

**ORDINANCE NO. 18-2007**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AMENDING THE CITY OF ELK GROVE ZONING MAP  
FROM AR-5 TO AR-2 FOR  
THE RICHERT PARCEL MAP  
PROJECT NO. EG-06-1150  
APN: 123-0190-053**

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

**Rezone**

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

Evidence: The General Plan identifies this area of Elk Grove as rural in character and designates the property as Rural Residential. This General Plan Land Use Category requires a minimum parcel size of two acres and a maximum size of 10 acres. The existing parcel is 5-acres gross and the proposed parcels are both 2.5-acres gross. The proposed zoning for the new parcels of AR-2 and the size of the proposed parcels are within the density and minimum lot size for the General Plan land use designation for this property. Therefore, the proposed project is consistent with the General Plan.

Finding: The proposed rezone is in the public interest (Section 65358(a) of the Government Code).

Evidence: The Applicant's proposal is consistent with the allowed density ranges and uses in the Elk Grove General Plan, General Plan Land Use Map, and East Elk Grove Specific Plan. The proposed rezoning meets all applicable standards of the Elk Grove Zoning Code. The proposed project implements the General Plan's objectives for 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 APNs 127-0140-007 and 127-0140-029 as shown on attached Exhibit A 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.

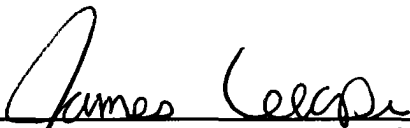
Section 5: Severability.

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.

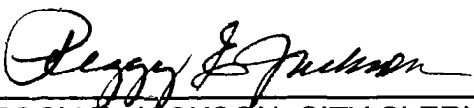
Section 6: Effective Date and Publication

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: May 9, 2007  
ADOPTED: May 23, 2007  
EFFECTIVE: June 22, 2007

  
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JAMES COOPER, MAYOR of the  
CITY OF ELK GROVE

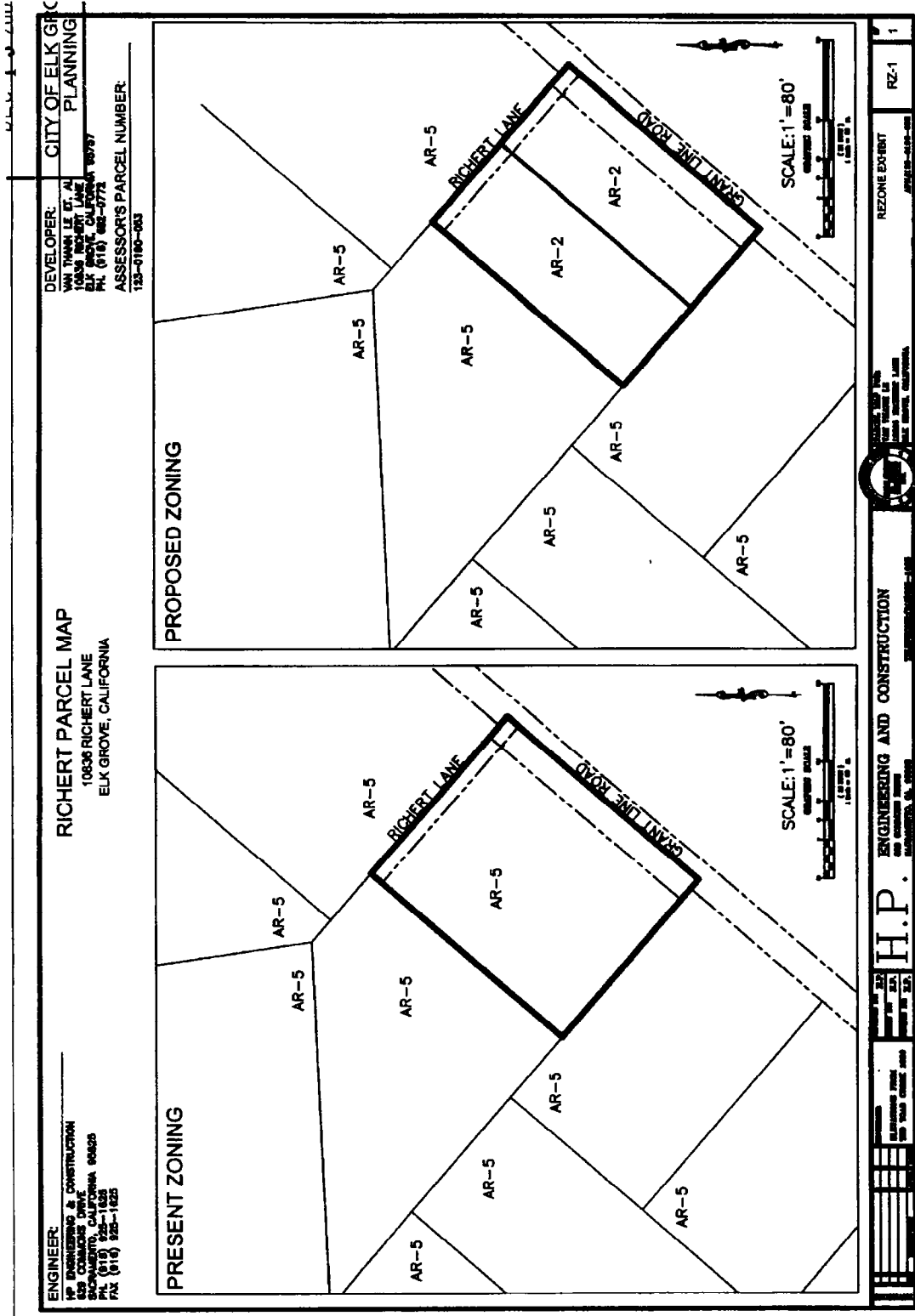
ATTEST:

  
\_\_\_\_\_  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JONATHAN P. HOBBS,  
INTERIM CITY ATTORNEY

Exhibit A – Rezone Exhibit



**DEVELOPER:** CITY OF ELK GROVE  
 VAN TIRAN, LE ET AL  
 10836 RICHERT LANE  
 ELK GROVE, CALIFORNIA 95757  
 PH. (916) 682-9772  
**ASSESSOR'S PARCEL NUMBER:**  
 133-0180-003

**RICHERT PARCEL MAP**  
 10836 RICHERT LANE  
 ELK GROVE, CALIFORNIA

**ENGINEER:**  
 H.P. ENGINEERING & CONSTRUCTION  
 639 COMMERCE DRIVE  
 SACRAMENTO, CALIFORNIA 95825  
 PH. (916) 922-1825  
 FAX. (916) 922-1825

**H.P. ENGINEERING AND CONSTRUCTION**  
 639 COMMERCE DRIVE  
 SACRAMENTO, CA 95825  
 PH. (916) 922-1825  
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**REZONE EXHIBIT**  
 RZ-1  
 1

**CERTIFICATION  
ELK GROVE CITY COUNCIL ORDINANCE NO. 18-2007**

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 May 9, 2007 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on May 23, 2007 by the following vote:*

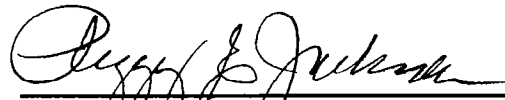
**AYES :**       **COUNCILMEMBERS:**       *Cooper, Davis, Leary, Scherman, Hume*

**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**

