

ORDINANCE NO. 2-2006

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 I PROJECT NO. EG-04-675

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 I residential project is consistent with the goals and policies of the Elk Grove General Plan.

Evidence: The Tegan Estates I 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 119-0151-013, -014, -015, and -020 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.

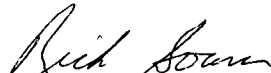
Section 5: Severability.

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

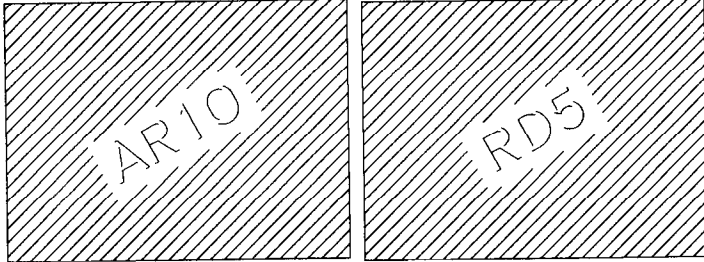
AYES: Scherman, Soares, Briggs, Leary

NOES: None

ABSTAIN: None

ABSENT: Cooper

EXHIBIT A



EXISTING ZONING

PROPOSED ZONING

REZONE EXHIBIT

TEGAN ESTATES

SUBDIVISION #: ES-44-875
APNs: 119-0181-013, 014, 015, 020

Date: OCTOBER 6, 2008 Scale: NTS

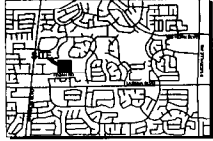
Owner/Applicant: RICHARD ALBAJON (916) 698-2818
NORTHEAST REALTY
8088 JESTER CT., ELK GROVE 95624

Site Address: 5171, 5201, 5281, 5275 TEGAN RD.

Submitted by: POMER ENGINEERING
2100 ELK GROVE BLVD.
ELK GROVE, CA 95624
(916) 698-3445

Number of Lots: 1 Contour Interval: 1 Foot Existing Zoning: AR10 Proposed Zoning: RD5 Proposed Use: Single Family Dwelling Existing Improvements: Single Family Dwelling F E M A: Zone X Flood: City of Elk Grove Water: S.W.P. 11-10-01-001 CSD: 1 (916) 770-6000 Average: 4000-4500 Feet Above Mean Sea Level, CA 1988 Gas: Pacific Gas & Electric: 800-451-1110 260 Huntington St. Sacramento, CA 95834 S.W.U.D.: 916-770-7075 100 West 9th, Sacramento, CA 95811 Telephone: Frontier: 800-451-7111 600 West Sacramento, CA 95834, CA 95778 Fire: Elk Grove CSD: 916-698-6666 66015 Lincoln Rd., Suite 210, Elk Grove, CA 95621 School: Elk Grove Unified School Dist. 916-698-5667 4000 Lincoln Rd., Elk Grove, CA 95624 Drainage: Elk Grove Public Works: 916-698-3287 2100 Huntington Pk., Elk Grove, CA 95624 Elk Grove CSD: 916-698-6666 600 West Sacramento, CA 95834	Flood Survey 1 Foot 12.88 Gross Acres AR10 RD5 Single Family Dwelling Single Family Dwelling Zone X City of Elk Grove S.W.P. 11-10-01-001 CSD: 1 (916) 770-6000 4000-4500 Feet Above Mean Sea Level, CA 1988 Pacific Gas & Electric: 800-451-1110 260 Huntington St. Sacramento, CA 95834 S.W.U.D.: 916-770-7075 100 West 9th, Sacramento, CA 95811 Frontier: 800-451-7111 600 West Sacramento, CA 95834, CA 95778 Elk Grove CSD: 916-698-6666 66015 Lincoln Rd., Suite 210, Elk Grove, CA 95621 Elk Grove Unified School Dist. 916-698-5667 4000 Lincoln Rd., Elk Grove, CA 95624 Elk Grove Public Works: 916-698-3287 2100 Huntington Pk., Elk Grove, CA 95624 Elk Grove CSD: 916-698-6666 600 West Sacramento, CA 95834
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Parcel Description:
 (4) PARCELS INCLUDE:
 119-0181-013: 3.13 Gross Acres
 Parcel Lot A as recorded in parcel map book 7
 page 11
 119-0181-014: 3.14 Gross Acres
 Parcel Lot B as recorded in parcel map book 7
 page 11
 119-0181-015: 3.14 Gross Acres
 Parcel Lot C as recorded in parcel map book 7
 page 11
 119-0181-020: 3.14 Gross Acres
 Parcel Lot D as recorded in parcel map book 7
 page 11



VICINITY MAP
10' SCALE