

RESOLUTION NO. 2003-234

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
LEVYING DEVELOPMENT IMPACT FEES FOR
THE PROVISION OF ROADWAY 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, on December 1, 2003, the City Council adopted Ordinance No. 43-2003, relating to development impact fees for roadway facilities (the "Roadway Fee Program"); and

WHEREAS, in order to protect the health, safety and welfare of the community and to ensure that adequate public roadways are provided and maintained for the residents of the City, establishment of a roadway fee schedule is necessary; and

WHEREAS, the City of Elk Grove Roadway Fee Program Nexus Study dated November 18, 2003, 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 capital improvement program for the Roadway Fee Program 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 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 fees 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 fees for the Roadway Fee Program was held on December 1, 2003, at which hearing public testimony was received and duly considered; and

WHEREAS, levy of fees for the Roadway 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.

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 Roadway Fee Program and 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 Roadway Fee Program and the Nexus Study, including in particular those under the heading "AB 1600 Nexus Findings."

2. Approval of Fees. The public facilities fees applicable to new development in the City that are set forth in Exhibit A attached hereto are hereby approved and levied. Notwithstanding the foregoing, the roadway fees applicable to development projects classified in the commercial land use category that have as of October 1, 2003, submitted Improvement Plans and an application for a Building Permit for the entire project or any portion of the project, shall be the roadway fees in effect on September 30, 2003.

3. Effective Date. Pursuant to Government Code section 66017(a), the fees authorized by this Resolution shall become effective 60 days after the date of the adoption of this Resolution.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 1st day of December 2003.



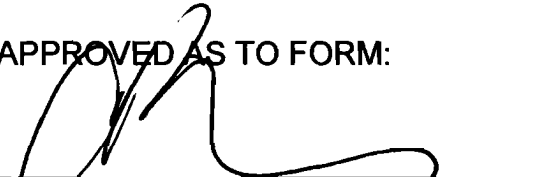
SOPHIA SCHERMAN , MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

Exhibit A

CITY OF ELK GROVE ROADWAY FEE PROGRAM	
ROADWAY FEE BY LAND USE	
<i>Land Use Category</i>	<i>Calendar Years 2003 and 2004 Roadway Fee</i>
Single Family (less than 3 units)	\$8,750 per unit
Multi-Family (3 or more units)	\$ 6,037 per unit
Age Restricted	\$ 2,625 per unit
Commercial	
Shopping Center/General Commercial	\$ 10.59 per sq. ft.
Restaurant (without a drive-through)	\$ 24.41 per sq. ft.
Restaurant (with a drive-through)	\$ 37.80 per sq. ft.
Car Sales	\$ 11.29 per sq. ft.
Supermarket	\$ 15.31 per sq. ft.
Gas Station	\$ 11,462 per vehicle fueling position
Office	\$ 9.27 per sq. ft.
Industrial	
Industrial and Manufacturing	\$ 5.86 per sq. ft.
Warehouse	\$ 3.59 per sq. ft.
Hotel/motel	\$ 5,075 per room

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2003-234

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

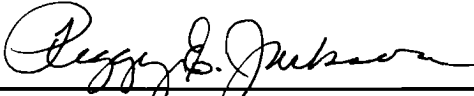
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at an adjourned meeting of said Council held on the 1st day of December 2003 by the following vote:

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

