

ORDINANCE NO. 89-063

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF AUG 22 1989

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT THE WEST SIDE OF TAYLOR STREET BETWEEN JESSIE AND BELL AVENUES FROM THE A (AGRICULTURE) ZONE(S) AND PLACING THE SAME IN THE R-1A (SINGLE FAMILY ALTERNATIVE) ZONE(S) OR A MORE RESTRICTIVE ZONE(S)

(FILE NO. P89-095) (APN: 237-0100-006)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1

The territory described in the attached exhibit(s) which is in the A (Agriculture) zone(s) established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the R-1A (Single Family Alternative) zone(s).

This action rezoning the property described in the attached exhibit(s) is adopted subject to the following conditions and stipulations:

- a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.
- b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission on July 13, 1989, on file in the office of the Planning Division, or any provision or modification thereof

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as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Division shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

- c. The rezoning from A to R-1A is for the express purpose of developing a condominium project. The R-1A zone, while allowing condominiums, prohibits apartments. The developer has expressly represented to the Planning Division staff and the Planning Commission, at the time of special permit approval of the condominium development, that the units of the project would be individually owned. Accordingly, the Planning Commission placed a condition on the condominium special permit prohibiting any individual or business entity from owning more than two condominium units for rental purposes. In order to further assure the implementation of this representation and to assure that the prohibition of apartments in the R-1A zone is adhered to, the following condition is incorporated into the ordinance rezoning the property to R-1A:

At no time shall title and ownership of more than two condominium units be vested in or held by the same natural person or persons or their agents, heirs, assigns or nominees, or by any corporation, trust organization or other entity, their agents, assign, or nominees. This prohibition against owning more than two condominium units shall apply only to ownership for the purpose of lease or rental. Notice of this condition shall be included in the Covenants, Conditions and Restrictions for the project in a manner satisfactory to the City Attorney.

SECTION 2

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this Ordinance.

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SECTION 3

Rezoning of the property described in the attached exhibit(s) by the adoption of this Ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION: AUG 15 1989

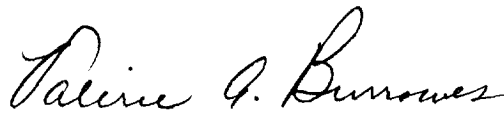
PASSED: AUG 22 1989

EFFECTIVE: SEP 21 1989



MAYOR

ATTEST:



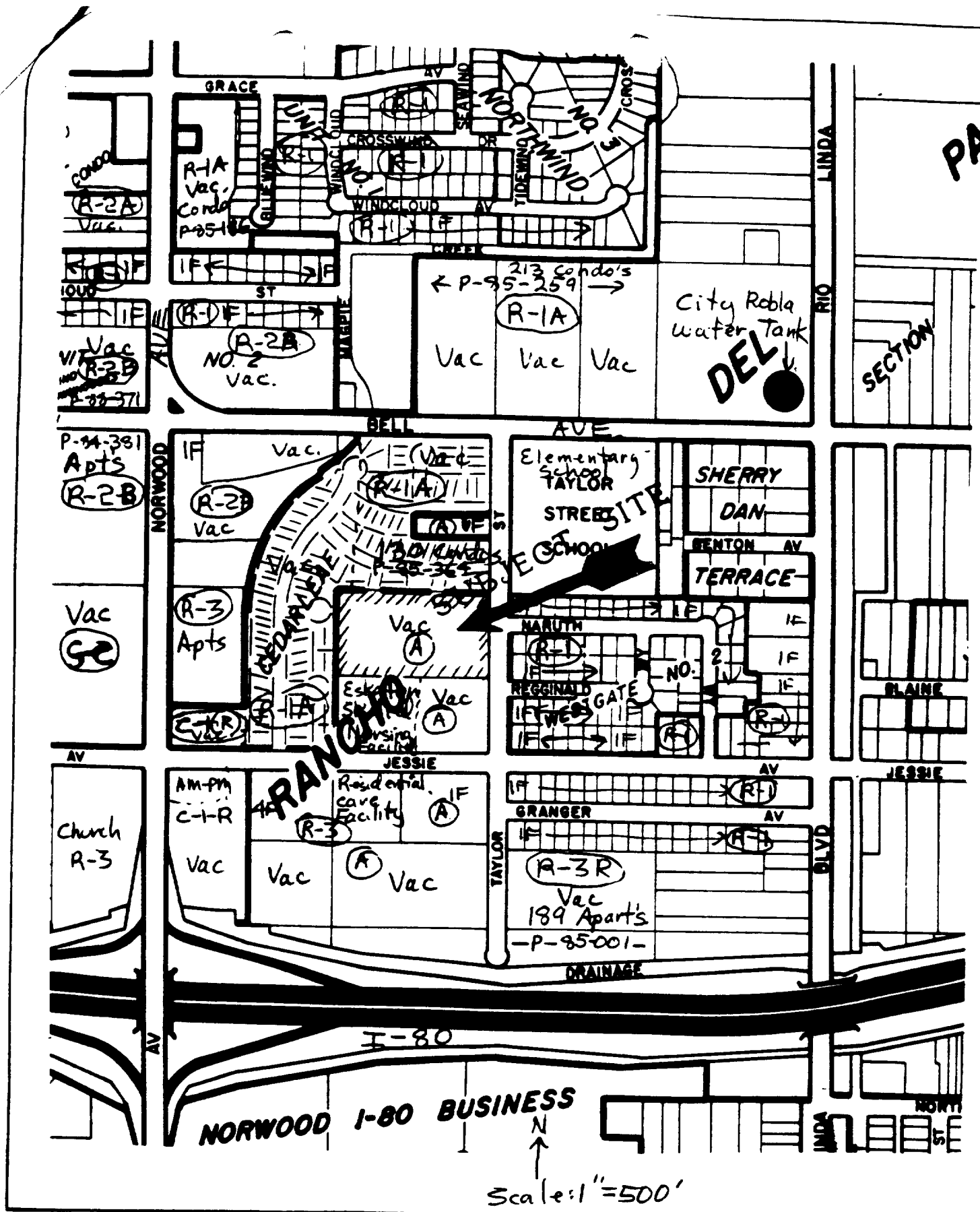
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VICINITY - LAND USE - ZONING

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EXHIBIT A

LEGAL DESCRIPTION

All that certain real property situate, lying and being in the City of Sacramento, County of Sacramento, State of California, described as follows:

The North 1/2 of Lot 42 as shown on the " PLAT OF SUBDIVISION OF SECTION NO. 11, OF THE RANCHO DEL PASO ", recorded in the office of the County Recorder of Sacramento County on April 18, 1913, in Book 14 of Maps, Map No. 5.

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