

RESOLUTION NO. 2014-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE DECLARING ITS INTENT TO ADOPT A GENERAL PLAN AMENDMENT AND ZONING CODE TEXT AMENDMENT

GENERAL PLAN AMENDMENT NO. 14-2

WHEREAS, State law (Government Code Section 65300) requires each city to adopt a comprehensive, long-term general plan for the physical development of the city, and any land outside its boundaries which in the planning agency's judgment bears relation to its planning; and

WHEREAS, in November 2003, the City adopted its first General Plan; and

WHEREAS, policy SA-15 of the General Plan restricts development in the floodplain; and

WHEREAS, section 23.60.020 of the Zoning Code (Title 23 of the Municipal Code) implements policy SA-15; and

WHEREAS, the City has determined that these policies, as written, are too restrictive and do not reflect the intent of the City.

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:

- Amendment of General Plan Policy SA-15 as provided in Exhibit A; and
- Amendment of Sections 23.60.020.B and 23.100.020 of Title 23 of the Elk Grove Municipal Code as provided in Exhibit B.

General Plan Amendment

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

Evidence: The proposed amendment is not in conflict with Guiding Goal 1 and Focused Goal 1-1 of the General Plan and is supported by Guiding Goal 3 and Focused Goals 3-1 and 3-4. Guiding Goal 1 and Focused Goal 1-1 call for "a safe community, free from manmade and natural hazards." Guiding Goal 3 and Focused Goals 3-1 and 3-4 call for protection of the natural environment with development recognizing "environmental constraints [and being] designed and operated to minimize impacts on the environment" and "preservation and enhancement of Elk Grove's natural areas, in particular the areas within the floodplain of the Cosumnes River." The proposed General Plan amendment, while allowing for the development of non-habitable structures in the floodplain, will only


allow such activity when it will result in no net increase to the water surface elevation adjacent to, downstream, and upstream of the development as determined by the City. This change will allow the City to review applications on a case-by-case basis to ensure that development is safe, consistent with these Guiding and Focused Goals.

Zoning Text Amendment

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

Evidence: The proposed Zoning Amendment implements the amendments to General Plan SA-15, which, as amended, allows for non-habitable structures to be placed in the floodplain, provided it does not result in a net increase to the water surface elevation adjacent to, downstream, and upstream of the development as determined by the City.

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



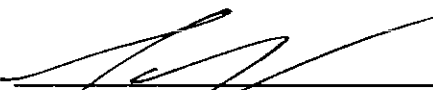
GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

Exhibit A
General Plan Amendment

SA-15 - Development shall not be permitted on land subject to flooding during a 100-year event, based on the most recent floodplain mapping prepared by the Federal Emergency Management Agency (FEMA) or updated mapping acceptable to the City of Elk Grove. Exceptions for development include non-habitable structures and necessary facilities to serve those structures which may be considered by the City, subject to applicable local, State, and Federal regulations. Such exceptions must result in no net increase to the water surface elevation adjacent to, downstream, and upstream of the development as determined by the City. Potential development in areas subject to flooding may be clustered onto portions of a site which are not subject to flooding, consistent with other policies of this General Plan.

Glossary of Common Terms - Non-Habitable Structures: Buildings and/or structures of an accessory character including, but not limited to, agricultural buildings, barns, carports, fences, grain silos, greenhouses, livestock shelters, private garages, retaining walls, sheds, stables, swimming pools, tanks, towers, etc.

Exhibit B
Recommended Zoning Code Amendment

23.60.020 Creeks and other natural drainage courses/tributary standards.

B. Develop Standards. The following development standards shall apply to the placement of structures within floodplains of designated tributaries:

1. With the exception of non-habitable structures fences, all structures shall be located outside of the one hundred (100) year floodplain and a minimum twenty-five (25'0") from the centerline of the creek or tributary.

23.100.20 General definitions.

N. "N" Definitions.

7. "Non-habitable structures" means buildings and/or structures of an accessory character including, but not limited to, agricultural buildings, aircraft hangars, barns, carports, fences, grain silos, greenhouses, livestock shelters, private garages, retaining walls, sheds, stables, swimming pools, tanks, towers, etc.

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2014-31**

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, Detrick, Hume, Trigg***

NOES: **COUNCILMEMBERS:** ***None***

ABSTAIN : **COUNCILMEMBERS:** ***None***

ABSENT: **COUNCILMEMBERS:** ***None***


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