

ORDINANCE NO. 37-2008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING TABLE 23.24-1 TO DELETE THE "GENERAL PLAN LAND USE DESIGNATION IMPLEMENTED BY ZONING DISTRICT" COLUMN AND MAKING MINOR TEXT REVISIONS TO REFLECT THIS CHANGE WITHIN ZONING CODE CHAPTERS 23.24, 23.28, AND 23.30

The City Council of the City of Elk Grove does ordain as follows:

Section 1: Purpose and Authority

The purpose of this Ordinance is to amend the City of Elk Grove Zoning Code text to clarify and make clerical corrections after the adoption of the comprehensive Zoning Code update in 2006. These amendments ensure consistency and implement the policies and actions of the City's General Plan and are consistent with State and federal laws.

Section 2: Findings

California Environmental Quality Act (CEQA)

Finding: The project is exempt from further CEQA review pursuant to Section 15183 of the State CEQA Guidelines.

Evidence: As described in this staff report, the City has previously prepared an EIR for the City's General Plan (SCH #2002062082). Staff finds that the minor amendments proposed introduce no new environmental impacts not addressed in the prior General Plan EIR and that therefore the project is exempt from further CEQA review pursuant to Section 15183 of the State CEQA Guidelines.

Zoning Code Amendment

Finding: The amendment is consistent with the General Plan goals, policies, and implementation programs.

Evidence: The Zoning Code amendment would have no effect on General Plan goals, policies, and implementation programs. The amendment would eliminate redundancy and duplication and help to ensure that the General Plan and Zoning Code remain consistent.

Section 3: Action

The City Council hereby amends the City of Elk Grove Zoning Code as set forth below.

23.24.020 Zoning Districts

The City of Elk Grove shall be divided into zoning districts that implement the Elk Grove General Plan. The Zoning Districts listed in Table 23.24-1 are hereby established, and shall be shown on the Zoning Map. The table lists all zoning districts and zoning

symbols. The table distinguishes between base and overlay/combining zoning districts as follows:

1. **Base Zoning District.** Every parcel throughout the City has a base zoning district that establishes the primary type and intensity of land use for the parcel, along with development regulations for that particular type and intensity of land use.
2. **Overlay/Combining Zoning District.** An overlay/combining zoning district supplements the base zoning district primarily to allow more flexibility from the standard provisions of the underlying base zone, to ensure preservation of a particular feature where special circumstances are needed, or to specify a particular standard or guideline for an area. In the event of conflict between the base zoning district regulations and the overlay/combining zoning district regulations, the provisions of the overlay/combining zoning district regulations shall apply.

**Table 23.24-1
Zoning Districts**

Zoning District Symbol	Zoning District Name
Agricultural Zoning Districts	
AG	Agricultural
AR-1 ¹	Agricultural Residential (1-acre minimum)
AR-2	Agricultural Residential (2-acre minimum)
AR-5	Agricultural Residential (5-acre minimum)
AR-10	Agricultural Residential (10-acre minimum)
Residential Zoning Districts	
RD-1	Very Low Density Residential (1 du/acre)
RD-2	Very Low Density Residential (2 du/acre)
RD-3	Very Low Density Residential (3 du/acre)
RD-4	Low Density Residential (4 du/acre)
RD-5	Low Density Residential (5 du/acre)
RD-6	Low Density Residential (6 du/acre)
RD-7	Low Density Residential (7 du/acre)

RD-10	Medium Density Residential
RD-15	Medium Density Residential
RD-20	High Density Residential
RD-25	High Density Residential
RD-30	High Density Residential
Commercial Zoning Districts	
LC	Limited Commercial
GC	General Commercial
SC	Shopping Center
AC	Auto Commercial
TC	Highway Travel Commercial
C-O	Commercial Recreation
Office Zoning Districts	
BP	Business and Professional Office
MP	Industrial-Office Park
Industrial Zoning Districts	
M-1	Light Industrial
M-2	Heavy Industrial
Open Space Zoning District	
O	Open Space
Special Purpose Zoning Districts	
SP	Specific Plan
SPA	Special Planning Area
RM-1	Mobilehome Subdivision
Overlay/Combining Districts	

MF	Multifamily
F	Flood
RUC	Rural Commercial Combining Zone
SM	Surface Mining

Notes:

1. While the AR-1 zoning district falls within the Estate Residential density range of the General Plan, the nature and character of the district is more in keeping with the Rural Residential land use designation of the General Plan. These zoning districts also allow for normal agricultural uses and practices.

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23.28.020 Characteristics of the Districts

The following descriptions of each Agricultural Zoning District identify the characteristic uses, intensity of uses, and level of development intended for that district. Refer to the development regulations for specific standards applicable to each agricultural zoning district.

Agricultural (AG-20, -80). The AG districts are applied to areas of the City for viable agricultural use and very low-density residential use. The agricultural zoning districts allow for a wide range of agricultural uses on large parcels of land. These uses may include crop production, commercial riding academies and stables, animal keeping, agricultural labor housing, and compatible accessory uses. The zoning district number associated with the AG districts corresponds to the minimum lot size in such district.

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23.30.020 Characteristics of the Districts

This section provides a general description of each of the four primary residential zoning district categories, along with unique characteristics of each corresponding zoning district. Zoning districts with similar characteristics have been listed together.

Very Low Density Residential (RD-1 through RD-3). The Very Low Density Residential Zoning District designations are applied to areas of the City intended to accommodate very low-density single family residential uses in a semi-rural setting. Residential densities shall be in the range of 1.0 to 3.0 dwelling units per acre with minimum lots sizes between one-third acre to one acre. This residential designation includes the following specific zoning districts:

- **RD (-1, -2, and -3).** The RD districts are applied to areas of the City intended to accommodate very low-density single family estate type uses. Property with these RD designations should serve as a transitional residential district between agricultural residential and traditional lower-density single family neighborhoods. The zoning district number associated with the RD districts corresponds to the

number of dwelling units permitted per acre of land. These RD districts allow a density range of 1.0 to 3.0 dwelling units per acre.

Low Density Residential (RD-4 through RD-7). The Low Density Residential Zoning District designations are applied to areas of the City intended to accommodate low-density single family residential neighborhoods. Typical development includes detached (and in some cases attached) single family homes. Permitted uses in the RD districts include single family and two-family homes, second units, and compatible neighborhood support facilities. Residential densities shall be in the range of 3.1 to 7.0 dwelling units per acre. Property with this designation should be located near other residential properties, schools, parks/open space, and neighborhood commercial services with low-impact office and light industrial uses nearby. Development standards for these districts allow design flexibility and promote a range of housing densities and variety of housing types. This residential designation includes the following specific zoning districts:

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Medium Density Residential (RD-10 and RD-15). The Medium Density Residential Zoning District designations are applied to areas of the City intended to accommodate higher-density single family and lower-density multifamily residential neighborhoods. These RD districts accommodate a variety of housing types with a density range between 7.1 and 15.0 dwelling units per acre. Specifically, medium density residential development may include detached and attached single family homes, duplexes, townhomes, condominiums, row houses, and garden apartments. Development standards for these districts allow significant design flexibility to encourage a broad range of housing types and are intended to ensure compatibility and connectivity with surrounding neighborhoods and uses. This residential designation includes the following specific zoning districts:

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High Density Residential (RD-20 through RD-30). The High Density Residential Zoning District designations are applied to areas of the City intended to accommodate higher density multifamily development such as apartments and condominiums. This designation may also include high-density single family development types such as townhomes and other attached housing types. High density detached homes may be considered in the RD-20 designation. Residential densities shall be in the range of 15.1 to 30 dwelling units per acre. Property with this designation should be located near other multifamily sites, office, commercial uses, or light industrial areas. Additionally, multifamily residential sites should be located along thoroughfare, arterial, or collector roads or near existing or planned public transit stops. Standards for these districts promote attractive residential development that is compatible with surrounding neighborhoods, while at the same time carefully regulating uses to assure compatible development that limit impacts on surrounding uses. This residential designation includes the following specific zoning districts:

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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: 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 15 days after its passage, a summary of the ordinance may be published at least five 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: 37-2008
INTRODUCED: July 23, 2008
ADOPTED: August 27, 2008
EFFECTIVE: September 26, 2008



GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:



SUSAN J. BLACKSTON, CITY CLERK



SUSAN COCHRAN, CITY ATTORNEY

Date signed: Sept. 2, 2008

CERTIFICATION
ELK GROVE CITY COUNCIL ORDINANCE NO. 37-2008

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

I, Susan J. Blackston, 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 July 23 2008 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on August 27, 2008 by the following vote:

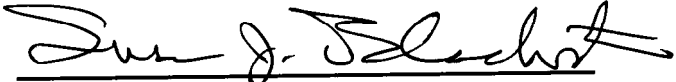
AYES : **COUNCILMEMBERS:** *Davis, Hume, Scherman, Leary, Cooper*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*

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



Susan J. Blackston, City Clerk
City of Elk Grove, California