

ORDINANCE NO. 44-2006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING THE CITY OF ELK GROVE ZONING MAP FROM BP TO RD-20 FOR 6915 ELK GROVE BOULEVARD, APN 116-0061-103, PROJECT NO. EG-092 (GPA 06-001)

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 Map as shown on attached Exhibit A.

Section 2: Findings

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

Evidence: The proposed rezone is consistent with the allowable density ranges for the High Density Residential land use designation as defined by the adopted General Plan and Zoning Code. The proposed rezone is consistent with the General Plan goals and policies contained within the Housing and Land Use Elements. The project will further the objectives of orderly and systematic development and responds to opportunities and constraints in the local community area.

Section 3: Action

The City Council hereby amends the City of Elk Grove Zoning Map for APN 116-0061-103 from BP to RD-20 as shown on attached Exhibit A. This rezone is subject to the findings contained in this Ordinance.

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).


INTRODUCED: October 25, 2006
ADOPTED: November 8, 2006
EFFECTIVE: December 8, 2006



RICK SOARES, MAYOR of the
CITY OF ELK GROVE

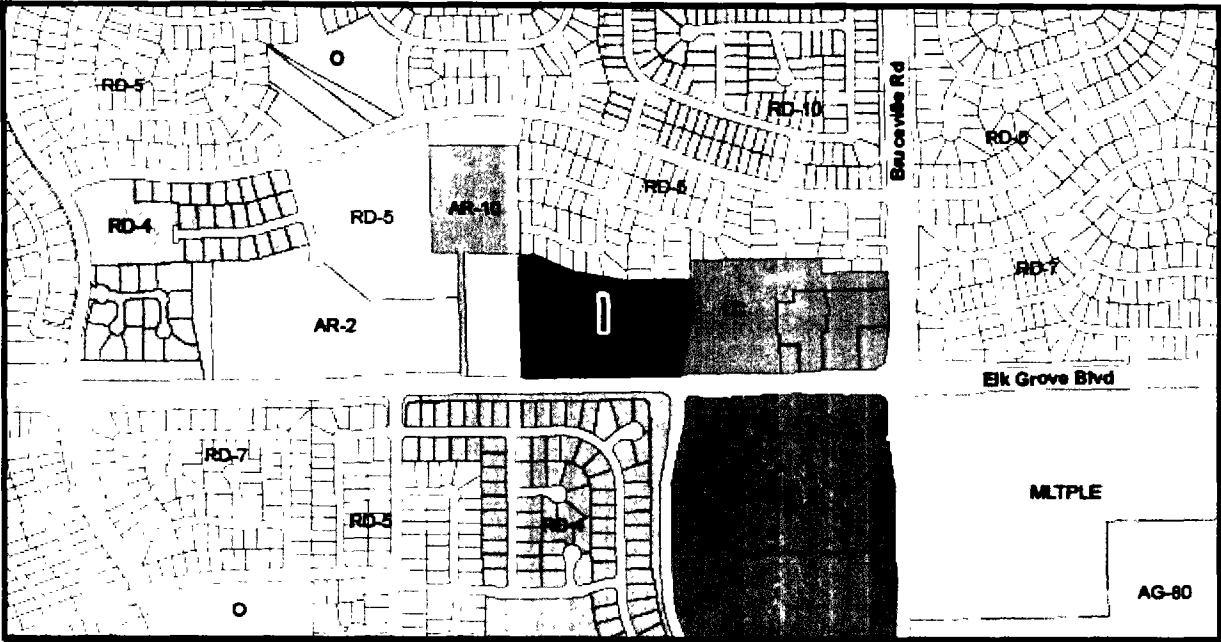
ATTEST:


PEGGY E. JACKSON,
CITY CLERK

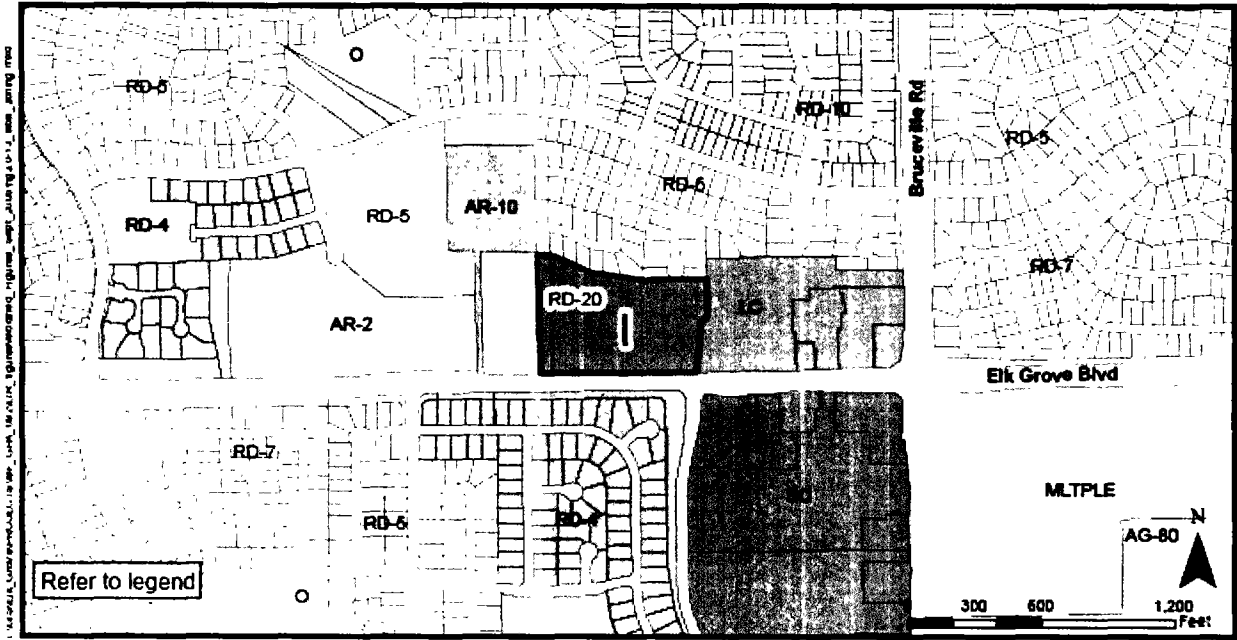
APPROVED AS TO FORM:


ANTHONY B. MANZANETTI,
CITY ATTORNEY

EXHIBIT A



Existing Zoning



Proposed Zoning

**CERTIFICATION
ELK GROVE CITY COUNCIL ORDINANCE NO. 44-2006**

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 ordinance was duly introduced on October 25, 2006 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on November 8, 2006 by the following vote:

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

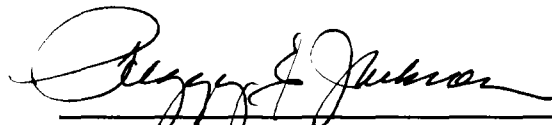
NOES : **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*

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





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