

## RESOLUTION NO. 2003-193

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE IMPOSING COMMERCIAL DEVELOPMENT IMPACT FEES FOR THE PROVISION OF ROADWAY FACILITIES

WHEREAS, upon its incorporation the City of Elk Grove (hereinafter also referred to as "City") adopted the Sacramento County General Plan as the City's general plan (hereinafter "General Plan");

WHEREAS, the General Plan includes a general description of the location, capacity, and types of capital improvements needed to serve new development in the City;

WHEREAS, the City has adopted an ordinance approving the City of Elk Grove Roadway Fee Program;

WHEREAS, the City of Elk Grove Road Fee Program is not a "project" subject to the California Environmental Quality Act because it is a funding mechanism having no physical effect on the environment;

WHEREAS, in order to protect the health, safety and welfare of the community and to ensure that adequate public facilities are provided for the residents of the City of Elk Grove, establishment of a Road Fee Program fee schedule is necessary;

WHEREAS, the City Council finds that the fee schedule detailed in Exhibit A attached hereto is consistent with the Elk Grove General Plan;

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

1. Findings:

a. New development in the City places increasing demands on existing City roadways. By 2020, the City's population is projected to increase by more than 115% from its July 2000 level.

b. The City's current roadway capacity will need to be expanded as the City's population increases. In addition, a lack of adequate roadway capacity represents a major traffic concern and safety issue. As the City continues to grow, demand on roads will increase. Based on this expected increase, the City will need to construct new and expand existing roads to ease traffic congestion and improve public safety.

c. In order to protect the public's health, welfare, and safety, adequate funding must be obtained to ensure the City keeps pace with the demands of new development. In order to secure this adequate funding and ensure that

construction begins as soon as possible, the City must be able to immediately collect development impact fees from new development.

d. Any delay in securing adequate funding will result in a deterioration of the City's level of services and will threaten the City's ability to keep pace with development demand and creates an immediate harm.

2. Approval of Fees. Those specific public facilities fees applicable to new private development projects in the City that have not, as of the effective date of this resolution, submitted Improvement Plans and an application for a Building Permit for the entire project or any portion of the project, for land uses, and in the amount, as set forth in Exhibit A, attached hereto, are hereby approved.

3. Interim Authorization. Pursuant to California Government Code Section 66017(b) and the findings found Ordinance 36-2003, which are incorporated herein, and in Section 1 above, this resolution shall take effect immediately as an interim authorization under the City of Elk Grove Roadway Fee Program.


PASSED AND ADOPTED by the City Council of the City of Elk Grove this 1<sup>st</sup> day of October 2003.

  
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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

### City of Elk Grove Roadway Fee

| Land Use   | Development Unit   | Roadway Fee    |
|------------|--------------------|----------------|
| Commercial | per Building Sq Ft | <b>\$13.94</b> |

### Land Use Categories

**Commercial:** retail and service businesses, including, but not limited to the following:

1. food stores
2. book stores, video rental stores
3. drug stores
4. laundry and cleaning establishments, including self-operated
5. barber shops and beauty parlors
6. repair shops for shoes, radios, TV and domestic appliances
7. professional services, studios and clinics
8. automotive service stations, vehicle maintenance and repair
9. restaurants, small bakeries, theaters, bowling alleys, and social clubs
10. home supply stores

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2003-193**

**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 1st day of October 2003 by the following vote:***

**AYES 4:        COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper**

**NOES 1:       COUNCILMEMBERS: Leary**

**ABSTAIN 0: COUNCILMEMBERS:**

**ABSENT 0: COUNCILMEMBERS:**

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