

**RESOLUTION NO. 2012-170**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
UPDATING THE ELK GROVE ROADWAY FEE NEXUS STUDY – 2009 UPDATE  
TO ASSIGN SPECIFIC BUSINESS USE TYPES TO CERTAIN  
BROADLY DEFINED CATEGORIES**

**WHEREAS**, the City Council of the City of Elk Grove adopted Resolution No. 2009-137 on July 8, 2009, thereby approving Roadway impact fee rates and setting certain parameters around implementation of the Elk Grove Roadway Fee Nexus Study – 2009 Update (the “Nexus Study”); and

**WHEREAS**, Resolution No. 2009-137 established that for development projects in which a change of use is proposed, a change in use impact fee equal to the incremental increase in the fee will be imposed; and

**WHEREAS**, neither the Nexus Study nor Resolution No. 2009-137 clearly defined what specific business use types were permissible within each of the more broadly defined categories outlined in the Nexus Study; and

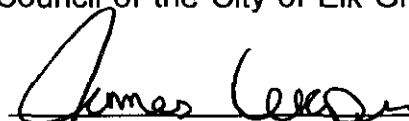
**WHEREAS**, the Nexus Study allows for specialty calculation of fees when a business use type does not specifically match one of the broadly defined categories; and

**WHEREAS**, in performing such specialty calculations, it has been determined that in the industrial zones of the City, certain business uses, by use more closely associated with office or commercial categorization, do not generate additional roadway trips; therefore, these business uses do not generate additional impacts and should not be assessed a change in use impact fee; and


**WHEREAS**, the City Council wishes to codify this lack of impact to promote the City as business friendly, create a straight forward fee calculation business owners can understand and ensure consistent enforcement by clarifying the Nexus Study categories.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby authorizes the Director of Finance to assess impact fees on industrial zoning change in use projects per the matrix attached to the Resolution in Exhibit A.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 26<sup>th</sup> day of September 2012.

  
\_\_\_\_\_  
JAMES COOPER, MAYOR of the  
CITY OF ELK GROVE

ATTEST:  
  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
JONATHAN P. HOBBS, CITY ATTORNEY

**EXHIBIT A**  
**Industrial Change in Use Roadway Fee Matrix**

	Assess Change In Use Fees
<b>Residential Uses</b>	
Adult Day-Care Home	N
Caretaker Housing	N
Child Care Center - fees to be assessed at current rate	Y
Dwelling, Multi-Family	
Dwelling, Second Unit	
Dwelling, Single-Family	
Dwelling, Two-Family	
Emergency Shelter	
Employee Housing, Large	N
Employee Housing, Small	
Group Residential	
Guest House	
Home Occupations	
Live-Work Facility	
Manufactured Home	
Mobile Home	
Mobile Home Park	
Residential Care Facility	
Residential Care Home	
Single Room Occupancy (SRO) Facilities	
Supplorative Housing	
Transitional Housing	N
<b>Agriculture, Resource, and Open Space Uses</b>	
Animal Husbandry	
Animal Keeping - Exotic	
Animal Keeping - Fowl	
Animal Keeping - Household Pets	
Animal Keeping - Livestock	
Crop Production	
Equestrian Facility, Commercial	
Equestrian Facility, Hobby	
Feed Lot	
Hog Farm, Commercial	
Kennels, Commercial	N
Kennels, Hobby	
Slaughterhouse	N
Veterinary Facility	
<b>Recreation, Education, and Public Assembly Uses</b>	
Assembly Uses - fees for places of worship to be assessed at established church fee rate	Y
Carneteries, Museums	N
Community Garden	
Crematoriums	
Golf Course/Clubhouse	
Indoor Amusement/Entertainment facility	Y
Indoor Fitness and Sports Facilities - Health Clubs fees to be assessed at the current rate	N (except Health Clubs)
Libraries and Museums	
Marriages and Funeral Homes	
Outdoor Commercial Recreation	N
Parks and Public Plazas	
Recreational Vehicle Parks	
Resource Protection and Restoration	
Resource-Related Recreation	
Schools - Academic/Private and Charter	
Schools - Academic/Public	
Schools - Colleges and Universities/Private	
Schools - Colleges and Universities/Public	Y
Schools - Equipment/Machine/Vehicle Training	Y

	Assess Change In Use Fees
Schools - Specialized Education and Training/Studios	N
Theaters and Auditoriums	Y
<b>Utility, Transportation, and Communication Use Listings</b>	
Airport	Y
Broadcasting and Recording Studios	N
Bus and Transit Shelters	N
Fuel Storage and Distribution	N
Helipads	N
Park and Ride Facility	N
Parking Facility	N
Public Safety Facility	N
Telecommunication Facility	N
Transit Facilities	N
Transit Stations and Terminals	N
Utility facility and infrastructure	N
<b>Retail, Service, and Office Uses</b>	
Adult Day Care Facility	Y
Agricultural Tourism	
Alcoholic Beverage Sales	Y
Ambulance Service	N
Animal Sales and Grooming	
Art, Antiques, Collectible	
Artisan Shops	
Banks and Financial Services	N
Bars and Nightclubs	Y
Bed and Breakfast Inns	
Building Materials Stores and Yards	N
Business Support Services	N
Call Centers	
Card Rooms	
Convenience Stores	Y
Drive-in and Drive-through Sales and Service	
Equipment Sales and Rental	N
Garden, Center/Plant Nursery	Y
Grocery Store/Supermarket	
Hotels and Motels	
Maintenance and Repair Service	N
Medical Services, Extended Care	
Medical Services, General (Clinics, Offices, and Labs)	
Medical Services, Hospital	
Neighborhood Market	
Offices, Accessory	N
Offices, Business and Professional	Y
Farm Shop	
Personal Services	
Personal Services, Restricted	Y
Restaurants	Y
Retail, Accessory	N
Retail, Discount Store	
Retail, Discount Superstore	
Retail, Large-format Discount Superstore	
Retail, Discount Warehouse/Club	
Retail, General	
Smoke Shops	
Thrift Store	
<b>Automobile and Vehicle Uses</b>	
Auto and Vehicle Rental	N
Auto and Vehicle Sales	
Auto and Vehicle Sales, Wholesale	N

	Assess Change In Use Fees
Auto and Vehicle Storage	N
Auto Parts Sales	N
Auto Vehicle Dismantling	N
Car Washing and Detailing	N
Service Station - Charged per Fuel Pump of the current fee rate	Y
Vehicle Services - Major	N
Vehicle Services - Minor	N
<b>Industrial, Manufacturing, and Processing Uses</b>	
Agricultural Products Processing	N
Freight Van/Truck Terminal	N
Launch and Dry Clean Plant	N
Manufacturing, Major	N
Manufacturing, Minor	N
Manufacturing, Small Scale	N
Printing and Publishing	N
Recycling Facility - Collection, Small	N
Recycling Facility - Processing	N
Recycling Facility - Scrap and Dismantling	N
Research and Development	N
Storage, Personal Storage Facility	N
Storage, Warehouse	N
Storage, Yards	N
Wholesaling and Distribution	N
Wineries and Distilleries	N

**Definitions and Change in Use Fee Application**

- Y - Evaluate assessment of Change in Use fees on a case by case basis to determine actual impact and subsequent fee amount of specific business use.
- N - No Change in Use fees will be assessed.
- Blank - Not allowed within either M-1 or M-2 Zoning as defined in the City of Elk Grove Municipal Code Title 23, the Zoning Code.

Final determination for placement in each land use category identified in this matrix will be based on the interpretation of the Zoning Code. The Zoning Code has specific definitions for each Land Use category listed and has been previously adopted by City Council. Note some uses are allowed in only one of the M- or M-2 zones but not the other. This document and the Roadway Impact Fee Nexus Study do not differentiate between the two zones.

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2012-170**

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


*I, Jason Lindgren, 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 September 26, 2012 by the following vote:*

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

**NOES:**        **COUNCILMEMBERS:**     *None*

**ABSTAIN :**   **COUNCILMEMBERS:**     *None*

**ABSENT:**     **COUNCILMEMBERS:**     *None*

  
\_\_\_\_\_  
**Jason Lindgren, City Clerk**  
**City of Elk Grove, California**