

## ORDINANCE NO. 03-2018

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING TITLE 21 (PLANS), TITLE 22 (LAND DEVELOPMENT), AND TITLE 23 (ZONING) OF THE ELK GROVE MUNICIPAL CODE

**WHEREAS**, the proposed action includes amendments to Titles 21, 22, and 23 of the Elk Grove Municipal Code (the proposed amendments); and

**WHEREAS**, the Planning Commission held a duly-noticed public hearing on February 1, 2018, 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 to the City Council.

**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 Title 21 (Plans), Title 22 (Land Development), and Title 23 (Zoning) of the Elk Grove Municipal Code.

#### Section 2: Findings

##### **California Environmental Quality Act (CEQA)**

Finding: The proposed amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations, Title 14, Chapter 3 (State CEQA Guidelines).

Evidence: The approval of these amendments does not approve any development project. The changes to the Capital Improvement Program, procedures for the City's Improvement Standards, and permit extension provisions are administrative in nature. The CIP is an administrative document outlining the construction projects the City is working on over a five-year period and does not, in and of itself, commit funds to construction. The Improvement Standards provide standards for the construction of specific public improvements and private works to be dedicated to the public and accepted by the City for maintenance and operation, which are subject to separate CEQA review at the time the improvements are proposed. Provisions for permit extensions provide a process for the City to consider, and possibly approve, extensions to existing project approvals. Those projects will have completed their own CEQA review and CEQA would be required for the approval of the extension.

The changes to the subdivision design standards and allowed use provisions for two specific uses (Indoor Crop Production and Navigation Housing) do not approve any specific project. The division of the Crop Production use into two sub-listings (indoor and outdoor) would maintain the existing allowed use provisions for outdoor operations, so there would be no change. The addition of the indoor use would be subject to discretionary approval in various zoning districts and would trigger CEQA review at that time. The addition of the Navigation Housing use is similar to the existing Transition Housing use in scale and character and would use the same allowed use provisions in the respective zoning districts.

None of these code amendments, either individually or cumulatively, will result in the possibility of creating significant effects on the environment. Future development under the proposed amendments would be subject to CEQA review at the time of development. Therefore, these amendments are exempt from CEQA under the general rule that CEQA only applies to projects which have the potential for causing a significant impact on the environment. (CEQA Guidelines § 15061(b)(3).)

### **General Plan**

Finding: The proposed amendments to Titles 21, 22, and 23 of the Elk Grove Municipal Code are consistent with the General Plan goals, policies, and implementation programs.

Evidence: The proposed text amendments to Titles 21, 22, and 23 of the Elk Grove Municipal Code are consistent with the General Plan as they do not alter the allowed intensity or density of development beyond that contemplated in the General Plan. The amendments clarify the permit requirements, allowed use regulations, and development standards for various uses and activities.

### Section 3: Action

Titles 21, 22, and 23 of the Elk Grove Municipal Code are hereby amended as provided in Exhibits A, B, and C, respectively, attached hereto and incorporated 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

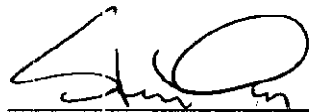
The provisions of this ordinance shall not affect or impair an act done or right vested or approved or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution shall remain in full force and affect 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:** 03-2018  
**INTRODUCED:** February 28, 2018  
**ADOPTED:** March 14, 2018  
**EFFECTIVE:** April 13, 2018



\_\_\_\_\_  
STEVE LY, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JONATHAN P. HOBBS,  
CITY ATTORNEY

Date signed: March 26, 2018

# EXHIBIT A

## **Changes to Title 21 (Plans)**

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

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### **Chapter 21.05 shall be amended to read as follows:**

#### **Chapter 21.05      General Provisions**

##### **21.05.010      Purpose**

The purpose of this title is to provide for the adoption and amendment of general plans, community plans, and specific plans, and to establish procedures for the preparation and review of a capital procedure program providing for the physical development of the City of Elk Grove.

##### **21.05.020      General Plans, Community Plans, and Specific Plans**

The procedures for adoption and amendment of the City's General Plan, any community plans, and specific plans shall be as provided in EGMC Title 23 (Zoning).

### **Chapter 21.15 shall be amended to read as follows:**

#### **Chapter 21.15      Capital Improvements Program**

##### **21.15.010      Definitions**

As used in this chapter:

A. "Applicable agencies" means each department, agency, commission, board, office or dependent district of the City whose budget includes funding for physical improvements.

B. "Physical improvements" means any new construction proposed by an applicable agency with a total project cost costing in excess of One Hundred Thousand and no/100ths (\$100,000.00) Dollars two hundred fifty thousand and no/100ths dollars (\$250,000.00), exclusive of the following:

1. Projects exempted from the provisions of the California Environmental Quality Act and as provided in the State or City guidelines adopted under the provisions of said Act;
2. Projects which the City Council or the Public Works Director determine, in cases of emergency, are necessary for the continued conduct of City operations or services, or to avoid danger to life or property;
3. Improvements constructed pursuant to the provisions of the Improvement Act of 1911, the Municipal Improvement Act of 1913, or other similar assessment district acts.

#### **21.15.020 Format**

The City Manager shall develop and determine the format of the capital improvement program, and shall issue such written instructions and forms as are deemed necessary to elicit from the applicable agencies sufficient information to prepare his a recommendations to the City Council for a capital improvement program.

#### **21.15.030 ~~Submittal~~ Repealed**

~~The City Manager shall transmit to all applicable agencies materials necessary for preparation of their requests to construct physical improvements during the next capital improvement program period; and on such date as the City Manager specifies all applicable agencies shall file completed proposals for physical improvements with the City Manager.~~

#### **21.15.040 Preparation**

The City Manager shall review the proposals submitted by the applicable agencies, compile ~~his~~the recommendations into a single capital improvement program document, which shall be transmitted to the Planning Commission for review as to consistency with the General Plan and to the City Council for approval. ~~The City Council shall refer the proposed capital improvement program to the Planning Commission for review as defined in EGMC Section 21.15.050.~~

#### **21.15.050 Review by Planning Commission**

The Planning Commission shall review the proposed capital improvement program as to consistency with the adopted City General Plan and report with its recommendation as to consistency to the City Council. Such review by the Planning Commission may include consideration of pertinent technical information, but the Planning Commission shall not be required to hold a public hearing thereon. Failure of the Planning Commission to report its recommendation to the City Council within forty (40) days from receipt thereof shall be deemed a recommendation that the proposed projects in the capital improvement program are consistent with the adopted General Plan.

#### **21.15.060 Adoption by the City Council**

The City Council, as the Planning Agency, shall review the capital improvement program, consider the recommendations of the Planning Commission and staff, and determine the consistency of the proposed projects in the capital improvement plan with the General Plan prior to the appropriation of funds for any proposal contained in said program. Notwithstanding any other provisions of this chapter, the City Council reserves to itself total authority to establish priorities for the scheduling of the physical improvements within the capital improvement program and to determine the appropriateness of funding for such physical improvements.

# EXHIBIT B

## Changes to Title 22 (Land Development)

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

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### **Section 22.20.060 shall be amended to read as follows:**

#### **22.20.060 Expiration of tentative map approval.**

A. Tentative Subdivision Map. The approval or conditional approval of a tentative subdivision map shall expire thirty-six (36) months from the date the map was approved or conditionally approved.

B. Vesting Tentative Subdivision Map. The approval or conditional approval of a vesting map shall expire thirty-six (36) months from the date the map was approved or conditionally approved.

C. Tentative Parcel Map. The approval or conditional approval of a tentative parcel map shall expire thirty-six (36) months from the date the map was approved or conditionally approved.

D. Effect of Map Condition Modification. Modification of the conditions of approval for a tentative subdivision map, vesting tentative map, or tentative parcel map after approval or conditional approval shall not extend the time limits imposed by this section.

E. Effect of Expiration of Map. The expiration of the approved or conditionally approved tentative subdivision map, vesting tentative map, or tentative parcel map shall terminate all proceedings, and no final map or final parcel map for all or any portion of the real property included within the tentative subdivision map, vesting tentative map, or tentative parcel map shall be filed without first processing an application for a new tentative subdivision map, vesting tentative map, or tentative parcel map.

### **Section 22.20.090 shall be amended to read as follows:**

#### **22.20.090 Extensions of time.**

Any tentative subdivision map or vesting subdivision map is eligible for an extension of time, provided final approval for such extension occurs prior to the expiration of the original map through approval of the Zoning Administrator. Upon filing of a timely application for an extension of time, the map shall automatically be extended for sixty (60) days or until the application for the extension is approved, conditionally approved, or denied. No final map or parcel map may be approved during the period between the expiration of the original map and the approval of the extension of time. An extension of time may not be granted for more than thirty-six (36) months, but may be granted for a lesser time at the sole discretion of the final hearing body. A subdivider may apply for a resubmission of the map rather than an extension of time, in which case the map may be approved after the expiration date of the original map. The expiration date of an approved resubmitted map shall be as set forth in EGMC Section 22.20.060.

### **Section 22.20.095 shall be amended to read as follows:**

#### **22.20.095 Extensions of time for related entitlements.**

Notwithstanding any other provision of this code or of the Zoning CodeAs provided in

EGMC Chapter 23.18, any entitlement, development permit or other approval which would expire pursuant to this code or the Zoning Code, but which was approved concurrently with and pertains to any approved tentative subdivision or parcel map the expiration date of which was automatically extended by the provisions of Sections 66452.11 and 66452.13 of the Government Code, or by the provisions of any other similar section that may from time to time be added to the Government Code, shall be extended for the same period as that provided by said section for the approved tentative subdivision or parcel map to which it pertains.

***Section 22.110.005 shall be amended to read as follows:***

**22.110.005 Design and improvement standards.**

To ensure that proposed subdivisions are developed in the best interests of the people of the City of Elk Grove, land subdivided under the provisions of this title shall conform to design standards and improvement standards in this chapter, including the latest version of the City of Elk Grove Improvement Standards, Construction Specifications and Standard Drawings, as approved and amended periodically by the City Council, City Engineer and/or any applicable specific plan or special planning area, or precise plan. Plans, maps or other drawings for any project which includes the installation of public streets or creation of lots or division of land shall comply with the standards set forth herein.

***Section 22.110.015 shall be amended to read as follows:***

**22.110.015 Applicability.**

~~These standards shall be applied to projects requiring one (1) or more public hearings before a discretionary permit is issued, projects requiring no public hearing, and projects on appeal.~~ The standards in this chapter shall apply to any development project in the City. The standards provide the ~~advisory agency or the Council~~ City flexibility to make reasonable decisions that take into account alternative designs, physical features on and off the site, and public input and testimony, as applicable.

When applying these standards, the ~~advisory agency or the Council~~ City shall consider the identifiable effects that any proposed project may have upon other properties in the vicinity, now and in the foreseeable future.

In order to deal with physical features on and off the site, the ~~advisory agency or the Council~~ City may take into consideration unusual topography, environmental preservation, existing and approved streets, historically established traffic patterns, neighboring lot patterns, existing and evolving land use patterns, zoning, and past policy or permit decisions.

***Section 22.110.020 shall be amended to read as follows:***

**22.110.020 Exceptions.**

The ~~advisory agency or the Council~~ City Engineer may authorize conditional exceptions to any of the design and improvement standards in this chapter, unless the standard specifically states that an exception cannot be granted. Such exception may be granted if the ~~advisory agency or the Council~~ City Engineer finds, in writing, that the proposed

design or improvement is in substantial compliance with the purpose and intent of the standard to be excepted. The design exception shall be included in any accompanying discretionary approval required by EGMC Title 23.

***Section 22.110.025 shall be amended to read as follows:***

**22.110.025 Request for exception.**

The applicant may separately request that an exception from the standard be granted. If noncompliance with these standards is identified at any stage of review of the proposed ~~map project~~, the application may be considered to include a request for an exception, unless the applicant objects. ~~The advisory agency or the Council~~ City Engineer shall not grant an exception request unless a reasonable justification is made by the applicant to support the action. Noncompliance with these standards without grant of an exception pursuant to this section shall be grounds for denial of a request.

***Article II of Chapter Section 22.110 shall be amended to read as follows:***

**Article II. ~~Local Street Patterns~~Roadways and Access**

**22.110.035 ~~Thoroughfare and arterial streets~~Lot Access.**

~~A. Function. The function of thoroughfare and arterial streets is to serve with freeways to form a coordinated network of vehicle routes capable of handling the movement of goods and people through and between communities in large volumes and with efficient speeds and safety. Such roads are identified in the circulation element of the General Plan or on the appropriate community plan.~~

~~B. Design Standards. If the circulation element of the General Plan or the specific plan shows any highway, expressway, thoroughfare, arterial or similarly named road located so that any portion lies within or adjacent to a proposed project, such roadway shall be incorporated into the project in conformance with the design standards in the General Plan or specific plan. The specific location (or locations, if alternate alignments are feasible) of such roads shall be determined in coordination with and as recommended by the City Public Works Department.~~

~~The design characteristics of such roads shall conform with the current improvement standards of the Public Works Department.~~

~~Because such roads may vary in width and may involve many design factors such as acceleration/deceleration lanes, various curb heights, bicycle lanes, bus stops/turnouts, traffic dividers, driveways, and curbcuts, the precise road improvement requirements shall be determined by consultation or coordination with the Public Works Department.~~

A. Each local street providing access to lots within a subdivision shall connect directly to or by way of one or more local streets to a collector street or arterial street.

B. Each route of access to collector streets or arterial streets and its point of connection therewith shall be adequate to safely accommodate the composition and volume of vehicular traffic generated by the land uses that it serves as determined by the City Engineer.



C. All subdivisions of forty (40) or more lots shall have at least two (2) points of public access, unless otherwise approved by the City Engineer through an approved design exception from standards pursuant to EGMC Sections 22.20.010(D) and 22.110.020 and included as part of the required subdivision design review pursuant to EGMC Section 23.16.080.

D. Notwithstanding Section C above, all subdivisions shall comply with the requirements of EGMC Chapter 17.04 and the California Fire Code relative to emergency access.

### **22.110.040 Collector streets Roadway Network Design.**

The alignment of streets shown on a tentative map shall be consistent with the general plan and any applicable specific plan or other applicable master or precise plan, and as follows: A. Functions. The functions of collector and primary residential streets, in order of relative importance, are:

1. To collect traffic from minor residential streets (or private streets) and route it to the thoroughfare and arterial streets.
2. To route traffic from thoroughfare and arterial streets to minor residential streets (and private streets).
3. To provide rapid and efficient routes of access for emergency vehicles to residential areas.
4. To connect residential areas to the neighborhood and community service facilities such as schools, parks and shopping.

B. Design Standards. Primary residential and collector streets shall be integrated with the local street pattern to best serve the above functions. The width, structural cross-section and alignment requirements shall be as set forth in the City improvement standards with the overall design of the street pattern based on the following:

1. New single family residential areas with more than twenty (20), but fewer than forty (40), potential units shall be served by a primary residential or collector street at least forty six (46' 0") feet in width if there is only one (1) public street access into the area. Areas between forty (40) and one hundred (100) units shall be served by two (2) points of access.
2. Existing or previously approved collector streets which stub into undeveloped property are intended to be incorporated into new expanding street patterns in a logical and functional manner. Designs which terminate, isolate, or otherwise discourage collector streets from fulfilling their intended functions are strongly discouraged. Such designs shall not be approved without full consideration of the total circulation and safety impacts in relation to possible alternatives. In this regard, it is not necessarily a requirement that collector streets must connect at both ends to arterial streets or with other collector streets, but it must also be recognized that this will often be needed if the street is to properly function as intended.

A. Streets shall be laid out to conform to the alignment of existing streets in adjoining subdivisions and to the logical continuation of existing streets where the adjoining land is not subdivided.

B. The realignment of streets in contemplation of the development, or use of adjoining property, and the provision of streets or dead-end street extensions to facilitate the subdivision of adjoining property may be required at the City's discretion.

C. Permanently dead-ended streets (except cul-de-sacs) are prohibited. When a street is temporarily dead-ended, a barricade or temporary turning area (with signage providing notification of the future street connection or extension) or temporary connection to another street may be required at the City's discretion. Permanent turnarounds may be required at the end of dead-end streets where the timing of the future extension is unknown, at the City's discretion.

D. Minor residential cul-de-sac streets shall serve a maximum of twenty (20) dwelling units and have a maximum length of six hundred (600' 0") feet.

E. Minor residential streets serve a maximum of one hundred (100) dwelling units when there are only two (2) public street accesses into the area.

F. The creation of pass-through, shortcut, or sneak street situations shall be limited. In those instances where through traffic is unavoidable and of probable high volume, the specific street shall be designed to primary residential or collector street standards, as applicable.

G. The intersections of minor residential streets with collector streets, or with major arterial streets, shall be designed to align with existing street(s) or previously-approved street(s) on the opposite side of the street wherever possible. If such alignment is not feasible, as determined by the City, the street shall be offset in accordance with the City's Improvement Standards.

H. Private roads, to the extent approved by the City, shall comply with the following:

1. The standards of the Fire Code as provided in EGM 17.04;
2. The City's Improvement Standards and Construction Specifications; and
3. Provide private maintenance agreements between the parties using and responsible for the upkeep of the private road prior to approval of additional development on the road.

#### **22.110.045 Minor residential streets Roadway Design.**

The design of public roads within subdivisions (e.g., roadway cross sections) shall conform to the City's adopted Improvement Standards and any applicable specific plan or other applicable master plan or precise plan and to the satisfaction of the City, unless expressly deviated at the time of approval of the tentative map. A. Function. The function of minor residential streets is to serve as access to the residential lots within those areas created by, or bounded by, thoroughfares, arterials, collectors, and primary residential streets and other physical boundaries (such as natural streams and railroads). Since the primary function is local vehicular access rather than intercommunity circulation, the preferable street pattern designs will discourage pass-through, sneak or shortcut traffic from traveling through these areas, but without compromising the rapid access needs of emergency vehicles, or good police patrol and surveillance needs.

## ~~B. Standards:~~

~~1. Minor residential streets are normally based on a forty two (42' 0") foot right of way width. Most residential lots can be served by such streets, provided the street pattern design is such that:~~

~~a. Minor residential cul-de-sac streets generally serve a maximum of twenty (20) dwelling units and have a maximum length of six hundred (600' 0") feet.~~

~~b. Minor residential streets serve a maximum of one hundred (100) dwelling units when there are only two (2) public street accesses into the area.~~

~~c. Pass through, shortcut, or sneak street situations are not created. In those instances where through traffic is unavoidable and of probable high volume, the specific street shall be designed to primary residential or collector street standards, as applicable.~~

~~2. The intersections of minor residential streets with collector streets, or with major arterial streets, shall be designed to align with existing street(s) or previously approved street(s) on the opposite side of the street wherever possible. If such alignment is not feasible, the street shall be offset in accordance with the City improvement standards.~~

### **22.110.050 Private roads~~Reserved.~~**

~~A. Function. The function of private roads is to serve the specific vehicular circulation needs of individuals or groups, rather than the needs of the public as a whole. Two (2) basic characteristics of private roads are that the owners of the roads can generally restrict use to designated persons or vehicles, and that the maintenance of the road is the owners' responsibility. Virtually every lot is involved in some way with at least one (1) private road. In its simplest form, the driveway from the public street to the garage of a home is a private road. In more complicated forms, there may be entire communities served by private roads. Similarly, governmental facilities, mobile home parks, apartment complexes, commercial parking lots, farms, ranches, industrial tracts, recreational facilities, condominiums, etc., may use private roads.~~

~~B. Standards. The following standards are a compilation of Elk Grove Municipal Code, Zoning Code and other requirements that relate to private roads which are listed here to clarify that private roads are an element of local street patterns. These standards may not be waived or modified except as specified in the respective code governing such standards.~~

~~1. The Uniform Fire Code includes certain requirements related to road width, turning radius, height of obstructions, etc., which apply to the alignment of private roads.~~

~~2. Private roads shall be designed and constructed in accordance with the City improvement standards and the City standard construction specifications.~~

~~3. Private maintenance agreements between the parties using and responsible for the upkeep of a private road may be required before additional development on the road will be permitted.~~

**Section 22.110.070.G shall be amended to read as follows:**

**22.110.025 Request for exception.**

G. Any new lot shall meet the following standards:

1. All lots shall comply with the provisions of EGMC chapter 16.50 (Flood Damage Prevention) ~~provide a buildable area outside the one hundred (100) year floodplain which provides for construction having a minimum habitable floor elevation that is at least one (1' 0") foot above the water surface elevation of the one hundred (100) year floodplain; and~~

2. All lots shall provide for a buildable area which is located at least fifty (50' 0") feet from the centerline of a creek, drainage channel, or designated tributary as defined in EGMC Section 22.10.141.

## EXHIBIT C

### *Changes to Title 23 (Zoning)*

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

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#### **Section 23.18.020 shall be amended to read as follows:**

##### **23.18.020 Permit time limits.**

~~Unless conditions of approval or other provisions of this title establish a different time limit~~Except as otherwise provided in this title or Title 22 of this Code, any administrative and quasi-judicial permit or approval, including but not limited to conditional use permits (all types), minor deviations, variances, and design reviews (all types) not exercised within three years from the date of final approval shall expire and become null and void.

#### **Section 23.18.060 shall be amended to read as follows:**

##### **23.18.060 Permit extension.**

~~The same approving authority that granted the original permit may extend the period within which the exercise of a permit must occur. An application for extension shall be filed not less than thirty (30) days prior to the expiration date of the permit, along with appropriate fees and necessary submittal materials listed in this title. The approval of an extension extends the expiration date for one (1) year from the original permit date. The permit, as extended, may be conditioned to comply with any development standards that may have been enacted since the permit was initially approved. The extension may be granted only when the designated approving authority finds that the original permit findings can be made and that there are changing circumstances or that there has been diligent pursuit to exercise the permit that warrants such extension.~~

A. Any administrative or quasi-judicial permit or entitlement provided for in this title is eligible for an extension of time, provided the application for such extension is submitted at least thirty (30) days prior to the expiration of the original approval. The Zoning Administrator shall be the approval authority for such extensions. Upon a timely filing of an application for an extension of time, the permit or entitlement shall automatically be extended until the application for the extension is approved, conditionally approved, or denied. If, however, the permit or entitlement extension has not been brought forward for review by the Zoning Administrator or higher approving authority within one hundred and eighty (180) days of application for the extension, the permit or entitlement will be deemed expired. After the expiration of a permit or entitlement, the applicant will be required to reapply and pay the applicable fee(s) should they desire to move forward with their project. No grading permit, improvement plan, or building permit may be approved during the period between the expiration date of the original permit or entitlement and the approval of the extension of time. An extension of time may not be granted for more than thirty-six (36) months, but may be granted for a lesser time at the sole discretion of the Zoning Administrator. The permit or entitlement, as extended, may be conditioned to comply with any development standards that may have been enacted since the permit or entitlement was initially approved and any other conditions

deemed appropriate by the approving authority. The extension may be granted only when the Zoning Administrator finds that the original permit or entitlement findings can be made and that there is no change of circumstance or that there has been diligent pursuit to exercise the permit that warrants such extension.

B. As provided in EGMC Section 22.20.095, any entitlement, development permit, or other approval that would expire pursuant to this title or Title 22 of this Code, but that was approved concurrently with and pertains to any approved tentative subdivision or parcel map, the expiration date of which was automatically extended by the provisions of Sections 66452.11 and 66452.13 of the Government Code, or by the provisions of any other similar section that may periodically be added to the Government Code, or was extended by action of the Zoning Administrator, shall be extended for the same period as that provided by said section for the approved tentative subdivision or parcel map to which it pertains.

***Section 23.26.050.C.11 shall be amended to read as follows:***

11. "Crop production" means the lawful, non-personal raising and harvesting of plants, tree crops, row crops, or field crops on an agricultural or commercial basis, including packing and processing and ~~includes~~ horticulture establishments engaged in the cultivation of flowers, fruits, vegetables, or ornamental trees and shrubs for wholesale and incidental retail sales. ~~This classification includes agricultural buildings accessory to such uses and roadside stands for display/sale of agricultural products grown on the premises.~~ Excludes uses for which other garden, nursery, or landscape merchandise is commercially sold on the site. Also excludes beekeeping. This use is divided into the following types:

- a. Indoor Facilities. Facilities where the use is conducted entirely indoors, such as a warehouse or other industrial-style space, typically through hydroponics or other appropriate method for growing plants indoors.
- b. Outdoor Facilities. Facilities where the use is primarily conducted outdoors, such as a traditional outdoor farm. This classification includes agricultural buildings accessory to such uses and roadside stands for display/sale of agricultural products grown on the premises.

Nothing herein shall be construed to allow the production or cultivation of any crop, plant, or other substance where such production or cultivation is prohibited or restricted by local, state, or federal law including, without limitation, the prohibition or restriction on production or cultivation of marijuana, as set forth in this Code.

**Section 23.26.050.N.1 shall be added to read as follows (subsequent sections shall be renumbered as appropriate):**

1. "Navigation Housing" means housing with supportive services that is operated by a governmental or nonprofit entity and that is exclusively designated and targeted for homeless persons and/or persons at imminent risk of homelessness. It includes social services focused on moving occupants to permanent housing as quickly as possible. Rents and service fees may be held to an ability-to-pay formula and may be reserved, in whole or in part, to assist residents in moving to permanent housing. This use does not, by definition or function, have a required minimum length of stay.

**Table 23.27-1 shall be amended to read as follows (note, the new Navigation Housing line occurs in the Residential Uses listing and is added between Mobile Home Park and Organizational Houses; the Crop Production changes apply to the existing listing in the Agriculture, Animal Keeping, and Resource Uses listing):**

Land Use \ Zoning District	Agricultural Zoning Districts					Residential Zoning Districts					Commercial Zoning Districts					Office Zoning Districts		Industrial Zoning Districts		Open Space Zoning District	Specific Use Regulations
	AG-80	AG-20	AR-5/10	AR-2	AR-1	RD-1/2/3	RD-4/5/6	RD-7	RD-10/15	RD-20/25/30	LC	GC	SC	AC	C-O	BP	MP	LI	HI	O	
Residential Uses Navigation Housing	P	P	P	P	P	P	P	P	P	P											
Agriculture, Animal Keeping, and Resource Uses																					
Crop Production, Indoor Facility	P	P	P	P	P																
Club Production, Outdoor Facility	P	P	P	P	P															CUP	

**Notes to Table 23.27-1**

Notes that pertain to the agricultural zoning districts:

5. A Conditional Use Permit is required when the use is located within one or more structures cumulatively greater than 20,000 square feet. When within one or more structures cumulatively 20,000 square feet or less, the use is permitted by right.

Notes pertaining to the office zoning districts:

5. The Planning Commission designated approving authority may also consider similar industrial uses within an industrial park subject to approval of a CUP.



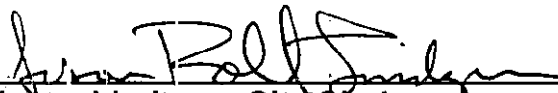
**CERTIFICATION  
ELK GROVE CITY COUNCIL ORDINANCE NO. 03-2018**

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 February 28, 2018 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on March 14, 2018 by the following vote:*

<b>AYES :</b>	<b>COUNCILMEMBERS:</b>	<i>Ly, Suen, Detrick, Nguyen, Hume</i>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<i>None</i>
<b>ABSTAIN:</b>	<b>COUNCILMEMBERS:</b>	<i>None</i>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<i>None</i>

*A summary of the ordinance was published pursuant to GC 36933(c) (1).*

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