

ORDINANCE NO. 15-2001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING CONDITION OF APPROVAL B(2)(j) OF ORDINANCE SZC 97-0039 FOR THE LAGUNA PALMS SHOPPING CENTER, ASSESSOR PARCEL NUMBER 116-0012-006

The City of Elk Grove does ordain as follows:

Section 1: Purpose and Authority

The purpose of this Ordinance is to amend Condition of Approval B(2)(j) of Ordinance SZC 97-0039 to delete the 5-foot planter at the north and east sides of the Laguna Palms Shopping Center.

Section 2: Findings

1. **Finding:** The proposal will not have a significant adverse impact on the environment and is categorically exempt from CEQA as a Class 5 Exemption (CEQA §15305).

Evidence: The proposal is a minor alteration in land use limitations.

2. **Finding:** Failure to delete condition B(2)(j) of Ordinance No. SZC 97-0039 would be detrimental to the health and safety of persons working in the vicinity of Laguna Palms and would be injurious to property and improvements in the neighborhood or to the general welfare of the City.

Evidence: The City has reviewed the proposed amendment to the Condition of Approval, reviewed the staff report, and has received public testimony at a duly noticed public hearing regarding the matter. The Elk Grove CSD Fire Department determined that it could not provide adequate fire/rescue service to the project with a 15-foot rear drive aisle, and the 1998 California Fire Code requires fire apparatus access roads to have an unobstructed width of not less than 20 feet.

Section 3: Action

The City Council hereby amends Condition of Approval B(2)(j), of Ordinance SZC 97-0039, for the Laguna Palms Shopping Center to delete the 5-foot planter at the north and east sides of the Laguna Palms Shopping Center.

Section 4: Severability

If any such provision of a 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.

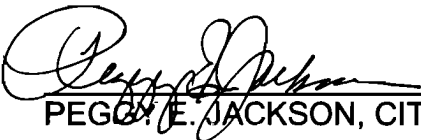
Section 5: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption, and shall be published at least once in a paper of general circulation circulated in the City of Elk Grove within fifteen (15) days after its passage.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 3rd day of October 2001.


MICHAEL P. LEARY, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:


ANTHONY MANZANETTI,
CITY ATTORNEY

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

Effective: November 2, 2001