

ORDINANCE NO. 10-2005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING ORDINANCE SZC-2003-0006, EXHIBIT C, CONDITION 29, MARITIME ESTATES PROJECT NO. EG-04-726

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 Zoning Ordinance SZC-2003-0006, Exhibit C, Condition 29.

Section 2: Findings

Ordinance Amendment

Finding: The proposed amendment is consistent with the Elk Grove General Plan.

Evidence: The Elk Grove General Plan has a policy in the Economic Development Element related to jobs housing balance (ED-7 and ED-7-Action1). The intent of the policy is to improve the jobs/housing ratio and provide sufficient employment opportunities in Elk Grove. The proposed modifications would still ensure timely construction of employment generating opportunities for the residents of Elk Grove.

Section 3: Action

The City Council hereby deemed that Condition 29 of Zoning Ordinance SZC-2003-0006, Exhibit C, has been satisfied by the applicant without the need for an amendment to the condition and the condition was deleted, based on 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 23rd day of March, 2005.



DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

ATTEST:



PEGGY E. JACKSON, CITY CLERK