

ORDINANCE NO. 13-2022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING ELK GROVE MUNICIPAL CODE CHAPTER 23.58 TO MODIFY THE CITY'S REGULATIONS FOR MINIMUM REQUIRED PARKING FOR RESIDENTIAL USES

WHEREAS, the City of Elk Grove (City) last comprehensively reviewed its residential parking standards in 2006 with adoption of the Comprehensive Zoning Code Update; and

WHEREAS, the City commissioned a study looking at the feasibility of certain types and densities of residential development on sites listed to meet its share of the lower-income portion of the Regional Housing Needs Allocation (referred to as the RHNA Sites); and

WHEREAS, the City has an interest in development of the RHNA Sites at the highest density allowed to maximize the units created, thereby helping to address the state housing shortage; and

WHEREAS, the feasibility study identified changes to the parking standards for higher density residential development that could improve the development feasibility while still providing adequate parking; and

WHEREAS, before considering changes to the residential parking standards, the City commissioned a parking study, looking at the level of parking usage in existing higher density residential development; and

WHEREAS, in 2020, the State Legislature adopted Senate Bill 9, which imposed limits on the minimum parking that may be required for certain two residential dwelling unit development, which limits are less than the minimum parking currently required by the City; and

WHEREAS, the Planning Commission held a duly noticed public hearing on April 21, 2022, as required by law to consider all of the information presented by staff and public testimony presented in writing and at the meeting and voted 5-0 to recommend approval of the proposed amendments to the City Council; and

WHEREAS, the City Council held a duly noticed public hearing on May 11, 2022, as required by law to consider all of the information presented by staff and public testimony presented in writing and at the meeting.

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 Municipal Code Chapter 23.58 to modify the City's parking regulations for residential uses.

Section 2: Findings

California Environmental Quality Act (CEQA)

Finding: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3).

Evidence: 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.” The proposed project is a project under CEQA.

The approval of these amendments does not approve any development project. The proposed changes to Title 23 modify the City’s minimum parking requirements for residential uses and car washes. Subsequent development is subject to discretionary design review and/or use permit. These changes do not result in the possibility of creating significant or cumulative effects on the environment. Future discretionary development projects under the proposed regulations would be subject to CEQA at that time, as those actions would likely be classified as “projects” under CEQA. Therefore, these changes are not subject to CEQA under the Common Sense Exemption (CEQA Guidelines Section 15061(b)(3)) and no further environmental review is necessary.

General Plan

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

Evidence: The amendments to the City’s development standards will establish consistency between the residential parking standards and the allowed density range for higher density residential development. The less restrictive standards will allow for development projects that are more likely to achieve the higher end of the allowed density, aligning zoning standards with the City’s housing policies and goals. General Plan Goal H-3 calls for the City to utilize development regulations that remove constraints to the maintenance, improvement, and development of housing,” noting that the City will “identify and remove, where appropriate as determined by the City Council, governmental constraints to the maintenance, improvement, and development of housing in Elk Grove.” Updating the parking regulations for residential uses would remove a constraint to housing development by setting the parking standards consistent with how parking is utilized today.

Section 3: Action

Elk Gove Municipal Code Table 23.58-2 (Parking Requirements by Land Use) is hereby amended as provided in Exhibit A, incorporated herein by this reference.

Section 4: 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 5: 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 6: 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 7: 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: 13-2022
INTRODUCED: May 11, 2022
ADOPTED: May 25, 2022
EFFECTIVE: June 24, 2022



BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

Date signed: May 26, 2022

Exhibit A
Revisions to EGMC Title 23, Zoning

Proposed changes are shown in ~~strikeout~~ (for deleted text) and underline (for added text).

Table 23.58-2 (Parking Requirements by Land Use) shall be amended as follows (note, only the land uses listed are amended; all other land uses shall remain; footnotes shall be renumbered as appropriate.

Table 23.58-2: Minimum Parking Requirements by Land Use

Land Use	<u>Minimum Required Parking Spaces</u>
Residential Uses	
Dwelling, Multifamily	
 Studio and one-bedroom units	1.5 spaces/unit, plus 1 guest space/4 units
 Two and three-bedroom units	2 spaces/unit, plus 1 guest space/4 units
 Four or more bedroom units	3 spaces/unit, plus 1 guest space/4 units
 Senior product	0.5 spaces/unit, plus 0.25 spaces/unit guest parking
Dwelling, Second Unit	1 space/bedroom
Dwelling, Single Family	2 spaces/unit^{1,2,3}
Dwelling, Two-Family	2 spaces/unit^{1,2,3}
<u>Dwelling, Multiple Residential Unit</u>	
<u> Studio and one-bedroom units</u>	<u>1.0 spaces/unit, plus 1 guest space/6 units</u>
<u> Two-bedroom units</u>	<u>1.75 spaces/unit, plus 1 guest space/6 units</u>
<u> Three-bedroom units</u>	<u>2.0 spaces/unit, plus 1 guest space/6 units</u>
<u> Four- or more bedroom units</u>	<u>2.5 spaces/unit, plus 1 guest space/6 units</u>
<u> Senior product</u>	<u>0.5 spaces/unit, plus 1 guest space/4 units</u>
<u>Dwelling, Accessory Unit</u>	<u>1 space/unit</u>
<u>Dwelling, Junior Accessory Unit</u>	<u>No additional parking required</u>
<u>Dwelling, Single Residential Unit</u>	
<u> <5 bedrooms</u>	<u>2 spaces/unit¹</u>
<u> ≥5 bedrooms</u>	<u>3 spaces/unit¹</u>
<u>Dwelling, Two Residential Unit</u>	
<u> Generally</u>	<u>2 spaces/unit¹</u>
<u> When created pursuant to EGMC 23.30 or 22.20.100</u>	<u>1 space/unit²</u>
<u>Dwelling, Single and Two Residential Unit Guest Parking in development with private streets and no on-street parking</u>	<u>1 space/unit</u>
...	
<u>Car Washing and Detailing</u>	
<u> Full Service</u>	<u>Greater of: 10 spaces or 3 times internal washing capacity⁴</u>
<u> Self Service</u>	<u>2 spaces/wash bay</u>

Notes:

- ~~1. If development includes private streets with limited or no parking, a minimum of one (1) guest parking space shall be provided per single-family residence as determined by the designated approving authority. At least two (2) parking spaces shall either be enclosed or covered.~~
- ~~2. If five (5) or more bedrooms are provided in one (1) unit, then one (1) additional space shall be provided. No parking is required if the lot is located within one half mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code; or if there is a car share vehicle located within one block of the lot.~~
- ~~3. At least two (2) parking spaces shall either be enclosed or covered.~~
- ~~4. Additional parking may be required for drying or vacuum areas, as determined by the designated approving authority.~~

CERTIFICATION
ELK GROVE CITY COUNCIL ORDINANCE NO. 13-2022

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 May 11, 2022, and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on May 25, 2022, by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Suen, Hume, Spease, Nguyen*

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