

RESOLUTION NO. 2012-171

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
UPDATING THE ELK GROVE CAPITAL FACILITIES FEE PROGRAM 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. 2009-138 on July 8, 2009, thereby approving Capital Facilities impact fee rates and setting certain parameters around implementation of the Elk Grove Capital Facilities Fee Program Nexus Study – 2009 Update (the "Nexus Study"); and

WHEREAS, Resolution No. 2009-138 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. 2009-138 clearly defined what specific business use types were permissible within each of the more broadly defined categories outlined in the Nexus Study; and

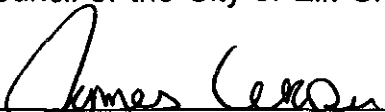
WHEREAS, the Nexus Study allows for specialty calculation of fees when a business use type does not specifically match one of the broadly defined categories; and

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 impact 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 26th 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 Capital Facilities Fee Matrix

	Assess Change In Use Fees
Residential Uses	
Adult Day Care Home	N
Careaker Housing	Y
Child Care Center	N
Dwelling, Multi-Family	Y
Dwelling, Second Unit	N
Dwelling, Single-Family	N
Dwelling, Two-Family	N
Emergency Shelter	N
Employee Housing, Large	N
Employee Housing, Small	N
Group Residential	N
Guest House	N
Home Occupations	N
Live-Work Facility	N
Manufactured Home	N
Mobile Home	N
Mobile Home Park	N
Nursing Home	N
Residential Care Home	N
Single Room Occupancy (SRO) Facilities	N
Supportive Housing	N
Transitional Housing	N
Agriculture, Resource, and Open Space Uses	
Animal Husbandry	N
Animal Keeping - Exotic	N
Animal Keeping - Fowl	N
Animal Keeping - Household Pets	N
Animal Keeping - Livestock	N
Crop Production	N
Equestrian Facility, Commercial	N
Equestrian Facility, Hobby	N
Feed Lot	N
Hog Farm, Commercial	N
Kennels, Commercial	N
Kennels, Hobby	N
Staghterhouse	N
Veterinary Facility	N
Recreation, Education, and Public Assembly Uses	
Assembly Uses - fees for places of worship to be assessed at established Church fee rate	Y
Cemeteries, Mausoleums	N
Community Garden	N
Crematories	N
Golf Courses/Clubhouse	N
Indoor Amusement/Entertainment facility	Y
Indoor Fitness and Sports Facilities	N
Libraries and Museums	N
Manicures and Funeral Homes	N
Outdoor Commercial Recreation	N
Parks and Public Places	N
Recreational Vehicle Parks	N
Resource Protection and Restoration	N
Resource-Related Recreation	N
Schools - Academic-Private and Charter	N
Schools - Academic-Public	N
Schools - Colleges and Universities-Private	Y
Schools - Colleges and Universities-Public	Y
Schools - Equipment/Machines/Vehicle Training	Y
Schools - Specialized Education and Training/Studios	N

	Assess Change In Use Fees
Theaters and Auditoriums	Y
Utility, Transportation, and Communication Use Listings	Y
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
Retail, Service, and Office Uses	
Adult Day Care Facility	Y
Adult Oriented Business	Y
Agricultural Tourism	Y
Alcoholic Beverage Sales	Y
Ambulance Services	N
Animal Sales and Grooming	N
Art, Antique, Collectible	N
Artisan Shops	N
Banks and Financial Services	N
Bars and Nightclubs	Y
Bed and Breakfast Inns	N
Building Materials Stores and Yards	N
Business Support Services	N
Call Centers	N
Card Rooms	N
Convenience Stores	Y
Drive-in and Drive-through Sales and Service	N
Equipment Sales and Rental	N
Garden Center/Plant Nursery	Y
Grocery Store/Supermarket	Y
Hotels and Motels	N
Maintenance and Repair Service	N
Medical Services, Extended Care	N
Medical Services, General (Clinics, Offices, and Labs)	N
Medical Services, Hospitals	N
Neighborhood Market	N
Offices, Accessory	Y
Offices, Business and Professional	Y
Pawn Shop	Y
Personal Services	Y
Personal Services, Restricted	Y
Restaurants	Y
Retail, Accessory	N
Retail, Discount Store	N
Retail, Discount Superstore	N
Retail, Large-format Discount Superstore	N
Retail, Discount Warehouse/Club	N
Retail, General	N
Smoke Shops	N
Trift Store	N
Automobile and Vehicle Uses	
Auto and Vehicle Rental	N
Auto and Vehicle Sales	N
Auto and Vehicle Sales, Wholesale	N
Auto and Vehicle Storage	N

	Assess Change In Use Fees
Auto Parts Sales	N
Auto Vehicle Dismantling	N
Car Washing and Detailing	Y
Service Station	Y
Vehicle Services - Major	N
Vehicle Services - Minor	N
Industrial, Manufacturing, and Processing Uses	
Agricultural Products Processing	N
Freight Yard/Truck Terminal	N
Laundry 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-1 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. 2012-171**

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

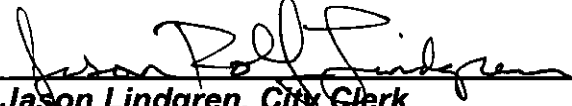
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on September 26, 2012 by the following vote:

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**