

ORDINANCE NO. 27-2002

AN ORDINANCE OF THE CITY COUNCIL, CITY OF ELK GROVE AMENDING THE CITY OF ELK GROVE ZONING MAP FROM RD-5 TO LC LIMITED COMMERCIAL AND BP BUSINESS PROFESSIONAL FOR ASSESSOR'S PARCEL NUMBERS 116-0090-002, 116-0090-004, 116-0090-015, 116-0090-016 AND 116-0090-044, KRISPY KREME CENTER -EG-01-202

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 Code to assign a revised designation and zoning to the parcels specified with the attached exhibit.

Section 2: Findings

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

Evidence: An Initial Environmental Study was also prepared specifically for the proposed project. On the basis of the 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.

2. Finding: The proposed Rezone request will be consistent with the Elk Grove General Plan that indicates the general area to be Commercial/Office.

Evidence: The requested rezone will remove the old zoning residential designation. The general area west of East Stockton Road has transitioned from residential to commercial use or has been cleared of abandoned structures. The remaining structure on the subject site is currently vacant and would be removed to accommodate the new development. The adjoining property is vacant to the south.

Section 3: Action

The City Council hereby amends the City of Elk Grove Zoning Code for Assessor's Parcel Numbers 116-0090-002, 116-0090-004, 116-0090-015 and 116-0090-044 from RD-5 Residential to LC Limited Commercial, and Assessor's Parcel Number 116-0090-016 from RD-5 Residential to BP Business Professional, as shown on the attached exhibit.

Section 4: Severability

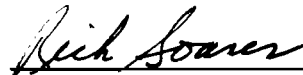
If any such provision of section of this Ordinance is determined to be unenforceable,

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. In lieu of publishing 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 4th day of September 2002.



RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

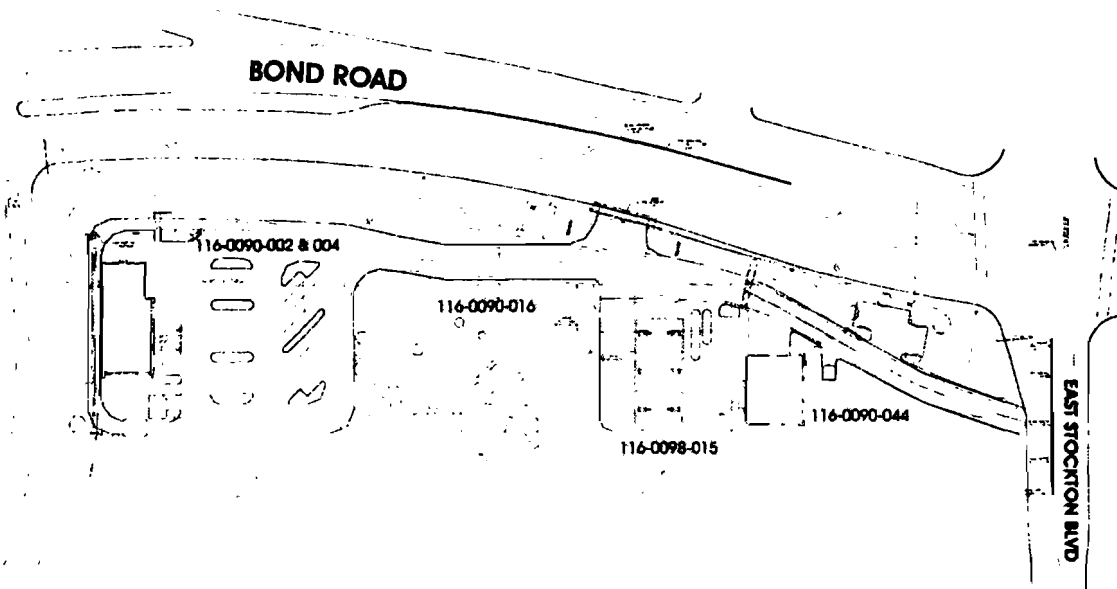


ANTHONY B. MANZANETTI,
CITY ATTORNEY

EFFECTIVE DATE: OCTOBER 4, 2002

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

Exhibit Zoning: Current and Proposed



Assessor Parcel Number	Current Zoning	Proposed Zoning
APN: 116-0090-002 and 004	RD-5 Single Family	LC Limited Commercial
APN: 116-0090-015	RD-5 Single Family	LC Limited Commercial
APN: 116-0090-016	RD-5 Single Family	BP Business Professional
APN: 116-0090-044	RD-5 Single Family	LC Limited Commercial