

RESOLUTION NO. 2014-29

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
DECLARING ITS INTENT TO ADOPT A GENERAL PLAN AMENDMENT, SPECIFIC
PLAN AMENDMENT FOR THE EAST FRANKLIN LAGUNA RIDGE, AND EAST ELK
GROVE SPECIFIC PLANS, ZONING CODE TEXT AMENDMENT, AND REZONING
FOR THE 2013-2021 HOUSING ELEMENT
AND ADOPT AMENDMENTS TO THE CONDITIONS OF APPROVAL FOR THE
WATERMAN 75 PROJECT (EG-06-1158)**

**PROJECT NO. PL0018
GENERAL PLAN AMENDMENT NO. 14-2**

WHEREAS, safe and affordable housing for all persons is a goal of the City of Elk Grove; and

WHEREAS the Housing Element of the General Plan provides an opportunity for the City to demonstrate how this goal will be achieved; and

WHEREAS, the City of Elk Grove is required by State law to prepare a Housing Element which provides information, policies, and programs to encourage the development of housing to meet the needs of all of the City's residents; and

WHEREAS, the City has worked closely with the State of California Department of Housing and Community Development (HCD), which is the State Agency responsible for reviewing Housing Elements prepare by cities and counties, on the Housing Element update since June 2012; and

WHEREAS, on March 4 and April 15, 2013, staff held a public workshop to solicit feedback on the draft 2013-2021 Housing Element; and

WHEREAS, on April 18, 2013, the Planning Commission held a workshop to review the process and key issues involved with the 2013-2021 Housing Element update; and

WHEREAS, on May 16, 2013, the Planning Commission held a public meeting to review the candidate sites for inclusion in the 2013-2021 Housing Element update and received public comment on the sites; and

WHEREAS, on June 26, 2013, the City Council held a public meeting to review the draft policies in the 2013-2021 Housing Element update and received public comment; and

WHEREAS, on November 8, 2013, the City released the public draft 2013-2021 Housing Element for public comment and provided a copy to HCD for initial review and comment; and

WHEREAS, the California Environmental Quality Act (Section 21000, et. seq. of the California Public Resources Code, hereafter CEQA) requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole

of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.”; and

WHEREAS, the proposed 2013-2021 Housing Element, and corresponding actions described in this Resolution (the Project), is a project under CEQA; and

WHEREAS, on August 2, 2013, the City released a Notice of Preparation for an Environmental Impact Report (EIR) for the Project; and

WHEREAS, on December 16, 2013, the City released a Notice of Availability for the Draft EIR and the 45-day comment period is from December 16, 2013 through January 30, 2014; and

WHEREAS, on January 9, 2014, the Planning Commission of the City of Elk Grove held a duly noticed public hearing on the Project, accepted public comment, and adopted Planning Commission Resolution 2014-1 recommending that the City Council approve the Project; and

WHEREAS, on February 12, 2014, the City Council of the City of Elk Grove held a duly noticed public hearing on the Project and accepted public comment;

WHEREAS, the City Council directed that staff remove site 7A from the proposed list property rezones, and directed staff to increase the density in the Southeast Policy Area in order to meet the City's fair-share housing allocations city-wide.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove hereby declares its intent to adopt or approve the following:

- Repeal of the existing Housing Element of the General Plan and adoption of the 2013-2021 Housing Element as provided in the February 12, 2014 staff report, with direction to staff to finalize Policy H-1 and the Available Sites discussion (beginning on page 42 of the Draft Housing Element) and Table 35 to reflect the final selection of sites (specifically removing site 7A and increasing the minimum unit capacity in the southeast policy area to 1,260 units);
- Amendment of General Plan Policies LU-6 and LU-40 as provided in Exhibit A;
- Amendment of the General Plan Land Use Map (Figure LU-1) and concurrent amendments to Figures LU-3, LU-4, and LU-5, as provided in Exhibit B;
- Amendment of the Land Plans for the East Franklin Specific Plan, Laguna Ridge Specific Plan, and East Elk Grove Specific Plan as provided in Exhibit B;
- Amendment of Section 23.30.020.D.2 and Table 23.30-2D of Title 23 of the Elk Grove Municipal Code as provided in Exhibit C;
- Amendment of the Elk Grove Zoning Map as provided in Section 23.24.010 of Title 23 of the Elk Grove Municipal Code as provided in Exhibit B; and
- Amendment to the Conditions of Approval for the Waterman 75 project (EG-06-1158) as provided in Exhibit D.

General Plan Amendment

Finding: The proposed General Plan Amendments are consistent with goals and policies of the Elk Grove General Plan.

Evidence: The proposed General Plan Amendments, including adoption of the 2013-2021 Housing Element, amendments to Land Use Policies LU-6 and LU-40, and amendment to the General Plan Land Use Map and Policy Maps for the East Franklin, Laguna Ridge, and East Elk Grove Policy Areas will maintain internal consistency within the General Plan. These amendments further the policies of the General Plan by providing adequate sites, including land suitable for multifamily housing, necessary to accommodate the City's share of the regional housing needs (Housing Goal 1). It also furthers Guiding Goal 1 and corresponding Focused Goal 1-6, which calls for providing "safe and affordable housing for all persons."

Specific Plan Amendments

Finding: The proposed specific plan amendments are consistent with the General Plan goals, policies, and implementation programs.

Evidence: The proposed amendments to the East Franklin, Laguna Ridge, and East Elk Grove Specific Plan maintain consistency with the General Plan, as amended, by providing land use regulations consistent with the General Plan land use designations for the subject properties.

Zoning Text and Map Amendment

Finding: The proposed Zoning Amendment (text and map) is consistent with the General Plan's goals, policies, and implementation programs.

Evidence: The proposed text and map amendments to the Zoning Code (Title 23 of the Elk Grove Municipal Code) maintain consistency with the General Plan as amended. The modification to the allowed density of the RD-25 zone will provide the necessary density range to ensure compliance with State law and Department of Housing and Community Development guidelines for housing elements and local regulations relative to providing appropriately zoned sites for low and very-low income persons. This is consistent with the General Plan Housing Goal 1, which calls for providing adequate sites, including land suitable for multifamily housing, necessary to accommodate the City's share of the regional housing needs.

The proposed rezoning maintains consistency between the General Plan Land Use Map and the Zoning Map as required by law by placing the subject properties in a district (RD-25) that is consistent with the density range described in Land Use Policy LU-2 and corresponding zoning in LU-3.

Tentative Subdivision Map Condition Amendment


Finding: None of the findings (a) through (g) below in Section 66474 of the California Government Code that require a City to deny approval of a tentative map apply to the amendments to the Waterman 75 Project conditions of approval.

- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c. That the site is not physically suitable for the type of development.
- d. That the site is not physically suitable for the proposed density of development.
- e. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence: Findings (a) through (g) in Section 66474 of the California Government Code do not apply to the project.

- a. The proposed changes to the conditions of approval will maintain consistency between the General Plan, Specific Plan, and zoning, and the Project. The change at the General Plan/Specific Plan/Zoning level for proposed Parcel 8 necessitates modification to the conditions where the land use designations have changed.
- b. The proposed Parcel 8 remains consistent with the General Plan and Specific Plan as previously described in the approval of the Project. No circumstances or standards have changed which would cause the design or improvement of proposed Parcel to no longer be consistent with the General Plan and Specific Plan.
- c. The site is physically suited to development as noted by the initial approval of the Project.
- d. The site is physically suitable for the proposed density of development as noted by the initial approval of the Project.
- e. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat as noted by the initial approval of the Project.
- f. The design of the subdivision or type of improvements is not likely to cause serious public health problems as noted by the initial approval of the Project.
- g. The design of the subdivision or type of improvements will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision as noted by the initial approval of the Project. There are powerline easements along the western side of the site; however these do not conflict with the changes to proposed Parcel 8. This Parcel remains clear of these easements.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 12th day of February 2014.



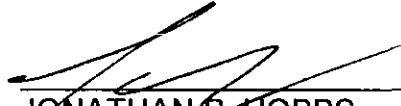
GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

Exhibit A
General Plan Land Use Policy Amendments

Note to Reader: Proposed changes are shown in ~~strikeout~~/underline with proposed deletions shown with ~~strikeout~~ and additions shown with an underline.

General Plan Land Use Policy LU-6 shall be amended to read as follows:

LU-6 - Multi-family housing development ~~in excess of 15 dwelling units per gross acre~~ should be located according to the ~~following~~ general criteria outlined in policy H-3 Action 1. Flexibility may be ~~applied on a case-by-case basis for sites which vary from these guidelines.~~

- ~~Multi-family housing sites should generally be no smaller than eight (8) acres and no larger than fifteen (15) acres. The minimum size is intended to ensure on-site management; the maximum size is intended to reduce the potential for public safety problems.~~
- ~~Individual sites should be located at least one-third (1/3) mile apart. This is intended to reduce the potential for over-concentration of multi-family uses in any part of Elk Grove.~~
- ~~Multi-family housing sites should be located close to commercial areas, major roadways, and public transit to encourage pedestrian rather than vehicle traffic.~~
- ~~Senior/assisted living housing projects may be appropriate at sizes and spacing below typical thresholds, due to the reduced traffic and other impacts generally associated with these uses.~~

General Plan Land Use Policy LU-40 shall be amended to read as follows:

LAND USE POLICIES: HIGH DENSITY RESIDENTIAL SHELDON FARMS

LU-40 ~~Between 10 and 15 acres (net) within APN 116-0012-047, 050, and 059. The Sheldon Farms property, located on the south side of Sheldon Road, east of Bruceville Road, and north of Big Horn Boulevard, and consisting of APNs 116-0012-048, 049, 051, 059, and 064, shall be designated high density residential development developed consistent with the following provisions:-~~

- The City shall require that 15 net acres be designated for high density residential development. It is anticipated that this acreage will be dispersed to two or three specific locations, allowing for multi-family development consistent with the policies of the Housing Element.
- Development should not occur until a master plan for the site has been prepared. At a minimum, the master plan should include a detailed designation of land uses, development standards, and infrastructure planning as appropriate.
- The site is separated by Laguna Creek. As such, two separate master plans may be prepared, one for the north side of Laguna Creek and one for the land south of Laguna Creek. Should two master plans be prepared the high density residential requirement shall be proportionally shared between the two sides of Laguna Creek. The minimum size for any one high density

residential development location shall be 3 acres, consistent with the policies of this General Plan.

- Consistent with Policy H-1 Action 2 of this General Plan, rezoning of the Sheldon Farms property to include the high density residential requirement shall be completed by January 1, 2017. Should a master plan or equivalent development application not be approved by this time, the City may rezone the necessary acreage to satisfy this policy. This action shall not preclude the preparation and adoption of a master plan at a future date, including identifying different location(s) and their respective sizes and configurations, consistent with this policy, for the required high density residential development.

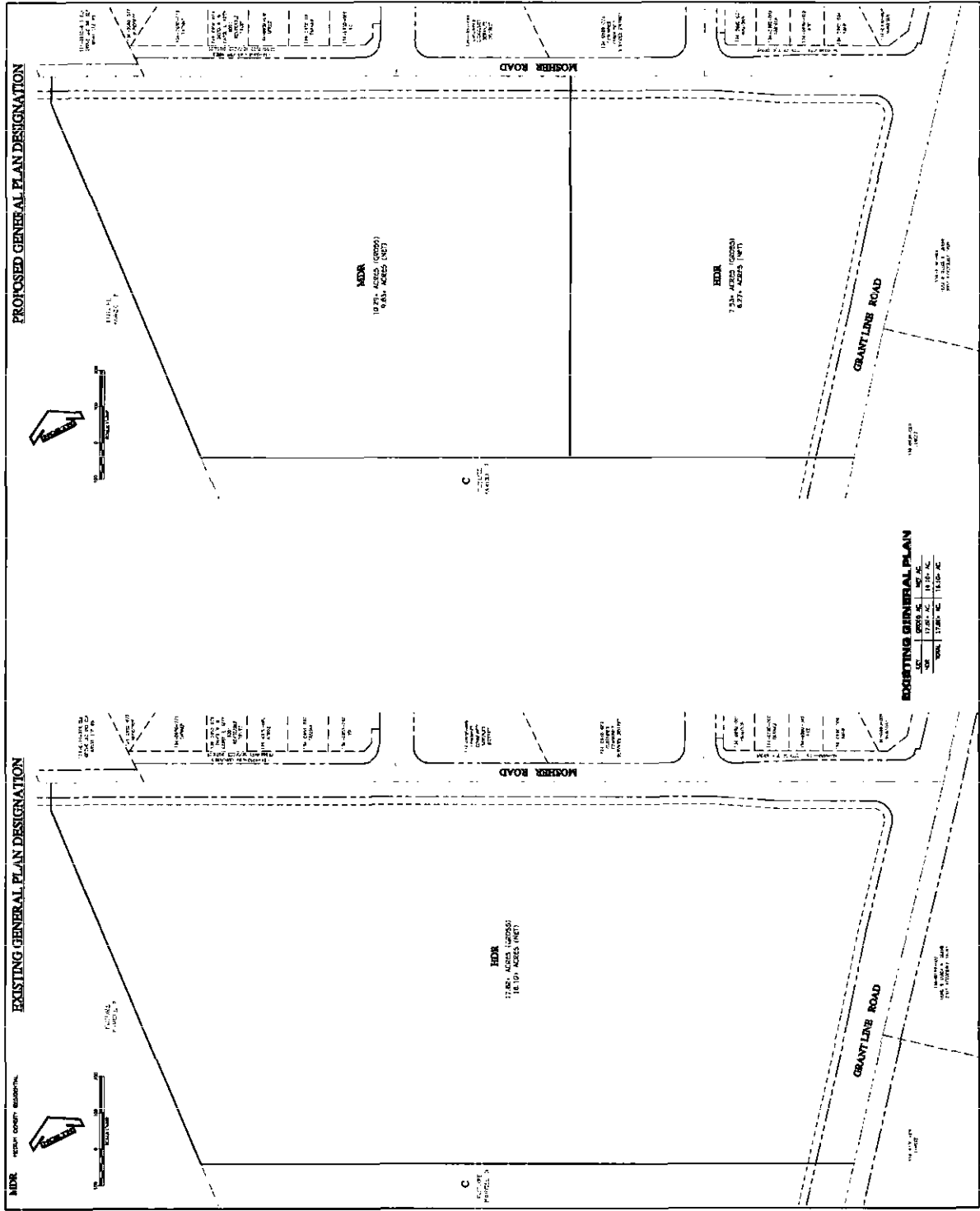
**Exhibit B
General Plan Land Use Map Amendments, Policy Area Maps Amendments, Specific Plan Land Plan Amendments, and Rezones**

Site #	APN	General Plan (Fig LU-1)		Policy Area (Fig LU-3, 4, or 5, as applicable)		Specific Plan (EFSP, LRSP, EEGSP, as applicable)		Zoning	
		Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
2	132-0050-088	HDR	HDR	HDR	HDR	RD-20	RD-25	RD-20	RD-25
3	132-0050-050	HDR	HDR	HDR	HDR	RD-20	RD-25	RD-20	RD-25
6*	134-0182-001	HDR	MDR/HDR	HDR		RD-20		RD-20	
C-1	115-0150-069	MDR	HDR	-	-	-	-	SPAC99	RD-25
C-2	116-0011-004	RR	HDR	-	-	-	-	SPALCF	RD-25
C-10	132-0460-107	C	MDR	-	-	-	-	LC	RD-15
C-18	132-0050-091	HDR	HDR	HDR	HDR	RD-20	RD-25	AG-20	RD-25
C-19	132-0050-052	HDR	HDR	HDR	HDR	RD-20	RD-25	AG-20	RD-25
C-20	132-0050-044	HDR	HDR	HDR	HDR	RD-20	RD-25	AG-20	RD-25
C-21	115-0180-012 115-0180-013	LDR	HDR	-	-	-	-	AR-5	RD-25
C-31	119-1920-017 119-1920-018	C	HDR	-	-	-	-	GC	RD-25
C-33	115-0162-011 115-0162-019 115-0162-023 115-0162-033	HDR	HDR	-	-	-	-	RD-20	RD-25

Note:

* Site 6 shall be modified as provided in the attached maps.

Site 6 General Plan Amendment



Site 6 Specific Plan Amendment and Rezoning

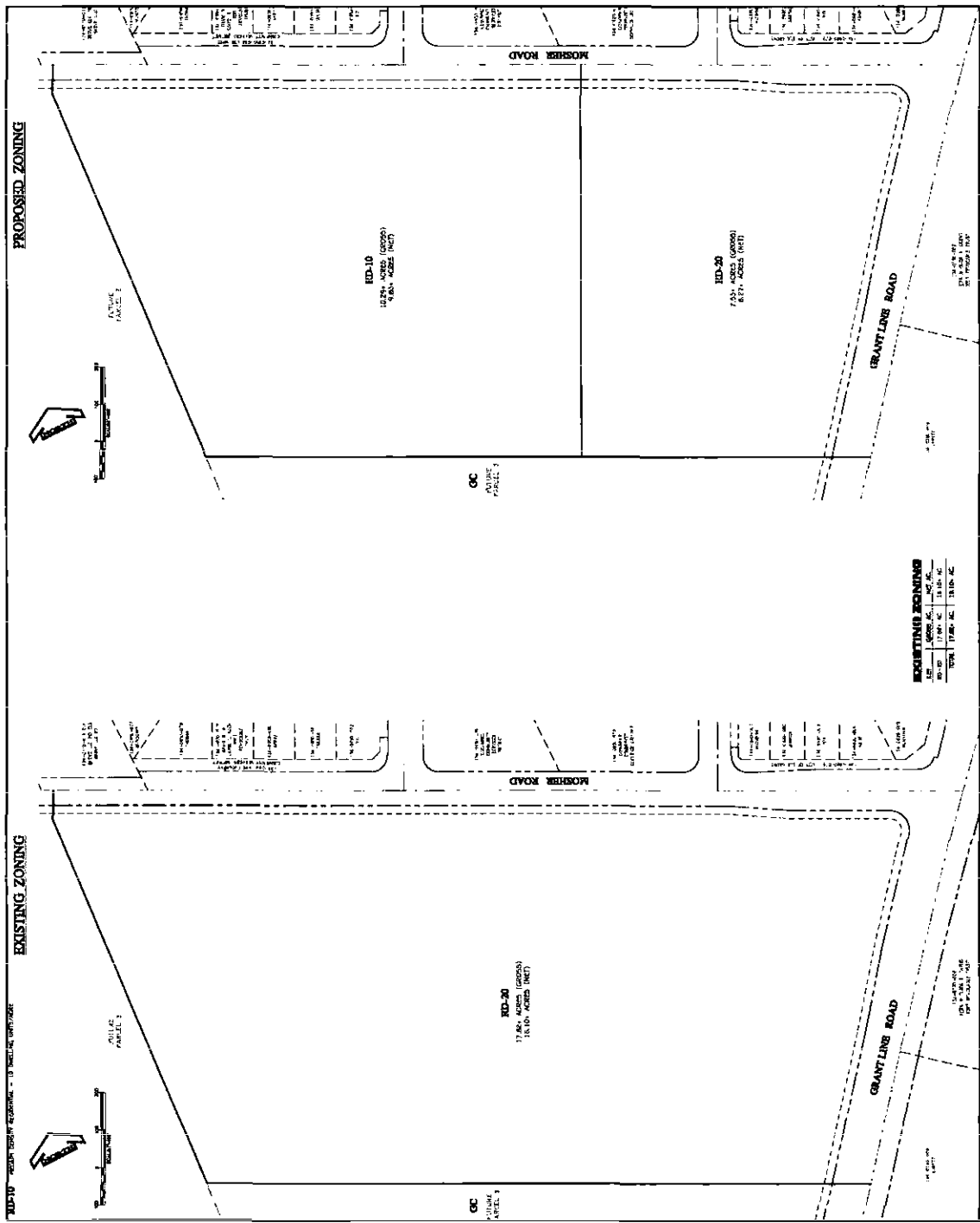


Exhibit C
Amendments to Title 23 of the Elk Grove Municipal Code

Note to Reader: Proposed changes are shown in ~~strikeout~~/underline with proposed deletions shown with ~~strikeout~~ and additions shown with an underline.

Section 23.30.020.D.2 of Title 23 of the Elk Grove Municipal Code is hereby amended to read as follows:

2. RD-25. The RD-25 district is intended for high density residential development, including apartments and condominiums or higher density attached single-family units, such as townhomes. The minimum density in this district is 20.1 dwellings units per acre and the maximum density in this district is 25 30.0 dwelling units per acre. ~~and it is expected that most developments will be two to three stories in height with greater lot coverage than in the RD-20 district.~~

Table 23.30-2D of Title 23 of the Elk Grove Municipal Code is hereby amended to read as follows:

Table 23.30-2D
High Density Residential Zoning District Development Standards

Development Standard	RD-20	RD-25	RD-30
Minimum lot area	No minimum ¹	No minimum ¹	No minimum
Minimum density	15.1 du/acre	20.1 du/acre	25.1 du/acre
Maximum density ²	20 du/acre	25 <u>30.0</u> du/acre	30 du/acre
Setbacks			
Front	25 ft.	25 ft.	25 ft.
Sides, interior lot ³	25 ft.	25 ft.	25 ft.
Street side, corner lot	25 ft.	25 ft.	25 ft.
Rear ³	20 ft.	20 ft.	20 ft.
Open space ⁴	25%	25%	25%
Height Limit⁵			
Primary structures	40 ft.	40 ft.	40 ft.
Accessory	16 ft.	16 ft.	16 ft.
Accessory structures	Refer to EGMC Chapter 23.46		
Fences and walls	Refer to EGMC Chapter 23.52		
Landscaping	Refer to EGMC Chapter 23.54		
Lighting	Refer to EGMC Chapter 23.56		
Parking	Refer to EGMC Chapter 23.58		
Performance standards	Refer to EGMC Chapter 23.60		
Signs	Refer to EGMC Chapter 23.62		

Notes:

1. Determined in the design review process.
2. Density range may be increased pursuant to the density bonus provisions listed in EGMC Chapter 23.50, Density Bonus.
3. The side and rear setback for all three (3) or more story multifamily structures (or portions thereof) abutting any single-family residential or open space district shall be one hundred (100' 0") feet, measured from the property line of the common boundary.
4. Open space includes active and passive recreation areas, other outdoor amenities, natural open space areas, and all landscaped areas outside of the required landscape corridors along adjoining streets.
5. As part of the design review process, the maximum height may be increased to sixty (60' 0") feet.

Exhibit D
Amendments to the Conditions of Approval for the Waterman 75 Project (EG-06-1158)

Note to Reader: Proposed changes are shown in ~~strikeout~~/underline with proposed deletions shown with ~~strikeout~~ and additions shown with an underline.

Conditions 1 and 16 of City Council Resolution 2007-171 are hereby amended to read as follows:

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>
1	<p>The project approved by this action is for the following entitlements <u>a</u></p> <p>General Plan Amendment to the Land Use Policy Map modifying the land use designations as described in the General Plan Amendment Exhibit for Waterman Park 75 dated 05/15/2007.</p> <p>Specific Plan Amendment to the East Elk Grove Specific Plan Land Use Diagram modifying the land use designations as described in the Specific Plan Amendment Exhibit for Waterman Park 75 dated 05/15/2007.</p> <p>Rezone to amend the City of Elk Grove Zoning Map to amend the zoning designations as described in the Rezone Exhibit for Waterman Park 75 dated 5/15/2007.</p> <p>Tentative Parcel Map to subdivide the parcel into eight parcels to permit development with land uses consistent with the General Plan and Specific Plan, including approved road realignment work, as depicted on the Tentative Parcel Map for Waterman Park 75 dated 5/17/2007</p> <p>Deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.</p>	On-Going	Development Services, Planning
16	<p>The High Density Residential (HDR) parcel <u>Parcel 8</u> will include <u>15 net acres of HDR and .42 acres of additional required parks/open space in addition to the HDR minimum open space requirement.</u></p>	On-Going	Planning

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2014-29**

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 resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on February 12, 2014 by the following vote:

AYES : **COUNCILMEMBERS:** *Davis, Cooper, Hume, Trigg*

NOES: **COUNCILMEMBERS:** *Detrick*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*


Jason Lindgren, City Clerk
City of Elk Grove, California