

## **POLICY TOPIC PAPER 3.0: GOVERNANCE**



### **BACKGROUND**

Effective governance includes both civic engagement from community members and decisions made by elected and appointed representatives of the community. The City of Elk Grove uses a variety of traditional and nontraditional methods to best determine the needs and desires of the community, but the City strives to have all residents understand the process and feel included in decision-making.

#### **Government Structure**

The City of Elk Grove is governed by the City Council, which is made up of five elected representatives, including a directly elected mayor. The City Manager is appointed by the City Council and manages the administrative affairs, operations, and policy implementation of the City. The City Council serves as the legislative body for Elk Grove and is responsible for the review and approval of the annual budget, establishing community goals and objectives, approving the City's General Plan, and listening to community problems and concerns. Council members serve four-year terms and the mayor serves a two-year term.

The Elk Grove Planning Commission is a five-member committee appointed by the mayor and approved by the City Council. The Commission reviews and approves planning applications and makes recommendations to the City Council on planning matters, including General Plan amendments and zone changes.

The Development Services Department includes, among other functions, the Planning Division. The Planning Division staff assists in guiding future growth and change in a manner that conforms to adopted policies and ordinances and reflects community values, including the processing of development applications.

Long-range planning, including management of the General Plan, community and area plans, and various strategic initiatives of the City, are operated out of the City Manager's Office. The separation of these functions from the Planning Division allows for greater focus on bigger picture and forward-looking projects.

Other departments and divisions that manage aspects of City government and operations include Public Works, Code Enforcement, Building Safety, Inspection and Permits, and Economic Development. A full list of City departments and divisions can be found on the City's website at [www.elkgrovecity.org](http://www.elkgrovecity.org).

### **Governance Framework**

The legal framework for planning and decision-making is structured by procedural law adopted by the State that guides the planning process for local jurisdictions, which are in turn given the ability to tailor and implement decisions in the way that works best for their specific community. The City uses a combination of planning principles, procedures, and documents to make land use decisions in Elk Grove.

The General Plan serves as the overarching document for all planning and conservation decisions, and is implemented through a variety of policy and standards documents, including the Zoning Code, design guidelines, land division regulations, and specific plans. The Municipal Code, which contains the Zoning Code and land division regulations, provides further regulations for the City that affect building design, safety, and enforcement of regulations as well as other aspects of City governance.

The City Council, serving as the legislative body for Elk Grove, reviews and approves major projects and is the final approval authority for General Plan amendments. The Planning Commission reviews and approves planning applications and makes recommendations to the City Council on planning matters, including General Plan amendments.

Commission and Council decision-making meetings are open to the public and include time for public comment. Additionally, for large-scale planning projects, the City notifies the public and conducts a range of public outreach activities to solicit community input.

### General Plan Guidance

The General Plan is a required comprehensive planning document that provides guidance and a framework for future development and conservation decisions in the City. It guides the private and public development of the City by establishing a vision for the community, and all other codes, standards, and plans must be consistent with the goals, policies, and action items in the General Plan.

### Amendment Process

As the City will continuously change and grow, the General Plan will require amendments to remain consistent with the desires and needs of the community and respond to changing conditions. Each State-mandated element, or topic categories, of the General Plan may be amended up to four times per year in response to a desired land use change or other policy change. The Governor's Office of Planning and Research recommends a comprehensive update to the General Plan when its information becomes outdated or conditions change dramatically from the time of adoption—generally every five to ten years. However, there is no mandate to comprehensively update a General Plan within a certain time frame. The Housing Element is the

only element required to be revised on a regular basis (every eight years for the City); it is approved by the State so as to ensure that it reflects accurate housing needs for the community.

To accommodate proposed amendments to the General Plan text or maps, Elk Grove outlines its General Plan amendment process in Chapter 23.16 of the Municipal Code, a process that is consistent with Section 65358 of the California Government Code addressing the preparation, adoption, and amendment of the General Plan.

The Municipal Code outlines the process, authority, frequency of updates, and the required finding for each General Plan amendment, specifically that “in the event that a General Plan amendment is requested by a private property owner, the applicant shall demonstrate to the City Council that there is a substantial benefit to be derived from the amendment.”<sup>1</sup>

The Development Services Director and Planning Commission provide recommendations to the City Council, which is the final approving authority for General Plan amendments. The Municipal Code prohibits updating any mandatory element of the General Plan more than four times in a year, consistent with State mandate, to avoid project-by-project alterations to a cohesive plan vision.

#### General Plan Implementation

A number of documents serve as tools for implementation of General Plan policies, including the Zoning Code, design guidelines, land division regulations, and specific plans. Each tool provides additional and more specific guidance for subareas of the City, with varying levels of regulatory enforcement. The requirements of each must be consistent with the policies and land uses identified in the General Plan.

#### Title 23 – Zoning Code

Title 23 of the Elk Grove Municipal Code serves to carry out the policies of the General Plan by establishing zoning districts, which regulate land uses in the City in accordance with the General Plan. The General Plan includes a Land Use Map identifying land use designations for the City. These designations are implemented by the established zoning districts, which outline what uses are allowed in a given district and any development standards that apply to those districts and/or uses.

The Zoning Code must be consistent with all maps and policies in the General Plan, and therefore will need to be amended within a reasonable time period following any change to the

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<sup>1</sup> Pursuant to Section 23.16.120.E of the Elk Grove Municipal Code.

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General Plan that results in a discrepancy between the General Plan and the Zoning Code map or text.

#### Design Guidelines

Design guidelines convey general policies about the design of alterations to existing structures, additions, new construction, and site work. However, they do not dictate solutions. Instead, they define a range of appropriate responses to a variety of specific design issues. Design guidelines establish a common understanding of design principles and standards for the City. Such guidelines can apply to an entire city or be specific to certain neighborhoods. The City has established Citywide Design Guidelines, which apply to most areas of the City. Supplemental guidelines have been established for the Laguna Ridge area to address landscaping and single-family residential architecture. Additionally, the Southeast Policy Area has its own design protocol, which is independent from the Citywide Design Guidelines. These guidelines and the design review process through which they are administered (Municipal Code Section 23.16.080) promote preservation of the historic, cultural, and architectural resources that reflect the history and character of Elk Grove.

#### Title 22 – Land Development

When a piece of land is divided into two or more lots, the land is considered to have been subdivided. This type of land division is regulated by Title 22 (Land Development) of the Elk Grove Municipal Code. The Title specifies certain minimum requirements and standards that all land divisions must meet. The ultimate aim of the Title is to ensure that when land is subdivided, each resulting lot will be provided with minimum services such as public streets, sewer and water systems, and storm drains and be adequate in size to accommodate the type of development planned for the property. The Title also specifies requirements for designing streets and lot layouts; standards for public improvements such as streets, sidewalks, storm drains, water and sewer; requirements related to the use of land on which flood plains have been located; and dedications. All requirements and standards of Title 22 must be consistent with the General Plan.

#### Specific Plans

Specific plans implement the General Plan within a specific geographic area of the City. Specific plans are prescribed in State law and have several required components, including identifying proposed major components of infrastructure needed to support planned land uses. Section 65451 of the Government Code mandates that a specific plan be structured to include a text and a diagram or diagrams which specify the distribution of the uses of land, major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities, as well as standards and criteria by which development will proceed.

The Government Code also requires that specific plans include a statement of the relationship of the specific plan to the General Plan.

The City currently has three specific plans: East Elk Grove Specific Plan, East Franklin Specific Plan, and Laguna Ridge Specific Plan.

*Refer to Policy Topic Paper 1.0: Specific Plans and Special Planning Areas for additional information and specific recommendations on specific plans.*

### **Civic Engagement**

A community that actively participates in civic decision-making has greater influence over its quality of life. Without an engaged community, decision-makers have to rely on other information when deciding a course of action. Attending public meetings and events, organizing efforts, and advocating to City Council and other commissions are ways the public can be involved and influence local governance.

Civic engagement is a right and responsibility of members of the community, but the City also must provide clear and easy avenues in which the public can be involved. To maximize participation, the City needs to meet the public in places where community members are most comfortable and in ways that match well with their normal daily lives.

The City of Elk Grove uses a variety of traditional and nontraditional methods to best determine the needs and desires of the community on a project-by-project basis, including:

#### **Traditional Engagement Methods**

- Direct mailing and emails
- Community workshops and open houses
- Flyers
- Online surveys
- Tabling at farmers markets and other community events
- Social media
- City newsletter
- Outreach through City committees

- Stakeholder interviews

#### **Nontraditional Engagement Methods**

- Community-led outreach programs
- Pop-up workshops
- Interactive online workshops
- Collaboration with established neighborhood groups

### PROPOSED ACTIONS

#### **Governance Framework**

Transparency in the decision-making process fosters a sense of trust and understanding in the community when a General Plan amendment is being considered. While the General Plan amendment process is outlined in the Zoning Code, the required finding lacks specificity in what constitutes a “substantial benefit” to the community. The finding also applies to amendments proposed by private property owners. There is no codified finding outlined for amendments initiated by the City (though the City does use a finding of internal consistency for these types of amendments as required by State law). Providing parameters for determining significant benefit to the community as well as clarifying what criteria is used in determining the appropriateness of City-initiated amendments can provide a greater level of predictability in the decision-making process. This will build a common community understanding for evaluating General Plan amendments and hold the decision-makers accountable to the purpose of accommodating amendments to the General Plan.

#### **Civic Engagement**

The City should ensure all decisions are transparent and derived from substantial evidence, with community members being given the option to state support or concerns in a productive way. The Government Code and the Municipal Code both provide guidance on public noticing requirements when public hearings are required. Offering a range of outreach forums and venues that go beyond the requirements, reaching out to different segments of the population, and engaging with the community earlier in the process will ensure that the many perspectives and priorities of community members are heard, considered, and incorporated as appropriate into the decision-making process. The City can develop a menu of options for communicating to members of the public what their opportunities for input are and what standards are being used to evaluate proposals. The City can also play a role in facilitating conversations and educating the public on relevant topics in order to increase community engagement.

### SUMMARY RECOMMENDATIONS

Based on the discussion contained in this policy topic paper, staff recommends the following goals and policies for consideration. Commission and Council direction on these items will be consolidated with that provided on other key policy topics to inform the direction and contents of the draft General Plan update.

**Policy Topic 3.0: Governance**

3.1. Consider the following goals and policies for incorporation into the General Plan.

**GOAL: A Transparent and Collaborative Decision-making Process**

- Hold meetings which are open and easily accessible to the public, and, where feasible, are conducted in the primary language(s) of the audience.
- Provide a predictable and accessible decision-making process for planning decisions that is available to all community members.
  - Establish criteria for determining consistency with the General Plan for all types of Plan amendments (e.g., City-initiated, property owner-initiated, land use changes).
  - Establish criteria for evaluating General Plan amendment proposals for all types of Plan amendments (e.g., City-initiated, property owner-initiated, land use changes).
- Utilize a variety of outreach techniques to reach the broadest and most diverse public audience when announcing City actions, decisions, and opportunities.
- Require that all major planning efforts, policies, or projects include an outreach effort.
- Encourage and facilitate collaboration between organizations, schools, and City departments.

**GOAL: An Engaged and Educated Community**

- Partner with local organizations and schools to provide regular educational workshops on civic governance and planning processes and participation.
- Host public forums on issues important to the community, facilitating these forums with the purpose of guiding City policy.
- Provide a glossary of acronyms and technical terms online and as an accompaniment to public meeting agendas.
- Present all public documents in an easy-to-understand style which promotes understanding and clarity to readers.

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- Reach out to students and youth to encourage participation in City workshops, forums, and the decision-making processes.