

**RESOLUTION NO. 2005-110**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
UPDATING LANDSCAPE CORRIDOR AND SUPPLEMENTAL DRAINAGE  
FACILITIES DEVELOPMENT IMPACT FEE AMOUNTS  
FOR THE EAST FRANKLIN SPECIFIC PLAN AREA**

**WHEREAS**, the City of Elk Grove General Plan includes a general description of the location, capacity, and types of landscape corridor and drainage facilities needed to serve new development in the City;

**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, the levy of landscape corridor and supplemental drainage facilities fees is necessary;

**WHEREAS**, Chapter 16.83 of the Elk Grove Municipal Code describes the City's program relating to development impact fees for various public facilities serving the Laguna South area, which is that area of the City west of State Route 99 and south of Elk Grove Boulevard (which includes the East Franklin Specific Plan area, the Laguna Ridge Specific Plan area, the Automall area, the Lent Ranch Special Planning area, the South East Study area, and the South Pointe Special Planning area), makes administrative provisions for the implementation of the Laguna South Public Facilities Fee Program, and provides that the individual fees included within the program may be periodically amended by resolution (in addition to automatic adjustments based on cost indices);

**WHEREAS**, the City Council intends to reorganize Chapter 16.83 by, among other things, removing the provisions regarding the park, landscape corridor, and supplemental drainage fees for the East Franklin Specific Plan into a new chapter of the Elk Grove Municipal Code to be numbered 16.81;

**WHEREAS**, Economic and Planning Systems, Inc., has prepared and presented to the City Council a nexus study, the "East Franklin Landscape Corridor and Supplemental Drainage Fee Program Nexus Study," dated April 7, 2005 (the "Nexus Study"), incorporated herein by this reference, which 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;

**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;

**Effective Date: June 27, 2005**

**WHEREAS**, pursuant to Government Code section 66016, the data required to be made available to the public prior to increasing the amount of the landscape corridor and supplemental drainage facilities development fees by this resolution was made available for public review at least 10 days prior to the date of this meeting;

**WHEREAS**, pursuant to Government Code section 66018, notice of a public hearing on the increase to the amount of the landscape corridor and supplemental drainage facilities development fees was published in the Elk Grove Citizen twice, with at least five days intervening the two publications, commencing at least ten days prior to the date of this meeting;

**WHEREAS**, a duly noticed public hearing before the City Council on the increase to the amount of the landscape corridor and supplemental drainage facilities development fees was held on April 27, at which hearing public testimony was received and duly considered;

**WHEREAS**, the increase to the amount of the landscape corridor and supplemental drainage facilities development fees 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 as follows:

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. Change in Fee Amounts. The amended landscape corridor and supplemental drainage facilities development fees, as set forth in the Nexus Study and attached hereto as Exhibit A and further described in the text of Chapter 16.83 and proposed Chapter 16.81, are hereby approved and levied on new development in the East Franklin Specific Plan area. The fees are subject to the fee adjustments and exemptions described in the Nexus Study. In particular, the amounts shown on Exhibit A are subject to the automatic adjustment scheduled for January 2006, as provided in Section 16.83.150(e) and proposed Section 16.81.090(d) of the Elk Grove Municipal Code.
3. Effective Date. Pursuant to Government Code section 66017(a), the increase to the amount of the landscape corridor and supplemental drainage facilities development fees approved by this Resolution shall become effective 60 days after the date of the adoption of this Resolution.

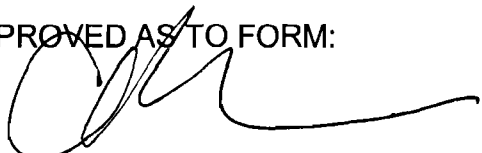
**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 27<sup>th</sup> day of April 2005.

  
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DANIEL BRIGGS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

## EXHIBIT A

### Landscape Corridor and Supplemental Drainage Facilities Fee Schedule

Land Use Category	Landscape Corridor	Supplemental Drainage	Admin.	Total Proposed Fee
<b>NORTH SHED</b>				
Residential				
Single Family	\$2,497	\$316	\$84	\$2,897
Multi-Family	\$1,801	\$176	\$59	\$2,036
Age Restricted	\$1,570	\$316	\$57	\$1,943
Non-Residential				
Commercial	\$0.36	\$0.28	\$0.02	\$0.66
Office	\$0.48	\$0.20	\$0.02	\$0.70
Industrial	\$0.23	\$0.21	\$0.01	\$0.45
<b>CENTRAL SHED</b>				
Residential				
Single Family	\$2,497	\$1,314	\$114	\$3,925
Multi-Family	\$1,801	\$682	\$74	\$2,557
Age Restricted	\$1,570	\$1,314	\$87	\$2,971
Non-Residential				
Commercial	\$0.36	\$1.10	\$0.04	\$1.50
Office	\$0.48	\$0.78	\$0.04	\$1.30
Industrial	\$0.23	\$0.80	\$0.03	\$1.06

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-110**

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 27<sup>th</sup> day of April 2005 by the following vote:***

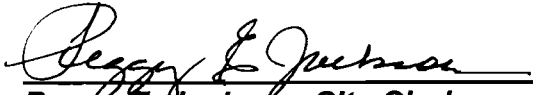
**AYES:           COUNCILMEMBERS:        Scherman, Soares, Briggs, Cooper, Leary**

**NOES:           COUNCILMEMBERS:**

**ABSTAIN:       COUNCILMEMBERS:**

**ABSENT:        COUNCILMEMBERS:**



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