

RESOLUTION NO. 2002-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A REQUEST TO DEFER PARK FEES FOR THE 10ACRE MULTIFAMILY PARCEL OF THE LAGUNA CREEK SOUTH (270 +/- ACRE) PROJECT (FILE #EG-00-059) IN THE EAST FRANKLIN SPECIFIC PLAN AREA

WHEREAS, Forecast Homes, represented by Edward R. Gillum (hereinafter referred to as Applicants) filed an application with the City of Elk Grove (hereinafter referred to as City) for an Amendment to the East Franklin Specific Plan, a Rezone from AG-20, RD-5 and O Open Space zones to RD-4, RD-5, RD-7, RD-20 and O Open Space zones, a Master Parcelization Map, a Vesting Tentative Subdivision Map for 855 single-family residential units, a 10-acre multifamily parcel, and additional parcels for a school site, two parks, landscape strips and drainage corridors, and a request to defer payment of park fees on the multifamily parcel. (Assessor's Parcel Numbers 132-0020-014, 132-0020-015, and 132-0020-019.)

WHEREAS, Section 6647 of the California Subdivision Map Act establishes that local ordinances may require fees or land dedications for parks or recreation purposes (The Quimby Act).

WHEREAS, Section 66477 (a)(2)(B) of the California Subdivision Map Act, states that, "Fees shall be payable at the time of recording of the final map or parcel map or at a later time as may be prescribed by local ordinance."

WHEREAS, Title 22, Chapter 22.40 of the Elk Grove Municipal Code is the local ordinance that addresses and implements Park and Recreation Dedication and Fees for development projects within the City of Elk Grove.

WHEREAS, Title 22, Chapter 22.40.035 (d) of the Elk Grove Municipal Code prescribes the fees and dedication requirements for multiple family and apartment areas.

WHEREAS, Title 22, Chapter 22.40.035 (d) of the Elk Grove Municipal Code allows the deferral of park fees to tentative subdivision maps to a time beyond recordation of the final map.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELK GROVE HEREBY RESOLVES AS FOLLOWS:

1. That the request to defer park fees for the multiple family parcel within the Laguna Creek South (270+/- acre) Vesting Tentative Subdivision map proposal is consistent with the City of Elk Grove's local ordinance that implements the Quimby Act and is hereby granted.

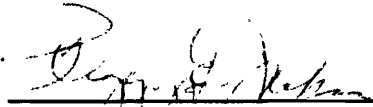
2. That the following condition of approval shall be added to Tentative Subdivision Map for Laguna Creek South: "Park in-lieu fees for the multi-family development proposed within the Laguna Creek South project shall be paid prior to the issuance of building permits, consistent with the requirements of the Elk Grove Municipal Code."

PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 9th day of January 2002.



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

ATTEST:



PEGGY JACKSON,
CITY CLERK

APPROVED AS TO FORM:



TONY MANZANETTI,
CITY ATTORNEY

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