

RESOLUTION NO. 2009-157

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A CONDITIONAL USE PERMIT APPLICATION FEE PAYMENT
PROGRAM FOR JUBILEE COMMUNITY WORSHIP CENTER
LOCATED AT 9028 FRANKLIN BOULEVARD, SUITE 130
ASSESSOR PARCEL NUMBER 119-0810-060**

WHEREAS, Jubilee Community Worship Center, located at 9028 Franklin Boulevard, Suite 130, has requested the City Council of the City of Elk Grove to allow the Church to pay off the Conditional Use Permit application deposit fee of \$5,223 over the next thirty-two months with monthly installments of \$163.22, ending on March 30, 2012; and

WHEREAS, the proposed project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as Assessor Parcel Number 119-0810-060; and

WHEREAS, the Zoning Code of the City of Elk Grove requires religious institutions operating in Business and Professional Office (BP) zones to obtain a Conditional Use Permit; and

WHEREAS, the project is exempt from California Environmental Quality Act (CEQA) review under §15061(b)(3) of the CEQA Guidelines because approval of a Conditional Use Permit application fee payment program will not with reasonable certainty have a possible effect on the environment; and

WHEREAS, the City Council has the authority to hear and decide on all Conditional Use Permit application fee payment programs.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby approves the proposed Conditional Use Permit application fee payment program for Jubilee Community Worship Center, located at 9028 Franklin Boulevard, Suite 130, based on the following findings:

California Environmental Quality Act (CEQA)

Finding: The project is exempt from CEQA review.

Evidence: Pursuant to §15061(b)(3) of the CEQA Guidelines, an activity is covered by the general rule that CEQA review only applies to projects, which have the potential for causing a significant effect on the environment. Approving a Conditional Use Permit application fee payment program for Jubilee Community Worship Center will not with reasonable certainty have a possible effect on the environment.

Conditional Use Permit Application Fee Payment Program

Finding: The granting of a Conditional Use Permit application fee payment program for Jubilee Community Worship Center will not constitute a gift of public funds.

Evidence: The Jubilee Community Worship Center proposes to pay the required \$5,223 application fee for the processing of their Conditional Use Permit application. This does not constitute a gift of public funds since the fee would be paid in full after thirty-two months.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 22nd day of July 2009.



PATRICK HUME, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:



JASON LINDGREN, ASSISTANT CITY CLERK



SUSAN COCHRAN, CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2009-157

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) **ss**
CITY OF ELK GROVE)

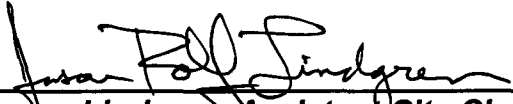
I, Jason Lindgren, Assistant City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on July 22, 2009 by the following vote:

AYES : COUNCILMEMBERS: *Hume, Cooper, Davis, Detrick*

NOES: COUNCILMEMBERS: *Scherman*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*



Jason Lindgren, Assistant City Clerk
City of Elk Grove, California