

ORDINANCE NO. 15-2014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING TITLE 23 OF THE ELK GROVE MUNICIPAL CODE RELATIVE TO BICYCLE PARKING

WHEREAS, General Plan policy PTO-2 and corresponding Action PTO-2-Action 3 directs the City to adopt a “comprehensive Parks and Trails Master Plan”; and

WHEREAS, in 2004, the City adopted the Bicycle and Pedestrian Master Plan;
and

WHEREAS, in 2007, the City adopted the Trails Master Plan; and

WHEREAS, in 2010, the City adopted the Parks and Recreation Master Plan;
and

WHEREAS, changes have occurred in State and Federal law regarding minimum qualifications for transportation funding; and

WHEREAS, the City desires to establish criteria for evaluating and prioritizing improvements as it relates to the City’s annual Capital Improvement Plan; and

WHEREAS, the City desires to consolidate the existing Bicycle and Pedestrian Master Plan and Trails Master Plan into one Bicycle, Pedestrian, and Trails Master Plan (the Project), while concurrently updating the programs and policies; and

WHEREAS, the City has identified certain amendments to Title 23 (Zoning) of the Elk Grove Municipal Code necessary to implement the proposed Bicycle, Pedestrian, and Trails Master Plan.

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 various sections of Title 23 of the Elk Grove Municipal Code relative to bicycle parking.

Section 2: Findings

The City Council adopts this Ordinance based upon the following findings:

California Environmental Quality Act (CEQA)

Finding: The Bicycle, Pedestrian, and Trails Master Plan Project (the Project) is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

Evidence: The proposed project is exempt from CEQA pursuant to State CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). This exemption applies to projects that are consistent with a General Plan. The Project would amend sections of the General Plan related to policies for parks and trails, update zoning regulations, and adopt a new Bicycle, Pedestrian, and Trails Master Plan. The proposed General Plan amendments correct references to the consolidated Bicycle, Pedestrian, and Trails Master Plan and remove the previous trails map from the General Plan document. These amendments update General Plan policies PTO-1 through PTO-8 and are internally consistent with the balance of the General Plan as they continue to ensure the placement, design, and construction of parks and trails resources to the community consistent with the other policies of the General Plan. Further, the zoning changes implement the General Plan policies by ensuring the construction of bicycle parking as part of new development. Text amendments to Title 23 of the Municipal Code do not alter the allowed intensity or density of development beyond that contemplated in the General Plan and General Plan EIR. Therefore, no further environmental review is required for these amendments. The new Bicycle, Pedestrian, and Trails Master Plan implements the General Plan policies by providing an implementation plan for these services and facilities. Further CEQA review for the individual construction projects identified in the Master Plan will be completed prior to the commitment of funding for their construction. Therefore, this project qualifies for the identified exemption and no further environmental review is required.

Amendment to Title 23 of the Municipal Code

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

Evidence: The proposed text amendments to Titles 23 of the 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 changes update bicycle parking requirements, facilities, and reductions.

Section 3: Action

Title 23 of the Elk Grove Municipal Code is hereby amended as provided in Exhibit A, incorporated herein 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 effect 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).

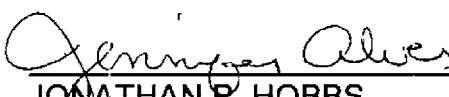
ORDINANCE: 15-2014
INTRODUCED: July 9, 2014
ADOPTED: July 23, 2014
EFFECTIVE: August 22, 2014



GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY for

Date signed: August 1, 2014

EXHIBIT A

ELK GROVE ZONING CODE AMENDMENTS FOR BICYCLE PARKING (FINAL Dated 7-23-14)

Section 23.16.037 shall be amended to read as follows:

CHAPTER 23.16 PERMIT REQUIREMENTS

23.16.037 Parking reduction permit

- A. Purpose. A parking reduction permit provides a process for the review of requests for reduction in the number of required parking spaces by more than ten (10%) percent of the respective development standards where such reduction is justified without compromising the basic health, safety and welfare of the community. Also see EGMC Section 23.16.030, Minor deviation, for deviations that are ten (10%) percent or less of the respective development standards. Through the parking reduction permit, the City is creating a formal, documented process for the allowance of parking reductions.
- B. Applicability. The minimum number of off-street parking spaces required by this title may be reduced when one (1) or more of the following parking reduction programs, as described in EGMC Section 23.58.060, is approved through a granted parking reduction permit:
 - 1. Facilities and programs;
 - 2. Preferred carpool/vanpool parking spaces;
 - 3. Long term bicycle parking facilities;
 - 4. Proximity to alternative modes;
 - 5. Shared parking; and
 - 6. Vehicle park-and-ride lot requirements at shopping centers.
- C. Approving Authority. The designated approving authority for all parking reduction permits shall be the Planning Director. The Planning Director approves or denies the parking reduction permit in accordance with the requirements of this title.
- D. Submittal Requirements. The application for a parking reduction permit shall be made on a form as prescribed by the Planning Department and shall be accompanied by the information identified on the form. The City may require a parking demand study, conducted by a licensed traffic engineer or other transportation professional satisfactory to the Planning Director, be prepared as part of an application submittal when, at the discretion of the Planning Director, such a study would provide necessary technical information in order to adequately review the request.
- E. Findings. A request for parking reduction shall be granted only if the approving authority makes the following findings:
 - 1. For mixed use projects, a request for parking reduction may be granted where the approving authority determines that a reduction is justified based on characteristics of the uses, hourly parking demand studies published by the Urban Land Institute, or other appropriate

ELK GROVE ZONING CODE AMENDMENTS FOR BICYCLE PARKING (Draft Dated 6-19-14)

information demonstrating that sufficient parking capacity will exist to accommodate all uses at all times as determined by the Director.

2. For any other circumstance where the applicant wishes to request a parking reduction, such reduction may be granted where the review authority finds that:
 - a. The intent of the parking regulations, in compliance with all other applicable provisions of this title, is met; and
 - b. Sufficient parking would be provided to serve the use intended and potential future uses of the subject parcel. [Ord. 12-2012 §3, eff. 7-27-2012; Ord. 8-2011 §8(D), eff. 6-24-2011]

Section 23.58.060 shall be amended to read as follows:

CHAPTER 23.58 PARKING

23.58.060 Reduction of off-street parking requirements.

Commercial, office, or industrial projects may request a reduction in the minimum number of parking spaces required, provided they include facilities, programs, or services that reduce the overall parking demand for the site, contingent upon approval of a parking reduction permit from the designated approving authority pursuant to EGMC Section 23.16.037.

- A. **Facilities and Programs.** A proponent of an office, commercial or industrial project may provide alternative facilities or programs which serve to reduce parking demand in return for a reduction in vehicle parking requirements. Vehicle parking requirements may be reduced in accordance with the following provisions:
 1. **Shower/Locker Facilities.** Developments with one hundred (100) or more employees may reduce their parking requirement by providing shower and clothing locker facilities for bicycle commuting employees. Maximum reduction: two (2%) percent of required parking.
 2. **Secure Bicycle Parking.** Developments which provide additional secure bicycle parking facilities over and above the minimum requirement may reduce their parking requirement by one (1) vehicle space for every three (3) additional bicycle spaces provided. Maximum reduction: two (2%) percent of required parking if short-term bicycle parking spaces are provided, four (4%) percent of required parking if long-term/end-of-trip bicycle parking spaces are provided.
- B. **Preferred Carpool/Vanpool Parking Spaces.** Office or industrial developments which guarantee preferred parking spaces (e.g., covered, shaded, or near building entrance) to employees who participate regularly in a carpool or vanpool may reduce their parking requirement by one (1) vehicle space for every one (1) space which is marked and reserved for carpools/vanpools at a preferred location. Maximum reduction: two (2%) percent of required parking.
- C. **Proximity to Alternative Modes.** Off-street vehicle parking reductions may also be granted when the applicant for a single or combined use can prove to the designated approving authority that

ELK GROVE ZONING CODE AMENDMENTS FOR BICYCLE PARKING (Draft Dated 6-19-14)

the proximity of the facility to alternative modes of transportation justifies the requested parking reduction.

- D. Shared Parking. Shared parking solutions are encouraged. Multiple uses may use joint parking facilities when operations for the respective uses are not normally conducted during the same hours, or when hours of peak use differ. A request for the use of shared parking must meet the following conditions:
1. Located in a common parking lot or off-site convenient to the use(s) requiring the parking; and
 2. The applicant is able to show through a parking analysis that there shall be no substantial conflicts between the subject uses with regard to principal hours of operation and periods of peak parking demand. A possible option for determining shared parking arrangements includes the Urban Land Institute publication "Shared Parking"; and
 3. Right of joint use shall be evidenced by a deed, lease, contract, or similar written instrument that shall be approved as to form by the City Attorney upholding such joint use; and
 4. In no instance shall the total parking required be less than would be required for any one (1) of the independent uses.
- E. Vehicle Park-and-Ride Lot Requirements at Shopping Centers. Up to ten (10%) percent of the required number of parking spaces for retail stores/shopping centers may be contractually committed to be used for park-and-ride purposes without affecting the total parking requirement of the center. This parking reduction cannot be combined with any other parking reduction program and cannot be applied to parking lots that do not meet the minimum required parking requirements in accordance with EGMC Section 23.58.050, do not meet the parking design and development standards in accordance with EGMC Section 23.58.090, or have been issued any other approval that reduces the amount of parking on site. [Ord. 8-2011 §26(D), eff. 6-24-2011]

Section 23.58.100 shall be amended to read as follows:

23.58.100 Bicycle parking requirements.

- A. Bicycle parking shall be provided for all multifamily projects and nonresidential uses in compliance with this chapter. Except as otherwise provided herein, bicycle parking requirements apply to both short term and long term bicycle parking facilities as defined in Chapter 23.98 (Definitions). The City encourages the construction of long-term/end-of-trip bicycle parking facilities for large employment centers and uses with over 50 employees. No minimum number of long-term/end-of-trip bicycle parking spaces is required, but if provided a development may receive additional reductions in required vehicle parking spaces, as outlined in EGMC section 23.16.037. Generally, bicycle parking shall be located on a paved surface, within 50 feet a primary building entrance and in a visibly secure and well-lit location either adjacent to or within the building. However, the designated approving authority may allow for exceptions to the

ELK GROVE ZONING CODE AMENDMENTS FOR BICYCLE PARKING (Draft Dated 6-19-14)

minimum distance and/or alternative locations that meet the intent of providing short and long term bicycle parking that is convenient and highly visible.

- B. Bicycle parking shall consist of at least a stationary bicycle rack, typically a vertical metal bar, where the cyclist supplies a padlock and chain or cable to secure the bicycle to a stationary object. Where located within a building, bike racks may also be wall mounted.
- C. Bicycle parking is required for multifamily, public and civic facilities, schools, retail commercial, office and industrial uses in accordance with Table 23.58-3. In no case shall there be fewer than two employee bicycle spaces and two patron spaces, unless specifically exempt.

**Table 23.58-4
Bicycle Parking Requirements by Land Use**

Land Use Type	Required Parking Spaces
Multifamily Residential	
Complexes of any size	1 space/3 units
Community Civic	
Public and civic facilities	10% of required vehicle space
Schools	25% of enrollment capacity
Commercial	
Retail	5% of required vehicle spaces
Office	1 space/25 vehicle spaces
Industrial	
Industrial	1 space/25 vehicle spaces

D. Bicycle Parking Facility Standards:

- 1. Short-term bicycle parking: Short-term bicycle parking spaces are intended for short periods of time and are usually targeted to visitors, customers, and other short-term users.
 - a. Short-term bicycle parking may consist of floor, wall, or ceiling bike racks.
 - b. Bike racks should enable the bicycle frame and one wheel to be locked to the rack with a standard U-shaped lock or cable.
 - c. Racks must be securely anchored to the ground, wall or ceiling.
 - d. The location and configuration of bike racks may not impede pedestrian or vehicular circulation.
 - e. Racks shall be configured to provide ease of use – racks shall not be placed too close to a wall or obstruction so as to make use difficult.

ELK GROVE ZONING CODE AMENDMENTS FOR BICYCLE PARKING (Draft Dated 6-19-14)

2. Long-term bicycle parking: Long-term bicycle parking spaces are intended for periods of time longer than several hours and are targeted to employees, residents, and other long-term users.
 - a. Long-term bicycle parking may consist of storage lockers, locked rooms or enclosures, or bicycle parking areas internal to a building.
 - b. If long-term bicycle parking is located in an area not easily visible from the main entrance of a building, a safe access route from the main entrance to the bike parking facility, with adequate lighting and signage, shall be provided.
 - c. Long-term bicycle facilities shall be of sufficient width and length for parking of bicycles, with space for maneuvering. When located indoors in a dedicated room, bicycle racks may be wall mounted.
 - d. The location and configuration of long-term bicycle facilities may not impede pedestrian or vehicular circulation.
 - e. Long-term bicycle parking facilities within a vehicle parking garage shall be located to maximize security in highly visible area or in proximity to a parking attendant.

- E. Alternative Compliance. Upon written request by the applicant, the Planning Director may approve alternative compliance from the provisions of this chapter, which may include, but is not limited to, a reduction or deviation in the number, type, or location of the required bicycle parking, and may include a waiver of the requirement. Considerations used in the determination may include, but are not limited to:
 1. Physical site planning constraints;
 2. Proximity to existing bicycle parking;
 3. Projects that cannot be classified into the provided land use categories;
 4. Provision of enhanced bicycle facilities provided in the development;
 5. Inclusion of the site within a larger development for which adequate bicycle parking is already provided; or
 6. Unforeseen circumstances or individual land use changes.

The following definitions shall be added to Chapter 23.100:

CHAPTER 23.100 GENERAL DEFINITIONS

Short-term Bicycle Parking. Short-term bicycle parking facilities typically consist of bike racks where cyclists can park their bike for several hours or less and are targeted to visitors, customers and other short term users.

Long-term Bicycle Parking. Long-term bicycle parking facilities include bike lockers, bike cages, and bike rooms and are targeted to residents, employees and other long term users. Long-term bicycle parking facilities are typically provided at major destinations such as transportation hubs/stations, employment centers, and schools. These facilities restrict access to users, providing a higher level of security and allowing cyclists to leave their bikes for longer periods of time.

**CERTIFICATION
ELK GROVE CITY COUNCIL ORDINANCE NO. 15-2014**

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 July 9, 2014 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on July 23, 2014 by the following vote:


AYES : **COUNCILMEMBERS:** ***Davis, Cooper, Detrick, Hume, Trigg***

NOES: **COUNCILMEMBERS:** ***None***

ABSTAIN: **COUNCILMEMBERS:** ***None***

ABSENT: **COUNCILMEMBERS:** ***None***

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


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