

RESOLUTION NO. 2004-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ADOPTING AND LEVYING A DEVELOPMENT IMPACT FEE FOR THE PROVISION OF CAPITAL FACILITIES

WHEREAS, the City of Elk Grove General Plan includes a general description of the location, capacity, and types of capital improvements 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 capital facilities fee is necessary; and

WHEREAS, Chapter 16.84 of the Elk Grove Municipal Code, as it is to be amended by an ordinance introduced on the date hereof (the "amending ordinance"), describes the City's program relating to the development impact fee for capital facilities (the "Capital Facilities Fee"), makes administrative provisions for the implementation of the Capital Facilities Fee program, and provides that the Capital Facilities Fee shall be adopted and may be periodically updated by resolution (in addition to the automatic adjustments based on cost indices); and

WHEREAS, the "City of Elk Grove Capital Facilities Fee Nexus Study" dated February 13, 2004, prepared by Goodwin Consulting Group, 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 Capital 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 Capital 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 Capital Facilities Fee was held on March 17, 2004, at which hearing public testimony was received and duly considered; and

WHEREAS, levy of the Capital 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.

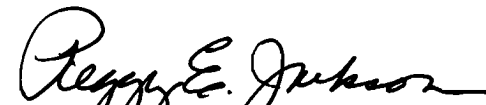
2. Adoption of Fee. The Capital Facilities Fee, which is applicable to new development in the City, that is set forth in Exhibit A attached hereto and that is further described in the text of the amended Chapter 16.84 set out in the amending ordinance (which descriptions are incorporated herein by this 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 Capital 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 Capital Facilities Fee.


PASSED AND ADOPTED by the City Council of the City of Elk Grove this 17th day of March 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

Effective Date: May 16, 2004

Exhibit A

Elk Grove Capital Facilities Fee Program

Land Use Category	Civic Center	Police Facilities	Railroad Overcrossings	Corporation Yard	Intelligent Transp. Sys.	Library	Transit (rapid transit)	Transit (bus fac.)	2% Adm.	Total Capital Facilities Fee
RESIDENTIAL										
Single Family (less than 3 units-includes duplexes)	\$360	\$719	\$445	\$656	\$343	\$338	\$215	\$259	\$67	\$3,402 per unit
Multi-Family (3 or more units)	\$240	\$479	\$308	\$437	\$237	\$225	\$143	\$173	\$45	\$2,287 per unit
Age-Restricted (single family and multi-family)	\$206	\$411	\$134	\$375	\$103	\$193	\$123	\$148	\$34	\$1,727 per unit
COMMERCIAL										
Shopping Center/General Commercial	\$0.05	\$0.11	\$0.54	\$0.10	\$0.42	n/a	\$0.14	\$0.16	\$0.03	\$1.55 per building sqft
Restaurant (without a drive-through)	\$0.05	\$0.11	\$1.24	\$0.10	\$0.96	n/a	\$0.14	\$0.16	\$0.06	\$2.82 per building sqft
Restaurant (with a drive-through)	\$0.05	\$0.11	\$1.92	\$0.10	\$1.48	n/a	\$0.14	\$0.16	\$0.08	\$4.04 per building sqft
Car Sales (new and used)	\$0.04	\$0.09	\$0.57	\$0.08	\$0.44	n/a	\$0.11	\$0.13	\$0.03	\$1.49 per building sqft
Supermarket	\$0.05	\$0.11	\$0.78	\$0.10	\$0.60	n/a	\$0.14	\$0.16	\$0.04	\$1.98 per building sqft
Gas Stations	per bldg. sqft \$0.05	per bldg. sqft \$0.11	per fuel position \$583.00	per bldg. sqft \$0.10	per fuel position \$449.00	n/a	per bldg. sqft \$0.14	per bldg. sqft \$0.16	+2%	\$0.56/sqft + \$1,032/fuel pos.+ 2% adm
OFFICE										
General Office	\$0.09	\$0.18	\$0.47	\$0.17	\$0.36	n/a	\$0.23	\$0.27	\$0.04	\$1.81 per building sqft
INDUSTRIAL										
Industrial and Manufacturing	\$0.02	\$0.05	\$0.30	\$0.04	\$0.23	n/a	\$0.06	\$0.07	\$0.02	\$0.79 per building sqft
Warehousing	\$0.02	\$0.05	\$0.18	\$0.04	\$0.14	n/a	\$0.06	\$0.07	\$0.01	\$0.57 per building sqft
HOTEL/MOTEL	per bldg. sqft \$0.03	per bldg. sqft \$0.05	per room \$257.00	per bldg. sqft \$0.05	per room \$198.00	n/a	per bldg. sqft \$0.07	per bldg. sqft \$0.08	+2%	\$0.28/sqft + \$455/room + 2% adm

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-49

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 17th day of March 2004 by the following vote:

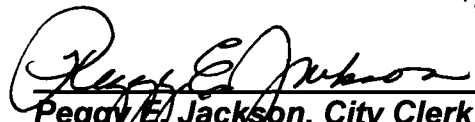
AYES 5: COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper, Leary

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:





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