

RESOLUTION NO. 2003-187

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ELK GROVE ADOPTING CITYWIDE DESIGN GUIDELINES
(SECOND PHASE FOR NON-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), including guidelines for non-residential development as the second phase; and

WHEREAS, on March 19, 2003, the City Council adopted a Design Review Ordinance establishing the expanded Design Review Process and Citywide Design Guidelines for single-family residential subdivision maps and master home plans as the first phase of guidelines; 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 to solicit input and feedback on the non-residential guidelines; and

WHEREAS, the Planning Commission of the City of Elk Grove conducted a study session and a public hearing and unanimously recommended to the City Council approval of the Citywide Design Guidelines for non-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 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 second phase of the Citywide Design Guidelines, hereby incorporated by reference.

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

1. Finding: An Initial Study was previously prepared and noticed for the establishment of an expanded design review process and corresponding Citywide Design Guidelines with the first phase of 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.

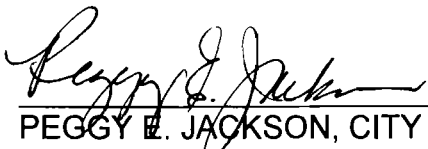
7. Finding: The proposed Design Guidelines are consistent with the use provisions and development standards of the City's Zoning Code.

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 1st day of October 2003.


SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:


ANTHONY B. MANZANETTI,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2003-187**

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

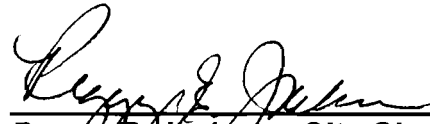
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 1st day of October 2003 by the following vote:

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

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:



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