

ORDINANCE NO. 85-004

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

JAN 2 1985

AN ORDINANCE RELATING TO AMENDMENT OF THE GATEWAY CENTRE
DEVELOPMENT AGREEMENT (CITY AGREEMENT NO. 82055)

SECTION 1.

This ordinance incorporates, and by this reference makes part hereof, that certain First Amendment to the Development Agreement by and between the City of Sacramento and the Gateway Centre Associates, dated December 18, 1984, for a project known as Gateway Centre (hereafter "Amendment").

SECTION 2

The mayor is hereby directed to execute said Amendment on behalf of the City of Sacramento.

SECTION 3

The City Council adopts the following findings in conjunction with the approval of said Amendment:

A. The Amendment is consistent with the 1974 General Plan and 1978 South Natomas Community Plan. Prior to adoption of this ordinance, the City Council specifically amended both said Plans to provide for the development contemplated by this Amendment.

B. Public hearings considering this Amendment were held on October 18 and November 8, 1984 by the City Planning Commission, the advisory agency for the purposes of Government Code §65867. Subsequent public hearings considering this Amendment were held on November 20 and December 18, 1984 by the City Council.

C. Notice of intention to consider adoption of this Amendment at said public hearings was duly given in the manner prescribed in Government Code Section 65867.

ORDINANCE No. 85-004

JAN 2 1985

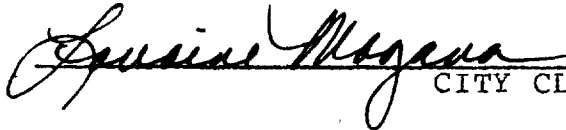
SECTION 4

The City Clerk shall record said Amendment no later than ten (10) days after the effective date of this ordinance as required by Government Code Section 65868.5.

PASSED FOR PUBLICATION: NOV 13 1984
ENACTED: JAN 2 1985
EFFECTIVE: FEB 1 1985


ANNE RUDIN, MAYOR

ATTEST:


CITY CLERK

ORDINANCE No. 85-004
JAN 2 1985

FIRST AMENDMENT
TO
DEVELOPMENT AGREEMENT
BY AND BETWEEN
THE CITY OF SACRAMENTO
AND
GATEWAY CENTER ASSOCIATES,
RELATIVE TO THE DEVELOPMENT KNOWN AS
GATEWAY CENTRE

This Amendment is made this _____ day of _____, 1984, by and between GATEWAY CENTER ASSOCIATES, a California general partnership (hereinafter "Developer"), and the CITY OF SACRAMENTO (hereinafter "City"), pursuant to the authority of California Government Code section 65868, for the purpose of amending that certain Development Agreement By and Between the City of Sacramento and Gateway Center Associates, Relative to the Development Known as Gateway Centre, identified as "City Agreement No. 82055", dated December 7, 1982 (hereinafter "the Agreement").

Recitals

1. Section 1(E) of the Agreement provides for amendment from time to time by mutual consent of the parties in accordance with the provisions of California Government Code sections 65867 and 65868 and City Ordinance No. 82-100.

2. Developer seeks City's approval of amendments to the 1974 General Plan and the 1978 South Natomas Community Plan; and of certain land use entitlements as set forth in its application which would permit development of that certain 33+ acre portion of Gateway Centre described on Exhibit "A" (hereinafter the "Property"), attached hereto and incorporated herein by this reference, for manufacture, research and

ORDINANCE No. 85-004
JAN 2 1985

development and office uses. The project described in Developer's application is hereinafter referred to as the "Gateway Project."

3. Applications for said approvals, and California Environmental Quality Act (hereinafter "CEQA") documentation required for the Gateway Project, were considered by the City Council at duly noticed public hearings on November 20, 1984 and December 18, 1984.

4. On January 2, 1985, the City Council certified as adequate and complete the Final Environmental Impact Report for Creekside Oaks and Gateway Centre (the "Creekside/Gateway EIR") as the Creekside/Gateway EIR pertains to the Gateway Project. The City Council finds that no subsequent or supplemental environmental impact report is necessary in that the terms and conditions of this Amendment are consistent with and within the scope of the Creekside/Gateway EIR. Mitigation measures which were suggested in the Creekside/Gateway EIR are incorporated to the extent feasible in the revised Development Guidelines for Gateway Centre, and in the terms and conditions of this Amendment, as reflected by the Findings of Fact and Statement of Overriding Concern adopted by the City Council concurrently with this Amendment.

5. Pursuant to applicable provisions of CEQA, the City Environmental Coordinator has determined that there are no substantial changes in the Gateway Project or in the circumstances under which the Gateway Project is to be undertaken, and that the Gateway Project and the adoption of this Amendment involves no new impacts not already considered in the

ORDINANCE No. 85-004
JAN 2 1985

Creekside/Gateway EIR; therefore, no further environmental documents are required.

6. Following consideration and certification of the Creekside/Gateway EIR and the adoption by resolution of CEQA related findings, the City Council on January 2, 1985, approved the following to permit manufacturing, research and development and office uses on the Property:

A. Amendments to the 1974 City General Plan and the 1978 South Natomas Community Plan;

B. Rezoning from Townhouse ("R-1 A-PUD") to Manufacture, Research and Development ("MRD-PUD");

C. Amendment to the Gateway Centre PUD from Residential to Manufacture, Research and Development;

D. Amendment of City Agreement No. 82055 (Development Agreement by and between The City of Sacramento and Gateway Center Associates, Relative to the Development Known as Gateway Centre dated December 7, 1982);

E. Amendment to the previously-approved Development Guidelines for Gateway Centre. The Development Guidelines as amended are hereinafter referred to as the "Guidelines". A copy of the Guidelines containing all amendments is attached hereto as Exhibit "B" and incorporated herein by this reference; and

F. Ordinance No. 85-004, adopting this Amendment (the "Adopting Ordinance").

7. Development of the Property, in accordance with the conditions of approval, will provide orderly growth and development of the area in accordance with the policies set

forth in the General Plan and in the South Natomas Community Plan.

8. Developer will incur substantial costs in order to comply with conditions of approval and to assure development of the Property in accordance with said plans and policies.

9. Development of the Property will result in a need for municipal services and facilities in excess of those otherwise required for implementation of the existing approved uses for the Property.

10. Developer agrees to contribute to the costs of the public facilities to help mitigate impacts of the Gateway Project on the community, and City agrees to assure that Developer may proceed and complete development of the Property in accordance with the terms of this Amendment. City and Developer recognize and agree that but for Developer's contributions to mitigate the impacts of the Gateway Project, City would not approve the development of the Property as provided by this Amendment. City's approval of development of the Property, as provided herein, is in reliance upon and in consideration of Developer's agreement to make contributions, provided for herein.

NOW, THEREFORE, Developer and City hereby agree to the following amendments to the Agreement:

1. Term. The term of this Amendment to the Agreement shall be coterminous with the term set forth in Section 1.B. of the Agreement and, accordingly, shall terminate as of the termination date of the Agreement; that is, December 7, 1992.

ORDINANCE No. 85-004

JAN 2 1985

2. Development of the Property. Section 2.A. of the Agreement is hereby amended to provide that Developer shall be entitled to develop on the Property 500,000 square feet ("square feet" is defined in Section 2.A. of the Agreement) of manufacturing, research and development and office uses in accordance with the requirements of the City's MRD zone, the Gateway Centre PUD, the Guidelines attached hereto as Exhibit "B" and the provisions of Section 2.B. of the Agreement.

3. Contribution by Developer. Section 3 of the Agreement is hereby amended to add the following subsection (6):

"(6) Developer agrees to contribute to City the amount of One Million Dollars (\$1,000,000.00), payable as follows:

Developer shall contribute One Million Dollars (\$1,000,000.00) at the rate of Two Dollars (\$2.00) per square foot of the 500,000 square feet of manufacturing, research and development and office space approved for the Gateway Project, payable, if, as and when such space is developed, but prior to issuance of the building permit for the shell of each building utilizing any portion of such space, less any credit against such amount for dedication of land as may be required by this Agreement, or any amendment hereto, and provided further that Developer may pay any portion of such amount in cash payments prior to the time specified for such payments in this Agreement.

Monetary contributions by Developer pursuant to this subsection (6) shall be placed by the City in

the South Natomas Capital Improvement Fund established pursuant to subsection (4) of this section, and shall be subject to the provisions of this Section 3.A. except the monetary contributions required by this subsection (6), which are paid by Developer on or after January 1, 1986, shall be adjusted as follows:

The Consumer Price Index for all Urban Consumers (base year 1967 = 100) for San Francisco-Oakland published by the United States Department of Labor, Bureau of Labor Statistics ("Index"), which is published most immediately preceding January 1, 1986 ("Beginning Index") shall be compared with the Index published most immediately preceding the date payment is to be made ("Extension Index"). If the Extension Index has increased over the Beginning Index, the amount of payment shall be determined by multiplying the base contribution by a fraction, the numerator of which is the Extension Index and the denominator of which is the Beginning Index, or by application of a multiplier which shall not exceed six percent (6%) per annum, whichever is the lesser.

If the Index is changed so that the base year differs from that used as of the date of adoption of the Adopting Ordinance, the Index shall be converted in accordance with the conversion factor published by the United States Department of Labor, Bureau of Labor Statistics. If the Index is discontinued or revised, such other governmental index or computation with which it is replaced, if any, shall be used to obtain substantially the same result as would be obtained if the Index had not been discontinued or revised."

4. Effect. Except as set forth in this Amendment, the terms and conditions of the Agreement shall apply to the Gateway Project and the Agreement is hereby ratified and confirmed.

5. Form. This Amendment is executed in two duplicated originals, each of which is deemed to be an original. This Amendment consists of eight pages and two exhibits which constitute the entire understanding of the parties. Said exhibits are identified as follows:

Exhibit "A": Legal Description of the Property

Exhibit "B": Amended Planned Unit Development
Guidelines for Gateway Centre

GATEWAY CENTER ASSOCIATES, a
California general partnership

By: _____
General Partner

By: NEW ENGLAND MUTUAL LIFE
INSURANCE COMPANY; as
general partner

By: COPLEY REAL ESTATE
ADVISORS, INC., a
Massachusetts corporation,
asset manager and advisor
hereunto duly authorized

By: _____
Its: _____

ORDINANCE No. ~~85-004~~

JAN 2 1985

CITY OF SACRAMENTO

By: _____
Its: _____

Approved as to form:

City Attorney

ATTEST:

City Clerk

ORDINANCE No. 85-004

JAN 2 1985

STATE OF CALIFORNIA)
) ss
COUNTY OF SACRAMENTO)

On this ____ day of _____, 1984, before me, _____, a Notary Public, State of California, duly commissioned and sworn, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be one of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal.

Notary Public
State of California

My Commission Expires: _____

COMMONWEALTH OF MASSACHUSETTS)
) ss
COUNTY OF _____)

On this ____ day of _____, 1984, before me, _____, a Notary Public, Commonwealth of Massachusetts, duly commissioned and sworn, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the _____ of the corporation that executed the within instrument, and also known to me to be the person(s) who executed the within instrument on behalf of the corporation therein named, said corporation being known to me to be the _____ of New England Mutual Life Insurance Company, said company being known to me as one of the partners of Gateway Center Associates, the partnership that executed the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal.

Notary Public
Commonwealth of Massachusetts

My Commission Expires: _____

ORDINANCE No. 85-004
JAN 2 1985

STATE OF CALIFORNIA)
) ss
COUNTY OF SACRAMENTO)

On this ____ day of _____, 1984,
before me, _____, a Notary Public, State of
California, duly commissioned and sworn, personally appeared
_____, personally known to me (or proved to
me on the basis of satisfactory evidence) to be the
_____ of the City of Sacramento, the agency
that executed the within instrument, and also known to me to be
the person who executed the within instrument on behalf of the
agency therein named, and acknowledged to me that such agency
executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and
affixed my official seal.

Notary Public
State of California

My Commission Expires: _____

ORDINANCE NO. 85-004

JAN 2 1985

DEVELOPMENT GUIDELINES
GATEWAY CENTRE

December 18, 1984

EXHIBIT B, incorporated by reference as
though fully set forth in:

1. First Amendment to the Gateway Centre
Development Agreement, Ordinance No. 85-004 and
2. Gateway Centre PUD Amendment, Resolution No.
85-006 .

ORDINANCE No. 85-004

JAN 2 1985

DEVELOPMENT GUIDELINES
SOUTH NATOMAS OFFICE PARKS

DECEMBER 7, 1982

EXHIBIT B, incorporated by reference as
though fully set forth in:

1. Natomas Eastside Development Agreement,
Ordinance No. 82-099, and
PUD Resolution No. 82-852;
2. Gateway Centre Development Agreement,
Ordinance No. 82-100, and
PUD Resolution No. 82-854;
3. Natomas Corporate Center Development Agreement,
Ordinance No. 83-094, and
PUD Resolution No. 82-856 and 82-858.

December 18, 1984

ORDINANCE No. 85-004
JAN 2 1985

TABLE OF CONTENTS

Section I	Purpose and Intent
Section II	Procedures for Approval
Section III	Permitted Uses in the Office Building Zone
Section IV	Permitted Uses in the Manufacture Research and Development Zone
Section V	Permitted Uses in the Commercial and Shopping Center Zones
Section VI	Environmental Standards
Section VII	Building Standards
Section VIII	Sign Criteria and Regulations
Section IX	Residential Design Criteria
Section X	Issuance of Building Permit
Section XI	Building Occupancy

ORDINANCE No. 85-004
JAN 2 1985

I. PURPOSE AND INTENT

The South Natomas Office Parks are a planned unit development comprised of the Natomas Eastside and Natomas Corporate Center office parks. These guidelines, as approved and accepted by the City of Sacramento City Council, shall be adopted and used by the Gateway Centre, Natomas Eastside and Natomas Corporate Center Architectural Review Committees. Each of the South Natomas Office parks shall establish and maintain a separate architectural review committee established by the declarants and providing for successors which shall be set forth in the respective CC and R's governing the individual office parks. The Architectural Review Committees shall adhere to the following objectives in reviewing the development plans:

1. To provide adequate natural light, pure air and safety from fire and other dangers.
2. To minimize congestion due to vehicular and pedestrian circulation within the project area.
3. To preserve and enhance the aesthetic values throughout the project.
4. To promote public health, safety, comfort, convenience and general welfare.

These Development Guidelines shall incorporate the Schematic Plan for the South Natomas Office Parks approved by the Sacramento City Council by Resolution Nos. 82-852, 82-854, 82-856 and 82-858. These guidelines are intended to act as a supplement to existing City Ordinances and shall prevail when more restrictive than the City Ordinance. Any amendments hereto can only become effective upon approval by the Planning Commission of the City of Sacramento.

II. PROCEDURES FOR APPROVAL

Development of parcels in PUDs are subject to special permit approval by the City Planning Commission. Special permit development plans shall be in conformance with the schematic plan and PUD guidelines approved by the City Council. In addition to the above procedures, each development in Gateway Centre's MRD zoned property is subject to design review approval by the City's Design Review-Preservation Board.

A preliminary review of special permit applications may be required when the City determines that such review, by City, County, State and other agencies, is essential to a thorough review.

The following information shall be submitted with a special permit application:

1. Names and address of builder, contractor, developer, and architect.
2. Project site plat with dimensions taken from signed recorded plat.
3. All submissions must include topography showing existing grades and proposed grades at one foot intervals with spot elevations as required to clarify drawings, also show building corner elevations and floor landscaping.

ORDINANCE No. **85-004**
JAN 2 1985 AMENDED 12-21-84

4. Proposed landscaping, including automatic irrigation system.
5. Retaining walls.
6. Locations and details of temporary and permanent signs, including dimensions.
7. Temporary and permanent fences.
8. Front, side, and rear setbacks from building to property lines.
9. Easements and rights-of-way.
10. Pipes, berms, ditches, swales.
11. Driveways, parking areas, pathways, and lighting, existing and proposed.
12. Locations and details of benches and patios.
13. Exterior storage and screening devices for trash, mechanical and communications equipment, and meters.
14. Location of light poles and transformers, with height and type indicated.
15. Sewer alignments and location of manholes and inverts.
16. Mailboxes, if any.
17. Roof projections and/or roof plan and screening treatment.
18. Land use distribution, percent and square footage of site used for the following:
 - o Building pad;
 - o Surface parking and any other paved area;
 - o Landscaping (includes private sidewalks and patios).
19. Building elevations for all sides and height to top plate and top of roof.
20. Location of existing and proposed buildings.
21. Street names and right-of-way widths.
22. Cross sections of structures indicating relationship to adjacent buildings and roadways.
23. Dimensions for typical parking stalls and maneuvering areas, including setbacks of buildings and building separation.
24. Bar scales on all plans.

25. Written approval of the pertinent Architectural Review Committee.
26. Phasing scheme and proposed timing schedule for buildout.
27. Location and details regarding any on-site storage of hazardous or toxic material regulated by City Ordinance No. 82-097.
28. Total gross square footage of buildings by type of use and not acreage already approved by a special permit within the same zone in the PUD.

III. PERMITTED USES IN THE OFFICE BUILDING ZONE

A. Building and Occupancy Standards

1. The minimum building size shall be 40,000 square feet, with the exception of the two structures located at the northern entrance of the Natomas Corporate Center schematic. The minimum individual tenant space utilization shall be 2,500 square feet.
2. A structure less than 40,000 square feet may be allowed by special permit if:
 - a. The structure is part of an overall phased development plan containing 40,000 square feet or more.
 - b. The structure will house a uniquely desirable single tenant.
 - c. After 5 years or 50 percent of each office park's land area has been developed, whichever occurs first.

B. The office parks are intended to house large corporate office users seeking a campus-like office park setting. Office uses normally allowed in the OB zone are permitted. Examples include:

1. Corporate and regional headquarters.
2. Communication companies such as broadcasting station offices, broadcast audience research and public opinion poll companies, cable television companies and telegraph and cablegram companies.
3. Banking and other financial operations.
4. Insurance companies.
5. Computer programming, data processing and other software services.
6. Telecommunication exchanges.

Research and development uses in the fields of electronics, communications, medical, data processing and computer technologies, environmental control, measuring devices, scientific instrumentation, and advanced

engineering research shall be allowed. However, such uses shall not include the manufacture or assembly of the products derived from the research or development process.

- C. Food service uses are also permitted within the office buildings when ancillary to the office use (e.g., employee cafeteria). Principal entrance to the food service use shall be from inside the office building only. Signs shall not be visible from the outside.

IV. PERMITTED USES IN THE MANUFACTURING, RESEARCH AND DEVELOPMENT ZONE

- A. The overall gross square footage (GSF) in the MRD zone in Gateway Centre shall not exceed 500,000. A maximum of 50 percent of the permitted overall GSF may consist of offices as primary uses.
- B. Any use normally allowed in the MRD zone shall be permitted.

V. PERMITTED USES IN THE COMMERCIAL AND SHOPPING CENTER ZONES

- A. Shopping Center Zone on Natomas Eastside (25 acres): Uses normally established in the SC zone are permitted, with the exception of those listed below. The shopping center is intended to serve South Natomas as a community shopping center. Any offices shall be limited to a maximum of 2,500 square feet of gross leasable area per tenant.

Prohibited uses include hotels, motels, offices larger than 2,500 square feet, and business colleges or trade schools.

A six-foot high stone or masonry wall shall be placed along the property line abutting residentially designated land.

- B. Commercial Zone on Gateway Centre (5 acres): The following shall be permitted: restaurant (excluding drive-in restaurant fast food stand), private club-social center, and non-residential care facility for children, and bank/savings and loan.

VI. ENVIRONMENTAL STANDARDS IN THE OFFICE, MANUFACTURING, RESEARCH AND DEVELOPMENT, COMMERCIAL AND SHOPPING CENTER ZONES

- A. General

All buildings, structures, paved areas and building materials, color schemes, and landscape elements shall be designed and constructed so as to create a desirable environment for the intended use and relate harmoniously to other buildings and to adjacent residential communities.

ORDINANCE No. 85-004

JAN 2 1985

B. Landscaping

1. **General:** Natural groundcovers with permanent automatic irrigation interspersed with tree plantings will tie together the individual elements throughout the project. All landscaping referred to in this section shall be maintained in a neat and orderly fashion.
2. **Minimum Landscaping Coverage per Project:** Minimum landscape coverage percentage for property within the PUD and for any project within the PUD shall be 25 percent in the office zone, 20 percent in the manufacturing, research and development and commercial zones, and 15 percent in the shopping center zone. However, in the case of a single story office structure, the minimum landscaping coverage shall be 20 percent. Note: Landscaping within the I-5 scenic corridor does not count toward the minimum landscape coverage requirement.
3. **Planting Types.** All trees, shrubs, and groundcover planting types shall conform to the South Natomas Office Parks approved plant list unless an alternative type is approved by the Director of Community Services or his designee. A plant list for the PUD shall be approved by the Planning Director prior to the submittal of the first special permit application to the planning department.
4. **Setbacks Adjacent to Public Right-of-Way and Private Drives.** For the purpose of providing screening of parking lots from the roadways, the abutting frontages shall have landscaped undulating berms. The height of the berms shall be determined with each special permit. The berms shall be landscaped with predominantly evergreen trees, shrubs and groundcover.
5. **Irrigation.** All landscaped areas shall be irrigated with timed permanent automatic underground systems.
6. **Surfaced Parking Lots.** Trees shall be planted and maintained throughout the surfaced parking lot to insure that within 15 years after the establishment of the parking lot, at least 50 percent of the parking area will be shaded at noon on August 21st.
7. **Approval of Landscaped Plans.** Project special permit approvals shall be subject to submittal of detailed landscape and irrigation plans for review and approval of staff prior to issuance of a building permit. A tree shading diagram shall be submitted with each building permit application for the review and approval of the Director of Community Services or his designee.
8. **Front and Street Side Yard Setback Area.** Landscaping in these areas shall consist of an effective combination of trees, groundcover and shrubbery.
9. **Side and Rear Yard Setback Area.** All unpaved areas not utilized for parking and storage shall be landscaped utilizing groundcover and/or shrubbery and tree material. Undeveloped areas proposed for future

expansion shall be maintained in a reasonably weed free condition but need not be landscaped.

Boundary landscaping is required on all interior property lines with a minimum of four feet on each property. Said boundary landscaping areas shall be placed along the entire breadth of these property lines or be of sufficient length to accommodate the required number of trees. In addition to trees, the boundary landscaping areas shall be landscaped with shrubbery and groundcover.

10. Installation of Landscaping. Prior to the issuance of any temporary or final occupancy permits, each project's landscaping, including permanent automatic irrigation system, shall either be installed or security, in a form satisfactory to the City, shall be posted to insure installation as soon as climatically possible after occupancy. Plants shall be varied in size: one and five gallon shrubs and 5 and 15 gallon and 24 inch box trees.
11. The PUD plant list, examples of acceptable design treatment such as berming and screening, and typical street corner treatments shall be approved by the Planning Director prior to submittal of the first special permit application in the PUD.
12. Grading, trenching, cutting, filling, stacking of construction materials, and parking of equipment and vehicles within the dripline of the trees identified in the tree legend for Natomas Corporate Center (originally Creekside) and the Oaks located on Gateway Centre shall be prohibited.

C. Pedestrian Circulation

Primary and secondary walkways shall be designed indicating a relationship with street access, bus stops, parking areas, adjacent structures and abutting properties through the boundary landscaping. Both walkways and bikeways shall be designed with pedestrian health and safety in mind. Pedestrian walkways and bikeways shall be landscaped to provide shade in the summer.

D. Parking Area Standards

1. Adequate off-street parking shall be provided to accommodate all parking needs of the site. The intent is to eliminate the need for any on-street parking.
2. Required off-street parking shall be provided on the site served.
3. Parking Requirements:
 - a. Office (OB Zone)
 - 1) One automobile parking space for each 250 square feet of gross floor area.

ORDINANCE No. 85-004
JAN 2 1985

- 2) One bicycle space for every 20 required automobile parking spaces, 50 percent of which shall be Class I facilities and 50 percent of which shall be either Class II or Class III as defined in Section 22.A.6 of the Zoning Ordinance.
- 3) Of the parking spaces provided, carpool, vanpool and bicycle parking spaces shall be located closest to the employee entrances to the buildings.

b. Manufacturing, Research and Development

- 1) Warehousing: Two (2) parking spaces for each three (3) employees, but in no event less than one (1) space for each one thousand (1,000) square feet of gross floor area for the first twenty thousand (20,000) square feet; one (1) space for each two thousand (2,000) square feet of gross floor area for the second twenty thousand (20,000) square feet; one (1) space for each four thousand (4,000) square feet of gross floor area for areas in excess of the initial forty thousand (40,000) square feet of floor area of the building. If there is more than one shift, the number of employees on the largest shift shall be used in determining parking requirements.
- 2) Conversion of Use Within PUD: Whenever a warehouse use is converted to office use, the new office use space must be provided with that ratio of on-site parking as required by the latest adopted City Zoning Ordinance, or these Development Guidelines, whichever provides the greatest number of parking spaces. All conversions of warehouse use are subject to Planning Commission approval of a new Special Permit as to conformance with the City Zoning Ordinance and/or Development Guidelines.
- 3) All other uses as required by MRD zone.

c. Commercial and Shopping Center

- 1) Retail Store. One automobile space for each 250 square feet of gross floor area.
- 2) Restaurant/Bar. One automobile space for every three seats based upon capacity of the fixed and moveable seating area as determined under the Uniform Building Code.
- 3) All other commercial uses shall conform to City requirements for each commercial use.
- 4) One Class II or Class III bicycle space for every 25 required automobile parking spaces as defined in Section 22.A.6 of the Zoning Ordinance.

ORDINANCE No. 85-004
JAN 2 1985

- d. Carpooling and Vanpooling is encouraged for each building and shall be addressed in the Special Permit application for each development.
- e. Curbs, walls, decorative fences with effective landscaping or similar barrier devices shall be located along the perimeter of parking lots and enclosed storage areas except at entrances and exits indicated on approved parking plans. Such barriers shall be designated and located to prevent parking vehicles from extending beyond property lines of parking lots or into yard spaces where parking is prohibited and to protect public right-of-way and adjoining properties from damaging effects of surface drainage from parking lots.

Minimum stall dimensions shall correspond to standards provided in the City Zoning Ordinance except that the front two feet of all stalls, the area into which the vehicle bumper overhangs, shall be incorporated into the adjacent landscape or walkway improvements resulting in a net decrease of two feet of the required surfaced depth of the parking stall and a minimum net increase of two feet in width of the landscaped planter. No individual prefabricated wheel stop will be permitted. A continuous six-inch raised concrete curb shall be provided along all landscaped areas abutting parking or drives.

- f. Maximum of 30 percent of all vehicle parking spaces may be compact spaces.
- g. Curbs and drives shall be constructed in accordance with the latest requirements of the City of Sacramento.

E. Exterior Lighting:

- 1. Lighting shall be designed in such a manner as to provide safety and comfort for occupants of the development and the general public.
- 2. Lighting design shall be such as not to produce hazardous and annoying glare to motorists and building occupants, adjacent residents, or the general public.
- 3. Lighting shall be oriented away from the properties adjacent to the PUD.
- 4. Exterior lighting fixtures shall be similar and compatible throughout the PUD.

F. Performance Standards:

- 1. Purpose and Intent. It is the intent of these restrictions to prevent any use of the office parks which may create dangerous, injurious, noxious or otherwise objectionable conditions.

- 2. Nuisances. No nuisance shall be permitted to exist in the business parks. The term "nuisance" shall include, but not be limited to, any of the following: any use which:
 - a. Emits dust, sweepings, dirt, fumes, odors, gases, or other substances into the atmosphere which may adversely affect the health, safety or welfare of persons working at the business parks or residing in adjacent neighborhoods.
 - b. Discharges of liquid or solid wastes or other harmful matter into any stream, river or other body of water which may adversely affect the health, safety or welfare of those working at the business parks or residing in adjacent neighborhoods.
 - c. Exceeds permissible noise levels as established by the City of Sacramento.
 - d. Stores hazardous or toxic materials on-site unless in compliance with all applicable governmental regulations.

VII. BUILDING STANDARDS IN THE OFFICE BUILDING, MANUFACTURING, RESEARCH AND DEVELOPMENT, COMMERCIAL AND SHOPPING CENTER ZONES

A. Purpose and Intent

The purpose and intent of this section is 1) to encourage the creative and innovative use of materials and methods of construction, and 2) to prevent indiscriminate and insensitive use of materials and design.

B. Building Setbacks

	<u>Building Setback</u>	<u>Landscaped Setback</u>
Freeway (measured from exterior right-of-way line) (See Attachment I)	100'	-
West El Camino, Garden Highway, Gateway Oaks Drive and Major Street in Natomas Eastside	50'*	50'**
Azevedo, loop streets in Natomas Eastside and Gateway Centre, and Extension of Azevedo thru Creekside to Natomas Corporate Center	50'	25'
All other public and private streets	25'	25'
Bannon Slough Parkway	20'	-
Perimeter of properties abutting the Natomas Main Drain (contiguous to SC zone) (See Attachment II)	-	20'

* See Section VIII.c.2 below.

** A 40' landscaped setback shall apply if the streets are posted with no parking signs.

All setbacks shall be per these guidelines or the Zoning Ordinance whichever is more restrictive.

ORDINANCE No. 85-004

JUN 2 1985

C. Building Height

The following are maximum building heights.

1. OB Zone - 65 feet.
2. MRD Zone - 40 feet except that the maximum building height for the uses defined in Section 2.7.B.1.a and b. of the Zoning Ordinance shall be 25 feet for that portion of the building located within 100 feet of the east curb of that part of Gateway Oaks Drive that abuts residentially designated, zoned or used land to the west.
3. SC Zone - 35 feet.
4. C-2 Zone - 45 feet.

If a mechanical penthouse is provided, an additional 10 feet shall be permitted except for those structures subject to the 25' height maximum described in VII.C.2 above.

D. Exterior Wall Materials

1. Finished building materials shall be applied to all sides of a building, including trash enclosures and mechanical and communications equipment screens.
2. Tilt-up concrete construction technique shall be allowed, only if full compliance with all of the other conditions of the guidelines is maintained. The intent is not to allow for full tilt-up concrete structures (like a warehouse facility), but only to provide that tilt-up concrete materials may form a portion of the surface area of the structures; (e.g., to provide for sheer walls, decorative forms, etc.) with other construction materials making up the majority of the surface, such as combination of glass and spandrel. See Attachment III for examples.
3. For the uses defined in Section 2.7.B.1.a. and b. of the Zoning Ordinance full tilt-up concrete structures may be permitted when the exterior appearance resembles a precast concrete structure as defined in Section VII.D.2 above. The goal is to avoid the monotonous sheer wall effect of a warehouse and to achieve structures that contain indentations and positive and negative spaces and exterior treatments similar to and compatible with the buildings in the adjacent office park. See Attachment IV.
4. Exposed concrete block shall not be acceptable for exterior surfaces. The intent is not to preclude such concrete block construction as split face block, texture block, slump stone, or other similar material.

ORDINANCE No. 85-004

JAN 2 1985

5. The effect of exterior wall materials shall be compatible with those used on all other buildings in the development. Examples of acceptable exterior wall materials are stucco, concrete, wood, glass, metals and brick.

E. Colors

1. Building colors shall be harmonious and compatible with the colors of other buildings in the development and with the natural surroundings.
2. The general overall atmosphere of color shall be earth tones, which includes muted shades of gray and muted shades and medium to dark tones of burnt umber, raw umber, raw sienna, burnt sienna, Indian red, English red, yellow ochre, chrome green and terra verts. Redwood, natural stone, brick, dark duranodic aluminum finisihes, etc., shall be background colors. If painted surfaces are used, these shall be earth toned. Accent colors shall be used whenever necessary, but shall be subject to review by the Architectural Review Committee and approval of the City Planning Department.

F. Roof Projections and Design

1. All air conditioning units, ventilating equipment, other mechanical equipment and communications equipment shall be completely screened or enclosed with materials compatible with the building siding.
2. Projections shall be painted to match the roof or building.

G. Energy Conservation Standards

1. Purpose and Intent. The purpose of these energy conservation standards is to set forth cost-effective energy saving measures which shall be incorporated into building design at the South Natomas Office Parks.
2. Standards:
 - a. Buildings shall be designed to meet current state and federal energy requirements at the time of construction.
 - b. Landscaping shall be designed to shade structure, walks, streets, drives and parking area so as to minimize surface heat gain and shall at a minimum comply with all current City of Sacramento standards.
 - c. Site design shall take into consideration thermal and glare impact of construction materials on adjacent structures, vegetation and roadways.
 - d. Outdoor lighting should be designed to provide the minimum level of site lighting commensurate with site security.

ORDINANCE No. 85-004

JAN 2 1985

- e. Periodic energy-use audits shall be conducted by SMUD to identify wasteful consumption practices and opportunities for energy use reduction.

H. Temporary Structures

1. Temporary structures, including but not limited to railers, mobile homes and other structures not affixed to the ground, are permitted only during construction and shall be removed promptly upon completion of the permanent building.
2. Such structures shall be as inconspicuous as possible and shall cause no inconvenience to the general public.

I. Loading Areas

Truck loading dock(s) shall be designed as an integral part of the structure(s) and shall not be oriented to any public right-of-way, freeway or adjacent residential area. The intent is to assure that these facilities are located in the most inconspicuous manner possible.

J. Outside Storage

1. No open-air storage of materials, supplies, equipment, mobile equipment, finished or semi-finished products or articles of any nature shall be allowed. No outside storage of overnight delivery trucks or fleet vehicles shall be permitted. Storage is to be inside structures.
2. With regard to the uses defined in Section 2.7.B.1.a. and b. of the Zoning Ordinance, open storage of materials, goods, parts and equipment, including company owned or operated trucks and other motor vehicles, is allowed only as an accessory use incidental to the primary use of the parcel, provided that all such activities shall be screened by a solid masonry wall no less than six (6) feet in height or by equivalent screening using landscaping and earth berms so that no stored materials, goods, parts or equipment are visible from any adjacent public streets.

K. Garbage Services/Trash Enclosures

1. These facilities shall not create a nuisance and shall be located in the most inconspicuous manner possible.
2. All exterior garbage and refuse facilities shall be concealed by a screening wall of a material similar to and compatible with the building(s) it serves.
3. Such facilities shall relate appropriately to the building(s) and shall not be obtrusive in any way or detract from the building design theme.
4. Such facilities shall not be located adjacent to residences.

ORDINANCE No. 85-004
JAN 2 1985

L. Utility Connections, Mechanical Equipment and Communications Equipment

1. Mechanical and communications equipment, utility meters and storage tanks shall not be visible with the exceptions discussed in L.7 and L.8 below.
2. If concealment within the building is not possible, then such utility elements shall be concealed by screen walls, which shall be appropriately landscaped.
3. All utility lines shall be underground.
4. All mechanical equipment shall be located so as not to cause nuisance or discomfort from noise, fumes, odors, etc.
5. Penthouse and mechanical and communications equipment screening shall be of a design and material similar to and compatible with those used in the related buildings.
6. Mechanical equipment shall not be located adjacent to residences.
7. For the uses defined in Section 2.7.B.1.a. and b. of the Zoning Ordinance, placement of mechanical and communications equipment, utility meters, substations, and storage tanks shall minimize their visibility particularly from the public right-of-way and adjacent residential uses. Visual barriers such as walls or landscaping, etc., shall be used when such equipment cannot be placed out of view, provided such barriers do not significantly impede the proper functioning of the equipment.
8. A communications tower and accessory communications equipment building located underneath or adjacent to the tower shall be allowed in the area designated on Exhibit B-B, adjacent to and north of the existing utility towers. The tower shall be designed and constructed to facilitate joint use. Visual barriers, subject to staff review and approval, such as walls and landscaping shall be used to screen the tower and equipment building.

M. On-Site Drainage

Each building site owner shall be required to provide adequate drainage facilities in accordance with City of Sacramento standards.

N. Exterior Fire Stairs

Unenclosed exterior fire stairs shall not be permitted.

O. Walkways and Courtyards

Walkway and courtyard materials shall be compatible with the exterior wall materials of adjacent buildings and with walk and path system standards of the PUD. Surfaces shall have a non-skid finish. Layout and design shall provide maximum comfort and safety to pedestrians.

ORDINANCE No. ~~85-004~~ 85-004

JAN 2 1985

P. Miscellaneous Development Criteria

1. Non-residential structures in the office building, commercial and shopping center zones located within fifty feet of Gateway Oaks Drive, the extension of Gateway Oaks Drive in Natomas Eastside, the Bannon Slough Parkway and any residential units shall not exceed two stories (thirty-five feet) in height. Non-residential structures in the MRD zone containing the uses defined in Section 2.7.B.1.a and b. of the Zoning Ordinance shall not exceed 25 feet in height for that portion of the building located within 100 feet of the east curb of that part of Gateway Oaks Drive that abuts residentially designated or zoned land to the west.
2. A fifty-foot wide landscaped buffer shall be installed and maintained between the property line separating residentially and office designated land on the Natomas Eastside Office Park. The entire landscaped buffer shall be located on the office designated property.
3. The shopping center shall not be oriented to I-5.

Q. Hazardous Materials

1. All buildings or structures containing hazardous materials shall be labeled at all doorways with easy to read signs that provide emergency response teams with information on the hazardous contents of the building or structure, and proper containment procedures. Labeling should be based on existing systems (such as the National Fire Protection Association 704 System) and approved by the City Fire Department.

VIII. SIGN CRITERIA AND REGULATIONS

- A. The criteria will aid in eliminating excessive and confusing sign displays, preserve and enhance the appearance of the South Natomas Office Parks development, safeguard and enhance property values, and will encourage signage which by good design is integrated with and is harmonious to the buildings and sites that it occupies. These sign regulations are intended to compliment the City of Sacramento Sign Ordinance No. 2868, Fourth Series. In all cases, except for the maximum area for OB, the more restrictive requirements shall apply.

B. General Requirements

1. A sign program shall be submitted with individual project special permit applications or to the City Planning staff if submitted subsequent to the City Planning Commission special permit hearing. No sign shall be specifically designed or oriented to be viewed from the freeways and/or the American River and Sacramento River Parkways.

ORDINANCE No. 85-004

JAN 2 1985

2. In no case shall flashing, moving or audible signs be permitted.
3. In no case shall the wording of signs describe the products sold, prices, or any type of advertising except as part of the occupant's trade name or insignia.
4. No signs shall be permitted on canopy roofs or building roofs.
5. No sign or any portion thereof may project above the building or top of the wall upon which it is mounted.
6. No signs perpendicular to the face of the building shall be permitted.
7. No exposed bulb signs are permitted.
8. No off-site signage shall be allowed.

C. Design Requirements

1. The location of signs shall be only as shown on the approved special permit site plan.
2. All electrical signs shall bear the UL label and their installation must comply with all local building and electrical codes.
3. No exposed conduit, tubing, or raceways will be permitted.
4. No exposed neon lighting shall be used on signs, symbols, or decorative elements.
5. All conductors, transformers, and other equipment shall be concealed.
6. All signs, fastenings, bolts, and clips shall be of hot dipped galvanized iron, stainless steel, aluminum, brass or bronze or black iron of any type will be permitted.
7. All exterior letters or signs exposed to the weather shall be mounted at least three fourths inch (3/4") from the building to permit proper dirt and water drainage.
8. Location of all openings for conduit and sleeves in sign panels of building shall be indicated by the sign contractor on drawings submitted to the Architectural Review Committee. Installation shall be in accordance with the approved drawings.
9. No signmakers' labels or other identification will be permitted on the exposed surface of signs, except those required by local ordinance which shall be located in an inconspicuous location.

ORDINANCE No. 85-004

JAN 2 1985

D. Miscellaneous Requirements

1. Each occupant will be permitted to place upon each entrance to its premises not more than 144 square inches of lettering indicating hours of business, emergency telephone numbers, and proprietorship. No other window signs will be allowed.
2. Each occupant who has a non-consumer door for receiving merchandise may have uniformly applied on said door in a location, as directed by the Architectural Review Committee in two-inch high block letters the occupant's name and address. Where more than one occupant uses the same door, each name and address shall be applied. Color of letters will be selected by the Architectural Review Committee.
3. Occupants may install street address numbers as the U. S. Post Office requires in the exact location stipulated by the Architectural Review Committee. Size, type, and color of the numbers shall be stipulated by the Architectural Review Committee.

E. Special Signing

1. Floor signs, such as inserts into terrazzo, special tile treatment, etc., will be permitted with the occupant's lease line or property line if approved by the Architectural Review Committee.
2. Informational and directional signs relating to pedestrian and vehicular flows within the South Natomas Office Park PUD project area shall conform to the standards of the City of Sacramento Sign Ordinance.
3. One standard sign denoting the name of the project, the marketing agent, the contractor, architect, and engineer shall be permitted on the site upon the commencement of construction. Said sign shall be permitted until such a time as a final City inspection of the building(s) designate said structure(s) fit for occupancy or the tenant is occupying said building, whichever occurs first. These signs must be kept in good repair.
4. A sign advertising the sale or lease of the site or building shall be permitted, but shall not exceed a maximum area of six (6) square feet.

F. Designated Park Project Identification Sign

1. One non-illuminated monument sign as defined by Section 3.520 of the City Sign Ordinance shall be allowed per designated office park; however, Gateway Centre shall be allowed a maximum of two non-illuminated monument signs.
2. Maximum area of sign: 48 square feet.
3. Maximum height of sign: 12 feet from street or parking lot grade, whichever is lower.

ORDINANCE No. 85-004

JAN 2 1985

4. Location: to be located at the major entry to the designated park. The sign may be placed in the setback area; however, it must be located farther than ten feet from the public right-of-way and from any driveway. No signs shall be allowed in the public right-of-way.

G. OB Office Building Zone and Manufacturing, Research and Development Zone

1. One non-illuminated monument sign as defined by Section 3.520 of the City Sign Ordinance allowed per parcel.
2. Maximum area of sign: forty-eight square feet.
3. Maximum height: twelve feet from street grade or parking lot grade whichever is lower.
4. Location: to be located at the major entry/exit to the parcel. May be placed in the setback area; however, the sign must be located farther than ten feet from the public right-of-way and from any driveway.

H. SC Shopping Center Zone - Natomas Eastside

1. Shopping Center Identification Sign. Each shopping center site shall be allowed one monument sign, each not to exceed twelve feet in height and forty-eight square feet in area. Said monument sign shall face on West El Camino Avenue. Monument signs may be located in the setback area; however, they shall be located farther than ten feet from the public right-of-way and from any driveway.
2. Tenant Occupancy Signs
 - a. One attached sign indicating the name for each occupancy shall be allowed. The color of the face of each sign shall be in keeping with the overall color scheme of the development.
 - b. Sign area shall be determined by the lineal frontage of each individual shop as follows:
 - 1) Width of sign, including logo, shall not exceed 60 percent of shop's width.
 - 2) Total vertical sign height shall not exceed twenty-four inches.
 - 3) Maximum letter height shall be limited to eighteen inches.

I. C-2 Commercial Zone

1. One monument sign as defined by Section 3.520 of the City Sign Ordinance allowed per parcel.
2. Maximum area of sign: 48 square feet.

ORDINANCE No. 85-004
JAN 2 1985

3. Maximum height of sign: twelve feet from street or parking lot grade, whichever is lower.
4. Location: to be located at the major entry/exit to the parcel. May be placed in the setback area; however, the sign must be located farther than ten feet from the public right-of-way and from any driveway.

IX. RESIDENTIAL DESIGN CRITERIA

In addition to the residential design criteria identified in the 1978 South Natomas Community Plan the residential developments shall reflect the design criteria outlined below.

A. Building Design and Orientation

1. Site planning shall take into account maximum solar orientation of structures.
2. The design of the dwelling units shall incorporate passive solar design features as much as feasible. These design features shall include eave overhangs, south facing glazing, double panel windows and added insulation. The use of solar heating and cooling is also encouraged.
3. Site planning shall minimize the incidences of one building shading another.
4. Private garden areas shall be oriented to the south as much as possible.
5. Buildings shall be designed and oriented to reduce overview of private areas as much as possible.
6. All mechanical and communications equipment (including public utility boxes and particularly exterior wall-mounted air conditioning units) shall be attractively screened.
7. Roofing materials shall be wood shake or equivalent aluminum, concrete, or other imitation shakes or tile, subject to special permit approval.
8. Recreational amenities shall be located and/or designed so as to not impact adjacent properties.
9. The dwelling units located adjacent to Interstate 5 shall incorporate sound attenuation measures to comply with the City's noise element.
10. Accessory structures shall be compatible in design and materials with the main buildings.

B. Off-Street Parking

1. Off-street parking shall be provided at a ratio that adequately serves the needs of the residents and guests. The minimum ratio shall be 1.5 parking spaces per unit.
2. Off-street parking shall be screened from the street by physical barriers such as landscaping and berming.
3. Evergreen and deciduous trees shall be used for screening purposes along the perimeter of the parking areas and private streets.
4. Where 90 degree angle parking is used the stall depth shall be reduced by two feet and this two feet shall be incorporated into the adjacent landscaping.

C. On-Site Circulation

1. Pedestrian/bicycle paths shall be incorporated into the site design to maximize pedestrian and bicycle use within the development.
2. A display and unit location map shall be installed at each major driveway entrance and any major walkway entrance to the development as an aid to emergency personnel and a convenience to visitors.

D. Landscaping Criteria

1. Landscaping materials selected shall be:
 - a. Compatible with one another and with existing material on the adjacent site.
 - b. Complimentary to building design and architectural themes.
 - c. Varied in size (one and five gallon shrubs, five and 15 gallon, and 24 inch box trees).
2. Landscaping treatment shall include:
 - a. Larger specimens of shrubs and trees along the site periphery.
 - b. The utilization of group plantings of deciduous trees on the eastern and southern facing walls so as to reduce energy consumption in the summer yet allowing for solar gain in the winter.
 - c. Trees located so as to screen parking areas and private first floor areas and windows from second story units.
 - d. Undulating landscaped berms located along street frontages.

3. Open space shall be designed to maximize its utility. Both large and small areas for both active and passive activities shall be achieved through effective building orientation, walkway location, etc.
4. Landscaping of parking areas in compliance with the 50 percent parking lot shading requirements.

E. Trash Enclosures

1. Sturdy enclosure walls shall be constructed to reduce maintenance.
2. Design and materials shall match or compliment the residential structures.
3. Metal plate doors, if used, shall have wood veneer and/or wood battens.
4. Walls shall be a minimum six feet in height; more if necessary for adequate screening, doors shall be provided on all trash enclosures.
5. The enclosures shall be screened with landscaping.
6. The enclosures shall be adequate in capacity, number, and distribution, as approved by the City Waste Removal.

X. ISSUANCE OF BUILDING PERMITS

Except as otherwise provided in the Special Permit or in the Resolution, no building permit shall be issued for any building or structure in a Planned Unit Development Project or a land area covered by a Planned Unit Development Designation until the plans submitted for the building permit have been reviewed by the Planning Director and he has determined that said plans conform to a valid special permit issued for a Planned Unit Development under this Section.

XI. BUILDING OCCUPANCY

In accordance with Section 8 of the Zoning Ordinance, "no building or structure unit within a Planned Unit Development may be occupied until an inspection of the project has been made by the Planning Director to see that all conditions of the special permit have been complied with".

DP:lr

ORDINANCE No. 85-004

JAN 2 1985

EXHIBIT A

Lot 2, as shown on the "Plat of Gateway Centre", filed
May 4, 1983, in Book 152 of Maps, Map No. 5.

ORDINANCE No. 85-004

JAN 2 1985