

ORDINANCE NO. 3-2006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING THE CITY OF ELK GROVE ZONING MAP FROM AR-10 TO RD-5 TEGAN ESTATES II PROJECT NO. EG-04-785

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.

Section 2: Findings

CEQA

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 entire administrative record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

General Plan

Finding: The proposed Tegan Estates II residential project is consistent with the goals and policies of the Elk Grove General Plan.

Evidence: The Tegan Estates II site has a land use designation of Low Density Residential on the General Plan land use map. The proposed project has been designed and is consistent with all the goals and policies contained in the General Plan. Conditions of approval have been included to ensure consistency of the project throughout construction and operation.

Rezone

Finding: The proposed 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 Planning Commission has reviewed the proposed rezone, 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 Elk Grove General Plan and Zoning Code. The proposed project 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 for APNs 119-0151-010 and 119-0151-018 as shown on attached Exhibit A 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.

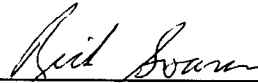
Section 5: Severability.

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

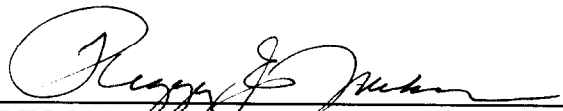
This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least five days prior to and fifteen (15) days after adoption by the City Council and a certified 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 8th day of February , 2006.



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: MARCH 10, 2006

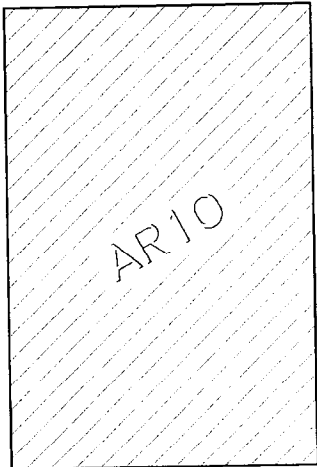
AYES: Scherman, Soares, Briggs, Leary

NOES: None

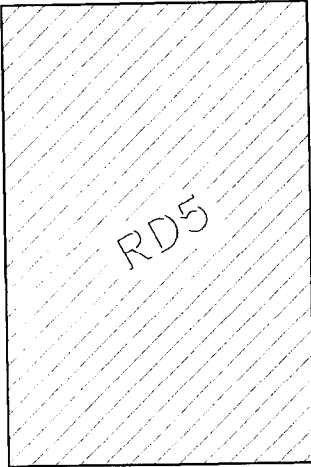
ABSTAIN: None

ABSENT: Cooper

EXHIBIT A



EXISTING ZONING



PROPOSED ZONING

**REZONE
EXHIBIT**

TEGAN II SUBDIVISION
SUBDIVISION # 03-04-703
A.P.M. # 119-0151-010, 018

Date: **SEPTEMBER 18, 2008** Scale: **1"=60'**

Owner/Applicant: **BOB CHU**
120 JARVIS CIRCLE, SACRAMENTO, CA 95834
(916) 997-0130

Site Address: **8501 & 8451 TEGAN RD, BLK GROVE, CA 95716**

Submitted by: **ROBERT FRIEDBERGER**
8100 ELK GROVE BLVD.
BLK GROVE, CA 95724
(916) 885-5445

Parcel Description: **East 218.03' of Lot 6 & West 320' East of Lot 7,**
Phantom Lane & Investment Co. Subdivision No. 1 as
Recorded on R.M. 18 Pg. 11.

Source of Title: **Field Survey**

Contour Interval: **1 Foot**

Existing Area: **0.70 Gross Acres**

Existing Zoning: **AR10**

Proposed Zoning: **RD5**

Proposed Use: **Single Family Dwellings**

Existing Improvements: **Single Family Dwelling**

F.E.M.A. **Zone X**

Roads: **City of Elk Grove**

Water: **SWP # 020007 Sacramento CA 95717**

Fire: **CSD-1 916/436-8888**

Gas: **1000 Arroyo Ave. Sacramento, CA 95833**

City: **Public Use of Records: 916/436-8888**
888 Phelan/Phelan Rd. Sacramento, CA 95833

Electric: **S.A.L.L.C. 916/702-7917**
1700 Ave. A. Sacramento, CA 95817

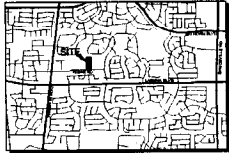
Telephone: **Frontier 916/361-0111**
801 Westchester Blvd. Elk Grove, CA 95724

Fire: **Elk Grove CSD 916/436-8888**
8010 Elgin Blvd. Suite 2 Elk Grove, CA 95724

School: **Elk Grove Unified School Dist. 916/436-8888**
8010 Elgin Blvd. Elk Grove, CA 95724

Drainage: **Elk Grove Public Works 916/436-8888**
8010 Elgin Blvd. Elk Grove, CA 95724

Recreation & Parks: **Elk Grove CSD 916/436-8888**
8010 Elgin Blvd. Suite 2 Elk Grove, CA 95724



VICINITY MAP
1/8" SCALE