

ORDINANCE NO. 06-2015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING THE ELK GROVE MUNICIPAL CODE FOR TWO PROJECTS (SEPA AMENDMENT 1; ELK GROVE FLORIN AND BOND/WATERMAN SITES)

WHEREAS, the City Council has directed certain amendments to the General Plan, Southeast Policy Area (SEPA) Community Plan, and Laguna Ridge Specific Plan; and

WHEREAS, certain rezonings of property and amendments to the SEPA Special Planning Area are necessary to implement this direction; and

WHEREAS, the City Council previously considered the two above referenced projects under the California Environmental Quality Act (CEQA), finding as follows:

1. On March 11, 2015, the City Council adopted Resolution No. 2015-041 finding the proposed SEPA Amendment 1 project exempt from CEQA pursuant to State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations);
2. On March 11, 2015, the City Council adopted Resolution No. 2015-044 finding the balance of the proposed amendments exempt from CEQA pursuant to State CEQA Guidelines Sections 15162 (Subsequent EIRs and Negative Declarations) and 15061(b)(3) (General Rule);

NOW, THEREFORE, the City Council of the City of Elk Grove does hereby ordain as follows:

Section 1: Purpose

The purpose of this Ordinance is to amend the Elk Grove Zoning Map and the SEPA Special Planning Area to implement the goals, policies, and action items of the General Plan as it pertains to the two projects listed above.

Section 2: Findings – SEPA Amendment 1

Rezoning

Finding: The proposed zoning amendment is consistent with the General Plan goals, policies, and implementation programs.

Evidence: The proposed rezone is consistent with the goals and policies of the General Plan because it implements the corresponding General Plan Amendment. The amendment is necessary for contiguity of land uses along a future arterial roadway, consistent with General Plan focused Goal 1-9, which calls for a pattern of land use which enhances the community character,...[and] which provides for transit.

Special Planning Area Amendment

Finding: The proposed amendment is consistent with the General Plan goals, policies, and implementation programs.

Evidence: The proposed amendments to the Southeast Policy Area Strategic Plan are consistent with the goals and policies of the General Plan as it implements the changes to the land use map.

The accompanying changes internal to SEPA include changes to the land plan and development standards. The land plan changes reduce the residential development potential of the plan in a minor way and do not limit the Plan's employment development potential. The changes to the development standards are minor and provide added flexibility in subsequent project design.

Section 3: Findings – Elk Grove Florin and Bond/Waterman Sites

Finding: The proposed zoning amendment is consistent with the General Plan goals, policies, and implementation programs.

Evidence: The proposed rezonings implement the proposed changes to the General Plan consistent with General Plan Policy LU-3.

Section 4: Action – SEPA Amendment 1 Rezoning

The Zoning Map for the City of Elk Grove is hereby amended for the SEPA Amendment 1 Project as provided in Exhibit A, incorporated herein by this reference.

Section 5: Action – Elk Grove Florin and Bond/Waterman Sites Rezoning

The Zoning Map for the City of Elk Grove is hereby amended for the Elk Grove Florin and Bond/Waterman Sites as provided in Exhibit B, incorporated herein by this reference.

Section 6: Action – SEPA Special Planning Area Amendments

The SEPA Special Planning Area document is hereby amended for the SEPA Amendment 1 Project as provided in Exhibit C, incorporated herein by this reference.

Section 7: No Mandatory Duty of Care.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 8: Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or

applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.


Section 9: Savings Clause

The provisions of this ordinance shall not affect or impair an act done or right vested or approved or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution shall remain in full force and effect to all intents and purposes as if such ordinance or part thereof so repealed had remained in force. No offense committed and no liability, penalty or forfeiture, either civilly or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered by said Code shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinance or part thereof had not been repealed or altered.

Section 10: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).


ORDINANCE: 06-2015
INTRODUCED: March 11, 2015
ADOPTED: March 25, 2015
EFFECTIVE: April 24, 2015



GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


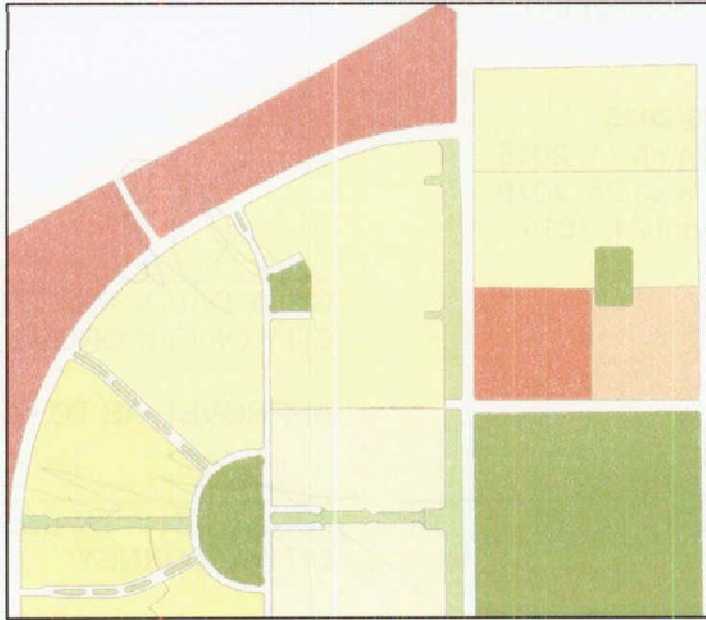
JONATHAN P. HOBBS,
CITY ATTORNEY

Date signed: April 3, 2015

**Exhibit A
Rezoning: SEPA Amendment 1**

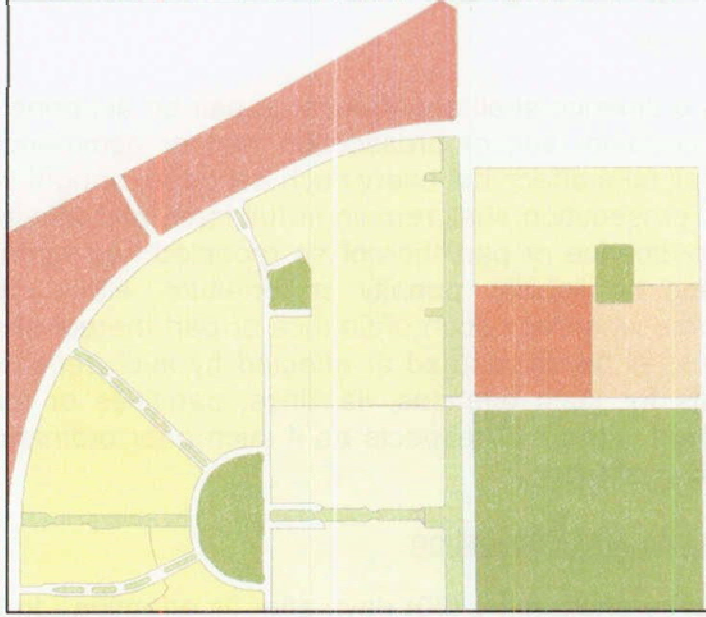
The City Zoning Map is revised as follows:

Existing Zoning



- BP
- CP; LP; NP
- PKY
- RD-10

Proposed Zoning

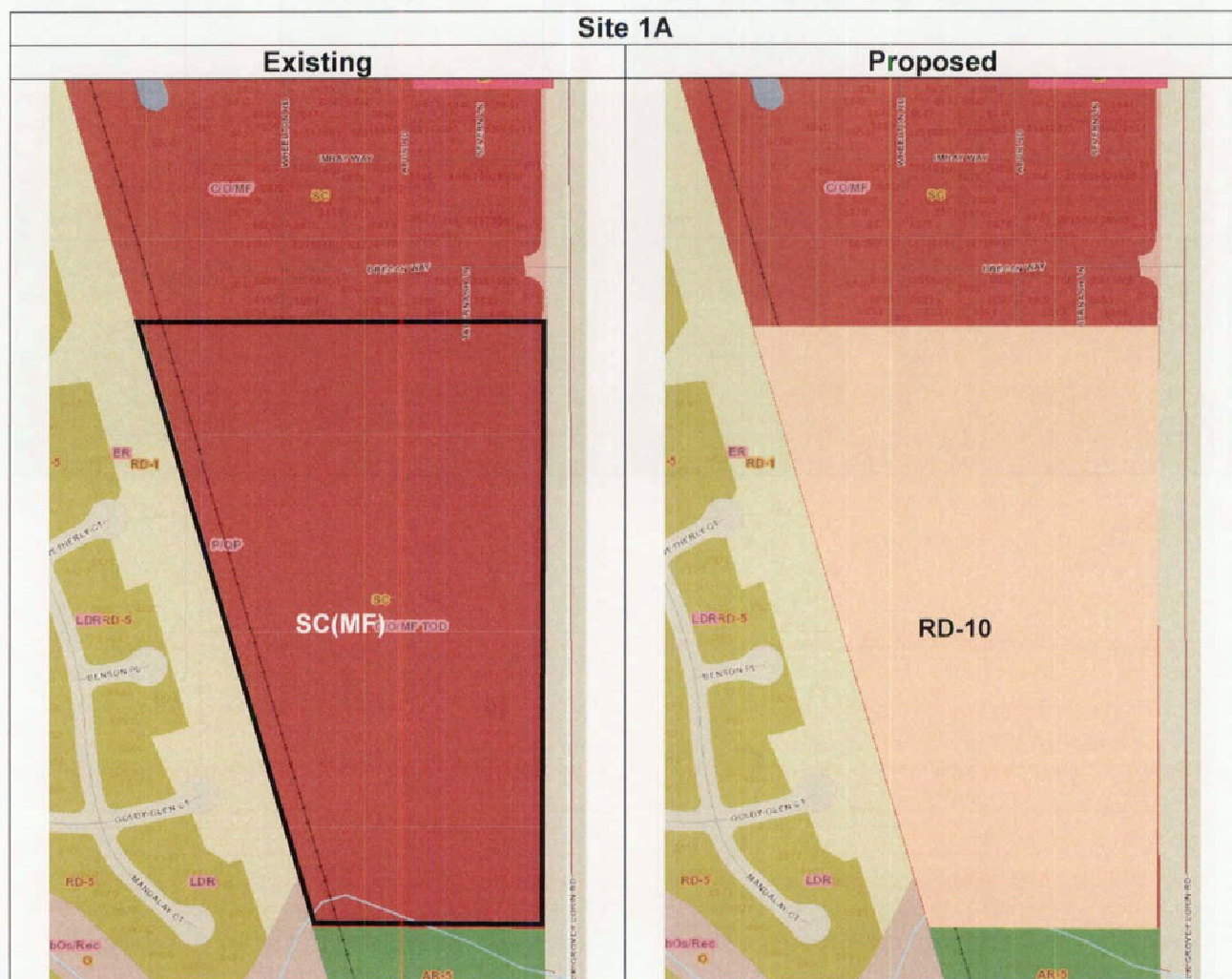


- RD-20
- RD-4
- RD-5
- RD-7

Exhibit B
Rezoning: Elk Grove Florin and Bond/Waterman Sites

The following sites are hereby rezoned:

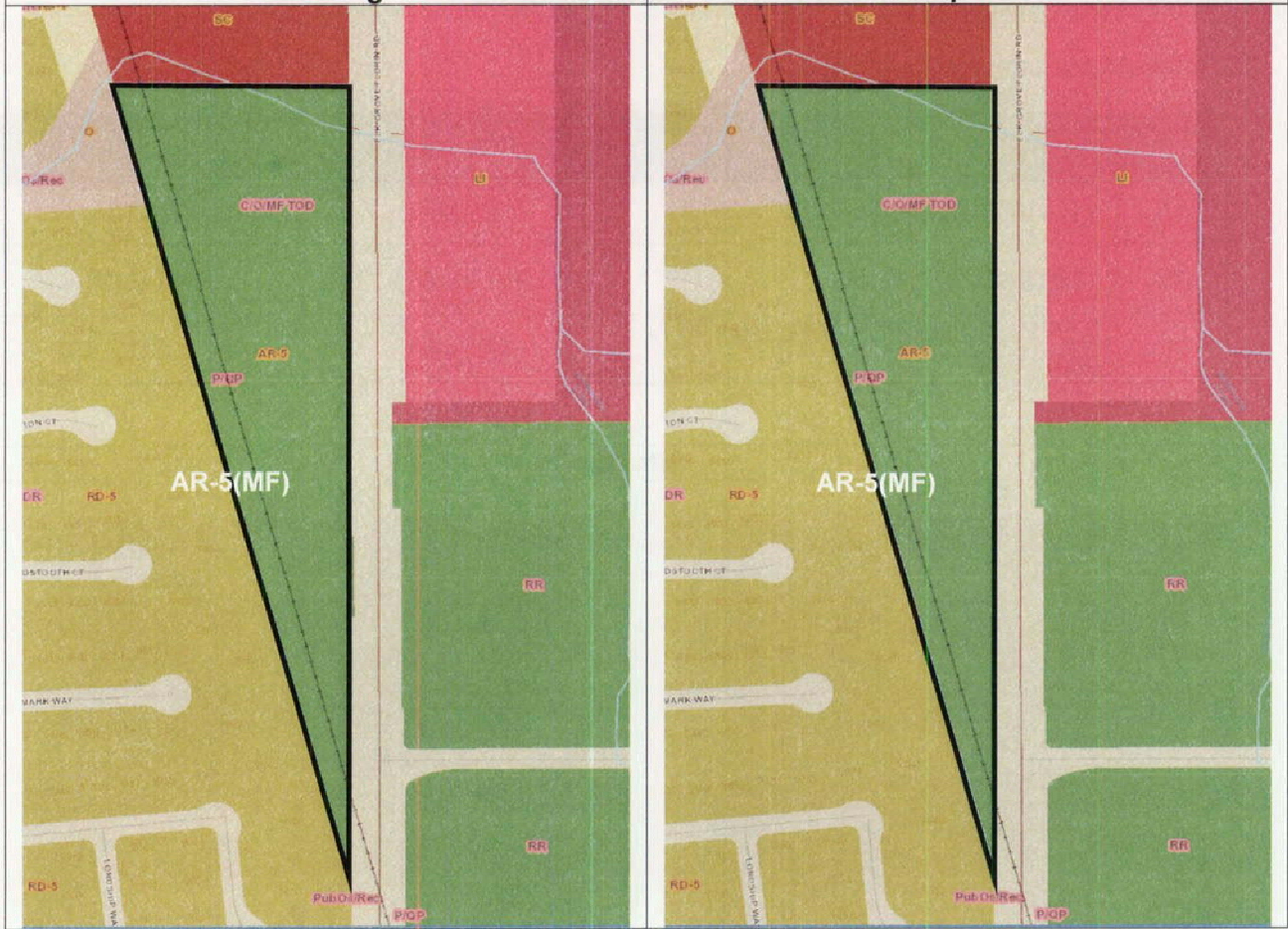
| Site # | APN(s) | Zoning Designations | |
|--------|---|---------------------|----------|
| | | Existing | Proposed |
| 1A | 116-0042-023, 024, 028 | SC(MF) | RD-10 |
| 1B | 116-0042-007, 025 | AR-5(MF) | AR-5(MF) |
| 2 | 127-1030-005, 008, 009, 010, 127-0010-108 | SC(MF) | SC |



Site 1B

Existing

Proposed



Site 2

Existing

Proposed

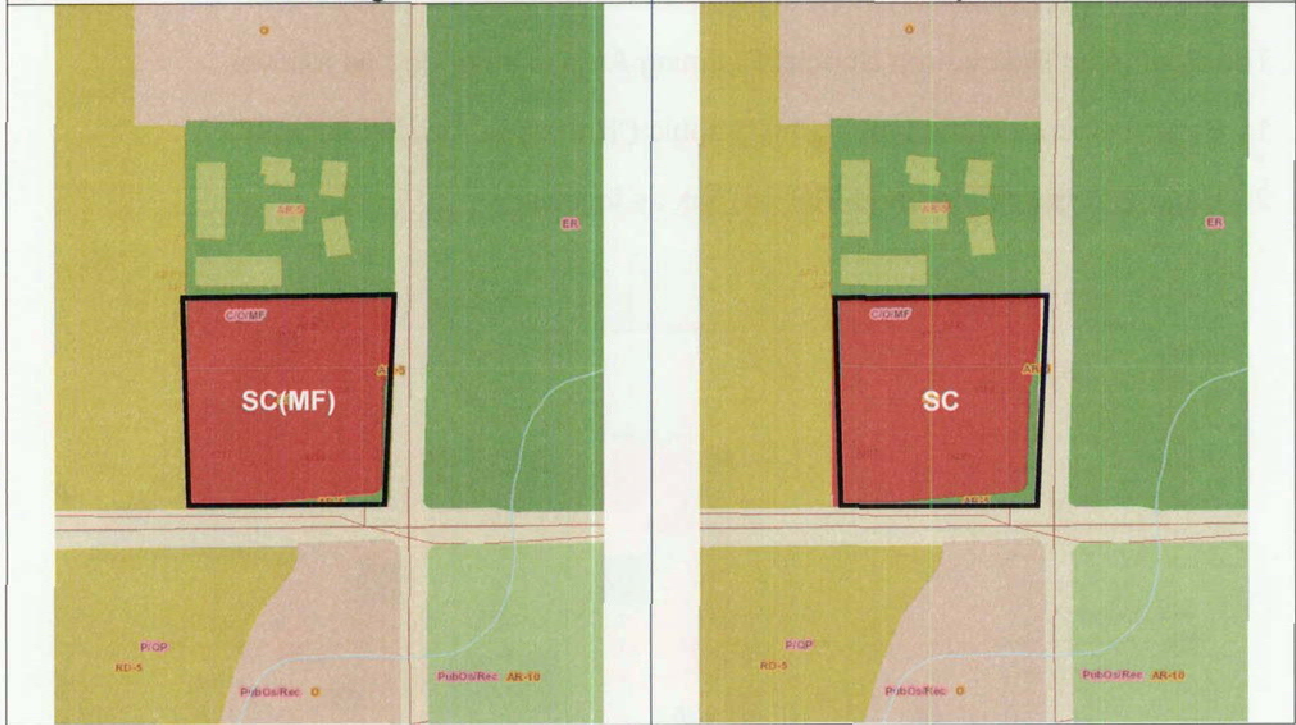
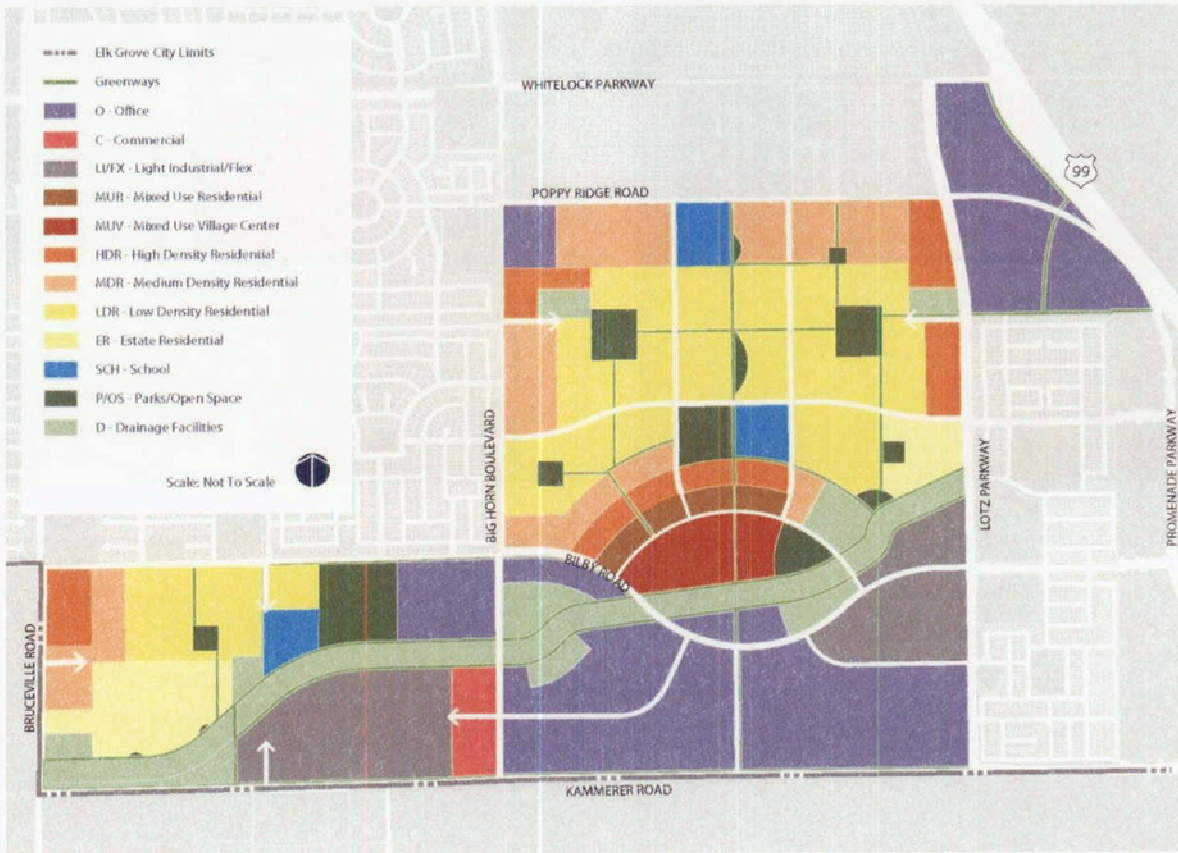


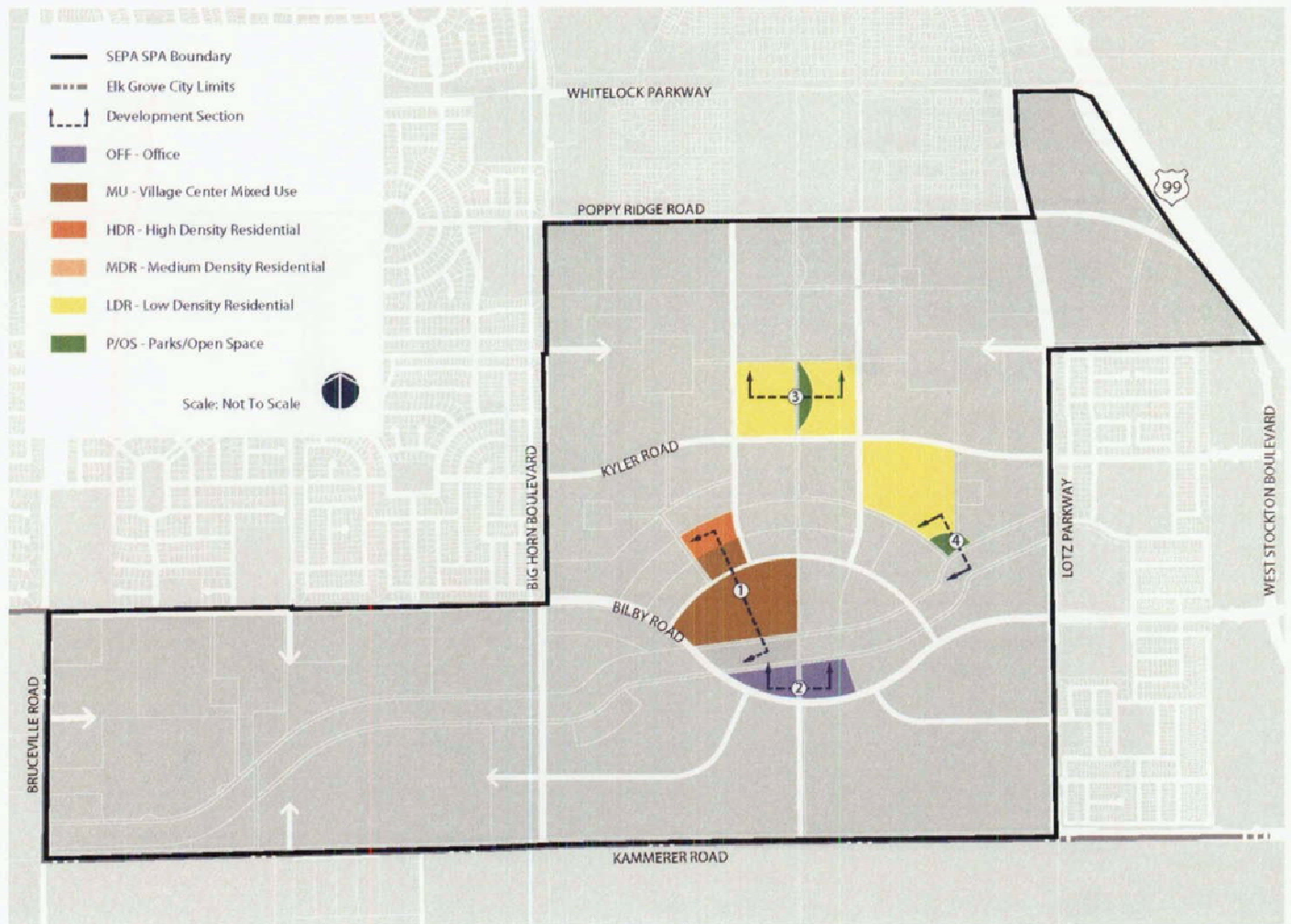
Exhibit C Southeast Policy Area Special Planning Area Amendments

The Southeast Policy Area Special Planning Area is amended as follows:

1. Page 1-3, correct the typo in the graphic (“Prototype” not “Prototype”).
2. Page 2-7, revise the Land Plan to look as follows:

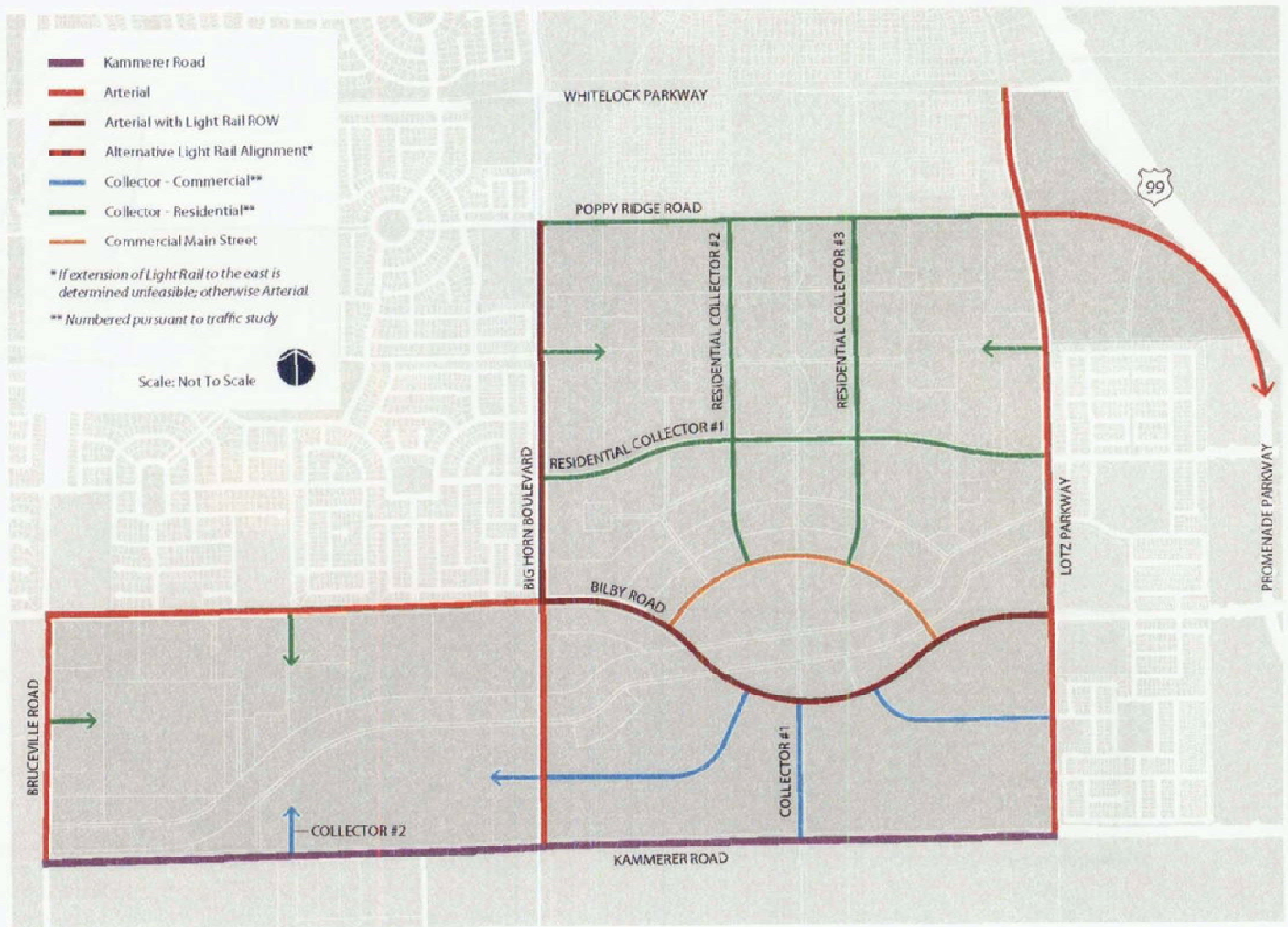


3. Page 2-8, revise the figure to look as follows:



4. Page 3-3, allow "Organizational Houses" (e.g., dormitories) in the Office, Commercial, and Light Industrial/Flex land use designations upon approval of a Conditional Use Permit (CUP), consistent with the allowed use regulations for schools.
5. Page 4-4, allow the *Collector, Residential* street form in the MDR and HDR land use designations.

6. Page 4-5, revise the Street Layout Map to look as follows:



7. Page 4-10, revise the Transit Corridor description to read “In advance of the transit facility, this corridor shall be landscaped to the satisfaction of the City. Upon development of the transit system, it shall include a decorative fence along the street side and a solid masonry wall, consistent with the design requirements of this SPA, along the outside edge. Residential uses adjacent to the corridor shall install a solid masonry wall along the shared property line as part of their development. Upon development of the transit system, a decorative fence shall be installed along the street side of the corridor and where adjacent to all other land uses. All fencing and walls shall be consistent with the design requirements of this SPA.”
8. Page 4-12, change the following standards for the Collector, Commercial street form:
 - a. Right-of-Way (~~54 52~~ ft. – ~~64 62~~ ft.)
 - b. F. Landscape Area ~~45 24~~ ft. min. total width
9. Page 4-16, re-label items “H” and “I” as “C” and “D”, respectively.

10. Page 4-30, correct the typo in line A. Front (“may be” not “maby be”).
11. Page 4-40, revise the side yard setback standards for the *Executive Lot, Single-Family Residential* building form from 7.5 feet (internal) and 15 feet (street side) to 5 feet and 12.5 feet, respectively
12. Page 4-45, revise the minimum lot depth for the *Small-Lot Detached Housing, Rear Loaded* building form from 70 feet to 60 feet
13. Page 4-106, change:
 - a. “Major Entry Monument” to “Primary Entry Monument”
 - b. “Minor Entry Monument” to “Secondary Entry Monument”

**CERTIFICATION
ELK GROVE CITY COUNCIL ORDINANCE NO. 06-2015**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing ordinance, published and posted in compliance with State law, was duly introduced on March 11, 2015 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on March 25, 2015 by the following vote:

AYES : **COUNCILMEMBERS:** *Davis, Hume, Detrick, Ly, Suen*
NOES: **COUNCILMEMBERS:** *None*
ABSTAIN: **COUNCILMEMBERS:** *None*
ABSENT: **COUNCILMEMBERS:** *None*

A summary of the ordinance was published pursuant to GC 36933(c) (1).


**Jason Lindgren, City Clerk
City of Elk Grove, California**