

RESOLUTION NO. 2004-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ADOPTING CITYWIDE DESIGN GUIDELINES FOR MULTI-FAMILY DEVELOPMENT

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, 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, on October 1, 2003, the City Council adopted the second phase of Citywide Design Guidelines for non-residential development; and

WHEREAS, the City conducted two community workshops to solicit input and feedback on the multi-family guidelines; and

WHEREAS, the Planning Commission of the City of Elk Grove conducted a public hearing and unanimously recommended to the City Council approval of the Citywide Design Guidelines for multi-family 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 third and final phase of the Citywide Design Guidelines in Exhibit A (dated March 2004).

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:** 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 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. The guidelines are also consistent with the Housing Element with regards to multi-family development. Therefore, the proposed guidelines are consistent with the General Plan and all other applicable state and local regulations.

3. **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.

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

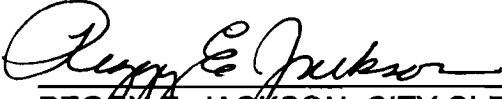
Evidence: With the amendments to the development standards adopted as part of this action, the Design Guidelines comply with the applicable use and development standards for multi-family residential development.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 7th day of April 2004.



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. 2004-70**

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 7th day of April 2004 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**