

## **ORDINANCE NO. 02-2001**

### **AN ORDINANCE OF THE CITY OF ELK GROVE AMENDING THE ELK GROVE ZONING CODE TO REVISE THE STANDARDS AND REQUIREMENTS FOR SPECIAL PLANNING AREAS**

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 6 of Title 2 of the Elk Grove Zoning Code. 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 December 21, 2000, and February 1, 2001, the Elk Grove Planning Commission held public hearings on the proposed amendment to the Zoning Code, and, recommended that the City Council approve the proposed amendment.
  - B. On April 4, 2001, the City Council held a public hearing on the proposed amendment to the Zoning Code, at which time public testimony was taken and duly considered.
  - C. The City Council finds 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. The proposed project is categorically exempt as a Class 5 Exemption (CEQA §15305).
2. The City Council finds that adoption of the Zoning Ordinance will not result in any significant effects on the environment.

## Section 4. Amendments

Article 6 of Title 2 of the City of Elk Grove Zoning Code is hereby amended to read as shown below:

### **ARTICLE 6: SPA SPECIAL PLANNING AREA LAND USE ZONE**

#### **235-90. Purpose**

The Special Planning Area (SPA) process is established to provide the opportunity for unique and imaginative planning standards and regulations not provided through the application of standard zoning districts.

Where it is used as part of a land use master plan, the SPA zone encourages the creative and imaginative planning of integrated, mixed-use developments which provide a balance of residential, commercial, industrial, open space, and support land uses.

Where it is used in conjunction with a development project (a conditional use permit, tentative map, or other project), the SPA process is used to provide detailed site planning, landscaping, and other requirements and standards which will govern a particular project.

Once approved, a Special Planning Area will contain land use regulations and development standards that replace certain provisions of this Zoning Code. In this sense, each SPA will be the Zoning Code for the properties that it governs. Thus, a Special Planning Area ordinance must contain sufficient detail to allow City staff to implement its provisions and to describe to developers how properties within a SPA area may be developed. Where no specific standard is contained in a Special Planning Area ordinance (for example, parking or landscaping standards), the applicable provisions of the Zoning Code shall govern.

#### **235-91. Designation**

The abbreviation SPA appearing on a comprehensive zone plan incorporated in Title I, Chapter 1, Article 4 of this Code indicates that the property so classified is subject to the provisions of this Article and an ordinance adopted pursuant to this Article.

### **235-92. Initiation of Special Planning Area Zoning**

Proposals to prepare a Special Planning Area may be initiated by the City of Elk Grove or by any person in the same manner as a Change of Zone as provided in this Zoning Code.

### **235-93. Mandatory Contents of SPA Ordinance**

An SPA Zone shall be established by ordinance, and each SPA Ordinance shall set forth in text, maps, and diagrams the following items, at the level of detail appropriate for the SPA submittal. It is expressly intended that information for projects which are long-term in nature or for which detailed planning may occur at a later date may provide some information at a conceptual level. If required elements are not provided, or are provided at a conceptual level, the SPA shall include a schedule or program for providing these items, and may be conditioned to require the provision of these items prior to the approval of development projects within the SPA:

- (1) An existing setting description which includes:
  - A. A description of the physical characteristics of the site. The location of structures and other significant improvements shall be shown.
  - B. Available public services and facilities;
  - C. The capacity of the existing and planned circulation system; and
  - D. The existing and planned land use of adjacent properties within 1,000 (one thousand) feet.
  - E. A boundary survey map of the property and a calculation of the gross land area within the proposed district. A tentative subdivision map may be substituted if the applicant proposes to subdivide the property
  - F. An aerial photograph of the SPA area and surrounding properties
- (2) A discussion of specific objectives and limits for development of the property which recognize and respond to identified opportunities and constraints of the SPA area.
- (3) Proposed land uses which correspond to the land use categories established by the General Plan, and a statement of how the SPA relates to the General Plan. The density ranges of residential uses must correspond to density ranges established in the General Plan.

- (4) A land use plan identifying areas within the proposed SPA and uses to be developed, supported by such related planning and development data as the City may require, including but not limited to: proposed or projected acreage, population, housing units, and employment. The distribution of land uses shall be expressed in terms of acreage and the total number of residential units and/or square footage of non-residential buildings allowed
- (5) A circulation plan showing existing and proposed public and private streets, pedestrian ways, trails, and related transportation access or circulation features required to serve the proposed development. The circulation plan shall be supported by schematic designs of principal traffic and circulation improvements and such traffic engineering data as required by the City to demonstrate that existing and proposed facilities, both within and outside the zone, shall be adequate to serve land uses proposed by the development plan.
- (6) A development plan and preliminary time schedule indicating the general phasing or anticipated schedule indicating the total phasing of the SPA and areas to be developed in phases and the anticipated time schedule for beginning of construction and for completion of each phase of development. This is specifically intended to be a generalized schedule and may be adjusted according to market constraints as the community develops.
- (7) Development standards for each of the proposed land use categories, including, but not limited to, regulations specifying:
  - A. Permitted, Conditionally Permitted, and Prohibited Land Uses
  - B. Setbacks
  - C. Building heights
  - D. Site coverage
  - E. Parking
  - F. Provision of open space
  - G. Grading
  - H. Design Guidelines, including site planning, architectural, and landscaping guidelines specific to the project.
  - I. Signs
  - J. Nonconforming uses, structures, and signs
- (8) A preliminary report and overall plan describing anticipated requirements and proposed means of providing utility facilities and public services, including but not limited to,

storm drainage, sewage disposal, water supply, parks and recreation, and school facilities.

- (9) Significant natural features and areas to be retained for common open space, and provisions for preserving, maintaining, and using those area.
- (10) Known man-made and natural hazards, and the methods for mitigating the impacts of these hazards.
- (11) Procedure for review of proposed development. The procedures may include:
  - A. Types of projects that require review, and the reviewing and approving authority for each type of project.
  - B. Documents required from developers.
  - C. Review and Hearing procedures, if any.
- (12) If an SPA incorporates by reference any provision of this Zoning Code, this shall be specifically stated in the SPA. Reference may be made only to the most current version of the Zoning Code in effect at the time a permit is issued; the SPA may not be used to "vest" standards in this Zoning Code in effect at the time of the SPA's approval.

#### **235-95. Findings for Approval or Amendment of SPA Ordinance**

Prior to adopting or amending an SPA Ordinance, the City Council shall make the following findings:

- (1) That the proposed Special Planning Area is consistent with the goals, policies, and objectives of the General Plan; and
- (2) That the proposed Special Planning Area meets the requirements set forth in this Article.

#### **235-96. Application for Amendment to the SPA Land Use Zone**

- (1) The procedures for amending an SPA Land Use Zone adopted pursuant to this Article shall be the same as for any amendment to the Zoning Code, as set forth in Title I, Chapter 15, Article 2 including an application pursuant to the provisions of Section 115-12.

- (2) Any SPA which was approved prior to January 2001 and is amended shall not be required to comply with the content requirements of this Article.


Section 5. 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.

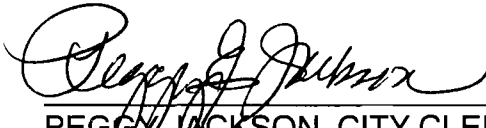
Section 6. Effective Date and Publication

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 of Elk Grove this 11th day of April, 2001.

  
JAMES COOPER, 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:** Briggs, Cooper, Leary, Scherman, Soares  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None