

SECTION 13. ADMINISTRATION AND IMPLEMENTATION

13.1 ADMINISTRATION AND IMPLEMENTATION

Following the adoption of the Liberty Specific Plan, the Specific Plan area will be developed in phases over a multi-year time frame. The Specific Plan serves as an implementation document that includes the tools for the City of West Sacramento to administer and implement elements of the General Plan, as amended, and establishes the zoning for the Specific Plan area. Following adoption of the Specific Plan, final development and design of individual projects and improvements within the Specific Plan area will proceed following the approval by the City of West Sacramento of those development permits and entitlements described in the following sections. These subsequent development and design applications will be reviewed and administratively approved by the Community Development Director or Zoning Administrator. In addition, any ambiguity concerning the content or application of the Liberty Specific Plan shall be resolved by the Community Development Director in a manner consistent with the goals, policies, purpose, and intent established in this Specific Plan. If necessary, the Community Development Director may refer the item to Planning Commission for further review in accordance with City policies.

13.2 DEFINITIONS

Words, phrases, and terms not specifically defined within this Specific Plan shall have the same definition and meaning as provided in the West Sacramento Zoning Code or, if not defined in the Zoning Code, refer to Section 14, Definitions.

13.3 RELATIONSHIP BETWEEN SPECIFIC PLAN AND CITY ZONING

- A. Development standards and requirements contained in this Specific Plan shall supersede those contained in the West Sacramento Municipal Code Title 17 (Zoning Code). Where the Liberty Specific Plan is silent, the Zoning Code or other City policies shall prevail.
- B. The Liberty Specific Plan includes Design Standards, which shall be the sole design requirements by which development projects within the Specific Plan area are reviewed and approved.
- C. Unless otherwise specifically approved as part of the Specific Plan, all off-site improvements under the control of the City shall be subject to City of West Sacramento regulations and requirements in effect at the time the improvement plans are submitted. Improvements not under the control of the City (e.g., improvements to State highways under the control of Caltrans) shall be subject to the regulations and requirements of the responsible State or Federal agency.
- D. Whenever the provisions contained herein conflict with those contained in the Zoning Code, the provisions of the Liberty Specific Plan, including the adopted Development Standards, shall govern to the extent subsequent City documents are amended to comply with state/federal law which then will

take precedence. If said design standards conflict with climate actions goals and policies, they shall be reviewed by the Community Development Director.

13.4 ENVIRONMENTAL REVIEW

All applications for a development entitlement that are submitted after approval of the Specific Plan shall be reviewed for conformity with the Specific Plan and reviewed in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. The Final EIR certified concurrent with the approval of the Specific Plan shall serve as the base environmental document for subsequent entitlement approvals within the Specific Plan area. The City's Community Development Department will determine the appropriate level of environmental review.

The rules governing the extent of any future environmental review are set forth in California Government Code Section 65457 and Section 15182 and 15183 of the State CEQA Guidelines. Under these sections, if a public agency has prepared and certified an EIR on a specific plan, no additional environmental document is necessarily required for approval of a residential project that is undertaken in conformity with the specific plan. Moreover, no additional environmental review is required for projects that are consistent with the zoning for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects that are peculiar to the project or its site. Given the project level of analysis contained in the Specific Plan EIR, non-residential projects consistent with the approved Specific Plan and EIR may also avoid further formal CEQA review.

Development within the Specific Plan area shall comply with all applicable mitigation measures, existing regulations, conditions of approval, and incorporate design features as described in the Mitigation Monitoring and Reporting Program (MMRP) included in the Liberty Specific Plan EIR.

13.5 DEVELOPMENT REVIEW AND APPROVAL PROCESS

Development within the Liberty Specific Plan may be subject to approval of subsequent entitlements by the City. Examples of such entitlements include vested tentative subdivision maps, Specific Plan amendments, tree permits, design/site review applications, and building and grading permits. Individual project applications will be reviewed for consistency with the Specific Plan and other regulatory standards. Application and processing requirements shall be in accordance with the Zoning Code and other regulations, unless otherwise modified by this Specific Plan or the Development Agreement. All subsequent development projects shall be consistent with this Specific Plan and all applicable City policies, requirements, and standards. All subsequent public improvements and other activities shall be consistent with this Specific Plan, the Development Agreement, and all applicable City policies, requirements, and standards. If a Developer, Builder, or the City decides that an amendment to the Specific Plan is warranted, an amendment to the Specific Plan may be requested. The requested amendments will coincide with CFD review as it has been determined that there shall be no fiscal impacts to the City; this review shall be funded by the Developer.

For specific amendment procedures, refer to Section 13.6, Specific Plan Modifications and Amendments.

Site-specific development designs within the Liberty Specific Plan area are subject to the approval processes described below.

13.5.1 SUBDIVISION MAPS

Future subdivision map approvals shall be in accordance with the procedures of the Subdivision Map Act and the City's Subdivision Ordinance (Title 16 of the West Sacramento Municipal Code). Residential development that is consistent with the development and design standards contained in this Specific Plan will not require further site plan approval. A single subdivision map may be prepared and approved for the entire Specific Plan area or multiple subdivision maps may be prepared and approved for each individual phase of Specific Plan implementation.

13.5.2 SUB-PHASES

The Master Developer may create sub-phases within each of the three major phases depicted on Exhibit 8-1, Phasing and Model Locations, and shall comply with all conditions of approval applicable to that smaller sub-phase. Sub-phases will allow a manageable timeline of construction and absorption. The City will have assurances that the necessary sub-phases will have the appropriate infrastructure in place to support the sub-phase within the three major phases. Each sub-phase will require City review and approval. This will allow some flexibility to the developer/builder to respond to the marketplace.

13.5.3 DESIGN REVIEW

In accordance with Chapter 17.37 of the Zoning Code, Design Review, approval is required to review new buildings for consistency with the design and architectural standards contained in the Specific Plan. Design of new buildings and improvements, including site plans, floor plans, roof plans, exterior elevations, color and finish materials, landscape, and lighting will be first reviewed and accepted by the Master Developer. Upon acceptance by the Master Developer, these plans will be packaged and submitted to the City as a formal Design Review submittal. Design Review shall be conducted in accordance with Chapter 17.37.

13.5.4 FINAL PARK PLANS

The Specific Plan presents conceptual park programming for public parks. Final park facilities and other related improvements associated with the proposed parks will be presented to the City for review and approval.

13.5.5 FINAL LANDSCAPE PLANS

Final landscape plans shall be prepared in accordance with the exhibits that are presented in the Specific Plan. Final landscape plans shall be reviewed and administratively approved by the Community Development Director.

13.5.6 MOBILITY, WATER, SEWER, AND DRAINAGE IMPROVEMENT PLANS

Improvement plans for mobility, water, sewer, and drainage improvements shall be prepared in accordance with Section 6, Mobility, and Section 7 of the Specific Plan. Said improvements shall be reviewed and administratively approved by the City Engineer.

13.5.7 LOT LINE ADJUSTMENTS

Adjustments to lot lines shall be processed pursuant to the provisions of the Zoning Code.

13.6 SPECIFIC PLAN MODIFICATIONS AND AMENDMENTS

Dynamic market conditions and other unforeseen circumstances may prompt a desire make changes to the Specific Plan, including changes in land use development types assigned to specific parcels, changes to capacity requirements, changes to the intensity or density of land uses on specific parcels (including public facilities), density transfers, or changes in policies. For the purposes of implementation, proposed changes to the Specific Plan shall be categorized as either an Administrative Modification or a Specific Plan Amendment. Both types of proposed changes shall be submitted to the City per the process described in Chapter 17.40, Modifications, of the Zoning Code. The Community Development Director will review proposed changes to determine which category they fall into. To aid in the determination the Community Development Director may request additional exhibits or other supporting materials necessary to fully evaluate the proposed changes.

13.6.1 ADMINISTRATIVE MODIFICATIONS

Administrative Modifications are changes that do not have a significant impact on the character of the Plan Area and are consistent with the spirit and intent of the Specific Plan's visions, goals, and policies. This may include, but not be limited to, the following:

- The addition of minor new information to the Specific Plan that does not change the intent or operation of the Specific Plan.
- Changes that do not significantly change the anticipated physical characteristics, goals, or intent of the Specific Plan.
- Changes that, with any conditions imposed, will not be materially detrimental to the public welfare or injurious to property or improvements within the vicinity.
- Changes to the alignment of collector, arterial, and local streets that will not substantially alter the land use or circulation concepts set forth in the Specific Plan.

An Administrative Modification may be reviewed and acted upon by the Community Development Director per Chapter 17.40, Modifications, of the Zoning Code, or may be referred to the Planning Commission for action if, in the Director's opinion, the public interest would be better served by a Planning Commission public hearing and action. In granting an Administrative Modification, the Community Development Director may impose conditions to safeguard public health and safety, and to ensure that authorized development is consistent with the objectives and intent of the Specific Plan. Administrative Modifications approved by the Community Development Director may be appealed per Section 17.35.130, Appeals, of the Zoning Code.

13.6.2 SPECIFIC PLAN AMENDMENTS

A Specific Plan Amendment is any proposed change to the Specific Plan that does not qualify as an Administrative Modification, as defined in Section 13.6.1. Per Section 65453 of the Government Code, any such amendments would be subject to the same process as a general plan amendment, except that a specific plan may be amended as often as deemed necessary, whereas a general plan can be amended only

four times annually. This includes City Council consideration at a public hearing following a Planning Commission hearing and recommendation to the City Council.

13.6.3 SUBDIVISION MAPS

Any changes that substantially affect an approved Vesting Tentative Map would require a revised Vesting Tentative Map to be reviewed and approved by the Planning Commission. Any changes not requiring a revised Vesting Tentative Map will be subject to a review and finding of Substantial Conformance by the Community Development Director when the Final Map is submitted.

13.6.4 ENVIRONMENTAL REVIEW

An Administrative Modification or a Specific Plan Amendment may be subject to CEQA review. Administrative Modifications could be processed with no additional environmental review or a negative declaration. Depending on the extent of a Specific Plan Amendment, additional environmental analysis could be required (e.g., negative declaration, mitigated negative declaration, supplemental EIR, new EIR). The Community Development Director will determine the level of environmental review required in conjunction with review of the proposed changes.

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