

ORDINANCE NO. SZC 97-0021

**AN ORDINANCE OF THE COUNTY OF SACRAMENTO,
AMENDING THE ZONING CODE OF SACRAMENTO COUNTY,
ORDINANCE NO 83-10, AS AMENDED,
TO ESTABLISH A SPECIAL PLANNING AREA, KNOWN AS
THE MATHER FIELD SPECIAL PLANNING AREA
AS TITLE VI, CHAPTER 3, ARTICLE 1**

The Board of Supervisors of the County of Sacramento, State of California, does ordain as follows:

SECTION I. Title VI, Chapter 3, Article 1 of the Sacramento County Zoning Code is hereby amended to read as follows:

Zoning Code of Sacramento County

Chapter 3
Article 1

603-10. INTENT.

It is the intent of the Sacramento County Board of Supervisors in adopting this Special Planning Area to:

- ♦ Facilitate the conversion of Mather Field from a military air base to a mixture of public and private uses.
- ♦ Promote the cohesive and comprehensive development of various portions of Mather Field.
- ♦ Provide flexibility in the types of uses that may be permitted at Mather Field through the identification of several mixed-use zones.
- ♦ Provide adequate regulation to ensure quality development through the establishment of development standards and design guidelines and by conducting design review of signs, new construction and certain exterior improvements.
- ♦ Provide a design review process to ensure that the development standards and design guidelines are adhered to in order to ensure the cohesive and quality development and improvement of Mather Field.
- ♦ Address the needs of the Department of Airports in the operation of the Mather Airport, including: the attraction of air cargo businesses, manufacturing and industrial businesses, and as a center for general and corporate aviation through the identification of an airport zoning district and its subareas.
- ♦ Promote a pedestrian-oriented environment within the Main Base area, including a mixture of commercial, office and public uses.

- ♦ Provide linkages between Mather Field and the Cordova community, including: visual, pedestrian, roadway, bikeway and transit linkages incorporating Mather Field into the larger Cordova community.
- ♦ Provide opportunities for the private use of property for industrial uses in the Industrial District.
- ♦ Provide for the establishment of Mather Regional Park including the preservation and restoration of environmental features and the development of a mixture of active and passive recreation uses.

603-11. APPLICABILITY. The provisions of this Article shall apply to the land area shown in Section 603-20.1. In any case, where this Article does not provide direction or regulation regarding a specific use or development standard, all applicable provisions of the Zoning Code shall apply. To the extent that any of the provisions of this Article conflict with other provisions of the Zoning Code, the provisions of this Article shall prevail.

603-12. DEFINITIONS. For the purposes of this Article, the following definitions apply:

Mather Field Specific Plan Design Guidelines. Those guidelines that are adopted as part of the Mather Field Specific Plan and included in the Specific Plan text, as may be amended from time to time.

Mather Field Specific Plan Public Facilities Financing Plan: That Public Facilities Financing Plan as defined in the Mather Field Specific Plan that identifies the public facilities that are necessary to serve the proposed land uses in the Mather Field Specific Plan area.

Mather Field Specific Plan: That document which includes a text with goals and policies governing development of Mather Field . The Specific Plan was adopted by Resolution 97-0545 by the Sacramento County Board of Supervisors. The boundaries of the Specific Plan are depicted in Section 603-20.1 and the land uses are depicted in Section 603-20.2.

Mather Regional Park Land Use Plan. That document which was adopted by Resolution 97-0546 by the Sacramento County Board of Supervisors to govern development of the Mather Regional Park, as may be amended from time to time by the Board.

Zoning Code. The Zoning Code of Sacramento County, as adopted and including any amendments or additions.

603-13. AMENDMENTS AND DEVIATIONS.

(a) Amendments to the Mather Field Specific Plan, this Article, or requests for rezones, variances, and conditional use permits shall be reviewed pursuant to adopted

County procedures as set forth in Title 21 of the County Code and in the applicable provisions of the Zoning Code unless otherwise specified within this Article.

(b) Deviations from the Development Standards provided in this Article may be considered through the Design Review process as set forth in Section 603-16. The appropriate authority may grant a deviation from a development standard set forth in this Article to the extent such deviation is expressly authorized by the provisions of this Article.

603-14. PERMITTED AND CONDITIONALLY PERMITTED USES. The Mather Field Specific Plan Area is divided into various use Districts and Subareas as indicated in Section 603-20.2 and described below. The provisions of this subsection describe the permitted and conditionally permitted uses in each District and Subarea. In the event that a use is permitted or conditionally permitted under two or more different zones, the land use zone that permits the use shall apply. If the use is permitted in one zone and requires a use permit in the other, the use shall be permitted. The permitted and conditionally permitted uses for each District and Subarea are:

A. *The Main Base District.* The boundaries of the Main Base District, including the Main Base Subarea and Open Space Subarea, are depicted in Section 603-20.3. The Main Base Subarea is intended to accommodate a variety of commercial, office and open space uses in a pedestrian-oriented environment. Residential uses may occur only as permitted by adopted zoning code provisions regulating the underlying zones of each subarea. The Open Space Subarea is intended to create a park-like corridor with open space and recreation activities.

- 1. The Main Base Subarea.** The Main Base Subarea is located generally south of Lower Placerville Road, east of DeBellevue Street, north of Macready Avenue, and west of Bullard Street with the exception of the Open Space Subarea, as shown in Section 603-20.3.

Permitted uses within the Main Base Subarea are those uses permitted in the Shopping Center (SC) Land Use Zone as listed in Zoning Code Section 225-31, and in the Business and Professional Office (BP) Land Use Zone as listed in Zoning Code Section 225-21 both of which are subject to the special conditions referenced in Section 225-14. Additional permitted uses are those permitted in the Industrial-Office Park (MP) Land Use Zone as listed in Zoning Code Section 230-11, and subject to special conditions referenced in Section 230-13, and the Commercial Use Tables, Zoning Code Section 225-11 and subject to special conditions referenced in Section 225-14.

- 2. The Open Space Subarea.** The Open Space Subarea is located generally south of Lower Placerville Road, east of Von Karman Street, north of Macready Avenue, and west of Whitehead Street as shown in Section 603-20.3. Permitted uses within the Open Space Subarea are those uses permitted in the Recreation (O)

Land Use Zone as listed in Zoning Code Section 220-21 and subject to special conditions referenced in Section 201-04 with two exceptions.

Section 603-20.3 identifies two specific locations where additional uses shall be permitted. A church is a permitted use on "Site A". A public/quasi public building is a permitted use on "Site B". In addition, the following uses are permitted on 'Site B': Business & Professional, Office, Real Estate, Property Management Services, Accounting or Bookkeeping and Public Relations & Advertising. Uses not otherwise provided for in the Recreation Land Use Zone may be permitted upon a determination by the Planning Director pursuant to provisions of Zoning Code Section 100-30.5 and the issuance of a conditional use permit by the Board of Supervisors.

B. *The Campus District.* The boundaries of the Campus District are depicted in Section 603-20.4. The Campus District is intended to create a campus like environment with a variety of commercial, office, industrial-office, and institutional uses. Pedestrian accessibility among parcels is encouraged providing access to the Main Base District and the Cordova Sports Park.

1. **The Human Service Subarea.** The boundaries of the Human Service Subarea are identified in Section 603-20.4 and include the existing hospital site, Mather Community Campus and associated child care center.

Permitted uses in the Human Service Subarea are those uses permitted under the Public Facilities category of the Commercial Land Use Tables, Zoning Code Section 225-11, and subject to special conditions referenced in Section 225-14. In addition, the following uses are permitted: a hospital or clinic, a child care center and a transitional housing facility.

2. **The Recreation Subarea.** The boundaries of the Recreation Subarea are identified in Section 603-20.4 and encompass the Cordova Sports Park. Permitted uses in the Recreation Subarea are those uses permitted in the Recreation (O) Land Use Zone as listed in Zoning Code Section 220-21 subject to special conditions referenced in Section 201-04.
3. **Office Subarea.** The boundaries of the Office Subarea are identified in Section 603-20.4. Permitted uses within the Office Subarea are those uses permitted in the Business and Professional Office (BP) Land Use Zone as listed in Zoning Code Section 225-21 and subject to special conditions referenced in Section 225-14, and in the Industrial-Office Park (MP) Land Use Zone as listed in the Industrial Use Tables, Zoning Code Section 230-11 and subject to special conditions referenced in Section 230-13 and the Commercial Use Tables, Zoning Code Section 225-11 and subject to special conditions referenced in Section 225-14.

4. **Commercial/Office Park Subarea.** The boundaries of the Commercial/Office Park Subarea are identified in Section 603-20.4 and include two non-contiguous sites within the Campus District. Permitted uses within the Commercial/Office Park Subarea are those uses permitted in the Shopping Center (SC) Land Use Zone as listed in Zoning Code Section 225-31, the General Commercial (GC) Land Use Zone as listed in Zoning Code Section 225-51 and in the Business and Professional Office (BP) Land Use Zone as listed in Zoning Code Section 225-21 all of which are subject to special conditions referenced in Section 225-14, and in the Industrial-Office Park (MP) Land Use Zone as listed in the Industrial Use Tables, Zoning Code Section 230-11 and subject to special conditions referenced in Section 230-13 and the Commercial Use Tables, Zoning Code Section 225-11 and subject to special conditions referenced in Section 225-14.

C. ***The Mather Airport District.*** The boundaries of the Mather Airport District are identified in Section 603-20.5. The Mather Airport District is intended to provide for the operation of the Mather Airport, industrial activities related to the Airport, and other non-airport industrial activities as determined appropriate by the Department of Airports.

1. **The North Airport Subarea.** The boundaries of the North Airport Subarea are identified in Section 603-20.5. Permitted uses within the North Airport Subarea are those uses permitted in the Light Industrial (M-1) Land Use Zone as listed in Zoning Code Section 230-21 and in the Industrial-Office Park (MP) Land Use Zone as listed in the Industrial Use Tables, Zoning Code Section 230-11 and subject to special conditions referenced in Section 230-13 and the Commercial Use Tables, Zoning Code Section 225-11 and subject to special conditions referenced in Section 225-14. In addition, the following uses are permitted: a fuel farm; aircraft engine testing; activities related to the manufacture, maintenance, repair and storage of aircraft; freight depot/sorting facility and truck terminal; circuit board and semiconductor manufacturing; boat building; automotive repair which is part of a quasi-governmental use; and activities related to the operation of the Mather Field Airport.
2. **The South Airport Subarea.** The boundaries of the South Airport Subarea are identified in Section 603-20.5. Permitted uses within the South Airport Subarea are those uses permitted in the Light Industrial (M-1) Land Use Zone as listed in Zoning Code Section 230-21 and in the Industrial-Office Park (MP) Land Use Zone as listed in the Industrial Use Tables, Zoning Code Section 230-11 both of which are subject to special conditions referenced in Section 230-13 and the Commercial Use Tables, Zoning Code Section 225-11 subject to special conditions referenced in Section 225-14. In addition, the following uses are permitted: activities related to the manufacture, maintenance, repair and storage of aircraft; freight depot/sorting facility and truck terminal; circuit board and semiconductor manufacturing; and activities related to the operation of the Mather Field Airport.

3. **The Airport Runway and Environs Subarea.** The boundaries of the Airport Runway and Environs Subarea are identified in Section 603-20.5. The southern boundary between this Subarea and the Airport Open Space Subarea is intended to be the ultimate alignment of the extension of Douglas Road. Permitted uses shall be subject to the regulation of the Department of Airports.
 4. **The Airport Open Space Subarea.** The boundaries of the Airport Open Space Subarea are identified in Section 603-20.5. The boundary to the north and west, between this Subarea and the Airport Runway and Environs Subarea, is intended to be the ultimate alignment of the extension of Douglas Road. Permitted uses within the Airport Open Space Subarea are those uses permitted in the Recreation (O) Land Use Zone as listed in Zoning Code Section 220-21 and subject to special conditions referenced in Section 201-04. Uses not otherwise provided for in the Recreation Land Use Zone may be permitted upon a determination by the Planning Director pursuant to provisions of Zoning Code Section 100-30.5 and the issuance of a conditional use permit by the Board of Supervisors.
- D. *The Industrial District.*** The boundaries of the Industrial District are identified in Section 603-20.6. Permitted uses within the Industrial District are those uses permitted in the Light Industrial (M-1) Land Use Zone as listed in Zoning Code Section 230-21 and in the Industrial-Office Park (MP) Land Use Zone as listed in the Industrial Use Tables, Zoning Code Section 230-11 and subject to special conditions referenced in Section 230-13 and the Commercial Use Tables, Zoning Code Section 225-11 and subject to special conditions referenced in Section 225-14. In addition, the following uses are permitted: activities related to the manufacture, maintenance, repair and storage of aircraft; freight depot/sorting facility and truck terminal; and circuit board and semiconductor manufacturing; and activities related to the operation of the Mather Field Airport.
- E. *Recreation District.*** The boundaries of the Recreation District are identified in Section 603-20.7. The intent of the Recreation District is to allow implementation of the Mather Regional Park Land Use Plan including a variety of active and passive recreation and open space uses with ancillary commercial activities supporting the park. Potential development activities are set forth in the Mather Regional Park Land Use Plan.
1. **Open Space & Active Use Subarea.** The boundaries of the Open Space & Active Use Subarea are identified in Section 603-20.7. Permitted uses within the Open Space and Active Use Subarea are those uses permitted in the Recreation (O) Land Use Zone as listed in Zoning Code Section 220-21 and subject to special conditions referenced in Section 201-04; however, "Other Outdoor Recreation Facilities" are permitted and do not require the issuance of a conditional use permit by the appropriate authority.

2. **Commercial Recreation Subarea.** The boundaries of the Commercial Recreation Subarea are identified in Section 603-20.7. Permitted uses within the Commercial Recreation Subarea are those uses permitted in the Recreation (O) Land Use Zone as-listed in Zoning Code Section 220-21 and subject to special conditions referenced in Section 201-04. In addition, the following uses are permitted: indoor and outdoor recreational facilities; active sports complex buildings; campgrounds; County office buildings; and County Regional Parks corporation yards.
 3. **Office Subarea.** The boundaries of the Office Subarea are identified in Section 603-20.7. Permitted uses within the Office Subarea are those uses permitted in the Recreation (O) Land Use Zone as listed in Zoning Code Section 220-21 subject to special conditions referenced in Section 201-04. In addition, the following use is permitted: a private or public office use not to exceed 150,000 gross square feet of development and/or occupy more than a 15 acre site.
 4. **Conference Center Subarea.** The boundaries of the Conference Center Subarea are identified in Section 603-20.7. The Conference Center Subarea is intended to provide for a mixture of hotel and conference center uses. Permitted uses within the Office Subarea are those uses permitted in the Recreation (O) Land Use Zone as listed in Zoning Code Section 220-21 and subject to special conditions referenced in Section 201-04. In addition, the following uses are permitted: a conference center; a hotel facility not to exceed 4 stories in height; and ancillary retail uses associated with the conference center or hotel.
- F. ***Single Family Housing District.*** The boundaries of the Single Family Housing District are identified in Section 603-20.8. The Single Family Housing District is intended to allow the consideration of conversion of the former military base housing to private residences with associated neighborhood park facilities. However, given complexities surrounding the site, an applicant must submit a rezone request, tentative map request and other necessary entitlement requests to the Board of Supervisors for consideration.

The existing church facility, identified as "Site A" in Section 603-20.8, is intended to remain and may operate without a conditional use permit as an existing legal non-conforming use. Any expansion of the church facility would require compliance with zoning code requirements including obtaining a use permit pursuant to the Residential Land Use Tables, Section 201-02 and special conditions referenced in Section 201-04.

The Kitty Hawk and Mather Heights Elementary Schools, identified as "Site B" and "Site C" in Section 603-20.8, are permitted uses within the Single Family Housing District. Expansion of these facilities submitted to the County shall be subject to the Institutional Use Development Standards set forth in Zoning Code Title III, Chapter 20.

G. *Limited Commercial District.* The boundaries of the Limited Commercial District are identified in Section 603-20.9. The intent of the Limited Commercial District is to provide neighborhood serving commercial adjacent to the Single Family Housing District. Permitted uses are those uses permitted in the Limited Commercial (LC) Land Use Zone as listed in Zoning Code Section 225-41 and subject to special conditions referenced in Section 225-14.

H. *Commercial Recreation District.* The boundaries of the Commercial Recreation District are identified in Section 603-20.10. The intent of the Commercial Recreation District is to allow a variety of public or commercial recreation uses with further review of specific projects by the Board of Supervisors. Permitted uses within the Commercial Recreation District are those uses permitted in the Agricultural 20 (AG-20) Land Use Zone as listed in Zoning Code Section 205-07 subject to special conditions referenced in Section 201-04. Other uses may be permitted through the issuance of a conditional use permit by the Board of Supervisors pursuant to Sections 110-30 through 110-31 of the Zoning Code.

603-15. DESIGN GUIDELINES. Design Guidelines are established for Mather Field to ensure quality development given the conditions resulting from conversion of a former military air base to a variety of civilian uses. Applicants preparing an application for design review are encouraged to use the guidelines in the preparation of their plans. The design guidelines for Mather Field are contained in Section 603-20.12.

603-16. DESIGN REVIEW. Design review shall be conducted in order to ensure an orderly development pattern, facilitate good design practices and maintain a harmonious character to the design and appearance of property and structures at Mather Field.

A. Applicability. Prior to the issuance of any building permit, all public and private construction, development, redevelopment or improvement projects within the area shown in Section 603-20.11 shall undergo design review, except:

- i. improvements to existing buildings that do not alter the outward appearance of the building;
- ii. exterior improvements of less than \$1,000, excluding signs;
- iii. public works, utility and maintenance projects, including:
 - a. improvements or modifications to the airport runway, lighting of the airfield, tower operations, security fencing;
 - b. roadway and landscape maintenance, repaving, rehabilitation of irrigation, tree trimming, mowing, weed abatement, sidewalk repair, parking lot striping, placement of parking and roadway placards/signs;
 - c. existing utility improvement and maintenance, undergrounding of utilities, maintenance of utility poles, sewer or water lines, water wells & related facilities, drainage facilities;
 - d. other public works, utility or maintenance projects as determined by the Director of the Planning & Community Development Department.

- iv. building demolition and subsequent site regrading, soil remediation projects;
- v. structural improvements or repairs to existing buildings or property that are required to protect the welfare, health and safety of the general public.

B. Applicability to federal and state procedures. Although state and federal projects are exempt from local requirements, such agencies are encouraged to process their applications through the same process required for all other projects in order to foster a "good neighbor" relationship.

C. Pre-application Conference. Applicants, or their representatives, are encouraged to meet with County staff and review their proposal well in advance of their plans to submit a request for a building permit. A Pre-application Conference is not a requirement of the design review process; however, receiving "early review and comment" may accelerate the timeframe associated with the formal review of an applicant's proposal.

D. Application Submittal & Fees. An application for design review, and six (6) copies, shall be submitted; together with the payment of appropriate fees, to the Sacramento County Planning & Community Development Department. The application for design review shall include:

- i. A general description of the proposed project;
- ii. A site plan or drawing (as in the case of a sign) which is presented at a reasonable scale that is appropriate for the size of the project;
- iii. building elevations & roof plans;
- iv. landscape plan and plant palette;
- v. color and material samples.

Within 30 days after receiving the application for design review, the Planning Director, or designee, shall review the application for completeness. If determined not to be complete, the Planning Director, or designee may request additional information. The application for design review will not be deemed complete until all additional information that is required by the Planning Director has been received.

E. Design Review Levels. The sole purpose of design review shall be to review a proposed development project for its consistency with the Performance Standards found in Section 603-19 and the Mather Field Development Standards found in Section 603-20.13. Applicants are encouraged to follow the Mather Field Specific Plan Design Guidelines found in Section 603-20.12. However, consistency with the Specific Plan Guidelines shall not constitute a basis of approval or denial of design review. For this purpose, there shall exist two (2) levels of design review.

- i. Design Review Level I:
 - a. all construction, redevelopment or improvement projects which include structures up to and including 75,000 sqft; and

- ii. Design Review Level II:
 - a. all construction, redevelopment or improvement projects which include structures which exceed 75,000 sqft

F. Design Review Authority & Appeals. The following provisions define the appropriate authority for conducting design review for each Design Review Level.

- i. Design Review Level I:
 - a. The Planning Director, or designee, is the appropriate authority to conduct Level I design review. The Director, or designee, may approve or deny a design review application. A formal record regarding the decision of the Director, or designee, shall be prepared and delivered to the applicant via U.S. Mail within seven (7) working days following a decision.
 - b. Decisions of the Director, or designee, may be appealed to the Board of Supervisors pursuant to the provisions of Zoning Code Section 115-31.
 - c. Notwithstanding the provisions of subsection F(i)(a), if applications for Design Review Level I accompanied by any of the requests set forth in Section 603-13(a), shall be processed and reviewed pursuant to the provisions of Section 603-13(a), unless otherwise specified in this Article. Appeals of any action under this subsection may be appealed to the Board of Supervisors pursuant to the provisions of Zoning Code Section 115-31.

- ii. Design Review Level II:
 - a. The Board of Supervisors is the appropriate authority to conduct Level II design review. The Board of Supervisors may approve or deny a design review application. A formal record regarding the decision of the Board shall be prepared and delivered to the applicant via U.S. Mail within seven (7) working days following a decision.
 - b. Notwithstanding the provisions of subsection F(ii)(a), applications for Design Review Level II accompanied by any of the requests set forth in Section 603-13(a), with the exception of use permits and variances, shall be processed and reviewed pursuant to the provisions of Section 603-13(a), unless otherwise specified in this Article. If the application for Design Review Level II is accompanied by a conditional use permit or variance request, the Board of Supervisors shall be the appropriate authority to conduct design review and to hear and decide the use permit or variance request after receipt of a written recommendation from the Project planning Commission. In addition to its written recommendations on the conditional use permit or variance, the Project Planning Commission may recommend, in writing, that the Board of Supervisors either approve or deny the design review application. A recommendation for denial by the Project Planning Commission shall not terminate the review process. The notice and hearing procedures set forth in the applicable provisions of the Zoning Code shall apply to the design review procedures set forth in this subsection.

H. Deviations From Development Standards. The appropriate authority pursuant to this Article may grant a deviation from the development standards based on the following criteria:

i. **Height:** Towers, roof structures for the purpose of shelter for mechanical equipment, cupolas, water tanks, church steeples, radio television antennas, and similar structures and necessary mechanical appurtenances may be erected on a building, or on the ground, to a height greater than the limit otherwise established within the zone, or of that use, provided that the height of the main structure does not exceed the height requirements set forth in this Article.

ii. **Building Setback and/or Public Street Frontage:** The applicant for design review shall submit evidence that because of special circumstances peculiar to the subject property, including: size, shape, topography, locations of surroundings, that strict application of the development standards of this Article can not be adhered to.

iii. **Parking Reduction:** The applicant for design review shall submit whatever evidence and documentation that is necessary to demonstrate that unusual conditions warrant a reduction in the number of parking spaces required by this Article, such as the multiple use of a parking area by uses having peak parking demands which occur at different times; floor plans which indicate that the floor area devoted to customer or employee use is less than typical for the size of building; evidence that the building site is constrained and that the required number of parking spaces can not be achieved; or that other programs will be implemented by the developer, lessor or tenant which will result in a demand for parking at the site which is less than would otherwise occur, such as the provision of monetary incentives to employees who regularly utilize public transit or participate in a carpool or vanpool.

iv. **On-site Signage:** The applicant for design review shall submit evidence that the building, facilities or property are of a size, shape, height, of multiple use, or of such geographical condition or location that the provisions of this Article that regulate on-site signage can not be adhered to.

v. **Perimeter Fencing:** Other types of perimeter fences may be permitted if the applicant for design review can provide evidence that the type of fence that is proposed is similar with fences in the immediate vicinity and compatible with surrounding uses.

vi. **Landscaping:** The applicant for design review shall submit evidence that the building, facilities or property are of a size, shape, height, or of such geographical condition or location that the provision of this Article that regulate landscaping can not be adhered to.

603-17. DEVELOPMENT STANDARDS. Development Standards are identified for each of the Districts and Subarea of the Mather Field Specific Plan area and are found in Section 603-20.13. These standards address the unique environment that exists at the former military base and clarify the appropriate standards in areas with mixed zoning categories

603-18. MATHER FIELD ROAD IMPROVEMENT AND MAINTENANCE STANDARDS. The Mather Field Special Planning Area shall include a three tiered system for roadway maintenance and improvement. The three tiers are: primary streets, secondary streets, and tertiary streets. Different standards for both roadway design and roadway maintenance shall occur depending on the category of street. The standards are included as Section 603-20.14 of this Article.

(a) Notwithstanding the Mather Field Improvement and Maintenance Standards as defined in Section 603-20.14 of this Article, the Chief of the Transportation Division of the Public Works Agency may permit a deviation from said standards if it can be demonstrated that because of special circumstances peculiar to the general area, including: geographic conditions and location, that strict application of the standards of this Section can not be adhered to.

603-19. PERFORMANCE STANDARDS. The following performance standards must be met by all public and private development projects and leases and/or sales of existing buildings, facilities and/or property within the Mather Field SPA area.

Land Use

1. All future sale or lease agreements for lands and buildings located within the Commercial-Recreation land use district shall specify the following:

The owner/lessee of this property/building acknowledges that the Sacramento Rendering Company plant is in a location predominantly upwind of this site. Owner/lessee also acknowledges that the Sacramento Rendering Company plant produces objectionable odors that will be detectable at this location during certain times of the year depending on wind speed, wind direction, other meteorological conditions, and the operating conditions of Sacramento Rendering Company. Owner/lessee agrees to hold Sacramento Rendering Company harmless from any odors produced by Sacramento Rendering Company that may affect the owner/lessee's property/building or any occupants of said property/buildings.

A condition shall be imposed on all subsequent entitlements for land and buildings located within the Commercial-Recreation land use district at the southeast portion of the Specific Plan area which shall specify the following:

The owner shall provide notification to all subsequent owners/tenants of the property/building that the Sacramento Rendering Company plant is in a location predominantly upwind of the site and acknowledges that the Sacramento Rendering Company plant produces objectionable odors that will be detectable at this location during certain times of the year depending on wind speed, wind direction, other meteorological conditions, and the operating conditions of Sacramento Rendering Company. Such notification may include, but is not limited to, notification in the Public Report prepared by the California Department of Real

Estate disclosing this information to prospective buyers or through individual notice to lessees and occupants of all buildings.

Infrastructure Provision and Financing

2. All development within the Mather Field Special Planning Area (SPA), new and existing, regardless of private or public ownership, shall be subject to the payment of fees, assessments, special taxes, and any other charges in accordance with any subsequent infrastructure financing plan adopted by the Board of Supervisors for the Mather Field SPA, including any authorized adjustments thereto as provided within such infrastructure financing plan, and any other fees adopted by the County in accordance with the requirements of Chapter 5 (commencing with Section 66000) of Division 1 of Title 7 of the Government Code or pursuant to any other enabling law. Such infrastructure financing plan may include, but not by way of limitation, roadway, transit, water supply, sanitary sewer, drainage, fire protection, landscape and lighting facilities, and utilities.

Therefore, consistent with General Plan Policy LU-8, no subsequent entitlements including but not limited to rezones, tentative subdivision maps, use permits and variances; or building permits shall be approved for area within the Mather Field SPA unless one of the following has occurred:

1. An infrastructure financing plan for the Mather Field SPA has been adopted by the Board of Supervisors and the resulting financing mechanism has been implemented; or
2. Prior to issuance of any building permit, an agreement, in a form acceptable to the Public Works Agency and County Counsel, shall be executed which obligates the owner, lessor or leasee to:
 - 2.1 Contribute a cash amount, determined by the Public works Agency Administrator, to the Mather Field Public facilities Financing Plan Public facilities Cost Burden, to finance the cost of infrastructure improvements, apportioned to the individual project, in the Mather Field SPA; and
 - 2.2 Contribute annually a cash amount, determined by the Public Works Agency Administrator, to the Mather Field Public Facilities Financing Plan Public Landscape, Lighting and Bike Path Maintenance Cost Burden, to finance the cost of landscape, lighting and bike path maintenance, apportioned to the individual project, in the Mather Field SPA.

Any such agreement shall include adjustments based upon changes in construction cost estimates, maintenance cost estimates, appropriate cost indexes and further refinements of the facilities to be financed. In addition, the agreement shall stipulate that upon adoption of and receipt by the County of the first proceeds from a

permanent financing mechanism to finance infrastructure for the Mather Field SPA, the Public Works Agency Administrator shall compare the obligation which would then be applicable to individual projects within the Mather Field SPA with the amount of contribution paid. If the obligation under the permanent financing mechanism is less than that of the contribution paid, the County shall, at such time that the Public Works Agency Administrator determines that there is sufficient proceeds available from the permanent financing mechanism, reimburse the payer of the contribution the difference.

3. No entitlement (tentative maps, building permits or other entitlements) shall be granted for development which results in a cumulative water demand exceeding existing Mather Field water supply capacity (i.e., an average water use of 5,000 AFA or 4.6 MGD), until the Sacramento County Board of Supervisors adopts a Master Water Plan for the Mather Field site which demonstrates that an adequate and reliable water supply (which includes supplemental surface water) will be available to serve buildout of the Mather Field Specific Plan land use and the surrounding region.
4. Prior to annexation of the Mather Field Specific Plan area into Zone 40, new users requiring a new service or upsizing of an existing service shall pay to Zone 40 a fair share contribution equivalent to the applicable Zone 40 development fee (consistent with the current method used to collect Zone 40 fees) in accordance with Ordinance No. 18 of the Sacramento County Water Agency prior to issuance of a connection permit. At such time that the County of Sacramento begins to bill for water service, new water users shall begin payment to Zone 40 a fair share bi-monthly contribution equivalent to the Zone 40 user charge in accordance with Schedule B of Ordinance No. 18 of the Sacramento County Water Agency.
5. Prior to the annexation of the Mather Field Specific Plan area into the Sacramento County Water Maintenance District or Sacramento County gaining effective control of the Mather Field Water Supply System (whichever occurs later), each new water user shall pay a fair share contribution equivalent to the applicable Sacramento County Water Maintenance District connection fee paid prior to the issuance of a connection permit. Subsequent to the County of Sacramento gaining effective control of the Mather Field Water Supply System, all water users will begin payment of a fair share contribution equivalent to the Sacramento County Water Maintenance District service charge per Chapter 15 of the Sacramento County Code.

Sewers

6. Sewer easements for the construction and maintenance of the Bradshaw and Mather Interceptor sewers will be shown on any final maps within 100 feet of the interceptor alignments shown on Plate W of the Mather Field Specific Plan SEIR. The easements will be dedicated prior to the issuance of building permits or approval of improvement plans within 100 feet of the interceptor alignments.

7. Upon the County of Sacramento gaining effective control of the Mather Field sanitary sewer system and thereafter upon building occupancy or new construction, each new or existing commercial and/or residential use shall pay County Sanitation District No. 1 (CSD-1) and Sacramento County Regional Sanitation District (SRCSD) facility impact fees. These fees are as directed by CSD-1 ordinance SDI-29 and SRCSD ordinance SRSD-0043 and are typically paid at the time of building permit issuance. All users of sanitary sewer facilities are subject to CSD-1 and SRCSD bi-monthly service charges.

Hydrology

8. Prior to the approval of tentative maps, the issuance of building permits for new development or the approval of improvement plans, the Sacramento County Public Works Agency shall prepare a drainage master plan for the Mather Field Specific Plan area. The master plan shall identify the approximate size and location of new drainage facilities and upgrades to existing drainage facilities necessary to serve proposed Specific Plan development. Areas not affected by the implementation of the drainage master plan can proceed on a case-by-case basis as determined by the Water Resources Division of the Public Works Agency. Drainage facilities could include, but would not be limited to:
 - a) The expansion or modification of existing storm drain facilities;
 - b) Establishment of subregional or regional detention basins; and/or
 - c) The preservation of natural drainage areas.

Individual development proposals within the Specific Plan area shall be required to implement all drainage improvements identified by the detailed drainage master plan as being necessary to accommodate the increased runoff of the development proposal and to provide an adequate level of flood protection to the development proposal, to the satisfaction of the Water Resources Division. Individual development proposals within the Specific Plan area may modify the proposed facilities shown in the master plan so long as the intent of the master plan is upheld, and subject to the approval of the Water Resources Division.

9. Prior to the approval of tentative maps, the issuance of building permits for new development or the approval of improvement plans, the Sacramento County Public Works Agency shall delineate the existing and ultimate 100-year floodplain for the Mather Field Specific Plan area. Areas determined to be outside of the 100-year floodplain may proceed on a case-by-case basis as determined by the Water Resources Division of the Public Works Agency. Limited improvements that would otherwise be permitted within the 100-year floodplain and would not create constraints to future floodplain management could also be permitted on a case-by-case basis as determined by the Water Resources Division of the Public Works Agency. No development shall occur within the delineated ultimate 100-year floodplain, unless it is consistent with the requirements and provisions of the Sacramento County Floodplain Management

