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## 3.5 - Land Use and Planning

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### 3.5.1 - Summary

This section describes the existing land use and planning conditions and potential effects from project implementation on the site and its surrounding area.

### 3.5.2 - Environmental Setting

#### Regional Setting

The proposed incorporation area is located in the northwestern portion of the County of Sacramento, and immediately east of the City of Sacramento. The proposed incorporation area and areas to the north, east, and south are highly urbanized and generally built out. These urbanized areas radiate to the north and south of the American River Parkway, transitioning to open space cropland and general agriculture, and agricultural-residential uses.

The proposed incorporation area is bounded on the northeast, east, and southeast by unincorporated County of Sacramento, and to the southwest, west, and northwest by the City of Sacramento. Urban land uses characterize the majority of the proposed incorporation area, with areas of commercial and offices, light industrial; and public and quasi-public uses concentrated along major thoroughfares. Residential areas of varying densities are situated in between these major commercial corridors and natural features (e.g., American River Parkway). Open space areas include scattered neighborhood parks; ball fields associated with schools; and the American River Parkway, which stretches to the east and west along both shores of the American River. Just north of the incorporation area across Interstate 80 is Arcade Creek, which has several associated parks and Haggin Oaks Municipal Golf Complex. The City of Sacramento Core Area is approximately 3 miles to the east, and the Sacramento International Airport is approximately 11 miles to the northwest. Parts of McClellan Park, formerly known as McClellan Air Force Base, are located within 1 mile of the project's boundary.

#### Local Setting

The proposed incorporation area generally is highly urbanized and densely developed (Exhibit 3.5-1 and Exhibit 3.5-2). Major land uses include a mixture of residential and commercial-retail uses along major thoroughfares. In general, areas in the eastern half of the proposed incorporation area consist of low- to medium-density residential areas, with small pockets of public and recreational uses (such as community parks and schools), commercial uses, and higher density residential areas. The western half is primarily commercial and high-density residential, with scattered lower-density residential areas. This area also contains several neighborhood parks, including the approximately 150-acre Del Paso County Club. The proposed incorporation area also contains scattered, undeveloped, and vacant parcels, which are illustrated in Exhibit 3.5-3.

The proposed incorporation area is serviced by several major, heavily traveled, urban roads. Major north-south roads include, from west to east, Howe, Fulton, Watt, and Eastern avenues. Although

these roads are lined with pockets of commercial and residential areas, roads in the west (for example, Howe Avenue, Fulton Avenue) tend to support primarily commercial uses; roads in the east are much more residential in nature. Major west-east roads include, from south to north; Fair Oaks Boulevard, which borders the proposed incorporation area on the south; Arden Way and Alta Arden Expressway; and El Camino Avenue. Similarly, the western portion of these roads tends to be primarily commercial and transitions into primarily residential uses to the east. Several of these commercial corridors date back to the late 1950s and are identified for urban revitalization to improve the overall condition and quality of the corridor and the communities where they exist (Exhibit 3.5-4).

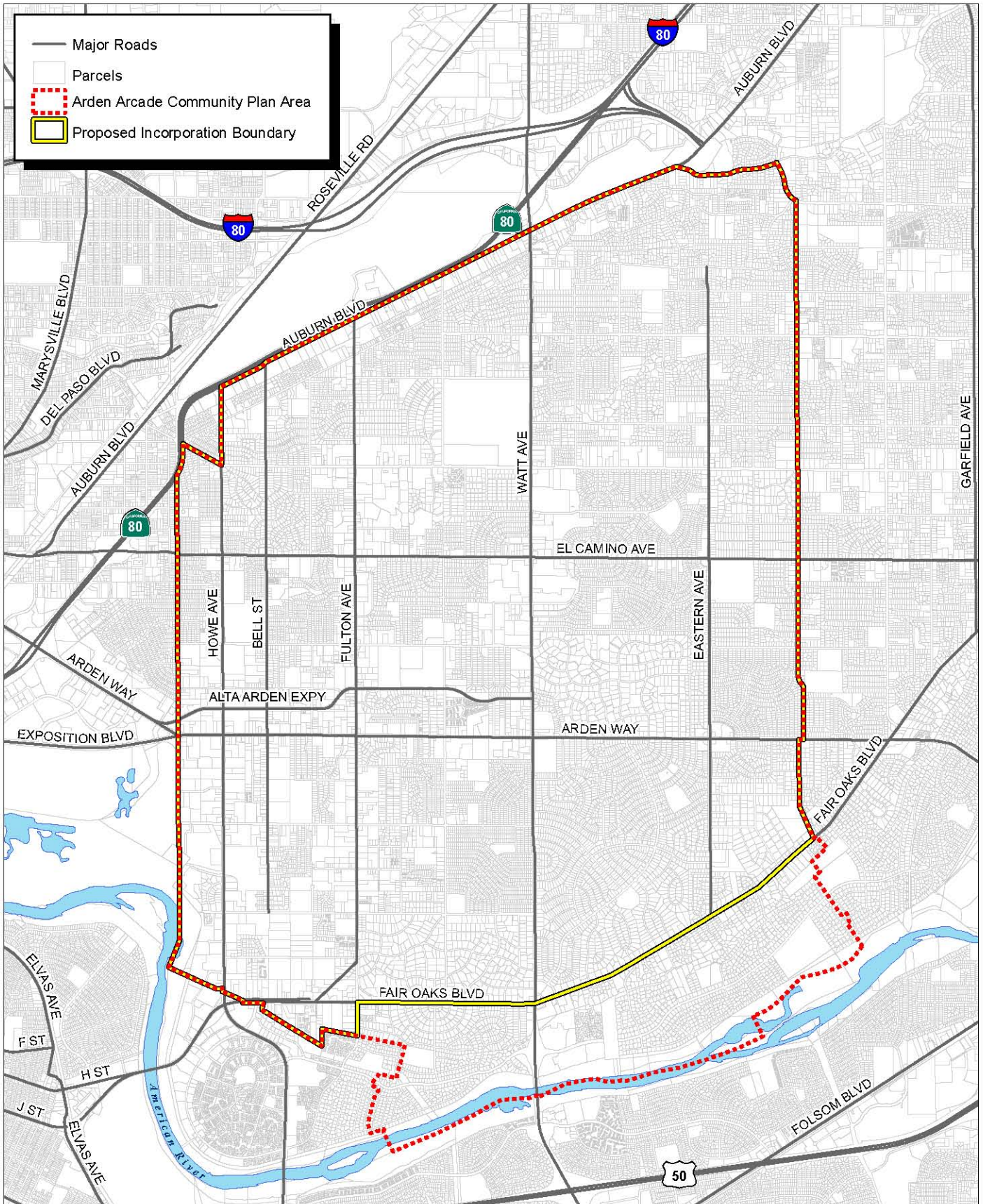
There are several landmark developments within and immediately adjacent to the proposed incorporation area. California State University, Sacramento is to the southwest on the southern bank of the American River. The Fulton Auto Mall is located at the north-central boundary of the proposed incorporation area, just south of the Haggin Oaks Municipal Golf Complex. It stretches from the corner of Auburn and Fulton avenues south approximately one-third of a mile. Also in the north, at the corner of Watt and Marconi avenues, is the approximately 150-acre Del Paso Country Club. Outside of but bordering the proposed incorporation area on the east are Arden Fair Mall and CalExpo. CalExpo encompasses 350 developed acres that host large events such as the Governor's Inaugural Ball, Sacramento Jazz Jubilee, Cirque du Soleil, and the California State Fair.

### **3.5.3 - Regulatory Framework**

#### **The Cortese-Knox-Hertzberg Act**

As described in Section 2, Project Description, the Cortese-Knox-Hertzberg Act (CKH Act) of 2000 establishes procedures for local government changes of organization, including the incorporation of cities. The Sacramento Local Agency Formation Commission (LAFCo) is the agency responsible for the approval of the proposed incorporation of Arden Arcade and is responsible for implementing the CKH Act. The Act's purpose (Section 56301) is the discouragement of urban sprawl and the encouragement of the orderly formation of local agencies based upon local conditions and circumstances. Section 56375 (a) of the Act grants LAFCo with the authority to review and approve or disapprove with or without amendment, wholly, partially, or conditionally, proposals for changes of organization or reorganization, consistent with written policies, procedures, and guidelines adopted by the commission. Specific policy elements established by the act are as follows:

- To encourage orderly growth and development patterns (Section 56001);
- To shape the development of local agencies so as to advantageously provide for the present and future needs of each county and its communities (Section 56301); and
- To guide development away from open space and prime agricultural land uses unless such action would not promote planned, orderly, and efficient development (Section 56377).



Source: Sacramento County GIS (2009), SACOG (2009), MBA (2009).

## Exhibit 3.5-1 Arden Arcade Community Plan Area

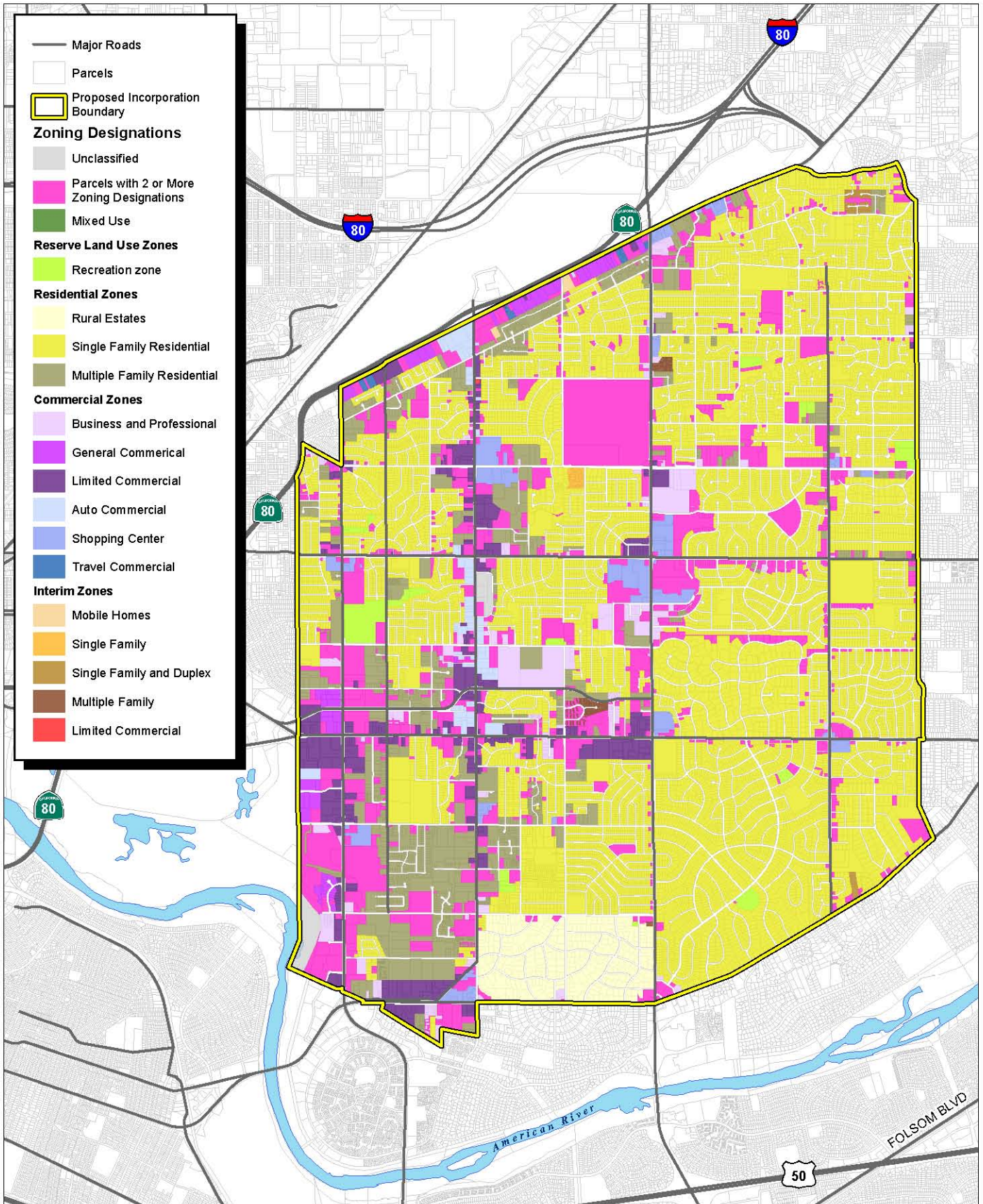


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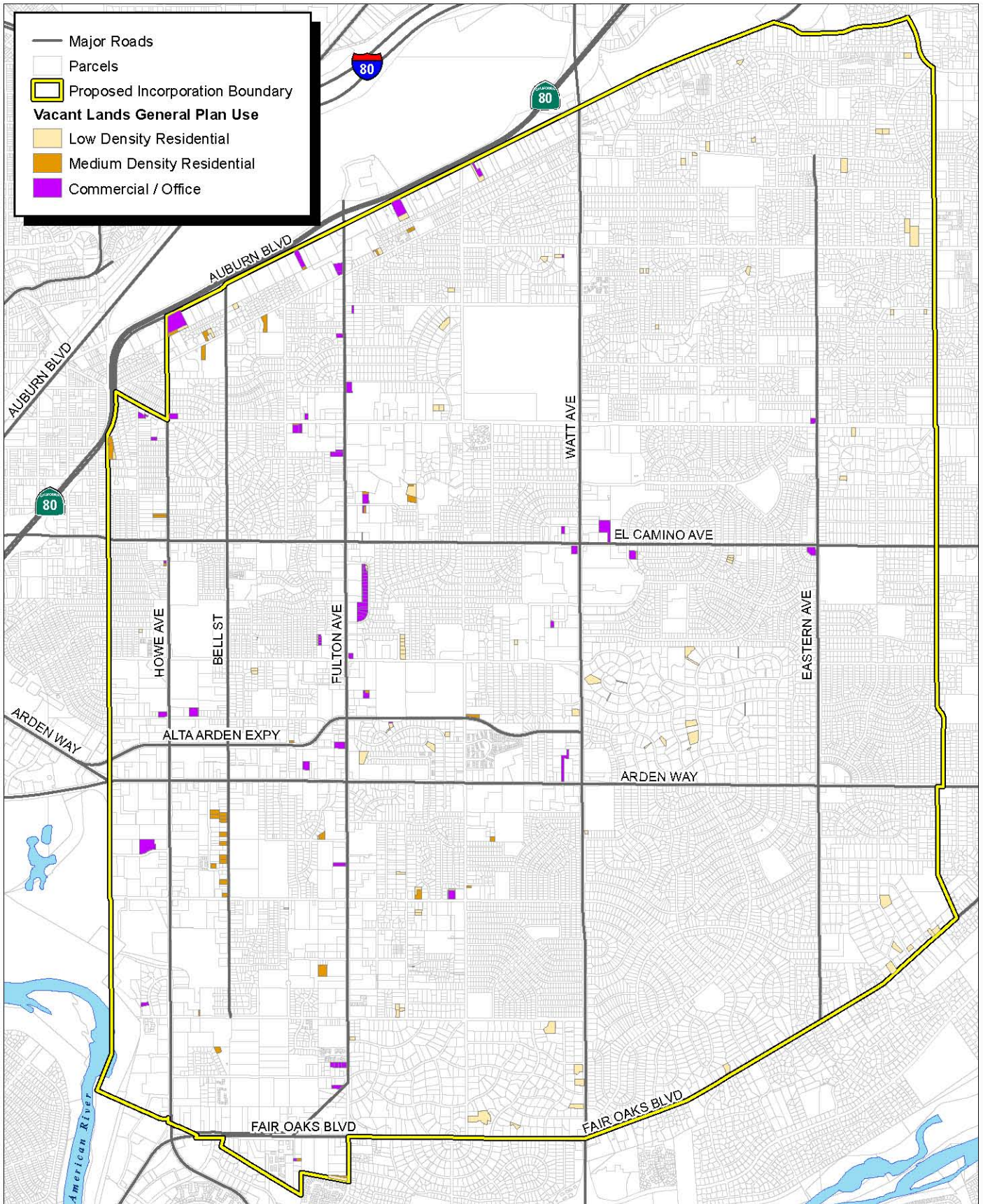


Source: Sacramento County GIS (2009), SACOG (2009), MBA (2009).



## Exhibit 3.5-2 Zoning Designations

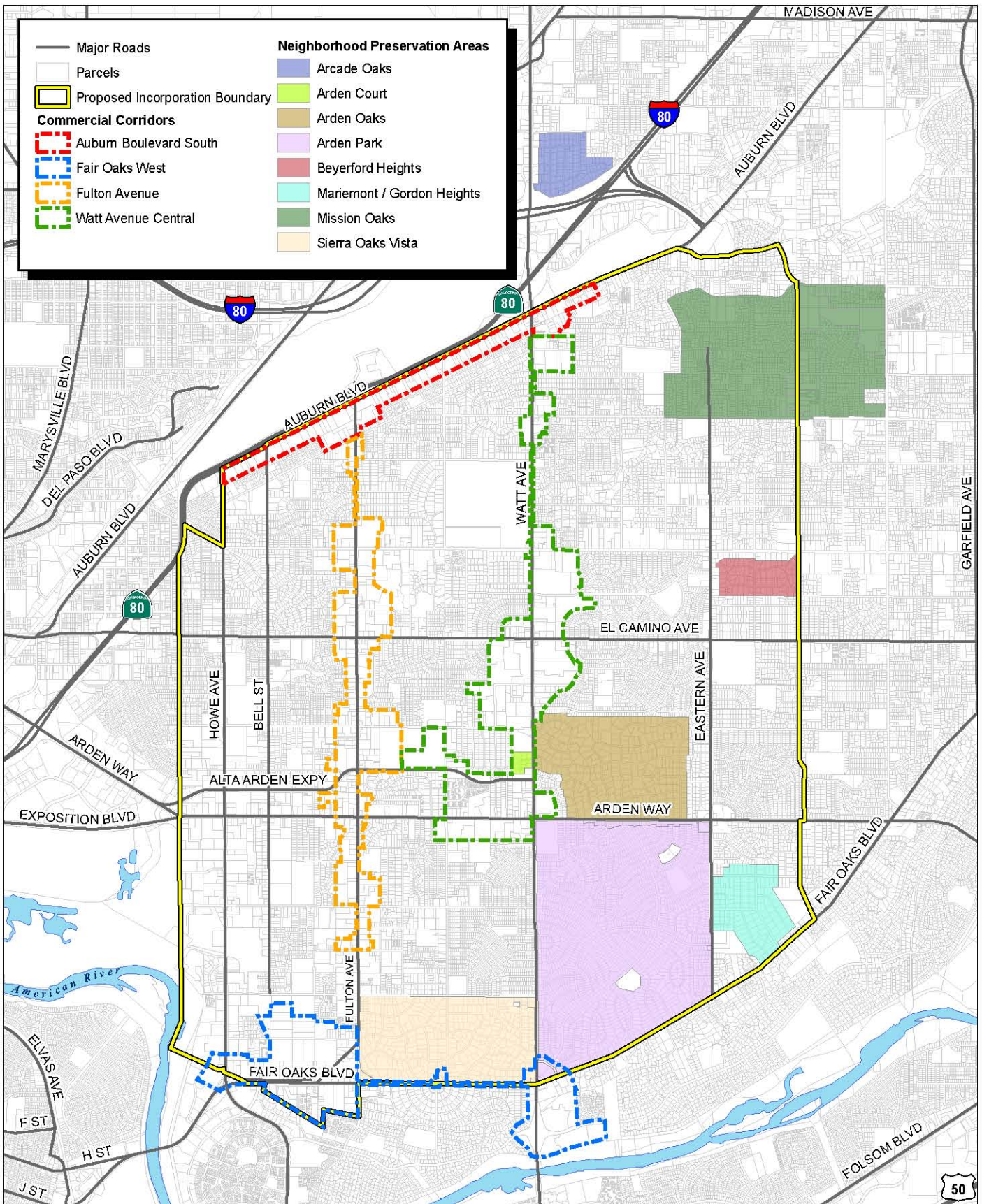




Source: Sacramento County GIS (2005, 2006, 2009), SACOG (2009), MBA (2009).



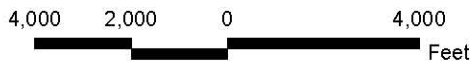




Source: Sacramento County GIS (2009), SACOG (2009), MBA (2009).

### Exhibit 3.5-4

## Neighborhood Preservation Areas and Commercial Corridors



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Section 57376 of the CKH Act requires the new City Council shall, immediately following its organization and prior to performing any other official act, adopt an ordinance providing that all Sacramento County ordinances previously applicable shall remain in full force and in effect as city ordinances for a period of 120 days after incorporation. The Sacramento County General Plan would also be adopted by the new city until such time that the city prepares and adopts its own General Plan.

Section 56744 of the CKH Act states that, unless otherwise determined by the commission pursuant to subdivision (m) of Section 56375, territory shall not be incorporated into a city if, as a result of that incorporation, unincorporated territory is completely surrounded by that city. Section 56375 (m) provides that the commission may waive the restrictions of Section 56744 if it finds that the application of the restrictions would be detrimental to the orderly development of the community, and that the location of the area encompassed by the incorporation cannot reasonably be incorporated as a new city.

### **Sacramento LAFCo Policies, Standards, and Procedures**

As described in Section 2, Project Description, LAFCo has developed standards and guidelines in its Plans, Policies, and Procedures manual that aid in the implementation of the Cortese-Knox-Hertzberg Act. Policies related to incorporations are also provided in Section 1, Introduction, and Section 2, Project Description. The following Sacramento LAFCo policies, standards and procedures, relate to land use and open space:

#### **Chapter 4, Section B Conformance with Applicable General and Specific Plans**

- 1 LAFCo will approve changes of organization or reorganization only if the proposal is consistent with the General Plan and applicable Specific Plans of the applicable planning jurisdiction.
- 3 For purposes of this standard, the proposal shall be deemed consistent if the proposed use is consistent with the applicable General Plan designation and text, the applicable General Plan is legally adequate and internally consistent, and the anticipated types of services to be provided are appropriate to the land use designated for the area.

#### **Chapter 4, Section F Application of the California Environmental Quality Act to Changes of Organization or Reorganization and Spheres of Influence**

- 4.h In preparing an Initial Study for a project subject to LAFCo review, LAFCo will generally consider the project to have the potential to significantly affect the environment if one or more of the following situations exists: If the project would conflict with open space goals and policies of a community.

## County of Sacramento General Plan

In California, land use planning is primarily the responsibility of local government. The State requires that each California city and county adopt a General Plan that establishes goals, policies, and implementation measures for long-term development, for protection from environmental hazards, for neighborhood preservation, and for the conservation of identified natural resources, while also accommodating urban development. The County of Sacramento General Plan (Plan) was adopted in 1993.

The County currently is in the process of updating its General Plan document. A Public Review Draft of the Land Use Element (Plan Update) was released on May 30, 2007 (County of Sacramento 2007). The Plan Update is still under review, and certification of the General Plan EIR is not anticipated to the current, certified General Plan that are pertinent to the proposed incorporation area are summarized below; the Plan Update is not considered in this analysis.

General Plan land use designations within the proposed incorporation area are illustrated in Exhibit 3.5-5 and are described further below.

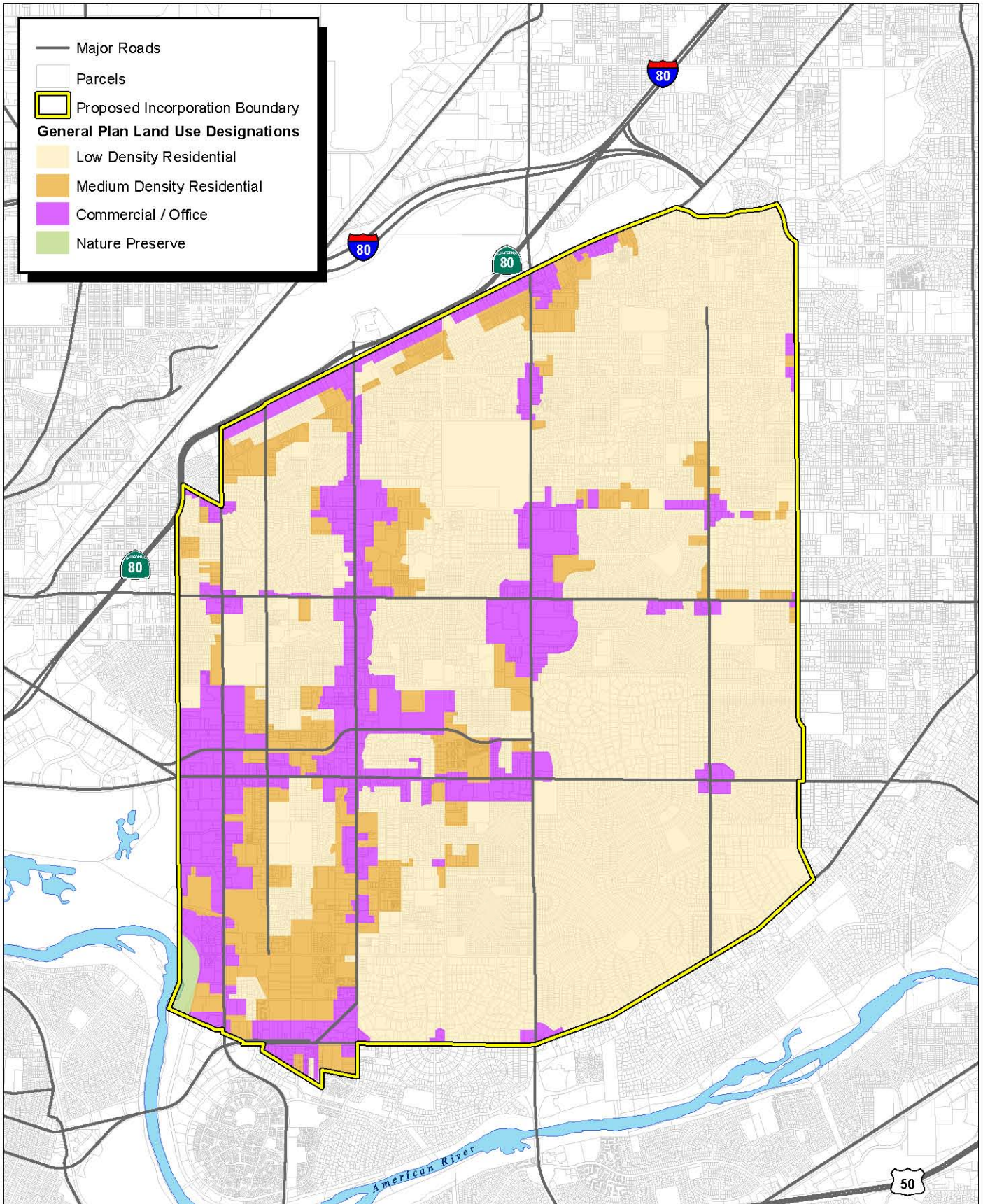
***Low Density Residential.*** This designation provides for areas of predominantly single-family housing with some attached housing units. It allows urban densities between one and twelve dwelling units per acre, resulting in population densities ranging from approximately 2.5 to 30.0 persons per acre. Typical low-density development includes detached single-family homes, duplexes, triplexes, fourplexes, townhouses, lower-density condominiums, cluster housing, and mobile home parks.

A large majority of the proposed incorporation area is designated Low Density Residential (LDR), totaling approximately 1,947 acres, and concentrated in the central and eastern portions of the project area. Approximately 51 acres of land designated as LDR acreage were vacant, based on data provided by the County Assessors Office for 2006.

***Medium Density Residential.*** The Medium Density Residential (MDR) designation provides for areas of attached units, including apartments and condominiums, along transit corridors and throughout the urban area. This designation establishes urban densities between 13 and 30 dwelling units per acre, resulting in population densities ranging from approximately 32.5 to 73.5 persons per acre. Medium-density development includes apartments, condominiums, and group housing. These uses are appropriate near commercial areas, transportation and transit corridors, and employment centers.

Areas designated as MDR total approximately 5,396 acres within the incorporation area and are primarily situated along the western sections of Sierra Boulevard, Northgate Boulevard, and Hurley Way between Howe and Fulton avenues. There are also several areas scattered along Auburn Boulevard. Approximately 27 acres of land designated as MDR acreage were vacant, based on data provided by the County Assessors Office for 2006.





Source: Sacramento County GIS (2006, 2009), SACOG (2009), MBA (2009).



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## Exhibit 3.5-5 General Plan Land Use Designations

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**Commercial and Office.** The Commercial and Office designation provides for a full range of neighborhood, community and regional shopping centers and a variety of business and professional offices. Uses include locally oriented retail, professional offices, and regional commercial operations. The location and size of commercial areas is based upon accessibility, historic development patterns, community and neighborhood needs, and minimization of land use conflicts. Ideally, commercial areas are designed to integrate with the community, including the provision for pedestrian amenities. The standard for commercial Floor Area Ratios ranges from 0.25 to 2.5.

This use accounts for approximately 1,531 acres within the incorporation area and is concentrated along the majority of Howe Avenue; it is clustered in the northern section of Watt Avenue and western section of Arden Way and Fair Oaks Boulevard. Approximately 36 acres of land designated as Commercial and Office acreage were vacant, based on data provided by the County Assessors Office for 2006.

**Industrial Intensive.** This land use designation allows for manufacturing and related activities including research, processing, warehousing, and supporting commercial uses, the intensive nature of which require urban services. Industrial Intensive areas are located within the urban portion of the County and receive an urban level of public infrastructure and services. Floor Area Ratios range from 0.15 to 0.80. Industrial uses make up less than 1 acre within the incorporation area and represent a small fraction of the total land area.

**Public/Quasi-Public.** The Public/Quasi-Public designation establishes areas for uses such as education, solid and liquid waste disposal, and cemeteries. This designation identifies public and quasi-public areas that are of significant size, under County jurisdiction, regional in scope, specified by state law, or have significant land use impacts. Some facilities (e.g., elementary schools and fire stations) are too small or numerous to show on the Land Use Diagram but may be identified on other diagrams in the Plan. Public/Quasi-Public uses make up approximately 26 acres within the incorporation area.

**Nature Preserve.** The purpose of this designation is to identify critical natural habitat for priority resource protection. The designation includes riparian Valley Oak woodland and permanent or seasonal marshes with outstanding wildlife value, the extent of which has declined greatly throughout the Central Valley during the 20th century. This designation shows Natural Preserve on both public and privately owned land. Preserve boundaries do not include intensively farmed areas. The incorporation area contains approximately 35 acres of land designated as Nature Preserve; mainly associated with American River Park.

Table 3.5-1 describes the land use designations within the proposed incorporation, and provides the acreages and designations of vacant lands. Exhibit 3.5-3 shows the location of vacant lands within the proposed incorporation area.



**Table 3.5-1: Land Use Designations and Vacant Lands**

Land Use Designation	Acres within Propose Incorporation Area	
	Total Acres Designated*	Acres Vacant
Low Density Residential	1,946.62	50.75
Medium Density Residential	5,395.92	26.50
Commercial and Office	1,531.32	35.99
Industrial Intensive	0.99	0.00
Public/Quasi-Public	26.42	0.00
Nature Preserve	34.89	0.00
<b>Total</b>	<b>8,989.00</b>	<b>113.24</b>
Notes: * Includes Vacant Lands Source: Sacramento County GIS, 2005, 2006.		

**Land Use Element**

The goal of the General Plan Land Use Element is to encourage “. . . an orderly pattern of land use that concentrates urban development, enhances community character and identity through the creation and maintenance of neighborhoods, is functionally linked with transit, and protects the County’s natural, environmental, and agricultural resources.” The General Plan contains an Urban Growth Management Strategy with the intent of directing “Sacramento County towards an urban character by focusing policy upon a specific area where growth will occur, the Urban Policy Area (UPA), within a larger ultimate growth area delimited by an Urban Services Boundary (USB).”

Within the UPA, in which the incorporation area lies, the General Plan directs how growth will occur through (1) redeveloping portions of the developed urban area and building out vacant urban areas, and (2) developing new urban growth areas and building out existing Agricultural-Residential land uses in urbanizing areas. Redevelopment opportunities within the proposed incorporation area generally fall into the first category.

Strategies, goals, and objectives of the Plan pertinent to the proposed incorporation area are discussed below.

*Urban Service Boundary*

The General Plan designates an USB to indicate the ultimate boundary of the urban area in the unincorporated area of Sacramento County. The General Plan states the following:

The Urban Service Boundary indicates the ultimate boundary of the urban area in the unincorporated County. This boundary, which is based upon natural and environmental constraints to urban growth, is intended to be a permanent boundary

not subject to modification except under extraordinary circumstances. The USB should be used by urban infrastructure providers for developing very long-range master plans which can be implemented over time as the urbanized area expands. (Sacramento County 1993)

The entirety of the proposed incorporation area falls with the USB.

#### *Urban Policy Area*

The County of Sacramento also designates a UPA, which is intended to indicate geographic areas where urban development is expected to occur during the projected buildout of the General Plan (year 2013). The UPA is intended to provide a 20-year supply of developable land sufficient to accommodate projected growth. The UPA also includes additional land to ensure an appropriate supply. The General Plan states:

The Urban Policy Area defines the area expected to receive urban levels of public infrastructure and services within the 20-year planning period. Defining the Urban Policy Area is of key importance in the provision of urban services and infrastructure to the unincorporated County, as it provides the geographic basis for infrastructure master plans, particularly for public water and sewerage, which require large capital investment and relatively long lead time for the installation of capital improvements. (Sacramento County 1993)

The entirety of the proposed incorporation area falls within the UPA.

#### *Urban Growth Management Strategy*

The General Plan lists the following policies in the Urban Growth Management Strategy of the Land Use Element that apply to the project:

- **LU-1.** The County shall create redevelopment districts in those areas where deteriorated conditions and blight warrant planned redevelopment.
- **LU-2.** The County shall give priority to residential development on vacant or underutilized sites within existing urban areas which have infrastructure capacity available.
- **LU-5.** Provide for the development of vacant or underutilized portions of industrial-office parks with medium or high-density residential uses or mixed-use development provided they are located near existing trunk or feeder line networks and are designed so as to be compatible with adjacent uses.
- **LU-31.** Assure that regionally oriented commercial and office uses and employment concentrations have adequate road access, high frequency transit service and an adequate but efficient supply of parking.
- **LU-33.** Discourage the establishment and build-out of linear, strip pattern, commercial centers.



- **LU-34.** Discourage the creation of excessive amounts of retail shopping facilities.
- **LU-35.** All new employment-intensive County offices or offices providing walk-in services to the public shall be located along a Trunk Line or Feeder Line Network.
- **LU-57.** The County shall not provide urban services beyond the Urban Policy Area, except when the County determines the need for health and safety purposes.
- **LU-58.** The County shall maintain an Urban Service Boundary that defines the long-range plans (beyond twenty years) for urbanization and extension of public infrastructure and services, and defines important areas for protecting as open space and agriculture.

### **Open Space**

Open space land is any land or water area that is essentially unimproved and devoted to preservation of natural resources, managed production of resources, outdoor recreation, or public health and safety. Open space can function to delineate, separate, or buffer developed land uses, to provide a greenbelt at the edge of an urbanized area and to ensure that land will be available for future specified urban uses.

- **Goal:** Open Space lands in Sacramento permanently protected through coordinated use of regulation, acquisition, density transfer, and incentive programs.

### **General Policies**

- **OS-1.** Permanently protect, as open space, areas of natural resource value, including wetlands preserves, riparian corridors, woodlands, and floodplains.
- **OS-2.** Maintain open space and natural areas that are interconnected and of sufficient size to protect biodiversity, accommodate wildlife movement, and sustain ecosystems.

### **Arden Arcade Community Plan**

The Arden Arcade Community Plan (Community Plan) was adopted by the Sacramento County Board of Supervisors on November 6, 1980. The Community Plan covers approximately 21 square miles northeast of downtown Sacramento (Exhibit 3.5-1). As shown, the proposed incorporation area falls entirely within the Community Plan area.

The primary goals of the Community Plan are to:

- 1) Maintain and enhance the distinctive character and identity of the Arden Arcade neighborhood.
- 2) Develop an efficient, fully integrated and ecologically balanced transportation and circulation system.
- 3) Work for the rehabilitation and enhancement of the major and minor commercial areas of the community in a phased effort.

- 4) Relieve the burden upon Arden Arcade as the commercial and employment center of the unincorporated area.
- 5) Insure a high level of quality in all physical development.
- 6) Provide for additional residential development by maximizing use of available properties that are suitable for housing.
- 7) Prevent the encroachment of non-residential development on residential neighborhoods.
- 8) Promote the availability of a full spectrum of housing in terms of design, type, cost, and suitability for a variety of life styles.
- 9) Make the study area into a consolidated community.
- 10) Provide a wide range of recreational activities and facilities for the community.
- 11) Maintain and preserve the valuable natural and historical resources of the Arden Arcade community.
- 12) Work for full implementation of all recommendations presented in the community plan.

The Community Plan area is largely built out, and in response to this, several zoning tools were proposed in addition to updating land use and zoning designations in order to preserve and protect some areas (e. g., residential neighborhoods) while encouraging redevelopment, where appropriate, to address blighting in certain areas of the Community Plan.

The Community Plan identifies several Neighborhood Preservation Areas (NPAs) within the proposed incorporation area. NPAs are established for the Sierra Oaks Vista and Beyerford Heights areas to preserve rural estate areas with winding Class C streets. Emphases include Arden Park, Arden Oaks, Mission, and Mariemont/Gordon Heights, each aimed at preserving the large-lot character of these areas. Other areas were proposed for RD-4 and RD-3 zoning designations. These zones do not allow use permits for conversions to Business and Professional uses and should be adequate to protect such areas where more standard lotting patterns exist in the subdivision.

In addition to the goals of the Community Plan listed above, the Community Plan intends to discourage business and professional zoning along Mission Avenue and Engle Road.

### ***Arden Arcade Planning Commission***

Community Planning Commissions were established in 2005 by the Sacramento County Board of Supervisors to gain greater participation in land use decisions at the community level. The Arden Arcade Planning Commission (Commission) serves as the decision-making authority for control over land use decisions affecting community's quality of life. The Commission's authority includes decisions previously handled by the Sacramento County Planning Commission, Zoning Administrator, and Subdivision Review Committee. Issues considered by the Commission include



rezones; variances, exceptions, and special development permits; use permits; development plan review; and affordable housing plans.

### **Commercial Corridor Plans**

The County of Sacramento has developed 13 Commercial Corridor and District Plans throughout unincorporated areas of the County. Four of the Commercial Corridors are located within the proposed incorporation area, including Auburn Boulevard South, Fair Oaks West, Fulton Boulevard, and Watt Avenue Central. Each plan is focused on improving the overall condition and quality of the corridor and the communities where they exist by encouraging economic revitalization and reinvestment. Exhibit 3.5-4 shows the Commercial Corridor Plans within the proposed incorporation area.

## **3.5.4 - Project Impact Analysis**

### **Methodology for Analysis**

As described in Section 3 (Environmental Impact Analysis), the environmental analysis assumes that the project would result in the development of all vacant lands within the proposed incorporation area with up to a 20 percent increase in land use intensity. This assumed development pattern has been utilized to evaluate “worst-case” environmental effects of the project; however, note that the project proponents have not proposed such development. It is important to note that this analysis assumes buildout of the existing land use pattern as directed by the Sacramento County General Plan. Future land use policy decisions adopted by the newly formed City Council are considered speculative at this time and are not evaluated in the impact analysis.

Approval of the project would result in the transfer of land use entitlements, which have conditions of approvals and mitigation measures associated with them, from Sacramento County to the new city. According to Government Code Section 65865.3 (a) and (b), the transfer of land use entitlements shall not result in the alteration of guidelines, standards, or approvals that minimize environmental impacts. The Government Code states that any and all development agreements entered into between the County of Sacramento and any development project applicant, and any conditions of approval (including mitigation measures adopted pursuant to the California Environmental Quality Act [CEQA]) imposed by the County Board of Supervisors on any and all discretionary projects, adopted and approved prior to the effective date of incorporation, shall remain valid and enforceable between the applicant and the new city. Thus, no environmental impacts associated with the potential alteration of previously adopted mitigation measures and conditions of approval for the project area are anticipated as a result of incorporation, and no additional discussion is necessary.

### **Thresholds of Significance**

For the purposes of this EIR, to determine whether impacts to land use and planning are significant environmental effects, the following questions are analyzed and evaluated. Would the project:

- Physically divide an established community?

- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- Conflict with any applicable habitat conservation plan or natural communities conservation plan?

### 3.5.5 - Impact Statements and Mitigation Discussions

#### Divide an Established Community

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**Impact 3.5-1:**            **The proposed incorporation of Arden Arcade would not physically divide an established community.**

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#### ***Impact Analysis***

The act of incorporation would include the formation of the City of Arden Arcade within a portion of the Arden Arcade Community Plan Area and, thus, would divide the broader Community Plan area. However, it is difficult to predict if the creation of a new jurisdictional boundary along Fair Oaks Boulevard, similar to Auburn Boulevard to the north, would actually result in the physical division of an established community. Since these roadway corridors are generally commercial in nature, with the existing roadways themselves representing physical divisions between various smaller residential communities, the jurisdictional division resulting from the proposed incorporation along these roadways is not significant. However, as shown in Exhibit 3.5-4, the project generally bisects the Mission Oaks Neighborhood Preservation Area (NPA). However, the Mission Oaks NPA is currently divided between two communities. The portion of the Mission Oaks NPA west of Mission Avenue (which forms the majority of the eastern boundary of the project) is currently located within the Arden Arcade Community and is under the jurisdiction of the Arden Arcade Community Planning Commission. The portion of the Mission Oaks NPA east of Mission Avenue is located within the Carmichael Community Area and is under the jurisdiction of the Carmichael/Old Foothill Farms Community Commission. However, the project would result not in a physical separation of the neighborhood but in a jurisdictional delineation for planning and government activities. As a result, the proposed incorporation would further divide an established NPA, and the prescribed mitigation would be required to reduce the impact to a less than significant level.

#### ***Significance Determination Before Mitigation***

Potentially significant impact.

#### ***Mitigation Measures***

**MM 3.5-1**            LAFCo shall condition the incorporation approval to require the new city (Arden Arcade) to include the Mission Oaks Neighborhood Preservation Area in the city's new General Plan.

**Significance Determination After Mitigation**

Less than significant impact.

**Conflict with Applicable Plans, Policies, or Regulations**

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**Impact 3.5-2:**        **The project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.**

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**Impact Analysis**

As identified in the setting discussion, there are several planning documents that are applicable to the proposed incorporation area. These documents include the Sacramento County General Plan (1993), the Arden Arcade Community Plan, and LAFCo's policies related to proposed incorporations. This analysis provides an individual discussion for each of the applicable planning documents.

**Sacramento County General Plan.** According to the Sacramento County General Plan, the USB indicates the ultimate boundary of the urban area in the unincorporated County. This boundary, which is based upon natural and environmental constraints to urban growth, is intended to be a permanent boundary not subject to modification except under extraordinary circumstances. The USB should be used by urban infrastructure providers for developing very-long-range master plans, which can be implemented over time as the urbanized area expands (Sacramento County 1993.). The proposed incorporation boundary, in its entirety, is contained within the County of Sacramento's USB. In this context, the project would not conflict with policies related to the County USB.

The UPA defines the area expected to receive urban levels of public infrastructure and services within the 20-year planning period or the year 2013. Additionally, the UPA is of key importance in the provision of urban services and infrastructure to the unincorporated County, as it provides the geographic basis for infrastructure master plans, particularly for public water and sewerage, which require large capital investment and relatively long lead time for the installation of capital improvements (Sacramento County 1993). Similar to the USB, the proposed incorporation area is located entirely within the County's UPA.

The project could facilitate the buildout of the remaining vacant lands within the project area through infill commercial and residential projects. Within the proposed incorporation area, less than 2 percent of lands remain vacant. Continued buildout within the proposed incorporation area under a 20-percent increase or decrease in development intensity would result in very minor changes to existing land use and growth patterns and resulting environmental effects (e.g. air quality). Based on this conclusion, it is reasonable to assume that the project would not conflict with the major policies and objectives of the County's General Plan and, more importantly, the County's urban growth management strategy. In addition, the act of incorporation would support several existing County General Plan policies, including LU-1, LU-2, and LU-5, which encourage redevelopment and revitalization of existing urban areas. However, because there is a level of uncertainty about this



assumption, mitigation is proposed that would require the new city to prohibit non-conforming development on vacant land until a new Arden Arcade General Plan is adopted. The project is not expected to conflict with County policies and objectives adopted for the purpose of avoiding or mitigating an environmental effect. However, because the new city would have authority to allow a non-conforming development, the impact would be potentially significant.

**LAFCo Policies.** One of the central provisions of the Cortese-Knox-Hertzberg Act is to guide development away from open space and prime agricultural land uses while ensuring the orderly and efficient provision of public services. The proposed city limit would be contiguous with the city's sphere of influence (SOI), which is defined as a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCo (Government Code Section 56076). According to this definition and given the absence of any prime agricultural lands within the proposed SOI, the project would not result in the premature buildout of any agricultural lands. Consequently, the incorporation of the Arden Arcade community, which is currently developed and almost completely built out, would not substantially differ from the growth assumptions, land use patterns, and levels of public services as envisioned within the Sacramento County General Plan or the statutory directives of the Cortese-Knox-Hertzberg Act. In this context, the proposed incorporation would not conflict with LAFCo policies and a less than significant impact determination is appropriate.

**Arden Arcade Community Plan.** The Community Plan area is largely built out, and in response to the existing condition, the County developed the Community Plan in conjunction with several zoning tools to preserve and protect some areas (e. g., residential neighborhoods) while encouraging redevelopment in other areas to address blighting. The project would generally support these goals by forming a local governing body that would have the discretion to implement the Community Plan at the local level. Further, since the redevelopment and revitalization of existing urban areas are generally driven by the availability of funding, the re-distribution of existing local revenues (e.g., sales tax) to the proposed incorporation area rather than to the whole County would generally support these goals. As a result, the proposed incorporation is not expected to conflict with goals and policies adopted in the Community Plan, and the corresponding impact would be less than significant.

### ***Significance Determination Before Mitigation***

Potentially significant impact.

### ***Mitigation Measures***

**MM 3.5-2** LAFCo shall condition the incorporation approval to require the new city (Arden Arcade) to prohibit development of vacant land parcels within the incorporation area to uses that are inconsistent with the 1993 Sacramento County General Plan and/or the most recent and binding land use guidance document until such time the city adopts its own General Plan.

***Significance Determination After Mitigation***

Less than significant impact.