

RESOLUTION NO. 2003-65

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ELK GROVE ADOPTING CITYWIDE DESIGN GUIDELINES
(FIRST PHASE FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENT)**

WHEREAS, on September 4, 2002, the City Council directed the establishment of a Design Review process and preparation of Citywide Design Guidelines in phases (by land use type), starting with guidelines for single-family subdivision maps and master home plans; and

WHEREAS, the City Council of the City of Elk Grove has the authority to regulate design as a police power granting local land use control under the State Enabling Legislation and subsequent case law regarding aesthetic regulation; and

WHEREAS, the City conducted two community workshops and five focus group meetings to solicit input and feedback on the single-family guidelines; and

WHEREAS, the Planning Commission of the City of Elk Grove conducted two public hearings and unanimously recommended to the City Council approval of the Citywide Design Guidelines for single-family residential development; 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

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Elk Grove does hereby adopt the first phase of the Citywide Design Guidelines in Exhibit A (dated March 2003) with the following amendments:

1. In Section IIIA (Land Planning for Subdivision Maps) on page 28, item 4e, add two new bullet items to read:
 - a. "A vertical curb is required adjacent to the planter strip separating the sidewalk from the back of curb."
 - b. "All maintenance obligations and conditions shall be fully disclosed to individual property owners in conjunction with the title/deed of the property."
2. In Section IIIA (Land Planning for Subdivision Maps) on page 43, add a new item 25 to read "To encourage the screening of residential trash receptacles (except on designated collection days), designated storage areas for residential trash receptacles (e.g., side yards, joint-use enclosures) should/shall be shown on the land plan and/or site plan to ensure convenient and accessible storage screened from views of public rights-of-way."

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

1. **Finding:** An Initial Study has been prepared and noticed for the project in accordance with CEQA. A Negative Declaration was also prepared, noticed, and filed with the determination that the project would not have a significant effect on the environment.

Evidence: In accordance with the analysis in the Initial Study, the proposed project to establish a Design Review entitlement process and corresponding Citywide Design Guidelines establishing the basis for design review will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Additionally, the project will not have impacts, which are individually limited, but cumulatively considerable. Finally, the project will not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.

2. **Finding:** There is a reasonable probability that the action proposed will be consistent with the general plan proposal being considered or studied or which will be studied within a reasonable time.

Evidence: The guidelines are consistent with the following goals and policies General Plan: Goal 1-5 to promote excellence in the design of development and Goal 1-8 to promote a strong and positive community image for Elk Grove. Therefore, the proposed guidelines are consistent with the General Plan and all other applicable state and local regulations.

3. **Finding:** The project is consistent with the latest version of the Draft General Plan Elements, which have been reviewed by the General Plan Advisory Committee as of the date on which the project is approved.

Evidence: The guidelines are the basis for the Design Review determinations to ensure quality site and architectural design. The guidelines are consistent with the following Goals of the General Plan: Goal 1-5 to promote excellence in the design of development and Goal 1-8 to promote a strong and positive community image for Elk Grove. Therefore, the proposed guidelines are consistent with the General Plan and all other applicable state and local regulations.

4. **Finding:** There is little or no probability of substantial detriment to or interference with the future adopted general plan if the proposed action is ultimately inconsistent with the plan.

Evidence: The guidelines provide the basis for Design Review determinations by the City and are intended to ensure quality site and architectural design. The guidelines

by their nature would not interfere or cause detriment to the future adopted General Plan.

5. Finding: The proposed use or action complies with all other applicable requirements of state law and local ordinances.

Evidence: Establishment of a Design Review process is in keeping with the Police Power granting local land use control under the State Enabling Legislation in the 1920's and case law regarding aesthetic regulation. The guidelines provide the basis for Design Review determinations and are therefore consistent with the General Plan and all other applicable state and local regulations.

6. Finding: The proposed Design Guidelines are in the public interest and are consistent with the General Plan.

Evidence: The guidelines provide the basis for Design Review determinations and are intended to ensure quality site and architectural design. The guidelines allow design flexibility in the public interest. The proposed guidelines are consistent with the General Plan goals and all other applicable state and local regulations.

7. Finding: The proposed Design Guidelines are consistent with the use provisions and development standards of the City's Zoning Code.


Evidence: With the amendments to the development standards adopted as part of the Design Review Ordinance, the Design Guidelines comply with the applicable use and development standards for single-family residential development.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 19th day of March 2003.



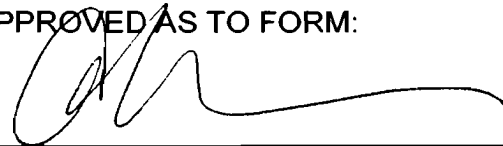
RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

AYES: Soares, Cooper, Scherman, Leary
NOES: None
ABSTAIN: None
ABSENT: Briggs