

ORDINANCE NO. 20-2002

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING THE CALVINE ROAD/HIGHWAY 99 SPECIAL PLANNING AREA, REVISING THE CORNER LOT MINIMUM WIDTH FROM 75 FEET TO 68 FEET FOR VILLAGE C ON A PORTION OF ASSESSOR PARCEL NUMBERS: 115-0150-008, 115-0150-011, 115-0150-012, 115-0150-026 AND 115-0170-017, ARCADIAN VILLAGE UNIT NO. 2 VILLAGE C, EG-02-288

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 Calvine Road/Highway 99 Special Planning Area, revising the corner lot minimum width from 75 feet to 68 feet for Village C on a portion of Assessor Parcel Number 115-0150-008, 115-0150-011, 115-0150-012, 115-0150-026 and 115-0170-017 as shown on attached Exhibit A.

Section 2: Findings

1. Finding: The proposal will not have a significant adverse impact on the environment in accordance with the California Environmental Quality Act (CEQA).

Evidence: An Environmental Impact Report) for the project was prepared by Sacramento County pursuant to CEQA Guidelines. Any potentially significant impacts to the environment were mitigated and reduced to a level of less than significant or no impact. The site conditions have not changed since the approval, therefore the EIR is still adequate and compliance with the recorded MMRP is still an original condition of approval of the project.

2. Finding: The proposed Zone Ordinance Amendment implements and is consistent with the General Plan and does not create problems detrimental to the public health, safety and general welfare of the residents of Elk Grove.

Evidence: The City reviewed the proposed amendment to the Calvine Road/Highway 99 Special Planning Area and received public testimony at a duly noticed public hearing regarding the matter. The applicant's proposal is consistent with the allowed density ranges and uses in the General Plan. Also, the proposed amendment is consistent with the Plan's objectives of orderly and systematic development. The Zone Ordinance Amendment will not create additional parcels and lot standards exceed zoning requirements.

Section 3: Action

The City Council hereby amends the Calvine Road/Highway 99 Special Planning Area, revising the corner lot minimum width from 75 feet to 68 feet for Village C on a portion of Assessor Parcel Number 115-0150-008, 011, 012, 026 and 115-0170-017 as shown on attached Exhibit A.

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.

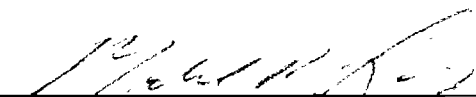
Section 5: Severability.

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

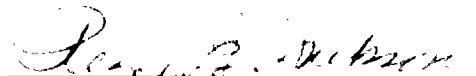
This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least five days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 17th day of July 2002.



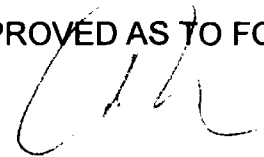
MICHAEL P. LEARY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

Effective Date: August 16, 2002

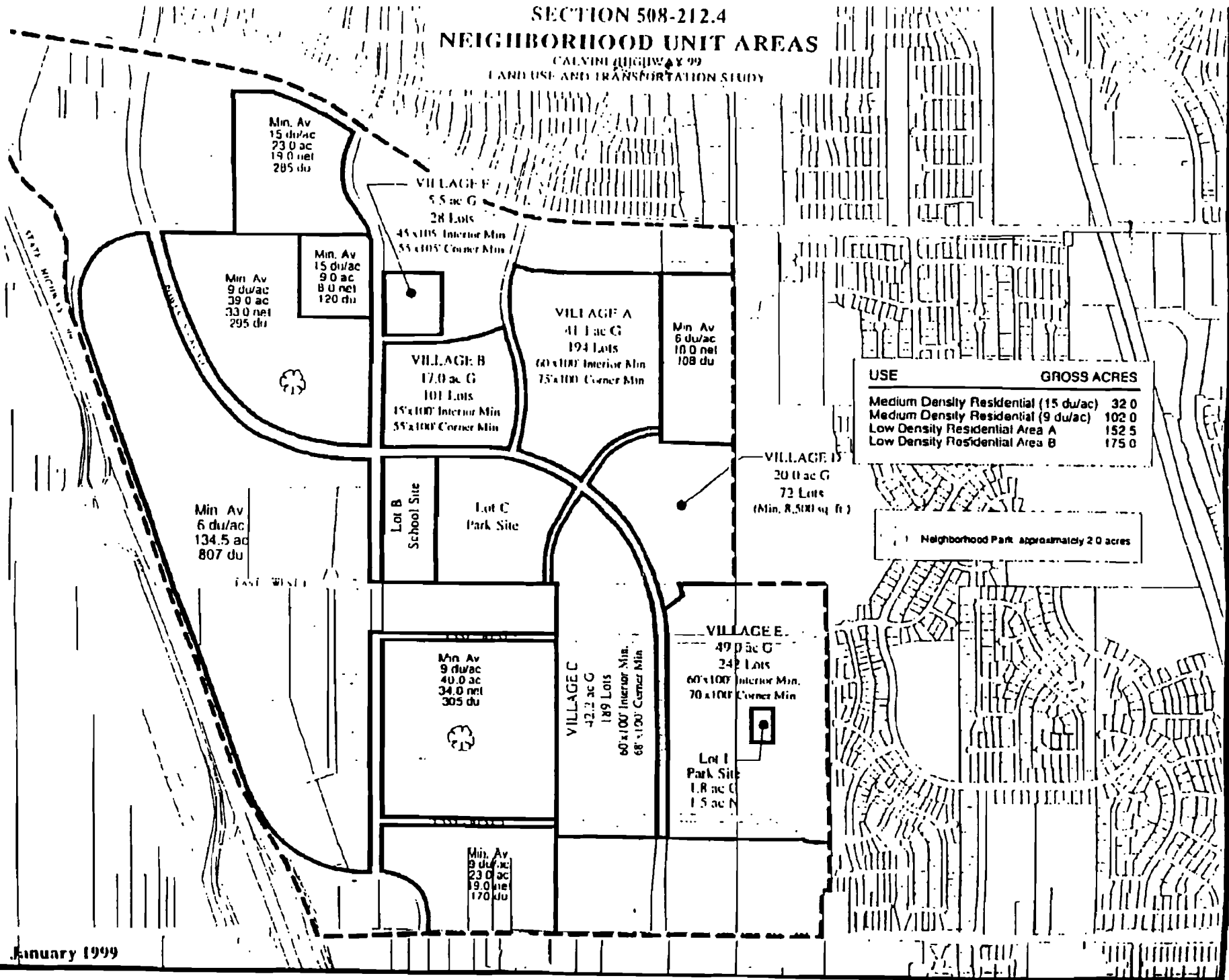
AYES: Leary, Cooper, Scherman,
Briggs, Soares

NOES: None

ABSTAIN: None

ABSENT: None

SECTION 508-212.4
NEIGHBORHOOD UNIT AREAS
 CALVIN HIGHWAY # 99
 LAND USE AND TRANSPORTATION STUDY



USE	GROSS ACRES
Medium Density Residential (15 du/ac)	32.0
Medium Density Residential (9 du/ac)	102.0
Low Density Residential Area A	152.5
Low Density Residential Area B	175.0

Neighborhood Park approximately 2.0 acres