

## ORDINANCE NO. 25-2002

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING THE CITY OF ELK GROVE ZONING MAP FROM AR-10 (PDC) TO LC AND A COMMUNITY PLAN AMENDMENT FROM AR-2 TO LC ON ASSESSOR PARCEL NUMBER 116-0840-040, ELK GROVE LANDING EG-01-204**

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 and to amend the Franklin-Laguna Community Plan as shown on attached Exhibit B.

#### Section 2: Findings

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: An Initial Environmental Study was prepared for the proposed project and mitigation measures have been developed 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.

Finding: The proposed Amendment to the Franklin-Laguna Community Plan and rezone 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 amendment to the Franklin-Laguna Community Plan and rezone, reviewed the staff report, and has 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. The proposed amendment is consistent with the Plan's 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 as shown on attached Exhibit A and amends the Franklin-Laguna Community Plan as shown on attached Exhibit B, subject to approval of the General Plan Amendment for this project and 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.

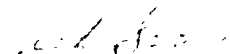
Section 5: Severability.

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

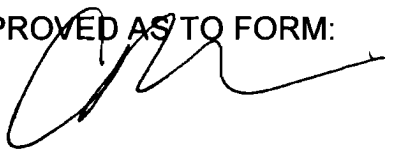
This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least five days prior to and fifteen (15) days after adoption by the City Council and a certified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

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 7<sup>th</sup> day of August 2002.

  
\_\_\_\_\_  
RICK SOARES, MAYOR of the  
CITY OF ELK GROVE

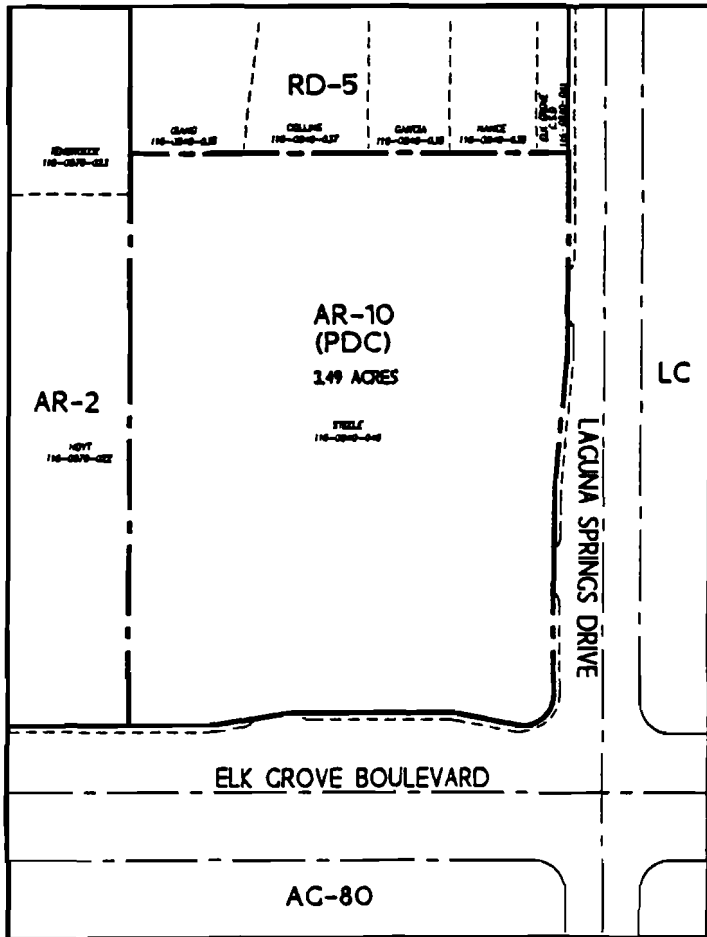
ATTEST:

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

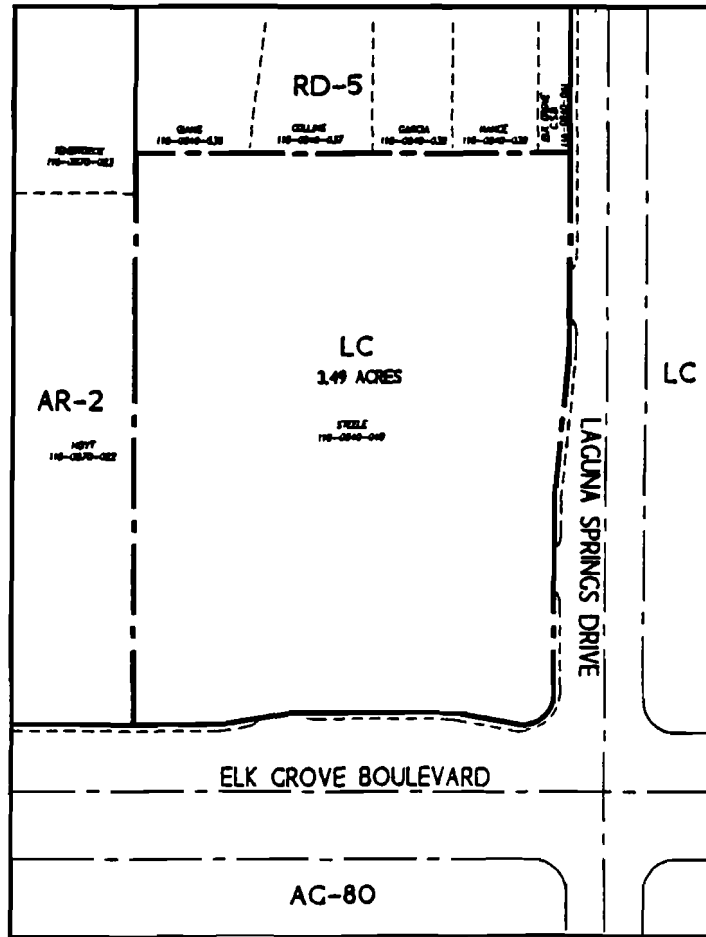
APPROVED AS TO FORM:  
  
\_\_\_\_\_  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

**EFFECTIVE DATE: September, 6, 2002**

- AYES:** Leary, Briggs,  
Soares, Cooper
- NOES:** None
- ABSTAIN:** None
- ABSENT:** Scherman



**EXISTING ZONING**



**PROPOSED ZONING**

**GENERAL NOTES**

**OWNER/DEVELOPER:**  
 STEELE FAMILY LIVING TRUST, et al  
 135 EGGLETT CIRCLE  
 FOLSOM, CALIFORNIA 95630

**APPLICANT:**  
 O'CONNELL-HUGHES  
 1803 CIRBY WAY, SUITE 1  
 ROSEVILLE, CALIFORNIA 95661

**ENGINEER:**  
 EDWARD R. GILLUM, INC.  
 8795 FOLSOM BOULEVARD, SUITE 201  
 SACRAMENTO, CALIFORNIA 95826  
 (916) 368-8900

**EXISTING USE:**  
 VACANT

**PROPOSED USE:**  
 COMMERCIAL

**EXISTING ZONING:**  
 AR-10

**PROPOSED ZONING:**  
 LC

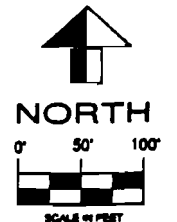
**ASSESSOR PARCEL NUMBERS:**  
 APN 116-0840-040

**DESCRIPTION:**  
 LOT 40 OF LAGUNA SPRINGS UNIT 3,  
 CITY OF ELK GROVE, CALIFORNIA.

**EDWARD R. GILLUM**  
 ENGINEERING CONSULTANT  
 8795 FOLSOM BLVD SUITE 201  
 SACRAMENTO CA 95826  
 (916) 368-8900

**REZONE EXHIBIT**  
**ELK GROVE LANDING**  
**LOT 40-215BMIT**

**O'CONNELL-HUGHES**  
**COMMERCIAL PROPERTIES**  
 CITY OF ELK GROVE, CALIFORNIA  
 09/29/01



# GENERAL NOTES

**OWNER/DEVELOPER:**  
 STEELE FAMILY LIVING TRUST, et al  
 135 EGGLEFF CIRCLE  
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**APPLICANT:**  
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**EXISTING USE:**  
 VACANT

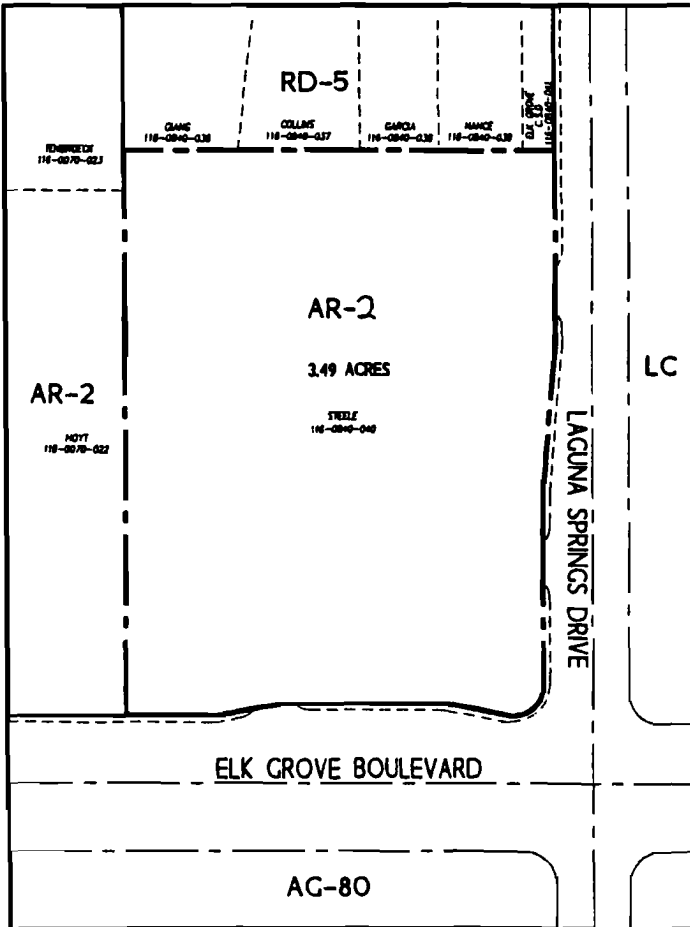
**PROPOSED USE:**  
 COMMERCIAL

**EXISTING COMMUNITY PLAN:**  
 AR-2

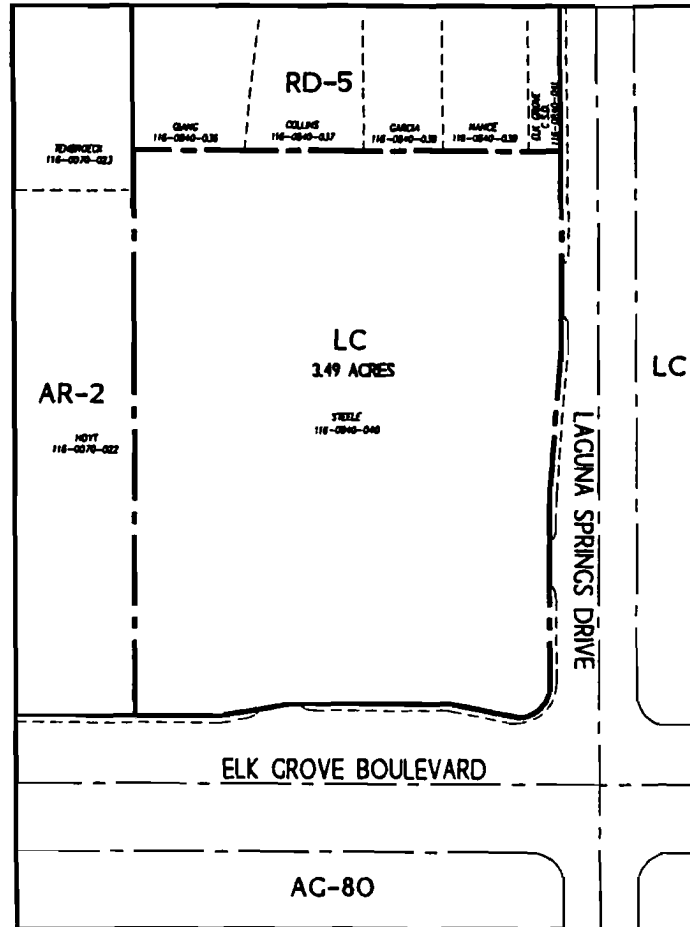
**PROPOSED COMMUNITY PLAN:**  
 LC

**ASSESSOR PARCEL NUMBERS:**  
 APN 116-0840-040

**DESCRIPTION:**  
 LOT 40 OF LAGUNA SPRINGS UNIT 13,  
 CITY OF ELK GROVE, CALIFORNIA.



EXISTING COMMUNITY PLAN



PROPOSED COMMUNITY PLAN

**EDWARD R. GILLUM**  
 ENGINEERING CONSULTANT  
 8795 FOLSOM BLVD. SUITE 201  
 SACRAMENTO CA 95826  
 (916) 388-8900

## COMMUNITY PLAN EXHIBIT ELK GROVE LANDING LOT 40-215BMIT

**O'CONNELL-HUGHES**  
 COMMERCIAL PROPERTIES  
 CITY OF ELK GROVE, CALIFORNIA  
 09/29/01

