

RESOLUTION NO. 2005-67

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ELK GROVE APPROVING A GENERAL PLAN AMENDMENT FOR
THE TRIBUTARY AMERICAN DREAM PROJECT EG-04-616,
OLD TOWN MIXED-USE DEVELOPMENT PROJECT EG-03-488,
AND FOR GENERAL PLAN POLICIES SA-3 AND LU-3 PROJECT GPA-05-002**

WHEREAS, The City Council is the appropriate authority to hear and take action on General Plan Amendments after a recommendation by the Planning Commission; and

WHEREAS, the City Council of the City of Elk Grove is permitted to amend the General Plan four (4) times during a calendar year; and

WHEREAS, the Planning Commission of the City of Elk Grove did conduct public hearings and make recommendations to the City Council concerning each change in the General Plan; and

WHEREAS, the City Council duly advertised and considered the Planning Commission recommendation and all of the testimony presented to it, including staff reports, environmental documents and public testimony, at a public hearing; and

WHEREAS, the Tributary American Dream project, represented by JMC Homes (hereinafter referred to as Applicants) filed an application with the City of Elk Grove (hereinafter referred to as City) for a General Plan Amendment designating 8.4 acres from Commercial to Low Density Residential, (Assessor's Parcel Number 127-0530-021)(Exhibit A). An Initial Study was prepared for this project and a Notice of Intent to Adopt a Mitigated Negative Declaration was prepared and circulated according to the requirements of the California Environmental Quality Act (CEQA). The Planning Commission considered the Applicant's request at a public hearing on January 13, 2005 and recommended City Council approval of the project; and

WHEREAS, Old Town Mixed-Use Development, represented by Eagle Circle (hereinafter referred to as Applicants) filed an application with the City of Elk Grove (hereinafter referred to as City) for a General Plan Amendment designating 1.90 acres from Low Density Residential (4.1-7.0 du/ac) to Commercial, (Assessor's Parcel Number 134-0072-013, 014, 015, 016)(Exhibit B). An Initial Study/Mitigated Negative Declaration was prepared and circulated for this project according to the requirements of the California Environmental Quality Act (CEQA), and was adopted by the City Council by separate resolution. The Planning Commission considered the Applicant's request at a public hearing on January 13, 2005 and recommended City Council approval of the project; and

WHEREAS, the Safety Element and Land Use Element amendments project revises the text of General Plan policies SA-3 and LU-3 (Exhibits C and D). An Initial

Study was prepared for this project and a Notice of Intent to Adopt a Negative Declaration was prepared and circulated according to the requirements of the California Environmental Quality Act (CEQA). The Planning Commission considered the proposed amendments at public hearing on January 27, 2005 and February 10, 2005 and recommended City Council approval of the project.

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Elk Grove does hereby amend the General Plan by the attached exhibits A, B, C, and D.

BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove bases its decision on the following finding:

Finding: Pursuant to §65358(a) of Title 7, Division 1 of the California Government Code, an amendment to a General Plan must be in the public interest.


Evidence: The City reviewed the proposed amendment to the General Plan and received public testimony at a duly noticed public hearing regarding the matter. Development of the projects would not result in an adverse effect upon the environment or to human beings. The projects are consistent with the goals and policies of the Elk Grove General Plan.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 9th day of March 2005.



DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

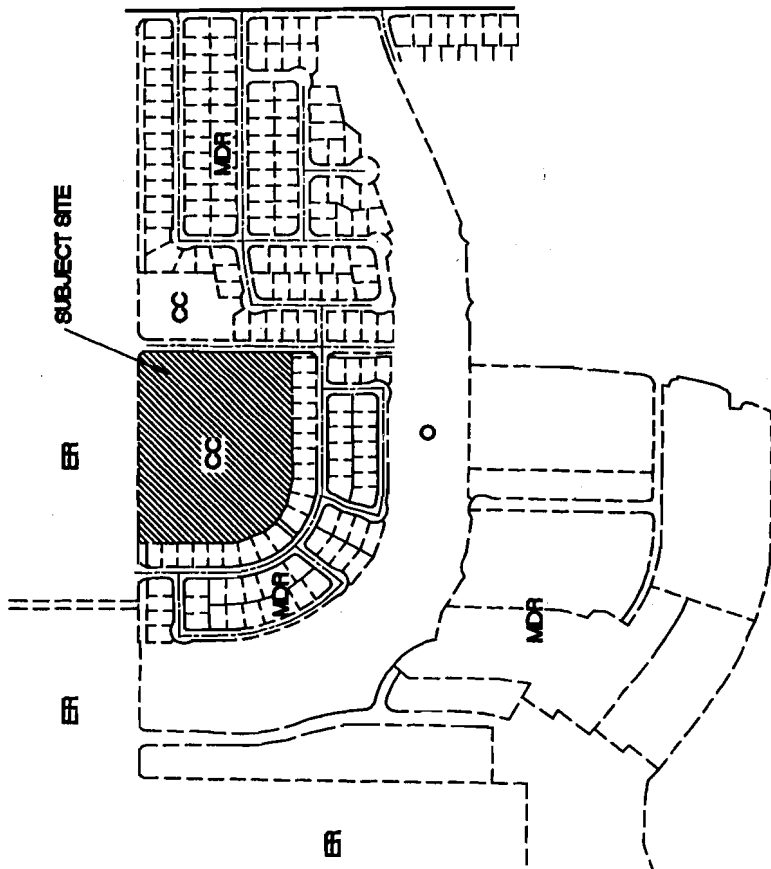
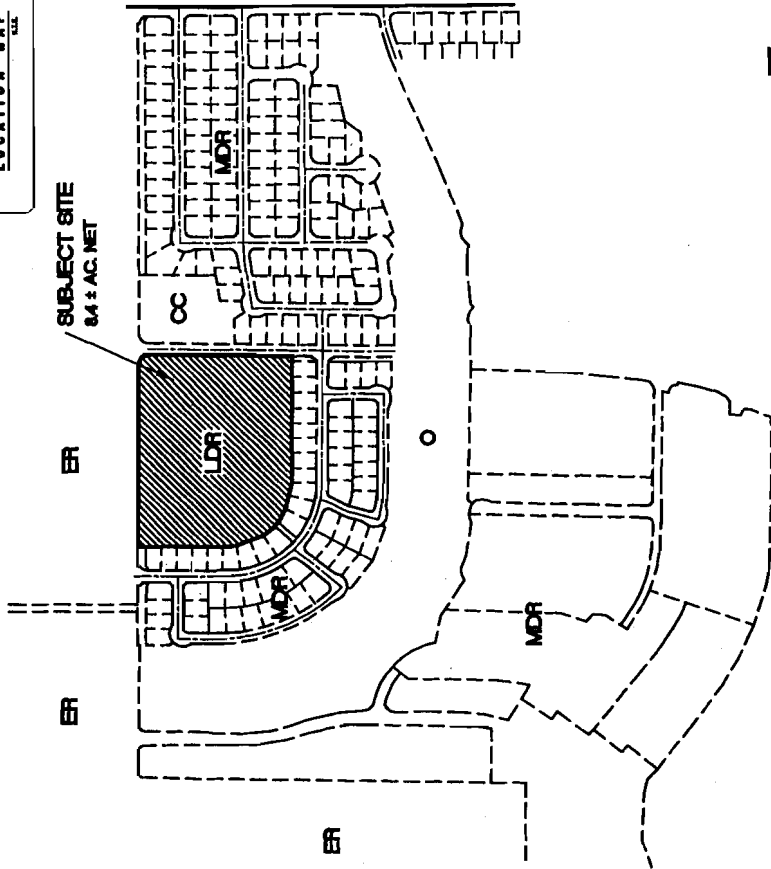
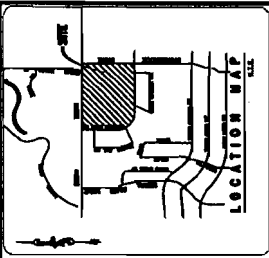
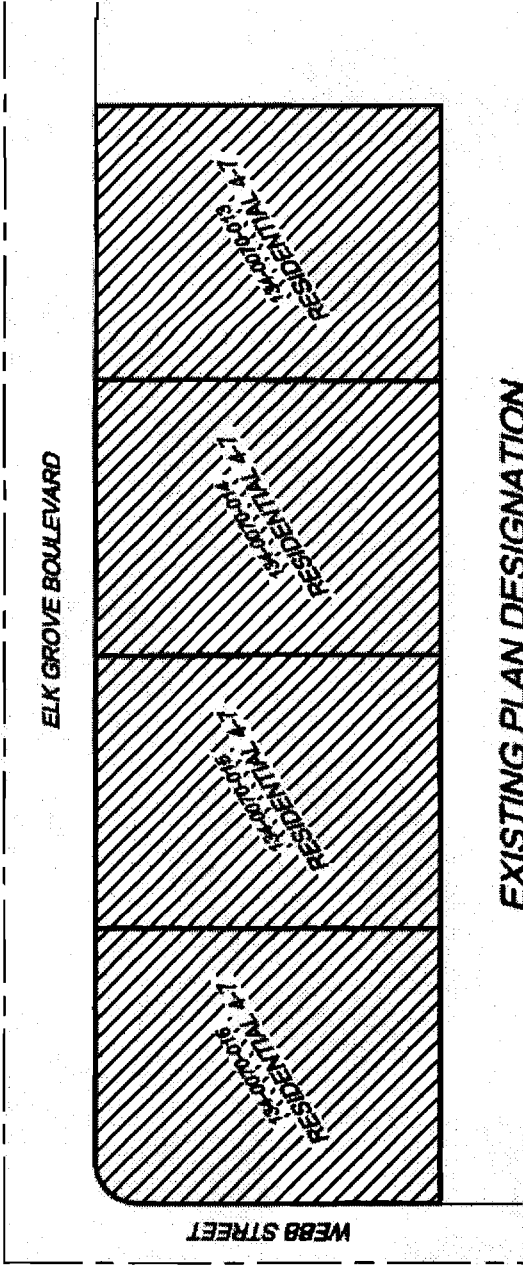


Exhibit A

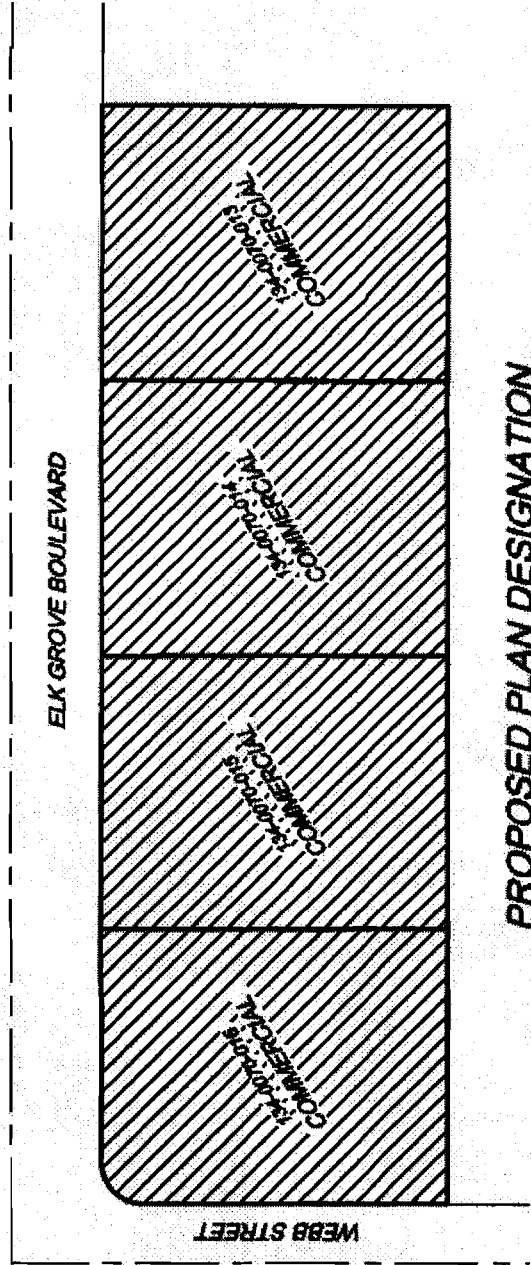
LEGEND:

- CC COMMUNITY COMMERCIAL
- ER ESTATE RESIDENTIAL
- LDR LOW DENSITY RESIDENTIAL
- MDR MEDIUM DENSITY RESIDENTIAL
- O OPEN SPACE

GENERAL PLAN AMENDMENT EXHIBIT TREASURY POINT LOT 28 CITY OF ELK GROVE - SACRAMENTO COUNTY - CALIFORNIA	
BW BAKER-WILLIAMS ENGINEERING GROUP Engineering / Surveying / Land Planning / Civil/Structural/Geotechnical / GIS Services 2000 Railroad Drive, Suite 100 • Sacramento, CA 95833 (916) 487-4888 • Fax: (916) 487-4889 • www.bakerwilliams.com	SHEET NO. 1 OF 1
PROJECT NO. 03-001 DATE: DEC. 2003	DRAWN BY: [Name] CHECKED BY: [Name]



EXISTING PLAN DESIGNATION



PROPOSED PLAN DESIGNATION

EXHIBIT B: OLD TOWN MIXED-USE DEVELOPMENT

EXHIBIT C – AMENDMENT TO GENERAL PLAN POLICY SA-3

The proposed amendment to policy SA-3 is as follows. Deletions are shown in ~~strikethrough~~, additions in **bold underline**:

SA-3 For the purpose of implementing Policy SA-2, the City considers an event to be "reasonably foreseeable" when the probability of the event occurring is ~~greater than one in one million ($1 * 10^{-6}$)~~ per year **as indicated in the table below.**

<u>Land Use</u>	<u>Probability of Occurrence Per Year</u>
<u>"Agriculture, Light Industrial and Industrial"</u> <u>Uses involving continuous access and the presence of limited number of people but easy evacuation, e.g. open space, warehouses, manufacturing plants, etc.</u>	<u>Between 100 in one million and 10 in one million</u> <u>(10^{-4} to 10^{-5})</u>
<u>"Commercial"</u> <u>Uses involving continuous access but of easy evacuation, e.g. commercial uses, offices.</u>	<u>Between 10 in one million and 1 in one million</u> <u>(10^{-5} to 10^{-6})</u>
<u>"Residential"</u> <u>All other land uses without restriction including institutional uses, residential areas, etc.</u>	<u>1 in one million and less</u> <u>(10^{-6})</u>

EXHIBIT D – AMENDMENT TO GENERAL PLAN POLICY LU-3

The proposed change to policy LU-3 is as follows. Additional text is shown in **bold underline**:

LU-3 The following table illustrates the Zoning Districts which implement the land use categories shown on the Land Use Policy Map of this General Plan.

Land Use Category	Zoning Districts*
Commercial	AC, LC, GC, SC, TC
Office	BP, MP
Office/Multi-Family	Current Zone: BP Proposed new Zone: BP/MF
Commercial/Office	Proposed new Zone: C/O
Commercial/Office /Multi- Family	Current Zones: AC, LC, GC, SC, TC Proposed new Zones: LC/MF, GC/MF, SC/MF, C/O/MF
Light Industry	MP, M1
Heavy Industry	M2
Public and Quasi-Public	Public/Quasi Public land uses may be allowed in residential, office, or industrial zoning districts, and in the O zoning district
Public Schools	Institutional uses may be allowed in residential, office, or industrial land use districts
Public Parks	O;

	Public parks may also be allowed in residential zoning districts
Open Space/Recreation	O; Open space uses may also be allowed in residential zoning districts
Institutional	Institutional uses may be allowed in residential, office, or industrial land use districts
Rural Residential	AR-10, AR-5, AR-2
Estate Residential	AR-1, RD-1, RD-2, RD-3
Low Density Residential	RD-4, RD-5, RD-6, RD-7
Medium Density Residential	RD-10, RD-15
High Density Residential	RD-20, RD-25, RD-30
Rural Agriculture	AR-10, AG-20
General Agriculture	AG-20, AG-80
<i>Urban study area</i>	AG zoning districts
Private Streets	PS (New zoning district)

* **The "O" (Recreation) zone is a consistent zoning district in all land use categories.**

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-67

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

I, Peggy E. Jackson, 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 the 9th day of March 2005 by the following vote:

AYES 5: **COUNCILMEMBERS:** *Briggs, Scherman, Soares, Cooper, Leary*

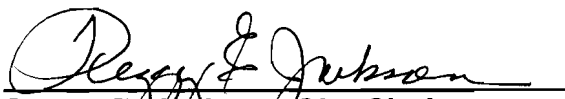
NOES 0: **COUNCILMEMBERS:**

ABSTAIN 0: **COUNCILMEMBERS:**

ABSENT 0: **COUNCILMEMBERS:**

RECUSAL 0: **COUNCILMEMBER:**




Peggy E. Jackson, City Clerk
City of Elk Grove, California