

ORDINANCE NO. 010-2001

AN ORDINANCE OF THE CITY OF ELK GROVE AMENDING THE ELK GROVE ZONING CODE TO INCORPORATE THE LENT RANCH MARKETPLACE SPECIAL PLANNING AREA (SPA) AND CHANGING THE ZONING DESIGNATION OF THE LENT RANCH MARKETPLACE PROPERTY FROM AG-80 TO SPA.

The City Council of the City of Elk Grove does ordain as follows:

Section 1. Purpose and Authority

The purpose of this Ordinance is to amend Article 4 of Chapter 1 of Title 1 of the Elk Grove Zoning Code, and to change the zoning designation of the Lent Ranch Marketplace property ("Project Site") from AG-80 to SPA. This Ordinance is authorized by Article 11, Section 7 of the California Constitution and Government Code Section 65860.

Section 2. Findings

1. In adopting this Ordinance, the City Council makes the following findings:
 - A. On February 8, February 22, March 8, March 22, and April 5, 2001, the Elk Grove Planning Commission held public hearings on the Lent Ranch Marketplace Project, including the proposed amendment to the Zoning Code and proposed change of zone, and recommended that the City Council approve the proposed amendment and change of zone.
 - B. On May 9, May 16 and June 27, 2001, the City Council held a public hearing on the proposed amendment to the Zoning Code and change of zone, at which time public testimony was taken and duly considered.
 - C. The City Council finds, following approval of the amendment to the Zoning Code to incorporate the Lent Ranch Marketplace Special Planning Area, that the Zoning Code is consistent with the goals, policies, implementation programs and land use designations specified in the City's General Plan, as required by Government Code Section 65860.

Section 3. CEQA Findings

1. An Environmental Impact Report (EIR) was prepared by the City to address the environmental effects of the Lent Ranch Marketplace Project, including the amendment of the Zoning Code to incorporate the Lent Ranch Marketplace Special Planning Area and change of zone.

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2. The Lent Ranch Marketplace EIR was certified by the City Council, by City Council Resolution 2001-42, as being complete and adequate pursuant to requirements of the California Environmental Quality Act (CEQA). City Council Resolution 2001-42 is hereby incorporated into this Ordinance as if fully set forth herein.
3. The City Council finds that the significant and unavoidable environmental impacts of the Lent Ranch Marketplace Project, including the amendment of the Zoning Code to incorporate the Lent Ranch Marketplace Special Planning Area and change of zone, are acceptable, for each and every reason set forth in the Statement of Overriding Considerations, adopted by the City Council and set forth in City Council Resolution 2001-43.

Section 4. Special Planning Area Findings

Pursuant to Section 235-90 of the Zoning Code, the City Council finds as follows:

1. The area included within the SPA Zone has one or more unusual environmental, historical, architectural or other specified significant features, which justify the adoption of the SPA Zone.

Significant features unique to the Project Site are its size, location, and general lack of environmental constraints, as the site does not contain any marsh or riparian woodland acreage, wetlands, or urban streams or watercourses. The Project site is 295 relatively flat and contiguous acres, and as such it is one of the only sites, if not the only site, in the City of sufficient size to accommodate such a wide range of uses, including a shopping mall, complementary retail and entertainment uses, offices and a multi-family housing component. The Project Site's frontage along State Route 99 makes the Project Site the gateway to the City of Elk Grove, both to residents and visitors. Developing the site as an SPA will result in a unified high-quality design that will provide an aesthetically pleasing entrance to the City – a critical planning objective that would not be met without an SPA. The Project site is unique because of its location immediately adjacent to SR-99, the Grant Line Interchange and major roadways. Its special location provides maximum frontage facing a freeway, visibility from major roadways, and safe and convenient customer access. As a result, the Project site benefits from the kind of direct access and visibility necessary for a shopping center to be successful. The size of the site and its flat topography permit a cohesive, integrated Project, rather than a series of unrelated, strip developments at a number of locations throughout the City, and because of this and the above reasons, is particularly appropriate for the type of total planning inherent in an SPA. Use of the SPA for development guidance will also provide for flexibility and a greater range of uses than would customarily be permitted by the standard zones of the City Zoning Code and, at the same time, ensures that development will occur in an orderly and cohesive manner. Therefore, the unique size and location of the Project, as well as the general lack of environmental constraints, justify the adoption of the SPA Zone for the Lent Ranch Marketplace site.

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2. The said unusual features cannot adequately be protected by the adoption of any other land use zone.

No other land use zone in the City Zoning Code allows for the wide range of uses and flexibility provided by the SPA Zone. As stated in the Zoning Code, it is the purpose of the SPA Special Planning Area Land Use Zone to provide a method for the City to guide development in certain special areas so as to preserve their unique characteristics. The Project site is such an area and, without the SPA Zone designation, the site could not be developed in the same comprehensive manner, which includes a program to provide for the infrastructure requirements of the Project. Absent the flexibility of the SPA Zone, it would not be economically feasible to develop the site in a cohesive manner and assure quality of design. As a result, development of this uniquely sized and situated parcel would probably be piecemeal, likely resulting in a mix of incompatible uses and designs, and the benefits to be derived from the Project will not have been gained by the City.

Section 5. Change of Zone Findings

Pursuant to Article 2 of Chapter 15 of Title 1 of the Zoning Code, the City Council finds as follows:

1. The Change of Zone is consistent with the General Plan.

The previous General Plan land use designation for the Project Site was Urban Development Area (UDA). The UDA designation identifies an area where the City will conduct additional studies leading to the appropriate designation of urban land uses for the area. The Project Site was designated as UDA in 1993 as part of the County's General Plan revision and was identified for urban uses within the initial 20-year planning period of the General Plan. Consistent with the intent of the General Plan, the City has approved a General Plan Amendment to change the land use designation from UDA to Commercial and Offices (279.5 acres) and to Medium Density Residential (15.3 acres). The AG-80 zone classification permits agricultural-related uses with a minimum parcel size of eighty (80) acres. The AG-80 zoning classification is inconsistent with the existing designation of UDA because the UDA designation anticipates urban uses, while the AG-80 classification precludes urban uses. The change of zone of the Project Site from AG-80 to Special Planning Area (SPA) is consistent with both the previous UDA land use designation, in that it will allow for the urban uses anticipated for the area, and with the specific urban uses permitted by the General Plan designations of Commercial and Offices and Medium Density Residential approved by the City for the Project Site.

2. The public health, safety and general welfare warrant the change of zoning for the Project Site.

The public health, safety and general welfare warrant the change of zoning for the Project Site because the Lent Ranch Marketplace project, which requires the change of zone, will provide necessary shopping, retail, entertainment and other commercial and office uses that do not exist at present within the City or in adjacent communities. Furthermore, the Lent Ranch Marketplace project will provide these uses in one attractively designed, well-planned site, located adjacent to major highways and a freeway interchange for maximum public convenience, rather than less desirable piecemeal developments spread out over several locations. Residents of the multi-family residential component of the project will be able to walk to the various neighborhood-serving amenities within the project. The project will also provide these services to the residents of existing and planned residential development, thereby reducing the number of vehicle miles traveled to obtain these same services elsewhere which will improve air quality. In addition, the project will promote the general welfare by employing an average of 250 construction workers per year during the construction period, and total construction investment will total approximately \$313. At build out, the project will generate approximately 7,700 jobs, which will help balance the predominantly residential development that currently exists or is proposed for surrounding areas. The project will also create indirect economic benefits and serve as a catalyst for additional economic activity as a result of job creation and the spending of project wages in the City. The infrastructure provided by the project will facilitate access to the site and surrounding areas. The project will contribute its fair share toward the reconstruction of the Grant Line Road/SR 99 Interchange, as well as providing other necessary roadway and intersection improvements both within, and outside of, the project area as required to meet safety and capacity standards. These roadway improvements will help improve vehicular access and emergency response time to the Project site and surrounding areas. Finally, the project will be economically beneficial by providing an expanded economic base for the City and surrounding region by generating over \$6 million annually in taxes, fees and revenues at build out. Therefore, the public health, safety and general welfare of the residents of the region warrant the change of zone for the Project Site.

Section 5. Amendment

Article 4 of Chapter 1 of Title 1 of the City of Elk Grove Zoning Code is hereby amended to incorporate the Lent Ranch Marketplace Special Planning Area.

Section 6. Change of Zone

The zoning classification of the Project Site is hereby changed from AG-80 to SPA.

Section 7. Severability

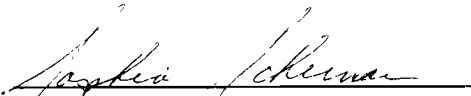
If any provision or section of this Ordinance is determined to be unenforceable, invalid or unlawful, such determination shall not affect the enforceability of the remaining provisions of the Ordinance.

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Section 8. Effective Date and Publication

This ordinance shall take effect 30 days after its adoption, and within 15 days following its passage, shall be published at least once in a paper of general circulation published and circulated in the City of Elk Grove.

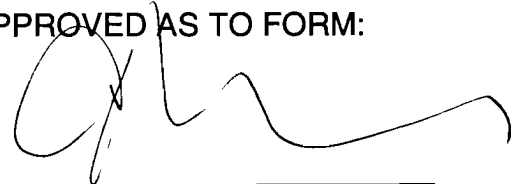
PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 11th day of July 2001.


MICHAEL P. LEARY, MAYOR
CITY OF ELK GROVE

ATTEST:


PEGGY JACKSON, CITY CLERK
CITY OF ELK GROVE

APPROVED AS TO FORM:


ANTHONY MANZANETTI,
CITY ATTORNEY
CITY OF ELK GROVE

AYES: Scherman, Cooper,
Briggs, Soares
NOES: None
ABSTAIN: None
ABSENT: Leary

Effective Date: August 11, 2001