

SECTION 5: OTHER CEQA STATUTORY CONSIDERATIONS

5.1 - Growth-Inducing Impacts

CEQA Guidelines (Section 15126.2 [d]) require that lead agencies consider whether a proposed project would have growth inducing effects. CEQA Guidelines stipulate that such effects may be either direct (e.g., include new housing) or indirect (e.g., expand public services into a previously undeveloped area).

According to the CEQA guidelines, it must not be assumed that growth inducement in itself is “necessarily beneficial, detrimental, or of little significance to the environment” (CEQA Guidelines Section 15126.2[d]). Rather, it is the changes in environmental conditions caused by induced growth that have the potential to result in impacts, whether adverse or beneficial and significant. For example, a proposed project might induce population growth that requires construction of new community and public facilities, it is construction and operation of the new facilities that could result in adverse environmental effects, perhaps to sensitive biological resources or water quality.

Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected. Local land use plans provide development patterns and growth policies that guide orderly urban development supported by adequate urban public services, such as water supply, roadway infrastructure, sewer services, and solid waste services. A project that would induce “disorderly” growth (i.e., conflict with the local land use plans) could directly or indirectly cause additional adverse environmental impacts and other public services impacts.

5.2 - Growth Inducement Potential of the Proposed Incorporation

The timing, magnitude, and location of land development and population growth in a community or region are based on various interrelated land use and economic variables. Key variables include regional economic trends; market demand for residential and non-residential uses; land availability and cost; the availability and quality of transportation facilities and public services; proximity to employment centers; the supply and cost of housing; and regulatory policies or conditions. Since the general plan of a community defines the location, type, and intensity of growth, it is the primary means of regulating development and growth in California.

The incorporation of Arden Arcade would generally meet the goals, objectives, and policies of the Sacramento LAFCo and the Cortese-Knox-Hertzberg Act (CKH Act). As discussed in the Section 3.5, Land Use, the project would result in the incorporation of a general urban landscape with no new changes to existing land use proposed. Consequently, even in assuming higher development intensities on existing vacant parcels, which account for less than 2 percent of the entire proposed

incorporation area, and the presence of existing public infrastructure, it would be difficult to label the project growth-inducing.

Table 5.2-1 describes the land use designations within the proposed incorporation area, and provides the acreages and designations of vacant lands. As shown in Table 5.2-1 and Section 3.7, Population and Housing, the majority of land within the project area is already developed. There is the potential for approximately 77 acres of land to be developed as residential. Currently, approximately 43,000 housing units are located within approximately 7,343 acres of the proposed incorporation area. Utilizing an estimated 5.85 housing units per acre (43,000 houses per 7,343 acres of residential), the project has the potential to create 450 new dwelling units. These new dwelling units would represent a 1-percent increase in the current housing in the Arden Arcade area. The remaining undeveloped acreage, approximately 36 acres of commercial and office, represents less than 0.5 percent of the total acreage within the proposed incorporation boundary.

Table 5.2-1: 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
Total	8,989.00	113.24
Notes: * Includes Vacant Lands Source: Sacramento County GIS, 2005, 2006.		

Therefore, it is reasonable to conclude that the discussion of the growth inducement in the Sacramento County General Plan EIR would apply to the proposed project.

From a different perspective, the act of incorporation would create a new governing body, which could reasonably be expected to adopt new plans and policies that could otherwise change the timing and patterns of growth, resulting in the new city modifying the growth-inducing effects of the currently adopted plans and policies. However, at this time, it is unclear how or to what extent a new governing body would encourage new growth. The CEQA Guidelines acknowledge that there are limitations to what can be foreseen (Section 15144) and stipulate that “If, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate the discussion of the impact.” (Section 15145) As a result, any potentially foreseeable growth-inducing impacts would be speculative at this time;

therefore, no direct or indirect growth inducing impacts are anticipated from the adoption of the project.

5.3 - Cumulative Effects

An EIR must discuss the cumulative impacts of a project when the project's incremental effect is "cumulatively considerable," meaning that the project's incremental effects are considerable when viewed in connection with the effects of past, current, and probable future projects (CEQA Guidelines Section 15130(a)). CEQA Guidelines Section 15130(b) requires that the discussion of cumulative impacts reflect the severity of the impacts and their likelihood of occurrence. As defined in Section 15355 of the CEQA Guidelines, a cumulative impact consists of an impact, which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. An EIR should not discuss impacts, which do not result in part from the project evaluated in the EIR.

In accordance with Section 15130(b) of the CEQA Guidelines, the discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence. The discussion need not be as detailed as that provided for the effects attributable to the project alone and be guided by standards of practicality and reasonableness. The cumulative analysis focuses on the cumulative impact to which the other identified projects contribute, rather than on the attributes of other projects that do not contribute to the cumulative impact.

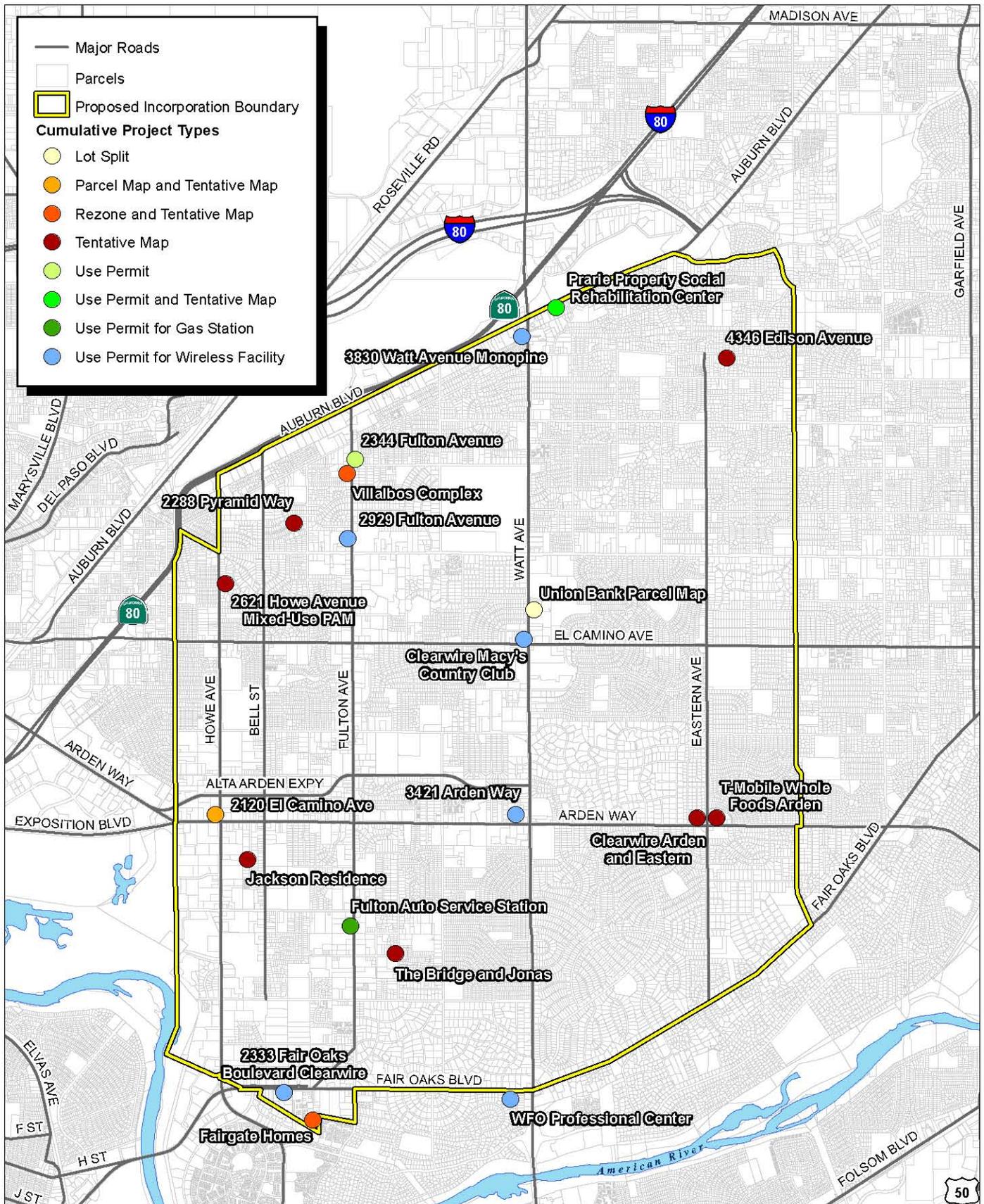
For the purposes of this EIR, the cumulative project setting is based on development already anticipated within the proposed incorporation area as planned in the Sacramento County General Plan, adopted 1993. As noted in the General Plan EIR, numerous significant and unavoidable impacts were identified for traffic, air quality, noise, hydrology, biology, public utilities, and land use compatibility (for specific impact and mitigation information, a copy of the General Plan EIR can be obtained from the Sacramento County Department of Environmental Review). As discussed in the Section 2.0, Project Description, the proposed incorporation would not result in any land use designation changes for proposed incorporation area. As provided in Section 3.0, the development of the remaining infill opportunities on vacant lands could result in minor, net increases in the level of impact (e.g., air quality) of new development; however, this net increase would be less than significant and would not deviate from the pattern of development. Consequently, no direct incremental increase in land use intensity can be attributed to the act of incorporation.

5.3.1 - Description of Cumulative Projects

In identifying projects that may contribute to cumulative impacts, CEQA Guidelines Section 15130(b) allows the use of a list of past, present, and reasonably anticipated future projects that generate related or cumulative impacts, including those that are outside of the control of the lead agency. The CEQA Guidelines also allow the use of a summary of projections contained in an adopted General Plan or related planning document that is designed to evaluate regional or area-wide

conditions. This analysis uses the list method described above with Exhibit 5-1 illustrating the Cumulative Projects within the proposed incorporation area and the location of each of the projects considered in the cumulative analysis. These projects are summarized below and are either (a) within the proposed incorporation area or (b) immediate adjacent to it. As described in Section 3, the baseline of an EIR is established as at the date that the Notice of Preparation is published (in this case, 2007). The cumulative project's list was compiled of projects as they were proposed in 2007. Therefore, some of the projects listed below may now be constructed and operating. The following projects were identified as under construction, recently approved, or were pending approval when the project baseline was established.

- **Fairgate Homes.** This project is located on Fairgate Road and includes a Community Plan Amend and Rezone from RD-5 and BP to RD-7, a Tentative Map to create 31 single family lots, a Special Development Permit to deviate from lot sizes and an Affordable Housing Plan (> 20 units).
- **3244 Fulton Avenue.** This project involves a Community Plan Amendment to rezone a parcel from LC to AC.
- **T-Mobile at Hamilton Street Park.** This project is proposed by the Arden Creek Recreation District and includes a Use Permit to allow a wireless telecommunications facility in an O zone.
- **Union Bank Parcel Map.** This project is located on Watt Avenue and involves a lot split on approximately 1.7 acres to create two parcels in the SC zone.
- **El Camino Retail Upgrade.** This project includes a Use Permit for a proposed car wash on El Camino Avenue. (2006-0766)
- **2288 Pyramid way.** This project includes a Tentative Parcel Map to divide an approximately 0.46 acre parcel into two single-family lots in the RD-4 zone.
- **Jackson Residence.** This project is located on Bell Street and includes a Tentative Parcel Map to subdivide approximately 0.67 acres into two (2) single-family lots.
- **WFO Professional Center.** This project includes a Development Plan Review and Use Permit for a new office building on Fair Oaks Boulevard. (20070063)
- **Fulton Auto Service Station.** This project involves a Use Permit and Design Review for a new service station on Fulton Avenue. (20070214)
- **2929 Fulton Avenue.** This project includes requires a Use Permit to allow three flush mounted antennas and three microwave dishes to an existing monopole located on Fulton Avenue. (20070302)
- **2621 Howe Ave Mixed-Use PAM.** This project involves a mixed-use development conversion from an existing apartment complex located on Howe Avenue. (20070309)



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

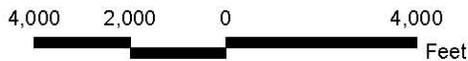


Exhibit 5-1 Cumulative Projects

- **4346 Edison Avenue.** This project is located on Edison Avenue and includes a Tentative Parcel Map to subdivide 1.21 acres into four single-family lots in the RD-4 zone of the Mission Oaks Neighborhood Preservation Area. (PLNP2007-00468)
- **The Bridge at Jonas.** This project is located on Jonas Avenue and involves a Tentative Subdivision Map to divide approximately 2.51 acres into 11 single-family lots in the RD-5 (Residential) zone.
- **2333 Fair Oaks Boulevard Clearwire Wireless CA-SAC098.** This project includes a Use Permit for a new Wireless Communication Facility on Fair Oaks Boulevard.
- **3830 Watt Avenue Monopine.** This project involves a new cellular communications facility consisting of six antennas mounted on a 65-foot “monopine” (monopole camouflaged as a pine tree) at 3830 Watt Avenue. (PLNP2007-00535)
- **Clearwire Arden & Eastern.** This project requires a Use Permit to allow the addition of three (3) panel antennas, 3 BTS units and 3 microwave dishes, flush mounted and concealed within a radome cover, on an existing collocation wireless facility/light pole in the SC (Shopping Center) zone on Arden Way. (PLNP2007-00547)
- **Clearwire Marconi & Watt.** This project requires a Use Permit to allow a wireless communications facility on an existing building located at 2700 Watt Avenue. (PLNP2007-00557)
- **Prime Property Social Rehabilitation Center (Auburn Boulevard).** This project requires a Use Permit to allow for the construction and operation of a Social Rehabilitation Center in the RD-30 zone. (PLNP2007-00617)
- **Clearwire Macy’s Country Club.** This project requires a Use Permit to allow a wireless communications facility on an existing building at 2450 Watt Avenue. (PLNP2007-00618)

5.3.2 - Cumulative Impact Analysis

The following presents a summary of cumulative impacts related to the proposed incorporation by each environmental topic issue described in Section 3.0, Environmental Analysis.

Air Quality

There are no cumulative impacts associated with air quality.

Biological Resources

Given the urbanized nature of the proposed incorporation area, biological resources, particularly threatened, endangered, and proposed species, would not be cumulatively affected by the project based on the low habitat values and high frequency of pre-existing disturbance. The CDFG and USFWS have promulgated a regulatory scheme that limits impacts on these species and ensure that impacts to biological resources are not cumulatively considerable.

Hazards

There are no cumulative impacts associated with hazards and hazardous materials.

Hydrology and Water Quality

Large portions of Sacramento County are known to be subject to inundation by 100- and 500-year flood events from the Sacramento and American Rivers, and even from smaller creeks and drainage ways. Heightened development within Sacramento, Yolo, El Dorado, Placer, and Sutter Counties would contribute additional flows to the American and Sacramento River systems, thereby increasing the flood potential within Sacramento County. Regional cooperation is essential to facilitate adequate flood control, since upstream development within adjacent counties eventually contributes to Sacramento County's flood hazards. However, the project -level evaluation contained in this EIR determined that the proposed incorporation area is generally fully built-out and the proposed incorporation would not create or subject any new structures or people to the risk of flooding that was not currently approved under the Sacramento County General Plan. In addition, the new city would be required to adhere to policies that currently exist in Sacramento County General Plan, such as policy SA-5 requiring drainage studies and additional analysis for developments within a 100-year flood plain. For these reasons, the project is not cumulatively considerable for hydrology and water quality impacts.

To facilitate anticipated future growth in Sacramento, Yolo, El Dorado, Placer, Yuba, and Sutter Counties, urbanization would potentially occur in areas identified as having moderate to high natural groundwater recharge. Since identified areas within these counties contribute to natural groundwater recharge to the underlying Sacramento Valley Aquifer, cumulative development in these counties would reduce the recharge of an already impacted groundwater source. However, based on the project -level evaluation contained in this EIR, the proposed incorporation area is generally fully built-out. The remaining parcels within the proposed incorporation area are relatively small and accompanied with the fact that the vacant lands in the incorporation area are not indicated as having moderate to high groundwater recharge potential, the project's impact on groundwater recharge is not cumulatively considerable.

Land Use and Planning

The project may result in the conversion of vacant parcels to residential, commercial, and/or industrial uses. The Sacramento County General Plan EIR has previously identified the loss of lands as a significant and unavoidable impact (Sacramento County 1993). It should be noted that the conversion and loss of these lands throughout the County and the proposed incorporation area would occur with or without the project; resulting in a less than significant cumulative impact to conversion of lands.

Noise

Given the very low projected growth within the proposed incorporation area, it is expected that the noise environment along local roadways would not change substantially over the planning period from its current condition. As a result, there are no cumulatively considerable noise impacts.

Population and Housing

There are no cumulative impacts associated with population and housing.

Public Services

Incorporation of Arden Arcade would not result in further urbanization of the proposed incorporation area beyond that anticipated in the Sacramento County General Plan resulting in no cumulatively considerable public services impacts.

Transportation and Circulation

There are no cumulative impacts associated with transportation and circulation.

Environmental Justice

There are no cumulative impacts associated with environmental justice.

5.4 - Significant Unavoidable Impacts of the Project

The CEQA Section 21100(b)(2) and CEQA Guidelines Section 15126.2(b) require that any significant and unavoidable effect on the environment must be identified. In addition, Section 15093(a) of the CEQA Guidelines allows the decision-making agency to determine if the benefits of a proposed project outweigh the unavoidable adverse environmental impacts of implementing the project. LAFCo can approve a project with unavoidable adverse impacts if it prepares and adopts a “Statement of Overriding Considerations” setting forth the specific reasons for making such a judgment. No unavoidable adverse impacts are identified in this EIR.

5.5 - Significant Irreversible Changes

The CEQA Section 21100(b)(2) and CEQA Guidelines Section 15126.2(b) require that any significant effect on the environment that would be irreversible if the project is implemented must be identified. Significant irreversible environmental changes include the project’s direct and indirect effects that will commit nonrenewable resources to uses that future generations would most likely be unable to reverse. The project is not anticipated to require the commitment of large quantities of nonrenewable resources (e.g., fossil fuels, construction products, etc.) and the amount of such resources and materials which will be consumed, would be consistent within the current Sacramento County General Plan therefore the impact is considered less than significant.

5.6 - Effects Found Not To Be Significant

As required by CEQA, this Draft EIR focuses on expected significant or potentially significant environmental effects (CEQA Guidelines Section 15143). Comments received on the Notice of Preparation that helped to further refine the list of environmental issues to be evaluated in this EIR are included in Appendix B. A summary of resource-specific issues that were eliminated from detailed analysis in this EIR is provided in Executive Summary of this Draft EIR. Some of the impacts analyzed in this EIR are considered to be less than significant and require no mitigation. Other impacts (i.e., those considered to be significant) can be reduced to a level that is less than significant with the implementation of the proposed mitigation measures.

All of the impacts analyzed in this EIR, including those considered to be less than significant, are summarized in Table ES-1 in the Executive Summary of this document.