contrary, this writer spoke with the City's traffic consultant and principal author of those traffic studies [Matt Weir], earlier this month, and he told me by telephone that in fact there is "adequate parking" for this project in the Sutter Street Commercial area. Mr. Weir's opinions can be verified and established by City Staff calling upon him [as their consultant] to opine on that topic before the City Council at the January 11th hearing. In their appeal, HFRA objects to City Staff relying on "past practice" in not requiring compliance with a modern day [that is, a 1998] parking ordinance provision. The "past practice" they object to is a recognition that

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the 1998 parking requirements do not apply to a project in that commercial area when a building owner simply changes the use or occupant of an existing building but does not request to expand the footprint of the building. It is more than ironic for a group with the word "Historic" in its name would attack modern day implementation of 19th century planning principles in a historic area, in favor of more contemporary auto-centric requirements instead.

The reason for Staff's "past practice" is readily apparent when one looks over the layout of the Sutter Street commercial area itself and considers its development history. This commercial area runs roughly along Sutter Street from Scott Street to Folsom Blvd. and encompasses Leidesdorff Street between Scott St. and Folsom Blvd. as well. The boundaries of the commercial area are partly based on the 1856 Theodore Judah parcel map of "Granite City." The original commercial development of that area was done during the 19th century and was consistent with 19th century standards. In those days, folks traveled by foot, by horseback, or by carriage [including coaches & wagons]. Automobiles did not exist.

As is well known, cars weren't invented until the late 1880s and didn't become popular in the U.S. until the early 20th century. By that time, the Sutter Street commercial area was pretty much fully developed as can be seen in the historical record being preserved at Folsom's history museum and their photographic archives.

No automobile parking was included in any of the commercial properties of the time, for the reason stated. When automobiles showed up and after zoning codes were invented, there was no way to retrofit automobile parking spaces on those properties. Automotive parking needs were accommodated by diagonal parking on Sutter Street. The other way of accommodating automobile parking on or near Sutter Street was by land acquisition and replacement of buildings with parking lots. This has been done along Sutter Street. For example, when what we call the Hacienda Building was built in the 1970s over a location that had an 19th century building beforehand, about 12 or 13 parking spaces were added to the front of the property. Likewise, at the site of the old Fireman's Hall [which burned down nearly 100 years ago], in recent years, Developer Jerry Bernau has added about 25-30 automotive parking spaces.

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d. As a corollary to the 19th century planning model, there is no private land in the immediate vicinity of this project or any other along that part of Sutter Street that is available for more parking. [Hence, Applicant's turn to the Eagles to increase utilization of their parking lot]. A decision by the Council to require the Applicant to provide 13 or 14 more parking spaces either on-site or near-by off-site, would be the death knell for this Project, as it likely would be for any similar project on the whole of Sutter Street.

e. Cruellest cut of all, HFRA, in its eagerness to vanquish the Applicant does not even acknowledge:

- (i) Applicant was the biggest supporter of having the city establish and fund an experimental "parking permit program" for the benefit of the HFRA residents;
- (ii) In October, 2021, this City Council approved going forward with such a parking permit program and implementation is now underway;
- (iii) One salubrious result of such program would be to eliminate any chance for the Applicant's future customers to park their vehicles in the restricted area without penalty, but far be it from HFRA to acknowledge this benefit, for so far as HFRA is concerned, that parking permit program means nothing *vis`a vis* the Applicant's Project, when it meant everything a few weeks ago when HFRA appeared before the City Council to ask for the funding. It is sad to see such double talk from a neighborhood group.
- (iv) At the HDC hearing, Gary Richard told the Commission that the shuttle carries between 20 and 50 customers on Friday and Saturday nights. That is 20 to 50 people who aren't parking in HFRA's neighborhood, not that HFRA cares a lick.

f. In the same vein, HFRA can't bring itself to acknowledge that this Applicant is the only property and/or business owner in the entire Sutter Street commercial area who has spent his own money to provide shuttle services so his customers will park in the City's many public parking lots at the west end of Sutter Street and not in the HFRA neighborhood. But apparently it is too much to get

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them to acknowledge the benefit to themselves from that program as well.

g. Finally, it should be obvious, HFRA's remedy for their angst over parking is not to stop the Applicant's Project, nor to shut down growth and development on Sutter Street, but to work with the City to establish a fair, equitable, and workable parking plan for their neighborhood.

3. The Railroad Block Developer's Parking Issue:

a. Counsel for the Applicant understands that counsel for Appellant, Folsom Railroad Block Developer, LLC, (which is managed by Folsom Developer Jerry Bernau [hereinafter the LLC is sometimes referred to as "Developer Bernau"]), was not at the HDC hearing, so his knowledge of events there is second hand. In this instance, it is also faulty. Counsel for this Appellant mis-states the position presented by City Staff to the HDC at the hearing on this Project.

Contrary to this Appellant's contention [via counsel] City Staff did not recommend that Applicant's lease of the Eagles' parking lot be characterized as a condition of the CUP because it believed the FMC required it, or that there was a shortage of parking in the Sutter Street Commercial Area. In fact, at the HDC hearing, City Staff made it clear that it is not imposing a new parking obligation on the Applicant per FMC Section 17.52.510F(Ord. 890 section 2 (part), 1998) [1 parking space per each 350 square feet of the building], because it is the long time established practice of the City not to impose the FMC parking requirements on a project when it consists of a building remodel or a change of use which does not include an expansion of the footprint of the building, as in this case. The underlying policy behind this practice is illustrated in this case, and as described in the response to the HFRA argument on parking. See, Headnote III., A., 1., above (on page 3).

In addition, as aforesaid, this barn was erected in 1958 or about some 40 years before the parking requirement of Section 17.52.510F. was established. Also, it was built 30 years before the parking lot adjacent to the back of the barn was constructed. Given the barn's 60 years in place without change to its footprint, were the City to require

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compliance with Section 17.52.510F, above, each time this or any other building owner changes the use of the premises, as has been done with the red barn at least one time after 1998 and since Applicant acquired it from the Clouds, then the older buildings on Sutter Street, including this one, would become uneconomic and unsustainable. This conclusion which is, in substance, the recommendation of City Staff and the finding of the HDC, was established before the HDC through the testimony of Glenn Fait, former Mayor of Folsom and long-time owner of at least two commercial buildings in the 800 block of Sutter Street.

In the same vein, and to this writer's best knowledge and recollection, in the 34 years [beginning in November, 1979] of practicing law in this city, before Folsom's Commissions and Council alike, as well as 8 years on the City Council, no parking requirement has been adopted which placed on existing buildings on Sutter Street the obligation to assume a new parking burden upon a change of tenants or a change of use, except when there was also an increase in square footage of the building.

In addition, I was a member of the city council when this parking requirement, FMC Section 17.52.510F(Ord. 890 section 2 (part), 1998) [1 parking space per each 350 square feet of the building] was adopted. To my best knowledge and recollection, neither I, nor any of my colleagues on the 1998 city council [that is, members Glenn Fait, Sara Myers, Tom Aceituno or Steve Miklos], opined in public hearing that the purpose of this proviso was to impose a parking requirement on existing Sutter Street buildings, should they change occupants or uses in the future. To my knowledge and best recollection, there is no legislative history that supports the contention by counsel for Developer Bernau on this point of FMC interpretation nor any other legislative history supporting his contention.

b. Developer Bernau's "no parking available" claim is not established in the record from the HDC and is actually incorrect: At the HDC hearing, Developer Bernau claimed that the parking capacity of the Sutter Street subarea was exhausted last summer (2021) and there is no capacity left for the Applicant's project. His counsel repeats that contention in this appeal. At the HDC's hearing, the

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City's engineering staff was present. That staff member reviewed the chart produced by Developer Bernau before the HDC, and among other things, opined in substance that Bernau misconstrued the Kimberly-Horn chart when he made this argument, and that the study appeared to predict a possible parking saturation point beginning in August, 2023, not the summer of 2021 as claimed by this Appellant. The chart itself supports City Staff, not the Appellant. Specifically, the operative entries on the chart are that the Sutter Street commercial area is projected to be at 92% of capacity [not 100%] in September, 2022, that is 9 months from now. Also, the chart projects that 41 more parking spaces may be needed in about 21 months from now, if its assumptions are correct.

First off, it should be noted, the traffic study projections have not been adjusted by Kimberly-Horn to account for the impact on parking in the Sutter Street commercial area from ride sharing apps. such as Uber and Lyft. The Applicant's experience is that between 10% and 20% of his patrons use ride share on any given night. This is a significant factor not yet accounted for in any of the City's traffic studies. The effect of ride share apps. can only be to reduce the demand for parking spaces in the area. This factor ought to be a part of base line for estimating the future parking space needs.

Moreover, close examination reveals that the projections in the chart which was introduced by Appellant to the HDC and now to the City Council are demonstrably wrong. Why? Because the chart wrongly assumes that Appellant will have begun construction on another building last September [he didn't] and complete that construction by September 2022 [he won't]. Were it so, 22 parking spaces would already have been supplanted by construction activity, and 20 more spaces would be needed at the hypothetical completion of construction not yet begun. That erroneous projection alone demonstrates the unreliability of parking space projections. This error alone creates a swing of 42 available parking spaces in favor of the approval of Applicant's project now. What that also means is that measuring the parking projections on the chart with what Appellant is actually not doing on the ground, establishes that there is parking available in the commercial district for the Applicant's future

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customers. In other words, the parking is adequate.

In point of fact, the principal author of the parking studies, Matt Weir of Kimberly-Horn, as aforesaid, told this writer in a phone conversation in early December, 2021, that there is "adequate parking" for this project in the Sutter Street commercial district. City Staff is in a position to confirm the veracity of this opinion by discussing it directly with their parking consultant, Matt Weir, before the hearing on this appeal and ought to do so in order to present their best evidence to the City Council on this topic.

c. Developer Bernau's Claim of Inadequate Parking Is Not Sustained, as Evidenced by His Own Conduct as an FHDA Board Member and by Public Parking Space Eliminations Approved by FHDA and the City of Folsom Itself:

It is well known that Bernau is active in the civic affairs of Folsom. Most prominently he serves on the Folsom Historic District Association Board of Directors and on the Tourism Board of Directors as he has done from inception. His record of public service is commendable. However, that record of service to the businesses in the Sutter Street commercial area stands in stark contrast to the contentions asserted in his appearance before the HDC on this Project, and which he is now asserting before the Council. In particular, Developer Bernau, as a member of the Board of Directors of the Folsom Historic District Association ("FHDA"), has supported the City and FHDA in recently eliminating parking spaces along Sutter and Leidesdorff Streets for other uses.

Specifically, the FHDA board of directors (including Bernau) and City Staff have approved the elimination of about **7 public parking spaces** along Sutter Street at all times, from about July, 2021 to the present and into the indeterminate future. They have also eliminated about **13 public parking spaces** at the Hacienda Building from Friday through Sundays also since about July, 2021 [including 7 of those all the time]. This total of about **20 parking spaces** is mainly eliminated when parking spaces are in highest demand, that is, Friday night and weekends.

In addition, the FHDA board of directors [including Bernau], and City Staff have closed off about **30 parking spaces** for use of the ice-skating rink operators from about October 15, of each year until about January 15 of the

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following year. That is, during a three-month period of the calendar year when public parking spaces are at a premium in the historic district's commercial area. Now, if you believe, as the Applicant does, that the Sutter Street commercial area has sufficient parking resources to accommodate this reduction of about 50 spaces, then there is no problem in doing so, and no problem in the Council approving the grant of entitlements by HDC, so he can go forward with his Barley Barn Tap House Project.

On the other hand, how can anyone accept Developer Bernau's claim that there is inadequate parking in the Sutter Street commercial district to accommodate the Applicant, such that his Project should be denied when he's at the forefront of eliminating some 50 parking spaces at the busiest times of the week and the year? Were he truly believing that, he would be working overtime to retain those parking spaces, not eliminate them.

Likewise, City Staff's approval of the elimination of those 50 parking spaces, as well as the fact the City has not taken steps to rent or lease the Baker Family's parking lot at Leidesdorff & Gold Like Drive [which has about 20-25 parking spaces], as has been done on occasion in the past, betokens a belief, consistent with City Staff's recommendation of approval of this Application, that the City has adequate parking in the Sutter Street commercial area. At the present, the Baker parking lot lies vacant and unused for public parking. If scarcity of public parking spaces in and around Sutter Street were a real, critical, and immediate problem, one would expect to see Developer Bernau appealing to the City to recover the 50 closed off spaces and even extend it to a request to use the Baker property's parking spaces. Given the contentions of Developer Bernau in this case, his inaction in those other venues constitutes some evidence that he knows there is in fact adequate parking for the Applicant's project, as both the City's Staff and its consultants indicate. In other words, when his claims and contentions against the Applicant's Project are placed in the context of his effort to eliminate the use of parking spaces in the commercial area of Sutter Street, it is clear that his claims in this case are pretextual, not genuine.

d. Developer Bernau's Argument That Applicant and Others Are Impinging on his "Right" to Park His Future

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Customers', Patrons' & Tenants' Cars in the City's Parking Garage Lacks Proof of Causation: While Bernau made this claim before the HDC he did not share the circumstance of his predicament. Namely, he was obligated by contract with the City to begin work on the Granite House in calendar year 2008 by reason of the completion of the construction of the City's parking garage in that year [which completion was a precondition to his obligation to commence construction]. To date, over 13 years later, construction on the Granite house is yet to begin. Likewise, no building by Bernau on the Fireman's Hall site, nor at the former Perkins Building site. It is the fact that none of those three buildings are underway, not Applicant's little tap house project that is the cause of Bernau's predicament.

e. Neither Developer Bernau nor his LLC have standing to appeal the HDC decision. As set out in headnote "B" above (page 2 hereof), an Appellant must be a person whose property rights are affected" by the granting of a CUP to the Applicant. FMC, Section 17.52.700A., above. Neither in his appearance before the HDC nor in his LLC's appeal to the City Council has Developer Bernau or his counsel alleged facts sufficient to establish that he or his LLC is a person whose property rights are affected by the granting of the CUP. Specifically, neither Bernau nor his LLC "resides" within 500 feet of the Applicant's barn building. Likewise, and because of that fact, keeping the Applicant's tap house open to 12:30am three nights a week has not been alleged as having any impact on this Appellant's, "property rights." Indeed, Bernau's only existing fully commercial building in the Sutter Street commercial area is way more than 500 feet from the Applicant's barn building and the restaurant therein routinely stays open past 12:30am on Fridays and Saturdays. Likewise, his multi-use Whiskey Row Lofts property is way more than 500 feet from the premises, but barely 100 feet away from Bernau's Roundhouse Building. In sum, neither has alleged facts sufficient to meet the FMC requirement cited above.

4. The Non-CEQA Issues in the Delp Appeal: As stated above, the Delp appeal is mainly centered on his CEQA arguments which have been ably answered on behalf of the Applicant by Attorney Sabrina Teller under a separate

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filing. There are a few other issues raised by Mr. Delp to which this reply is made.

a. Easement Issue: Delp argues that Applicant cannot access the Eagles' parking lot because access is provided by an alley way. Delp claims without documentary evidence that the City "owns" the alley way. That may or may not be the case here, but a majority of this Council will recall that its review of permits for the Mosley House on Bidwell Street established a common circumstance that likely here applies as well, namely, as in Mosley, the Eagles likely own the underlying fee to the middle of the alleyway, and the City has an easement upon it. Counsel for Applicant does not see any prohibition arising against the Eagles or their tenant from that circumstance, but in any case Delp's easement issue is not proven by probative evidence.

b. The Road Crossing Issue: Delp claims, again without Evidence, that use of the Eagles' lot would be a grave danger to the parking public in that they will not walk a few feet up hill to cross the street at a four way stop, nor walk down the hill a few feet to cross the same street at a signalized intersection with a pedestrian feature as a part thereof. Again, no competent evidence presented, such as accident or incident data, just Delp's speculation.

5. Additional Issues Arising From The HFRA Appeal: Before HDC, HFRA raised other issues pertaining to "parking variances" "parking density" "hours of operation" and so forth. Those were addressed in the written submissions before the HDC as well as the oral presentation to HDC, and are part of the administrative record in front of the City Council. Those replies on behalf of the Applicant need not be repeated here, but are by such reference, incorporated herein.

6. The Eagles' Lot Lease Issues & Related Issues: All three of the appeals attack Applicant's lease of the Eagles' lot. This headnote is intended to address them in unison. To begin with, one of the Kimberly-Horn studies observed that the Eagles' parking lot was under-utilized and its use ought to be enhanced. This recommendation was the source of the Applicant's decision to lease that parking lot for his Project. The fact that the parking lot sits close to his barn, where the tap house is to be

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located, made that parking lot's use very desirable.

The lease on the Eagles' lot was acquired by the Applicant to give the patrons of his proposed tap house a close-in alternative to the public parking adjacent to the barn and the shuttle service he has been providing for nearly three years. The lease is a legally binding document for which the Applicant has been paying rent to the Eagles since September 2021.

Attached to this writing are copies of 5 photographs taken by the Applicant in one week in September, 2021 to illustrate the normal condition of the Eagles' parking lot: empty! In addition to those 5, the Applicant has taken another 15 or so photographs on various days since September to illustrate that point. The Eagles has admitted to the Applicant that they actually use their own parking lot only a day or two every month, at the most, hence its availability to the Applicant's customers for about 340 days a year, or more. Counsel for the Applicant respectfully suggests that this lease will make a modest expansion to the City's inventory of parking spaces for commercial activity in and around Sutter Street. Any incremental increase in parking options by the private sector in the historic district should be worthy of laudations, not brickbats.

Formerly there was no Uber and Lyft to deliver patrons and customers to the businesses on Sutter Street as is the case today. In sum, there are many, many different mobility paths to the Applicant's property besides parking in front of the home of HFRA members and the Applicant has done more than his fair share to see that through.

Finally, it appears that the opponents to this project approach its likely parking needs in a static, straight-line method, as if every day the tap house will have the same number of patrons needing about the same number of parking spaces at the same time, etc. The reality will be quite different. For example, around noontime customers of the tap house will be able to share the parking lot next to Wild's with their customers, because the Powerhouse Pub and Scarlet's are not open for customers at that hour. Likewise, after the dinner hour, parking is readily available in the Sutter Street commercial area. The crunch time is the dinner hour when the Eagles' lot, plus the

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Sutter Street Surfer's shuttle service as well as the ride share apps., the parking garage, the parking at Peddler's Lane and on the lid and across from the lid will alleviate parking pressure by the barn. Likewise, the City's neighborhood permit system, plus improved way-finding, will direct automobiles away from the residential neighborhoods and towards parking on the west side of the commercial area. What causes parking issues anyway? Success. People want to go to Sutter Street and spend their money. This translates into money for the City's coffers. The economic revitalization of Sutter Street that was begun more than 10 years ago is being successful. Parking issues are a sign of good times, so the City simply needs to actively participate in creating more parking solutions as the need arises. So far, it's doing pretty well.

7. The Applicant's Long Standing Good Neighbor Policy:

The Applicant has a long history of public-spirited contributions of time and money to FHDA as well as a former board member, as a member of the Folsom Chamber of Commerce and as a former board member. He also donated time and treasure toward Folsom Live, and Folsom Tourism. In the same spirit, he has participated in Folsom's *ad hoc* committee on parking in the historic district, and for nearly three years he has provided his own customers and others, free of charge, the Sutter Street Surfer shuttle service. This service makes it possible for people to conveniently have more mobility options besides walking or parking in the HFRA neighborhood. Customers have a wider selection of on and off-street public parking options, public transportation, or ride sharing apps. than ever before. A copy of the Applicant's poster promoting the shuttle service is attached to the record before the HDC and is by such reference incorporated herein.

8. Applicant is an Established Business Owner With a 20+ Year Track Record of Accomplishment for the Community of Folsom: Every year Applicant pays over \$100,000 to the City's coffers by means of sales and real property taxes. As such these expenditures do, among other things, contribute to the maintenance of the high level of

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municipal services that HFRA members and all other residents of Folsom have and enjoy. With Council's denial of the Appeals and affirmation of HDC's approval of this project, the Applicant will gladly expand that contribution to the commonweal by way of the operation of the Barley Barn Tap House.

9. Conclusion: The three appeals should be denied and the decision of the HDC should be affirmed with such findings and conclusions based on the evidence adduced at the hearing before the City Council and as the City attorney deems appropriate to support that affirmation.

Very truly yours,

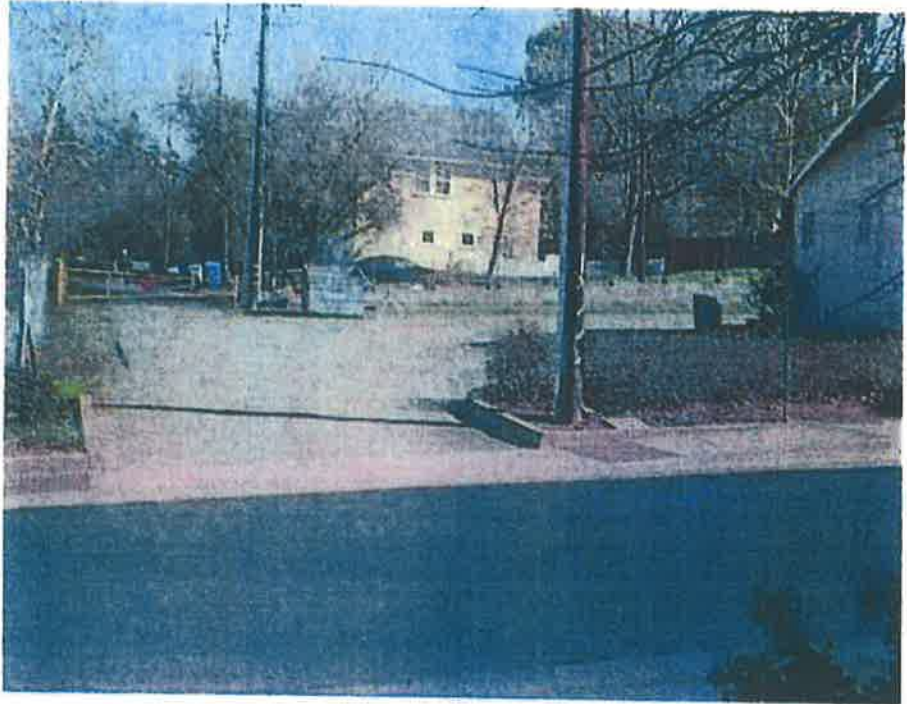

Robert G. Holderness

RGH:ls

cc: Ms. Elaine Andersen, city manager
Ms. Pam Johns, Community Development Director
Mr. Steve Wang, City Attorney
Mr. Mark Rackovan, Public Works Director
Ms. Christa Freemantle, City Clerk
Mr. Steve Banks, Principal Planner
Ms. Sari Dierking, Assistant City Attorney
The Three Appellants [Bernau, Delp, & HFRA]

Exhibit #1 (Five Photographs)

Description: Five photos of the Eagles parking lot taken by the Applicant on five consecutive days in September, 2021, to illustrate the most common condition of that parking lot, namely **EMPTY**.

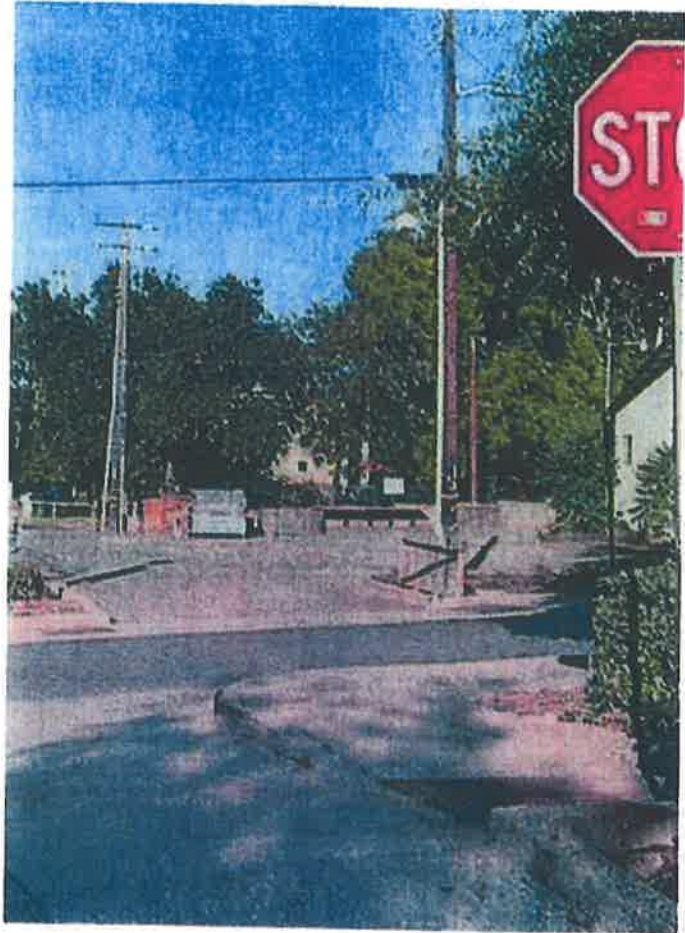


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Attachment 11

Bob Delp Appeal Hearing Procedure Letter Dated December 30, 2021

December 30, 2021

Elaine Andersen, City Manager
City of Folsom
50 Natoma Street
Folsom, CA 95630
via email to eandersen@folsom.ca.us

cc: Steven Wang, City Attorney (swang@folsom.ca.us)
Christa Freemantle, City Clerk (cfreemantle@folsom.ca.us)
Pam Johns, Community Development Director (pjohns@folsom.ca.us)

SUBJECT: Barley Barn Tap House Project (PN 19-174) – Appeal Hearing Procedures and Staff Objectivity

Dear Ms. Andersen:

On November 24, 2021, I submitted an appeal to the City Council of the decision by the Historic District Commission (“HDC”) approving the Barley Barn Tap House Project (PN 19-174) (“Project”). Community Development Department (“CDD”) staff have provided a hearing notice advising that a hearing is scheduled for January 11, 2022, at which the City Council will consider the merits of my appeal and two other appeals filed by separate parties.

This letter is to express my concerns regarding a staff-created appeal hearing protocol that is inconsistent with hearing procedures established by City Council Resolution No. 9689 and to express my concerns regarding potential lack of objectivity of staff involved in facilitating what should be a fair and impartial appeal hearing process. I am asking that you take all reasonable and necessary measures to ensure the City Council’s formally adopted hearing procedures are followed and that a fair and impartial hearing is achieved and facilitated by objective City staff.

Hearing Procedure

On December 2nd and in response to a question I asked about the appeal hearing process, the City Clerk directed me to the appeal hearing procedures established by Resolution 9689 (included here as Attachment A). On December 20th, City planner, Mr. Steve Banks, sent me an “Appeal Hearing Protocol” document (included here as Attachment B) that outlines a hearing process inconsistent with the appeal hearing procedures established in Resolution 9689 Rule 6. On December 28th, responding to a question I asked regarding the hearing protocol provided by Mr. Banks, the City Clerk advised me that, “[t]he City Attorney has confirmed that the protocol provided to you by Mr. Banks will be the one used for the hearing.”

In addition to modifying speaker time periods and adding a specific speaker category of “Project Applicant” where no such category is provided in Resolution 9689 Rule 6, the December 20th protocol from Mr. Banks provides for the Applicant to make 15 minutes of closing remarks *after* the appellants make closing remarks (allocated at 5 minutes for each appellant). In particular, the designation and sequence of Applicant closing remarks after the appellant’s closing remarks substantially diverges from the procedures established in Rule 6.

Resolution 9689 provides for certain limited adjustments to the appeal hearing procedure, with the discretion for such adjustments granted solely to the Presiding Officer of an individual

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hearing; not staff and not necessarily the Mayor.¹ I recognize the need to provide due process to the Applicant and to ensure sufficient opportunity is provided for the Applicant to address the Council at the appeal hearing. Resolution 9689 is well-suited to accommodate that.

The Applicant can request, and there is every reason to expect that the Presiding Officer would grant, an extended period of time during the Statements from the Public portion of the hearing. If staff is concerned that the Presiding Office might not understand the need to sufficiently accommodate Applicant input, then staff could include a recommendation in the staff report for the Presiding Officer to provide additional time for the Applicant to comment during the Statements from the Public portion of the hearing.²

Resolution 9689 expresses the City Council's intent "to adopt formal procedures for appeals and public hearings to encourage greater public participation and to process information to the public for the betterment of City operations" and "to establish rules to govern its meetings and declare its rules of procedures to the public." There is simply no objective need for staff to preemptively define a unique hearing protocol that substantially diverges from the procedures of Resolution 9689. Staff's attempt to do so undermines Resolution 9689's intent to establish formal procedures and diminishes the resolution's important public involvement and due process objectives.³

Need for Staff Objectivity in Facilitating a Quasi-Judicial Hearing

When the City Council is acting as a quasi-judicial body, as is apparently intended for hearing the appeals, the Councilmembers as well as staff aiding in facilitating the hearing must be objective and free of bias to ensure a fair and impartial hearing. I am not suggesting intended or conscious staff bias, however, even unintended staff bias in favor of the Applicant or Project would adversely affect my right to due process and a fair hearing of my appeal. Therefore, staff

¹ Although the protocol provided by Mr. Banks references the "Mayor," as specified in Rule 1 of Resolution 9689, the Councilmember (Mayor, Vice Mayor, or other) who will serve as the Presiding Officer of a hearing depends on which Councilmembers are present at the meeting and will participate in the hearing. Although the Mayor might be the Presiding Officer, that cannot be definitely determined until the beginning of the hearing and it is confirmed that the Mayor will participate in the hearing. Therefore, any adjustments to the appeal hearing procedures cannot be made in advance of the hearing and must wait until the Presiding Officer for the hearing is established.

² At the heart of my appeal is to seek a full de novo hearing during which the City Council considers the merits of the Project in light of information and analyses sufficient for meaningful consideration of whether the findings required for Project approval can be made. Sufficient information and analyses has not yet been prepared or, at least, has not yet been introduced into the record. Even if the Council were to agree to each of my issues of appeal, the Council's *decision* at the January 11 hearing is unlikely, and perhaps legally cannot, result in the Council's flat denial of the Project. Instead, if the Council agrees with one or more of the issues in my appeal, the Council's *decision* at the January 11 hearing would 1) reject HDC's approvals and 2) direct staff to assemble additional information and conduct additional analyses, prepare a CEQA document, and require the applicant to submit an application for a parking variance prior to bringing the project back to the Council for a de novo hearing. Such a de novo hearing would presumably follow the Resolution 9689 Rule 5 hearing procedures (not the Rule 6 appeal hearing procedures) and would put the Applicant front and center at that hearing, providing ample opportunity for the Applicant to present the merits of his Project to the Council.

³ If staff believes Resolution 9689 fails to provide a sufficient appeal hearing procedure, staff has the ability to bring an amendment to Resolution 9689 to the Council for consideration. That, of course, is outside the scope of the present appeal.

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objectivity and potential bias must be taken seriously and addressed to ensure an impartial hearing.

Staff's asserted appeal hearing protocol and deference to Applicant speaking opportunities that differ from the Resolution 9689 Rule 6 framework as discussed above indicate potential staff bias in favor of the Applicant. In fact, each instance in which staff's protocol diverges from the established Resolution 9689 Rule 6 framework appears suggests potential bias in favor of the Applicant and the Project and detracts from the public involvement and due process aims of Resolution 9689.

Furthermore, staff's intent to combine three appeals into one hearing will necessarily dilute the Council's focus on each individual appeal. Additionally, staff's proposed protocol combines three appeals, yet retains a total of just three minutes as the default speaking time for a member of the public to address the Council on all three appeals. Of course, members of the public could request that the Presiding Officer provide additional time and the Presiding Officer may choose to grant that additional time. However, staff-crafted protocol does not propose an increase in time for public commenters in proportion to the number of appeals, yet staff protocol does appear to establish the Applicant's speaking time in proportion to the number of appeals indicating a potential staff bias in favor of the Applicant over members of the public.

There are also other complicating factors inherent in the combined appeals hearing process that suggest potential bias against the appellants. For instance, to exercise my right to comment on the other appeals during the Statements from the Public portion of the hearing, I will need to divert attention – mine and the Council's – away from focusing on the issues of my appeal. Due process requires the City to provide me a fair opportunity to act as an appellant at a hearing of my appeal and also requires the City to provide me a fair opportunity to comment as a member of the public on other appeals.

In addition to potential bias indicated by staff's hearing protocol, another example of apparent potential bias involves the public notice for the appeal hearing. The hearing notice states, "The project is categorically exempt from CEQA." However, a fundamental component of my appeal is that the Project is not exempt from CEQA. A statement in the hearing notice that contradicts a key factor of my appeal indicates a potential bias of the notice preparer and could also serve to foster bias against that aspect of my appeal by anyone reading the notice, including Councilmembers.⁴

Lastly, it appears that Mr. Banks is managing preparation for the January 11th hearing on behalf of the CDD. Mr. Banks is also the planner who coordinated extensively with the Applicant in preparing for HDC hearings, led the preparation of staff reports to the HDC, and presented the Project to the HDC during hearings recommending the HDC's approval of the Project. A basis of my appeal is that, "[i]nformation and analysis provided in the staff report to the HDC was insufficient for meaningful consideration of the Project's potential impacts and for the HDC to make a fully informed decision about the Project." Since my appeal is in opposition to the information and recommendations Mr. Banks provided to the HDC, it is reasonable to assume that Mr. Banks disagrees with the factors of my appeal. The potential for even unintended, unconscious bias of Mr. Banks against factors of my appeal is sufficiently high to warrant the

⁴ The hearing notice also discusses that the appeals include appeal of the HDC's determination that the Project is exempt from CEQA. That portion of the hearing notice is accurate and appropriate for the notice. It is the subsequent statement in the notice that "[t]he project is categorically exempt..." that contradicts my appeal and lacks objectivity.

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City Manager's designation of alternative planning staff to facilitate an objective quasi-judicial appeal hearing process.

Conclusion

Thank you for considering my concerns regarding staff's proposed hearing protocol and interest in a fair and impartial appeal hearing. I hope that you will take appropriate measures to ensure the City Council's formally adopted hearing procedures are followed and that a fair and impartial appeal hearing is accomplished.

As a final point, I would like to note that if the Project was being taken to the City Council for a de novo hearing (see footnote 2), my due process concerns expressed here would be substantially alleviated.

Sincerely,



Bob Delp
612 Mormon Street
Folsom, CA 95630
bdelp@live.com
916-812-8122

Attachments:

- A. Resolution No. 9689 - A Resolution of the City Council of the City of Folsom Relating to City Council Meetings, Proceedings; and Business (December 8, 2015)
- B. "Updated Protocol for the Barley Barn Tap House Appeal" email and attachment from Steve Banks (December 20, 2021)

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Attachment A

**Resolution No. 9689 - A Resolution of the City Council of the City of Folsom Relating to
City Council Meetings, Proceedings; and Business (December 8, 2015)**

RESOLUTION NO. 9689

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOLSOM
RELATING TO CITY COUNCIL MEETINGS, PROCEEDINGS, AND BUSINESS**

WHEREAS, the City Council conducts its meetings in public, consistent with state law and according to a long established agenda process;

WHEREAS, the Council desires to formalize the agenda process and meeting protocol by Resolution and to adopt formal procedures for appeals and public hearings to encourage greater public participation and to process information to the public for the betterment of City operations; and

WHEREAS, the Council desires to establish rules to govern its meetings and declare its rules of procedure to the public.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom does hereby establish the following rules for the conduct of its meetings, proceedings, and business:

Rule 1. Presiding Officer. The Mayor, or in the absence of the Mayor, the Vice Mayor shall take the chair at the hour set for the meeting and shall call the Council to order. In the absence of the Mayor and Vice Mayor, the Council may designate a senior member of the Council to serve as temporary Presiding Officer to facilitate the conduct of the meeting. Upon the arrival of the Mayor or the Vice Mayor, the temporary Presiding Officer shall relinquish the chair at the conclusion of the business item then before the Council.

Rule 2. Quorum. A majority of the Council constitutes a quorum for the transaction of business, but a lesser number may adjourn from time to time, and may continue any hearing scheduled for the approximate time and place of any meeting adjourned for lack of a quorum. If all Councilmembers are absent from any regular meeting, the City Clerk shall declare the meeting adjourned to a stated day, hour and place.

Rule 3. Business Matters. The business of the Council, at its meetings, may include the following major categories and shall be organized into an agenda to facilitate the conclusion of business within a reasonable period of time following public inquiries and comments on said items.

The agenda may consist of the following sections and be presented in this order, however, the Presiding Officer may in his or her discretion, rearrange the order:

A. **Pledge of Allegiance to the Flag**

B. **Roll Call.** The roll call shall be made by the City Clerk.

- C. Scheduled Presentations. This category shall include such items as ceremonial presentations, proclamations, introductions, and informational presentations.
- D. Business from the Floor. This item relates to matters within the jurisdiction of the City Council and for matters not on the regular agenda. No action is taken on business from the floor and limited discussion of these items shall occur.
1. The person wishing to address the Council shall stand to be recognized by the Presiding Officer and then proceed to the podium. The person addressing the Council shall be requested to complete a "blue card" and state his/her name and address for the record.
 2. The speaker shall be requested to address the Council for not more than three minutes, unless the Presiding Officer rules otherwise.
 3. Any such matter heard under this category also may be referred to the City Manager for investigation and either of disposition or report. No action or discussion occurs on a Business from the Floor item, however, requests to staff to follow up on an item may be provided by the City Council.
- E. Consent Calendar. This agenda category shall include items that are considered to be routine and ministerial business matters only. Such items may include, but are not limited to, approval of minutes, award of bids, award of contracts, approval of resolutions, second reading of ordinances, and other generally non-controversial matters.
1. One motion, duly seconded, will be considered adoption of all matters listed under the consent calendar, unless a member of the Council or the public specifically requests a specific item be removed from the consent calendar vote.
 2. Following the vote on the consent calendar, the business matter(s) removed from the consent calendar shall be considered and disposed of by motion and vote of the Council.
- F. Public Hearings. This category shall include advertised public hearings, which shall be commenced at the time specified for each said hearing, or as soon thereafter as is reasonably possible.
- G. Old Business. This category may include, but is not limited to such items as status reports, continued business matters, and other matters previously addressed by the City Council.
- H. New Business. This category may include, but is not limited to such items as written communications from the public or specific written request made of the Council, ordinances, and resolutions.

- I. City Manager Reports. This agenda category shall contain reports from the City Manager.
- J. Council Comments. This agenda category is set aside as a specific opportunity for each of the Councilmembers to address items of information for all, or requesting matters to be addressed by the City Manager or City staff members regarding items of public interest or of significance to the Councilmember. City Councilmembers will also address any travel at the public expense as required by law.
- K. Adjournment. This item may include adjournment of a meeting, adjournment to a Closed Session regarding personnel, litigation, labor relations, or instructions to negotiators, or adjournment to a specific future date and time.

Rule 4. Speakers Time and Spokesperson for a Group. Generally, a speaker on an item is afforded three (3) minutes for his/her presentation. The Presiding Officer may adjust a speaker's time in his/her discretion based on the item presented, number of speakers and other factors consistent with an orderly and efficient meeting. Whenever any group of persons wishes to address the Council on the same subject matter, the Presiding Officer may request that a spokesperson be chosen by the group to address the Council, and in case additional data or argument is to be presented at the time by any other member of said group, to limit the number of persons so addressing the Council and the scope of their remarks so as to avoid unnecessary repetitions before the Council. Speakers may not transfer any time remaining to another speaker.

Rule 5. Public Hearings. The following is the procedure for a Public Hearing before the City Council; however, the Presiding Officer may alter the order or procedure depending on the nature of the public hearing:

- a. Open the public hearing;
- b. Staff Report;
- c. Applicant's statement;
- d. Statements from the public;
- e. Close the public hearing;
- f. If determined by the Presiding Officer to be necessary, invite the applicant to address questions and/or issues raised during public hearing;
- g. City Council discussion;
- h. City Council action on the matter or continue the matter to another date or time certain or indefinitely.

Rule 6. Appeals. Where the City Council is the hearing body on an appeal, the following procedure shall apply.

The sequence of the hearing on matters appealed to the City Council shall be as follows:

- a. Open the Public Hearing;

- b. Staff Report;
- c. Appellant's Presentation. Time limit – 10 minutes;
- d. Statements from the public. Time limit – 3 minutes per speaker;
- e. Appellant make closing remarks to the City Council. Time limit – 5 minutes;
- f. Appellant and City staff may respond to questions from the City Council;
- g. Close public hearing;
- h. City Council discussion;
- i. City Council action on the matter or continue the matter to another date or time certain.

The sequence of and speaker's time during the hearing on matters appealed to the City Council may be adjusted by the Presiding Officer in order to preserve an orderly and efficient hearing on the matter.

Rule 7. Documents and Material Presented to the City Council.

Documentary Evidence. Any documents, writings, pictures, exhibits or other forms of tangible expression should be submitted to the City Council at the earliest opportunity. Once submitted to the City Council, submitted materials shall become the property of the City and part of the public record.

Persons desiring to submit documents or other information to the City Council shall submit the information to the City Clerk for the record and dissemination. Any person desiring to present information electronically by PowerPoint or other electronic means must present the information to the department responsible for the City Council item in the proper electronic format for City equipment at least 24 hours in advance of the City Council meeting so the City shall assure that it can safely be processed through the City's computer system and relates to the subject of the matter. The City may determine that some electronic information is not safe for the City's system and therefore, not permit access. The person requesting submittal may then present the information in paper copy.

Rule 8. Decorum. The Presiding Officer shall preserve decorum before the City Council.

- A. **By Council.** While the Council is in session, the members shall preserve order and decorum consistent with its adopted Ethics Policy.
- B. **By Other Persons.** The Presiding Officer may take appropriate action to prevent actions that pose a safety hazard to attendees, including limiting items that may be brought into the City Council Chambers.
- C. **Disorderly Conduct.** The Presiding Officer shall have the authority to preserve order at all meetings of the City Council, to request the City Manager to direct appropriate staff remove or cause the removal of any person from any meeting of the Council for conduct as hereinabove, to enforce the rules of the Council, and to restore order at the City Council meeting.

Rule 9. Council Voting. All votes taken by the City Council shall be taken as set out herein.

- A. **General.** A roll call vote shall be taken on the adoption of all items before the City Council, the results of which shall be entered in the minutes of the proceedings of the Council.
- B. **Name Rotation.** The Council may direct the City Clerk to rotate the order of Council names each meeting so that the position of each member of the Council, other than the Mayor, shall vary each meeting. The Mayor shall vote last in all votes.
- C. **Tie Vote.** In case of a tie vote on any motion, the motion shall be considered lost.

Rule 10. Rules of Order. As provided in Folsom Municipal Code Section 2.06.070(C) the Council shall be governed by the current edition of "Robert's Rules of Order".

Rule 11. Conflicts with Other Statutes or Ordinances. In the event of a conflict with state statutes governing the City of Folsom or ordinances adopted by the City Council, such statutes and ordinances shall be controlling over the Rules in this Resolution.

Any prior Resolutions relating to procedures and protocols governing meetings of the City Council are hereby repealed and all other Resolutions inconsistent herewith are hereby superseded.

PASSED AND ADOPTED on this 8th day of December 2015, by the following roll-call vote:

AYES: Council Member(s): Starsky, Howell, Miklos, Sheldon, Morin

NOES: Council Member(s): None

ABSENT: Council Member(s): None

ABSTAIN: Council Member(s): None


 Andrew J. Morin, MAYOR

ATTEST:


 Christa Saunders, CITY CLERK

December 30, 2021

Attachment B

“Updated Protocol for the Barley Barn Tap House Appeal” email and attachment from Steve Banks (December 20, 2021)

Updated Protocol for the Barley Barn Tap House Appeal

Steven Banks <sbanks@folsom.ca.us>

Mon 12/20/2021 9:53 AM

To: Bob Delp <bdelp@live.com>

 1 attachments (74 KB)

Appeal Hearing Protocol (Updated 122021).doc;

Good morning Mr. Delp,

Please find the attached document outlining the updated protocol for the Barley Barn Tap House project.

Steve

Steven Banks
Principal Planner
City of Folsom
(916) 461-6207
sbanks@folsom.ca.us



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

APPEAL HEARING PROTOCOL

1. MAYOR to OPEN Hearing on Appeal
2. CITY STAFF makes presentation to City Council
3. APPELLANT 1 makes presentation to City Council
 - a. Time limit – 10 minutes
 - b. Appellant 1 may divide speaking time between various speakers, but cumulative total speaking time is 10 minutes
4. APPELLANT 2 makes presentation to City Council
 - a. Time limit – 10 minutes
 - b. Appellant 2 may divide speaking time between various speakers, but cumulative total speaking time is 10 minutes
5. APPELLANT 3 makes presentation to City Council
 - a. Time limit – 10 minutes
 - b. Appellant 3 may divide speaking time between various speakers, but cumulative total speaking time is 10 minutes
6. PROJECT APPLICANT makes presentation to City Council
 - a. Time limit – 30 minutes.
 - b. Project Applicant may divide speaking time between various speakers, but cumulative total speaking time is 30 minutes
7. Members of the public may address the City Council:
 - a. Time limit – 3 minutes per member of the public

8. **APPELLANTS** may make closing remarks to City Council
 - a. Time limit – 5 minutes for each Appellant
9. **PROJECT APPLICANT** may make closing remarks to City Council
 - a. Time limit – 15 minutes
10. **CITY STAFF** respond to questions from the City Council
11. **MAYOR** to CLOSE Appeal Hearing
12. **City Council** to deliberate and make decision on the appeal

Attachment 12

Additional Public Comment Letters

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, January 3, 2022 12:15 PM
To: Steven Banks
Subject: Fwd: Barley Barn Tap House Support letter #11 Spiegelman/ Historic district resident

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.

-----Original Message-----

From: powerhousepub@aol.com
To: powerhousepub@aol.com
Sent: Wed, Dec 8, 2021 1:22 pm
Subject: Fwd: Barley Barn Tap House Support letter #11 Spiegelman/ Historic district resident

To whom it may concern:

My name is Scott Spiegelman and I am a long time resident of Historic Folsom and own and live at 610 Sibley Street. I also have my corporation located in the historic district for the last 12 years.

It was brought to my attention the proposed development in the barn next to Powerhouse Pub. I wanted to express my support for a project like this. I love entertaining friends and family in the Historic District. A local tap house would be a great fit and I am sure it will be a great addition to our community. I am 60 years old and enjoy supporting local business owners that support the community and I am sure this will be a fun casual place to enjoy. I am confident that the owner will only add value to our district and will be a responsible owner / operator.

Please contact me with any questions, comments, or concerns at 916-798-0946

Sent from my iPad
Scott Spiegelman

916-868-6960 Office
916-798-0946 Cell

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, January 3, 2022 12:20 PM
To: Steven Banks
Subject: Fwd: Barley Barn Support letter 13 Sutter Street bussiness/ Fire and Rain

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.

-----Original Message-----

From: powerhousepub@aol.com
To: powerhousepub@aol.com
Sent: Fri, Dec 10, 2021 10:57 am
Subject: Barley Barn Support letter 13 Sutter Street bussiness/ Fire and Rain

-----Original Message-----

From: Judy Smith <judy@fireandraingalleries.com>
To: powerhousepub@aol.com
Sent: Wed, Dec 8, 2021 3:07 pm
Subject: Barley Barn Tap House

To Whom It May Concern,

After reviewing all of the requirements and limitations associated with the Barley Barn Tap House, I am in favor of approval of this establishment.

Sutter Street needs additional venues that provide reasons for the public to remain on the street, ESPECIALLY DURING DAYTIME HOURS. This helps retail shops on Sutter Street and provides additional options in addition to the restaurants already established on the street.

"Feet on the Street" has always been the main goal for Sutter Street shops over the many years Fire and Rain has been here. It can only help!!

Judy Smith
Fire and Rain Gallery

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, January 3, 2022 12:19 PM
To: Steven Banks
Subject: Fwd: Barley Barn Tap House, Support letter #12 Felts/ Historic district resident

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.

-----Original Message-----

From: powerhousepub@aol.com
To: powerhousepub@aol.com
Sent: Wed, Dec 8, 2021 1:30 pm
Subject: Fwd: Barley Barn Tap House, Support letter #12 Felts/ Historic district resident

Hi Murray,

As a resident of Historic Folsom, I support the Barley Barn Tap House with the changes you have made. Parking will always be an issue here. But I don't see your new business as a place that will bring in a bunch of NEW people to the area. I see it as adding an additional place for those of us already here, especially when wait times to get a table at nearby restaurants are long.

I'll let John speak for himself but I think as a HDC commissioner, he is not able to comment on the project.

Thank You,

Amber Shoop Felts

Shoop's Photography/The Studios on Sutter

w: <http://shoopsphotography.com>

m: 916.804.8578 (text ok)

a: 805 Sutter Street, STE 220 & 240, Folsom, CA 95630

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, January 3, 2022 12:21 PM
To: Steven Banks
Subject: Fwd: Barley Barn Support Pizzeria Classico #14

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.

To all concerned,

We have owned and operated Pizzeria Classico on Sutter St. since 1985. We think the proposed Barley Barn would be a nice addition to the area. It would be an additional draw to the area that has become a destination area for food and beverage. The design and patio is definately an upgrade for the community. Murray and his staff has been a strong supporter of the Historic District and we would like to support him in his endeavors. Please give me a call if you have any questions for me 916-224-0651. Thank you,

Cheers!
 Scott Litteral
 Pizzeria Classico
 Historic Folsom
www.pizzeriaclassico.com
 Il Forno Classico
 Gold River
www.ilfornoclassico.com
ilforno@sbcglobal.net

On Friday, December 10, 2021, 11:29:29 AM PST, <powerhousepub@aol.com> wrote:

-----Original Message-----

From: powerhousepub@aol.com
To: ilforno@sbcglobal.net <ilforno@sbcglobal.net>
Sent: Mon, Dec 6, 2021 3:21 pm
Subject: Fwd: Barley Barn Tap House, Murray

Hi Scott,

So pls have a look at our proposed TAP house. It will be Beer only and serve no food so it should assist nearby restaurants. The patio(s) will be a fun draw to the district as well.

If you like the project which has been approved by HDC but being appealed by some of the eternal hard line residents. It would be much appreciated if you could send a letter of support addressing:

It would benefit the historic district

As a long long time business owner on Sutter St and close neighbor you are not alarmed with concerns of parking because this protect is already surrounded by public and my private parking at PowerHouse including my new lease of the Eagles lot and small size of the space .(2500 Sq Feet)

Thanks for your support, Murray

The FireHouse Gift and Clothing Boutique has been on Sutter St. for over 30 years. We have seen many changes and believe the addition of the Barley Barn Tap House will be a great addition to the historic district. We are especially appreciative of the additional parking this project will provide for its customers.

Diana Appel

Owner – FireHouse 710 Sutter St. Folsom Ca, 95630

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, January 3, 2022 12:22 PM
To: Steven Banks
Subject: Fwd: Barley Barn support letter #15/ Sutter St biz-Rainbow Bridge Jewelers

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.

-----Original Message-----

From: powerhousepub@aol.com
To: powerhousepub@aol.com
Sent: Mon, Dec 13, 2021 1:34 pm
Subject: Re: Barley Barn support letter #15/ Sutter St biz-Rainbow Bridge Jewler

To whom it may concern:

We are writing in support of the proposal for the development of the site adjacent to the Powerhouse Pub on Sutter St. We have seen the rendering of the proposed building and surrounding grounds and are in favor of the improvements. The site has high visibility at the eastern entrance to the Historic District and would provide a more welcoming view than the existing one.

Aside from the upgrade of the building itself, the idea of family-focused indoor and outdoor seating areas during the day seems to be a real asset to the Historic District. With the additional parking provided by the lease of a nearby parking lot, the residential neighborhood should not be impacted by overflow parking.

We are longtime business owners and residents in the Historic District and have found the owner, Murray Weaver, to be a good neighbor and a very generous supporter of Folsom's historic district.

Dorothy Cormack
Jim Kelly

Rainbow Bridge Jewelers

721 Sutter Street
Folsom, CA 95630
916.985.7618
rainbowbridgejewelers.com



To Whom it May Concern:

After looking over the proposal for the Barley Barn, I am excited about this project. The patio will be such an asset to the historic District and the fact there is no food will help all the restaurants in old town. It was also great that they had a great solution for parking and I have always appreciated the golf cart that the Powerhouse uses to get people to park in the parking garage. I always see people utilizing it. Overall, this Barley Barn Tap house can only improve our downtown area and benefit all other businesses and patrons. Not to mention another wonderful asset to offer to my guests at hotel.

Feel free to call me at 916-716-5555.

Thank you!

Enid Baldock
Hampton Inn & Suites
155 Placerville Rd
Folsom, CA 95630

Steven Banks

From: powerhousepub@aol.com
Sent: Monday, January 3, 2022 12:28 PM
To: Steven Banks
Subject: Fwd: Barley Barn Support letter #18 Plank Restaurant, Historic District

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 Murry

Great conversation this week. Thank you for sharing your revised vision for your space. Although I generally have concerns about parking, those concerns are generalized and are reflective of any given situation in the historic district. With that said, I believe your revised, beer only, taphouse will be a welcome addition to the district.

Sincerely,

Michael Sanson
Owner- Plank Craft Kitchen + Bar
608 Sutter Street
Folsom CA 95630

Owner- Rock-N-Fire Restaurant
1010 Riley Street #4
Folsom CA 95630

From: powerhousepub@aol.com <powerhousepub@aol.com>
Sent: Wednesday, December 22, 2021 11:36 AM
To: Michael Sanson <mike@plankfolsom.com>
Cc: moehirani@hotmail.com
Subject: Fwd: Barley Barn Tap House, Murray

Mike,

Enjoyed our visit and look forward to a mutually beneficial relationship. Let me know if you have any questions or concerns as a next door neighbor.

Thanks a bunch for any word of support for the Tap House project.

Happy Holidays, Murray 916 662 1327

Attachment 13

**Barley Barn Tap House Economic Snapshot
Received December 20, 2021**

Folsom Barley Barn – Economic Impacts Snapshot

Taxable Sales¹



Estimated Annual Taxable Sales		
Existing	Proposed	Difference
\$0.1M	\$1.2M	\$1.0M
	% Increase	858%

Project Assessed Value



Estimated Property Assessed Value		
Existing	Proposed	Difference
\$788,400	\$1,588,400	\$800,000
	% Increase	101%

Annual Payroll⁴



Estimated Annual Payroll		
Existing	Proposed	Difference
\$24,000	\$400,000	\$376,000
	% Increase	1567%

Sales Taxes (City)²



Estimated Annual Sales Tax to City		
Existing	Proposed	Difference
\$1,200	\$11,500	\$10,300
	% Increase	858%

Property Taxes (City)³



Estimated Annual Property Tax to City		
Existing	Proposed	Difference
\$1,700	\$3,400	\$1,700
	% Increase	100%

Total Income⁵



Estimated Total Income		
Existing	Proposed	Difference
\$36,000	\$607,000	\$571,000
	% Increase	1586%

1. Includes direct sales plus approximately \$350,000 in sales from partnering local food service establishments.
 2. City sales tax rate is 1%.
 3. The City of Folsom receives approximately 21 percent of the 1 percent ad valorem property tax.
 4. Reflects increase of 9 full time equivalent positions as compared to existing establishment.
 5. Total income reflects a multiplier of an additional 0.51 of income within Sacramento County on top of annual payroll.

Sources: [redacted] report, City of Folsom, Sacramento County, IMPLAN and EPS.

DRAFT

Table 2
Folsom Barley Barn
Economic Impact Analysis
Detailed Annual Economic Impacts of the Ongoing Project Operations (Rounded 2021\$)

Activity/Impact Categories	Source	Impact Type			Total Annual Income Impacts
		Direct	Indirect	Induced	
Key Input					
Ongoing Project Full Time Equivalent (FTE) Employees	Table A-3	9			
Annual Ongoing Operating Impacts					
Sacramento County Income [1]					
Income [2]		\$400,000	\$110,000	\$97,000	\$607,000
Total Sacramento County Income		\$400,000	\$110,000	\$97,000	\$607,000
Sacramento County Employment (Annual Average) [3]		9	1	1	11

Source: IMPLAN, 2019 Dataset; Barley Barn; EPS.

summary2

[1] Analysis based on Sacramento County data. Output is the amount of business expenditures on goods and services retained within the local economy.

[2] Includes employee compensation, proprietors income, and other income (profits, rents, and royalties).

[3] Reflects stabilized operational employment Project. Employment includes both full-time and part-time workers.

DRAFT

**Table 1
Folsom Barley Barn
Economic Impact Analysis
Summary of One-Time and Ongoing Impacts (Rounded 2021\$)**

Activity/Impact Categories	Amount
One-Time Economic Impacts	
One-Time Economic Activity from Construction [1]	\$1.0M
One-Time Construction Jobs (Job Years) [2]	7
Increased Annual Ongoing Economic Impacts	
Increase in Annual Total Income from Stabilized Operations [3]	\$0.6M
Increase in Annual Ongoing Operational Jobs (Annual Average) [4]	11
Increased Annual Ongoing City Municipal Tax Revenues	
Increase in Total Annual Public Sector Tax Revenue [5]	\$12,000

all

Source: IMPLAN, 2019 Dataset; Barley Barn; EPS.

- [1] Includes direct and indirect impacts.
- [2] Employment includes both full-time and part-time workers. Job years refer to the number of jobs in each year summed over the entire construction period of the Project.
- [3] Includes direct, indirect, and induced impacts of the anticipated land uses in the Project.
- [4] Reflects Stabilized Operational employment for the Project. Refer to Table A-1 for details. Employment includes both full-time and part-time workers.