



RECORDING REQUESTED
WHEN RECORDED MAIL TO:

County of Sacramento
Planning and Environmental Review
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ENDORSED
SACRAMENTO COUNTY

DEC 05 2024

DONNA ALLRED, CLERK/RECORDER
BY [Signature] DEPUTY

SPACE ABOVE RESERVED FOR RECORDER'S USE

NOTICE OF EXEMPTION

Project Title:

Mission Avenue Apartments East

Control Number:

PLNP2023-00087

Project Location:

The project site is located at 3532 Mission Avenue, approximately 375 feet north of the intersection of Mission Avenue and Whitney Avenue, in the Carmichael/Old Foothill Farms community of unincorporated Sacramento County.

APN:

256-0101-045-0000

Description of Project:

The project consists of the following requests:

1. A **Development Plan Review** pursuant to the Mission Oaks Neighborhood Preservation Area (Section 532-014), for the development of non-single family residential use of property described in Section 532-12.1.
2. Approval of a **Density Bonus** and **Incentives** for a Qualified Housing Development as allowed under Zoning Code Section 6.5.4 – Affordable Housing Incentive Program.
3. A **Design Review** to determine substantial compliance with the *Sacramento County Countywide Design Guidelines* (Design Guidelines).

If approved, the project would construct four, three-story, multi-family apartment buildings resulting in a total of 33 dwelling units. The proposed project is located within a developed, urban area with existing utilities located along the improved roadway abutting the site. The 1.05-acre vacant parcel is surrounded by residential development on all sides and meets the definition of infill.

Name of public agency approving project:

Sacramento County – ceqa@sacounty.gov

Person or agency carrying out project:

Mogavero Architects
Contact: David Mogavero
1331 T Street
Sacramento, CA 95811
(916) 443-1033
dmogavero@mogaveroarchitects.com

Exempt Status:

Section 21159.25 Exemption: Residential or Mixed-Use Housing Projects

Reasons why project is exempt:

Public Resources Code (CEQA Statute) §21159.25 exempts infill development within unincorporated areas meeting the criteria outlined in the section. The project is consistent with the criteria outlined in §21159.25 of the CEQA Guidelines and is therefore exempt from the provisions of CEQA. Please see the attached supplemental worksheet for §21159.25 criteria consistency. No further environmental review is required.

Julie
Newton

Digitally signed by Julie Newton
DN: cn=Julie Newton,
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Julie Newton
ENVIRONMENTAL COORDINATOR OF
SACRAMENTO COUNTY, STATE OF CALIFORNIA

Copy To:

☒ **County of Sacramento
County Clerk**

3636 American River Drive,
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State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

Mission Avenue Apartments East (Control No. PLNP2023-00087)

Section 21159.25 Compliance Checklist

THRESHOLD REQUIREMENTS FOR RESIDENTIAL OR MIXED-USE HOUSING INFILL PROJECTS in UNINCORPORATED AREAS—PUBLIC RESOURCES CODE (PRC) § 21159.25

PRC § 21159.25 (1) The project must be consistent with:	Consistent?	
	Yes	No
<p>(1) “Residential or mixed-use housing project” means a project consisting of multifamily residential uses only or a mix of multifamily residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use.</p> <p>The parcel is approximately 1.05 acres (45,738 square feet). If approved, the project would construct four, three-story, multi-family apartment buildings resulting in a total of 33 dwelling units. The entire site would be developed by multi-family residential uses. The development includes 30,629 square feet of residential space, 12,364 of open space for the residences, and approximately 8,327 square feet of onsite parking. The project exceeds the two-thirds requirement for residential use.</p>	X	
<p>(2) “Substantially surrounded” means at least 75 percent of the perimeter of the project site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses¹. The remainder of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that have been designated for qualified urban uses in a zoning, community plan, or general plan for which an environmental impact report was certified.</p> <p>The project site is surrounded on all sides by developments with qualified urban uses. The adjoining parcels to the north and east are developed with condominiums. The adjoining parcels to the south and at the southeastern corner are developed with multi-family apartment complexes. The parcel is bordered by Mission Avenue, a paved roadway with improved right of way, on the west. The parcels located to the west, across Mission Avenue (an improved public roadway), are developed with single-family residences.</p>	X	

¹ A “[q]ualified urban use” is “any residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.” (Pub. Resources Code, § 21072.)

THRESHOLD REQUIREMENTS FOR RESIDENTIAL OR MIXED-USE HOUSING INFILL PROJECTS in UNINCORPORATED AREAS—PUBLIC RESOURCES CODE (PRC) § 21159.25

PRC § 21159.25 (a) (1) (A) and (B) are conditions of the project.	Does it meet the threshold?	Yes	No
<p>(1) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>The project is consistent with the General Plan land use designation of Medium Density Residential and the RD-20(NPA) & RD-30 (NPA) – Multiple Family Residential/Neighborhood Preservation Area (Mission Oaks) zoning designations.</p>	X		
<p>(2)</p> <p>(A) The public agency approving or carrying out the project determines, based upon substantial evidence, that the density of the residential portion of the project is not less than the greater of the following:</p> <ul style="list-style-type: none"> (i). The average density of the residential properties that adjoin, or are separated only by an improved public right-of-way from, the perimeter of the project site, if any. (ii). The average density of the residential properties within 1,500 feet of the project site. (iii). Six dwelling units per acre. <p>The development within the 1,500-foot buffer is predominantly developed with single-family homes, so the greater of the three densities would be (i) “the average of the residential properties that adjoin the site”, which are predominantly developed with multi-family structures. The average density of the adjoining parcels is 7.25 dwelling units per acre. The proposed project would result in 33 units on approximately 1.05 acres and would have a density of 31.43 dwelling units per acre, which is greater than the 7.25 dwelling units per acre average of adjoining properties.</p> <p>(B) The residential portion of the project is a multifamily housing development that contains six or more residential units.</p> <p>The project would result in 33 residential units.</p>	X		
<p>(3) The proposed development occurs within an unincorporated area of a county on a project site of no more than five acres substantially surrounded by qualified urban uses.</p> <p>The project is located within an unincorporated area of Sacramento County, on a 1.05-acre parcel, and is substantially surrounded by qualified urban uses.</p>	X		

<p>(4) The project site has no value as habitat for endangered, rare, or threatened species.</p> <p>The site provides no value as habitat for endangered, rare, or threatened species. No habitat for threatened and endangered species were identified by US Fish and Wildlife Service's Information for Planning and Consultation (IPaC). Nor were there any records onsite or in the near vicinity within the California Department of Fish and Wildlife's California Natural Diversity Database (CNDDDB). The project site is located within a developed, urban area and is substantially surrounded by other urban uses. The project site is approximately 1.05 acres and was developed with a single-family residence until the mid-1980s to mid-1990s, according to aerial imagery. The parcel is covered with ornamental grasses and has several small non-native trees.</p>	X	
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(5) Approval of the project would not result in any significant effects relating to transportation, noise, air quality, greenhouse gas emissions, or water quality.

Transportation:

Vehicle Miles Traveled (VMT)

According to Table 3-1 in DOT's Transportation Analysis Guidelines, a residential project can be exempt from a VMT study if the site exists in a VMT efficient area based on an approved screening map. The approved Sacramento Area Council of Governments (SACOG) Residential VMT Screening Map shows that the project site exists in a VMT efficient area that produces less than 50-85% of the average regional VMT. Therefore, a VMT analysis for the proposed project is not required.

Local Transportation Analysis and Circulation

County DOT staff (G. Gasperi, Senior Civil Engineer) reviewed the project in June 2023 and determined that the project would generate less than 1,000 daily trips and less than 100 trips during the AM/PM peak hours, and therefore, a local transportation analysis is not required. DOT conservatively considered both the Mission Ave East and West projects combined, and this remained true, even with traffic from both projects. The Combined analysis demonstrated that both sites combined would generate 670 new daily trips, 71 AM peak trips, and 76 PM peak trips. This is less than the 1,000 new daily trips and 100 new trips during the AM/PM peak hours, which are the thresholds established by DOT to warrant a Local Transportation Analysis.

In March 2023, DOT conducted traffic counts at the intersection of Mission Avenue and Whitney Avenue. The traffic counts concluded that the north leg of Mission Avenue had 1,132 northbound trips and 1,683 southbound Trips totaling 2,815 Trips. DOT also informed staff that based on the road classification of a residential collector, this roadway operates at an acceptable level of service. Additionally, DOT evaluated the intersection for mechanical traffic signalization and determined that the intersection did not meet trip count criteria for signalization. DOT provided a report of all the car accidents that occurred at this intersection for the past five years. This report concluded that there has been a total of 14 car accidents at the intersection, seven of which resulted in injuries and zero resulted in fatalities. Based on Warrant 7 of the Caltrans' Manual on Uniform Traffic Control Devices, this is below the number of crashes that are susceptible to correction by a traffic signal in a 12 month period.

Based on the data provided by DOT, the transportation facilities in the vicinity of the project are operating at an acceptable level, and the number of vehicle trips that would result from implementation of the project does not warrant additional analysis of the project's impacts on the roadway network for circulation and safety. As such, the project would not have a significant impact as it relates to transportation.

Noise:

The proposed operational noise sources for the project include additional vehicular traffic, and heating, ventilation, and air conditioning (HVAC) systems. Traffic noise resulting from increased vehicular traffic generally requires a large increase in vehicles and/or increased speeds. Based on the expected numbers of vehicles generated by DOT and the relatively low

X

speed limits of residential streets, implementation of the project would not result in an increase in noise related to traffic.

Standard residential HVAC units are generally not a significant source of noise. The proposed one-ton HVAC systems would be placed in recessed, rooftop areas, which would screen the units visually and provide a noise buffer between adjacent residential uses such that the exterior noise standard of 55dB would not be exceeded pursuant to the County Noise Ordinance (Chapter 6.68 of County Code).

Air Quality:

Construction Emissions

According to the Sacramento Metropolitan Air Quality Management District's (SMAQMD) guidelines, projects that are 35 acres or less in size will not exceed the SMAQMD construction PM₁₀ or PM_{2.5} thresholds of significance provided that the project does not:

- Include buildings more than 4 stories tall;
- Include demolition activities;
- Include significant trenching activities;
- Have a construction schedule that is unusually compact, fast-paced, or involves more than 2 phases (i.e., grading, paving, building construction, and architectural coatings) occurring simultaneously;
- Involve cut-and-fill operations (moving earth with haul trucks and/or flattening or terracing hills); or,
- Require import or export of soil materials that will require a considerable amount of haul truck activity.

The project site is less than 35 acres and does not: (i) include buildings more than four stories tall, (ii) include demolition activities, (iii) include significant trenching activities, (iv) have an unusually compact construction schedule or a schedule with more than two phases, (v) involve cut-and-fill operations, or (vi) require import or export of soil materials that would require considerable amount of haul truck activity. Therefore, the project meets SMAQMD's screening thresholds for construction PM₁₀ and PM_{2.5}.

The SMAQMD Guide currently provides screening criteria for construction-related ozone precursor emissions (NO_x) similar to those which will be implemented for particulate matter. Projects that are 35 acres or less in size will generally not exceed the SMAQMD's construction NO_x thresholds of significance provided that the project does not:

- Include buildings more than 4 stories tall;
- Include demolition activities;
- Include significant trenching activities;
- Have a construction schedule that is unusually compact, fast-paced, or involves more than 2 phases (i.e., grading, paving, building construction, and architectural coatings) occurring simultaneously;
- Involve cut-and-fill operations (moving earth with haul trucks and/or flattening or terracing hills);
- Require import or export of soil materials that will require a considerable amount of haul truck activity; or,

- Require soil disturbance (i.e., grading) that exceeds 15 acres per day. Note that 15 acres is a screening level and shall not be used as a mitigation measure.

The project site is less than 35 acres and does not: (i) include buildings more than four stories tall, (ii) include demolition activities, (iii) include significant trenching activities, (iv) have an unusually compact construction schedule or a schedule with more than two phases, (v) involve cut-and-fill operations, or (vi) require import or export of soil materials that would require considerable amount of haul truck activity. Therefore, the project meets SMAQMD's screening thresholds for construction NO_x.

Operational Emissions

SMAQMD's operational screening thresholds for residential mid-rise apartments (3-10 stories) are 740 dwelling units for ozone, and 485 dwelling units for PM. The project is proposing 33 units and therefore does not exceed the operational screening thresholds. Therefore, based on established guidance from SMAQMD, the project would not have a significant effect related operational emissions for criteria air pollutants.

Greenhouse Gas Emissions:

Construction

GHG emissions associated with the project would occur over the short term from construction activities, consisting primarily of emissions from equipment exhaust. The project is within the screening criteria for construction related impacts related to air quality (see Air Quality above); therefore, construction-related GHG impacts are considered less than significant.

Operation

The project is within the SMAQMD screening guidance for operational greenhouse gas emissions (88 dwelling units). The project is proposing 33 units and therefore does not exceed the operational screening thresholds. Therefore, based on established guidance from SMAQMD, the project would not have a significant effect related operational emissions for criteria air pollutants and greenhouse gas emissions.

Water Quality:

The County requires that projects include source and/or treatment control measures on selected new development and redevelopment projects. Source control BMPs are intended to keep pollutants from contacting site runoff. The County requires developers to utilize the *Stormwater Quality Design Manual for the Sacramento Region, 2018* (Design Manual) in selecting and designing post-construction facilities to treat runoff from the project. Regardless of project type or size, developers are required to implement the minimum source control measures (Chapter 4 of the Design Manual). The final selection and design of post-construction stormwater quality control measures is subject to the approval of the County Department of Water Resources. Compliance with Sacramento County's Stormwater Quality

Design Manual for the Sacramento Region and County Improvement Standards are included as a condition of approval and will ensure water quality impacts are less than significant.

<p>(6) The site can be adequately served by all required utilities and public services.</p> <p>The project site is adequately served by existing utilities. Existing water, public sewer, electric, and gas utilities are located along the adjacent roadways. The water service provider is Sacramento Suburban Water (SSWD). Public sewer is provided by the SacSewer. Electricity is provided by Sacramento Municipal Utility District (SMUD) and gas is provided by Pacific Gas and Electric.</p> <p>The project was reviewed by SSWD, SMUD, and SacSewer. Conditions of approval were provided by each agency and will be required for the project.</p>	<p>X</p>	
<p>(7) The project is located on a site that is a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.</p> <p>The project site consists of one legal parcel entirely within an urban area (Sacramento), as designated by the US Census Bureau. According to the 2020 Census, to qualify as an urban area, the territory identified according to criteria must encompass at least 2,000 housing units or have a population of at least 5,000. The population for Sacramento was 524,943 (Census 2020).</p>	<p>X</p>	

THRESHOLD REQUIREMENTS FOR RESIDENTIAL OR MIXED-USE HOUSING INFILL PROJECTS in UNINCORPORATED AREAS—PUBLIC RESOURCES CODE (PRC) § 21159.25

PRC § 21159.25 (a) Subdivision (b) does not apply to a residential or mixed-use housing project if any of the following conditions exist:	Consistent?	
<p>(1) The cumulative impact of successive projects of the same type in the same place over time is significant.</p> <p>The Mission Avenue East project (PLNP2023-0087) consists of a 33-unit multi-family apartment complex. The 1.05-acre vacant parcel is surrounded by residential development on all sides and meets the definition of infill. The Mission Avenue West project (PLNP2023-00089) consists of a 48-unit multi-family apartment complex. The 1.60-acre vacant parcel is surrounded by commercial and residential development on all sides and meets the definition of infill. These two projects represent successive projects of the same type in the same place and are considered together in the context of immediate surrounding community for purposes of cumulative impacts.</p> <p>General Plan Land Use Designations along the section of Mission Avenue between Whitney Avenue and Engle Road are either Medium Density Residential (MDR) or Commercial and Office (COMM/OFF). This section of Mission Avenue is predominantly developed with commercial office buildings. Most of the commercial development occurred during the 1970s-1980s and is located predominantly along this section of Mission Avenue. There is one 48-unit, multi-family apartment complex to the south of the Mission Avenue East site, constructed in 1980. Immediately north of the Mission Avenue East site is a condominium development with 50 two-story buildings comprising 68 residences, which were built in 1990. There are two single-family detached homes on the west side of this stretch of Mission Avenue. The two Mission Avenue project sites are the only undeveloped parcels along this section. If the projects were constructed, this section of Mission Avenue would be considered fully developed.</p> <p><u>Cumulative list of past, present, and probable future projects in 0.5 miles</u></p> <p>To provide additional context of the cumulative development potential in the surrounding community, potential projects in a 0.5 mile radius from the project site were considered. There are a total of ten undeveloped parcels within the 0.5-mile area, including the two Mission Avenue project sites. Four parcels immediately west of Mission Avenue West were associated with a previously approved Subdivision Map that could result in a total of 14 parcels if the subdivision map is eventually recorded.</p> <p>The 0.5-mile area is predominantly developed with single-family detached homes on 0.25-acre lots. There are over 1,300 residential lots within 0.5 miles of the project site, most of which were constructed in the 1950s-1960s. There are five multi-family apartment complexes within the 0.5-mile area constructed between the late 1960s and 1990, accounting for 170 existing units. There are six senior living facilities/nursing facility/congregate care facilities in the 0.5-mile area, accounting for over 1,200 units.</p>	X	

Sacramento County Project Viewer was utilized to gather a list of all past and present Planning Entitlement Applications within a 0.5-mile radius of the project site. The project titles and corresponding County control numbers are listed below.

Past Projects:

- 5023 Engle Road Tentative Parcel Map (PLNP2017-00363)
- Sunshine Homes Parcel Map (PLNP2017-00234)
- Whitney Place Subdivision Map (PLNP2017-00167)
- Whitney Place Subdivision Map Time Extension (PLNP2022-00251)
- North Avenue Tentative Parcel Map (PLNP2022-00003)
- Wei-Chin Liu Parcel Map (PLNP2017-00305)

Present Projects:

- 4748 Engle Road Multifamily Conversion (PLNP2024-00059)
- Mission Avenue West (PLNP2022-00089)
- Mission Avenue East (PLNP2022-00087)
- Whitney Place Substantial Compliance (PLNR2024-00050)

Probable future projects within the 0.5-mile cumulative radius include the development of lots, created by the previously approved parcel and subdivision maps, listed above, with single-family residences. The development of the single-family lots would accommodate 20 single-family residences. Present multi-family projects (including the proposed project) would account for 91 multi-family units.

Traffic:

The project together with the Mission Avenue West project, the only successive project of the same type in the same place over time, would not result in any significant cumulative impacts related to transportation. According to Table 3-1 in DOT's Transportation Analysis Guidelines, a residential project can be exempt from a VMT study if the site exists in a VMT efficient area based on an approved screening map. The approved Sacramento Area Council of Governments (SACOG) Residential VMT Screening Map shows that both Mission Avenue project sites are located within a VMT efficient area that produces less than 50-85% of the average regional VMT. Therefore, a VMT analysis for the proposed project is not required and would not result in a cumulative increase in VMT.

Even conservatively considering the other eight past, present, and probable future projects within 0.5 -mile area of the project site, all of the projects are located within a VMT efficient area and would not result in a cumulative increase in VMT.

As stated above, County DOT conservatively considered Mission Avenue East and Mission Avenue West together when analyzing the need for additional technical work and analysis. County DOT staff (G. Gasperi, Senior Civil Engineer) reviewed the project in June 2023 and determined that the Mission Ave East and West projects would generate less than 1,000 daily trips and less than 100 trips during the AM/PM peak hours when combined, and therefore, a local transportation analysis is not required. Combined analysis demonstrated that both sites combined would generate 670 new daily trips, 71 AM peak trips, and 76 PM peak trips. This is less than the 1,000 new daily trips and 100 new trips during the AM/PM peak hours, which are the thresholds established by DOT to warrant a Local Transportation Analysis.

DOT also informed staff that based on the road classification of a residential collector, this roadway operates at an acceptable level of service. Additionally, DOT evaluated the intersection for mechanical traffic signalization and determined that the intersection did not meet trip count criteria for signalization. The implementation of the Mission Ave East and West projects would not add a level of vehicle traffic that would warrant additional improvements to surrounding roadways or intersections. County DOT staff (L. Fung, Senior Civil Engineer) reviewed the project in November 2023 and provided conditions of approval. Condition number fifteen requires the project to pay a fair share fee for operation and maintenance of Mission Avenue.

Even considering all additional remaining infill parcels within a 0.5 mile radius of the project, the development of all remaining vacant parcels is not expected to add enough traffic to surrounding streets such that the project's contribution would result in a significant impact to the circulation and safety of surrounding roadways.

Air Quality & Greenhouse Gases:

The project does not exceed SMAQMD's construction-related or operational air quality screening thresholds individually. Projects that do not exceed these screening thresholds are not cumulatively considerable according to SMAQMD Guide to Air Quality Assessment in Sacramento County.

GHG impacts are analyzed within the cumulative context of the project's potential contribution to the significant impact of global climate change. Because operational GHG emissions for the project would be below the SMAQMD de minimis screening level, the proposed project's operational emissions would not be considered to have a cumulatively considerable contribution to the significant impact of global climate change.

Public Services:

The listed cumulative project sites are located in an urbanized area with existing public services and utilities. All development is required to pay impact fees for operation,

<p>maintenance, and improvements to public services and utilities. Payment of the individual impact fees would offset any cumulative impact.</p>		
<p>(2) There is a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.</p> <p>There are no unusual circumstances associated with the project that would result in a significant effect on the environment due to unusual circumstances. The proposed project consists of a 33-unit multi-family apartment complex. The 1.05-acre vacant parcel is surrounded by residential development on all sides and meets the definition of infill. The proposed project is located within a developed, urban area with existing utilities located along the improved roadway abutting the site. The proposed project is consistent with the General Plan Medium Density Residential land use designation and the RD-20 (NPA) (High Density Multifamily Residential/Neighborhood Preservation Area) and RD-30 (NPA) (High Density Multifamily Residential/Neighborhood Preservation Area) zoning designations.</p>	<p>X</p>	
<p>(3) The project may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.</p> <p>The project would not result in damage to scenic resources. The project site is located within an existing, urban area. The project site is not located within the vicinity of a highway officially designated as a state scenic highway.</p>	<p>X</p>	
<p>(4) The project is located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.</p> <p>The Project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code. County staff reviewed the GeoTracker and EnviroStor databases on December 21, 2023, and there was one record within 1,000 feet of the project site (T0606700552). The recorded site is located approximately 820 feet north of the proposed project site, at the intersection of Engle Road and Mission Avenue. The case was related to a leaking underground storage tank containing diesel which contaminated groundwater and soil. The case is now closed (as of 12/9/2020) and would not be expected to result in a release of or exposure to contaminants at the project site.</p>	<p>X</p>	

(5) The project may cause a substantial adverse change in the significance of a historical resource.

The project would not result in a substantial adverse change in the significance of a historical resource. No known archaeological or cultural resources occur onsite.

X

References

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