

**RESOLUTION NO. 2004-64**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
ADOPTING AND LEVYING A DEVELOPMENT IMPACT FEE FOR  
THE PROVISION OF PARK AND FIRE FACILITIES  
IN EASTERN ELK GROVE**

WHEREAS, the City of Elk Grove General Plan includes a general description of the location, capacity, and types of park and fire facilities needed to serve new development in the City; and

WHEREAS, in order to protect the health, safety and welfare of the community and to ensure that adequate capital facilities are provided and maintained for the residents of the City and so that new development in the City pays its fair share of the cost of providing these facilities, levy of a park and fire facilities fee is necessary; and

WHEREAS, Chapter 16.91, which is to be added to the Elk Grove Municipal Code by an ordinance introduced on the date hereof (the "implementing ordinance"), describes the City's program relating to the development impact fee for park and fire protection facilities for the area of the City east of State Route 99 (the "Eastern Elk Grove Park and Fire Facilities Fee"), makes administrative provisions for the implementation of the Park and Fire Facilities Program, and provides that the Park and Fire Facilities Fee shall be adopted and periodically updated by resolution (in addition to the automatic adjustments based on cost indices); and

WHEREAS, the "Elk Grove Community Services District Eastern Elk Grove Park and Fire Facilities Fee Nexus Study," dated March 26, 2004, prepared by Economic and Planning Systems, Inc., which Nexus Study has been presented to the City Council and is incorporated herein by this reference, details the relationship between the use of the proposed fees and the types of development on which the fees are imposed, the relationship between the need for the public facilities and the type of development on which the fees are imposed, and the relationship between the amount of the fees and cost of the public facilities; and

WHEREAS, the City Council finds that the fee schedule detailed in Exhibit A attached hereto and the planned improvements detailed in the Nexus Study are consistent with the Elk Grove General Plan; and

WHEREAS, pursuant to Government Code section 66016, the data required to be made available to the public prior to the adoption of the Eastern Elk Grove Park and Fire Facilities Fee by this resolution was made available for public review at least 10 days prior to the date of this meeting; and

WHEREAS, pursuant to Government Code section 66018, notice of a public hearing on the levy of the Eastern Elk Grove Park and Fire Facilities Fee was published in the Elk Grove Citizen for at least ten days prior to the date of this meeting; and

WHEREAS, a duly noticed public hearing before the City Council on the levy of the Eastern Elk Grove Park and Fire Facilities Fee was held on April 7, 2004, at which hearing public testimony was received and duly considered; and

WHEREAS, levy of the Eastern Elk Grove Park and Fire Facilities Fee is not a "project" subject to the California Environmental Quality Act because it is a funding mechanism having no physical effect on the environment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk Grove :

1. Approval of Findings. After considering the information and determinations contained in the Nexus Study and the testimony received at the public hearing, the City Council hereby approves and expressly adopts the findings, determinations, and conclusions contained in the Nexus Study.

2. Adoption of Fee. The Eastern Elk Grove Park and Fire Facilities Fee, which is applicable to new development in areas of the City east of State Route 99, that is set forth in Exhibit A attached hereto and that is further described in the text of Chapter 16.91 set out in the implementing ordinance (which descriptions are incorporated herein by this reference), and subject to the fee adjustments and exemptions described in the Nexus Study, is hereby approved, adopted, and levied.

3. Effective Date. Pursuant to Government Code section 66017(a), the Eastern Elk Grove Park and Fire Facilities Fee that is adopted by this Resolution shall become effective 60 days after the date of the adoption of this resolution, which is the final action on the adoption of the Eastern Elk Grove Park and Fire Facilities Fee.


PASSED AND ADOPTED by the City Council of the City of Elk Grove this 7<sup>th</sup> day of April 2004.

  
SOPHIA SCHERMAN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

## Exhibit A

### Eastern Elk Grove Park and Fire Facilities Fees

Land Use Category	Total Park Fee	Total Fire Fee
<b>RESIDENTIAL</b>	Per Unit	Per Unit
Single Family (less than 3 units-includes duplexes)	\$4,213	\$462
Multi-Family (3 or more units)	\$2,809	\$306
Age-Restricted (single family and multi-family)	\$2,739	\$300
<b>NON-RESIDENTIAL</b>	Per Building Sqft	Per Building Sqft
Commercial	\$0.67	\$0.30
Office	\$0.96	\$0.43
Industrial	\$0.33	\$0.25

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-64**

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

**I, Peggy E. Jackson, 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 the 7<sup>th</sup> day of April 2004 by the following vote:**

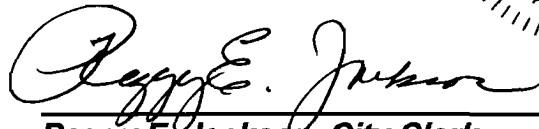
**AYES 5:     COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper, Leary**

**NOES 0:     COUNCILMEMBERS:**

**ABSTAIN 0: COUNCILMEMBERS:**

**ABSENT 0: COUNCILMEMBERS:**





**Peggy E. Jackson, City Clerk  
City of Elk Grove, California**