

ORDINANCE NO. 06-2001

AN ORDINANCE OF THE CITY OF ELK GROVE AMENDING THE EAST FRANKLIN SPECIFIC PLAN AND THE CITY OF ELK GROVE ZONING MAP FROM AG-20 and O OPEN SPACE ZONES TO RD-4, RD-5, RD-7, RD-20 AND O OPEN SPACE ZONES ON ASSESSOR PARCEL NUMBERS 132-0020-014; 132-0020-015; 132-0020-019

The City of Elk Grove does ordain as follows:

Section 1: Purpose and Authority

The purpose of this Ordinance is to amend the East Franklin Specific Plan and City of Elk Grove Zoning Map to assign revised designation and zoning to the parcels specified in attached Exhibit A and B.

Section 2: Action

The City Council hereby amends the East Franklin Specific Plan and Zoning Map of the City of Elk Grove for Assessor's Parcel Numbers 132-0020-014, 132-0020-015, and 132-0020-019 as shown on Exhibit A and B, subject to the following findings.

Section 3: Findings

CEQA

1. Finding: The proposal will not have a significant adverse impact on the environment and a Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA).

Evidence: The proposed project is a component of a Specific Plan where environmental issues were analyzed within a program level Environmental Impact Report. An Initial Environmental Study was also prepared specifically for the proposed project and mitigation measure have been developed that that will reduce potential environmental impacts to less than significant levels. On the basis of the Mitigated Negative Declaration, comments received, and the whole record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

Specific Plan Amendment

2. Finding: The proposed Amendment to the East Franklin Specific Plan is in the public interest. (Section 65358(a) of the Government Code and the Plan Administration Element of the Elk Grove General Plan).

Evidence: The City has reviewed the proposed amendments to the East Franklin Specific Plan, reviewed the staff report, and has received public testimony at a

duly noticed public hearing regarding the matter. The proposed amendments are consistent with the Plan's objectives of orderly and systematic development and responds to opportunities and constraints in the local community area.

Zoning Amendment

3. Finding: The proposed rezone request implements and is consistent with the East Franklin Specific Plan.

Evidence: The requested rezone is consistent with the East Franklin Specific Plan as amended by this Ordinance. The East Franklin Specific Plan allows various zoning districts and densities to be proposed as specified in the Land Use Exhibit Figure 2-1 as amended by this action.

Subdivision Map and Master Parcel Map

4. Finding: Section 66474 of the California Subdivision Map Act requires a City to deny approval of a tentative map if it makes any of the following findings:
- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
 - b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
 - c. That the site is not physically suitable for the type of development.
 - d. That the site is not physically suitable for the proposed density of development.
 - e. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
 - f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
 - g. That the design of the subdivision or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence: The above Findings #a. through #g. do not apply to the proposed Subdivision Map.

- a. The proposed map is consistent with the proposed amendments to the East Franklin Specific Plan.
- b. The design of the improvements of the proposed subdivision is consistent with the existing and proposed amendments to the East Franklin Specific Plan.
- c. The site is physically suitable and consistent with the type of single family residential development approved in the East Franklin Specific Plan.
- d. The site is appropriate for the Plan specified density of development and the applicant's proposed amendments to residential densities as presented in the staff report.

- e. The Mitigated Negative Declaration prepared for the Laguna Creek South Project determined that potential environmental impacts from the design of the subdivision or the proposed improvements will be mitigated to less than significant levels with implementation of the proposed Mitigation Measures and Conditions of Approval.
- f. The Mitigated Negative Declaration prepared for the Laguna Creek South Project determined that potential serious health problems were not identified for the project or will be mitigated to less than significant levels with implementation of the proposed Mitigation Measures and Conditions of Approval.
- g. No conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision, have been identified.

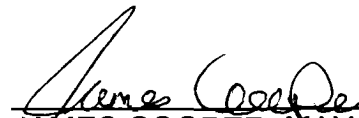
Section 4: Severability

If any such provision of section of this Ordinance is determined to be unenforceable, invalid, or unlawful, such determination shall not affect the enforceability of the remaining provisions of this Ordinance.

Section 5: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption, and within fifteen (15) days after its passage, shall be published.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 6th day of June 2001.



JAMES COOPER, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY JACKSON, CITY CLERK

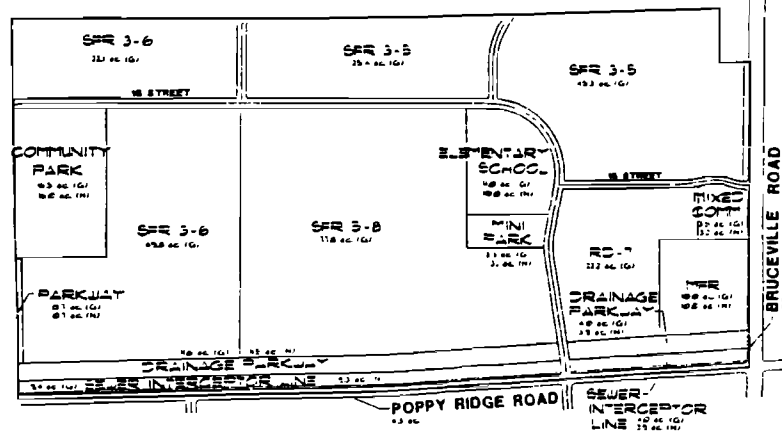
APPROVED AS TO FORM:



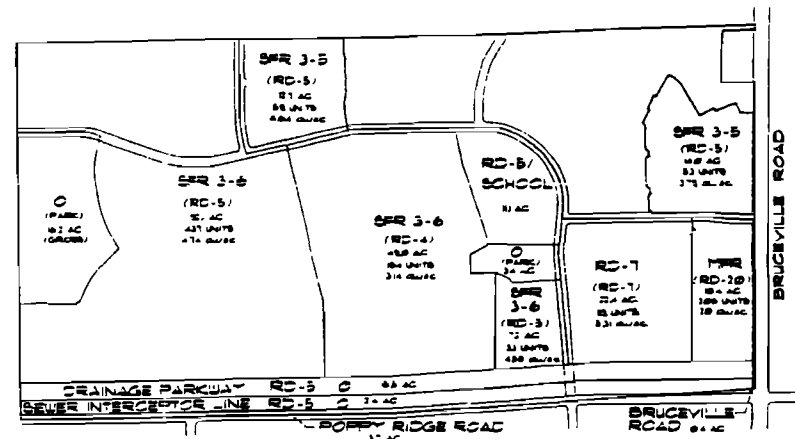
TONY MANZANETTI, CITY ATTORNEY

AYES: COOPER, LEARY,
SCHERMAN, SOARES
NOES: NONE
ABSTAIN: NONE
ABSENT: BRIGGS

Effective date: July 6, 2001



EXISTING SPECIFIC PLAN



PROPOSED SPECIFIC PLAN

LAND USE	EXIST. SPECIFIC PLAN		PROPOSED SPECIFIC PLAN (ZONING)		DIFFERENCE	
	AREA	UNITS	AREA	UNITS	AREA	UNITS
APPROVED TENTATIVE MAP			51.0	33	52.0	73
SFR 3-5 SINGLE FAMILY RESIDENTIAL (13-5 DU/AC)	16.1	282	26.1	102	(-10.0)	(-170)
SFR 3-6 SINGLE FAMILY RESIDENTIAL (13-6 DU/AC)	71.9	395	140.3	614	68.4	219
SFR 3-8 SINGLE FAMILY RESIDENTIAL (13-8 DU/AC)	71.8	344			(-71.8)	(-344)
RD-7 SINGLE FAMILY RESIDENTIAL (17 DU/AC)	22.2	35	22.4	35	0.2	(-2)
RD-5 SINGLE FAMILY RESIDENTIAL (12-5 DU/AC)	47.0	288	40.4	288	6.6	0
FIXED USE COMMERCIAL	3.5		0		(-3.5)	
ELEMENTARY SCHOOL	14.0		0		(-14.0)	
COMMUNITY PARK, MINI PARK, PARKWAY	20.5		15.6		(-4.9)	
DRAINAGE PARKWAY	7.9		0		(-7.9)	
SEWER INTERCEPTOR LINE	13.4		0		(-13.4)	
POPPY RIDGE ROAD	4.2		3.1		(-1.1)	
BRUCEVILLE ROAD	0.7		0.4		(-0.3)	
	221.0 AC	1245	322.8	1286	101.8	(41)

ACREAGES BASED ON RECORD BOUNDARY

AMENDED 12-1-2000

SPECIFIC PLAN AMENDMENT
LAGUNA CREEK SOUTH
FORECAST HOMES

CITY OF SEA GROUP

SEPTEMBER 7, 2000

EDWARD R. GILLUM
ENGINEERING CONSULTANT



