

RESOLUTION NO. 2025-097

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ADOPTING THE ELK GROVE ACTIVE TRANSPORTATION FEE PROGRAM 2025 NEXUS STUDY UPDATE AND FEE SCHEDULE

WHEREAS, the City of Elk Grove (City) General Plan includes a Transportation Plan, which includes a general description of the location, capacity, and types of roadway, trail, bikeway, and other transportation facilities needed to serve new development in the City; and

WHEREAS, additional details of the active transportation infrastructure are provided in the City's Bicycle, Pedestrian, and Trails Master Plan; and

WHEREAS, in order to ensure adequate facilities are provided for City residents and that new development mitigates its impacts for the cost of providing these facilities, the levy of active transportation development impact fees is necessary; and

WHEREAS, the Active Transportation Fee Program, which has historically been a part of the City's Roadway Fee Program, was created as a standalone impact fee program in 2022, and added to Chapter 16.95 of the Elk Grove Municipal Code for funding active transportation facilities from development impact fees; and

WHEREAS, GHD, Inc. has prepared the City of Elk Grove Active Transportation Fee Program 2025 Nexus Study Update dated March 2025 (Active Transportation Nexus Study), which details the relationship between the use of and need for the proposed fees for active transportation facilities; the types of development on which the fees are imposed; and the relationship between the amount of the fees and cost of the public active transportation facilities, which has been presented to the City Council; and

WHEREAS, Section 21000, et. seq. of the California Public Resources Code, hereafter CEQA, requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment"; and

WHEREAS, in accordance with the Mitigation Fee Act (Government Code Section 66000 et seq.), at least one open and public hearing was held on the adoption of the Nexus Study, at which time written and oral presentations were made as part of a regularly scheduled City Council meeting. The date, time, and place of the public hearing was duly noticed in accordance with Government Code Sections 66018 and 6062a. The draft Nexus Studies were made available for public inspection for a period of at least 30 days prior to said public hearing. Background data and materials referenced therein were made available to interested parties upon request to the City Clerk's Office at least 30 days prior to the date of said hearing. Following receipt of written and/or oral comments from interested persons on the Nexus Study, the City Council closed the public hearing on the Nexus Study and provided direction to City staff concerning the Nexus Study.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds that the proposed Active Transportation Fee Program is exempt from CEQA pursuant to the following finding:

Finding: No further environmental review is required pursuant to State CEQA Guidelines Sections 15183 and 15162.

Evidence: State CEQA Guidelines Section 15183 provides that no further environmental review is required for project that are consistent with a General Plan for which an Environmental Impact Report (EIR) was prepared. Section 15162 provides that no subsequent or supplemental analysis (e.g., EIR or Negative Declaration) is required unless certain qualifying conditions are met.

An (EIR) was prepared and certified for the General Plan Update in 2019. That EIR (SCH Number 2017062058) considered the potential environmental impacts of the General Plan, inclusive of the Transportation Plan, which includes the Roadway Sizing Diagram and the various pedestrian and bicycle facilities. These facilities are included in the current Roadway Fee Program and proposed Active Transportation Fee Program update.

The Section 15162 guidelines provide that when an EIR has been certified for a project, no subsequent EIR shall be prepared unless the lead agency (City) determines, on the basis of substantial evidence, that there have been substantial changes to the project, the circumstances under which the project has been undertaken, or new information has become known. None of these thresholds have occurred, as there have not been substantial changes to the project, the circumstances have not changed, and no new information has become known.

Therefore, pursuant to State CEQA Guidelines Sections 15183 and 15162, no further environmental review is required.

AND, BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby finds that the proposed Active Transportation Fee Program update is consistent with the General Plan pursuant to the following finding:

Finding: The proposed project is consistent with the goals and policies of the Elk Grove General Plan.

Evidence: The proposed Active Transportation Fee Program is consistent with the General Plan as it provides for the financing of public infrastructure necessary to mitigate the impacts of new development. General Plan Goal IFP-1 provides for infrastructure improvement costs to be secured prior to development. Policy IFP-1-4 calls for the use of fee programs as a mechanism to ensure financing for major infrastructure. Policy IFP-1-7 states that new development shall fund its fair share portion of impacts to all public facilities and infrastructure. These fee programs implement this General Plan goal and policies.

AND, BE IT FURTHER RESOLVED by the City Council of the City of Elk Grove as follows:

1. **Incorporation of the Nexus Study:** This Resolution adopts the Elk Grove Active Transportation Program, dated March 2025, and presented with the accompanying staff report (the Nexus Study). The Study, along with the studies and reports they may reference or be based upon in whole or in part, together with any amendments thereto and any supplemental or implementation actions pursuant thereto made after their initial adoption, do update and re-establish the need, costs, and financing of certain active transportation facility improvements arising out of development in the City, and present a reasonable basis on which to update the Active Transportation Fee under this Resolution. The Nexus Study establishes the reasonable relationship between the need for the public facilities and the impacts of the various types of new development identified, for which the corresponding Active Transportation Fee is to be charged.

2. Active Transportation Fee:

- a. Except as otherwise provided in Part B below, the amounts of the Active Transportation Fee established and imposed pursuant to Elk Grove Municipal Code Chapter 16.95 are hereby approved at the levels set out in the Active Transportation Nexus Study. The applicable Active Transportation Fee fees by land use category, which the City Council of the City of Elk Grove hereby adopts, are attached as Exhibit A, and incorporated herein by this reference.
 - b. For Office uses, as defined in the Active Transportation Nexus Study, these fees are hereby adopted at the levels provided in Exhibit B, attached and incorporated herein by this reference.
3. **Fee Administration:** The amount of the Active Transportation Fee Program administrative fee established by the Nexus Study and imposed pursuant to Elk Grove Municipal Code Chapter 16.95 is hereby approved at the level set forth in the Nexus Study to off-set the actual reasonable costs for the collection, deposit, investment, accounting, and reporting of the Fees. The administrative fee, which is the same for all land use categories and which the City Council hereby adopts, is included in Exhibits A and B, which are attached and incorporated herein by this reference.
4. **Adjustments:** The Active Transportation Fee Program development impact fees shall be adjusted pursuant to the guidelines prescribed in Elk Grove Municipal Code Section 16.95.060, or its replacement section should that section be amended during the duration of the Nexus Study, and as provided in the Nexus Study, with the first application occurring January 1, 2026.
5. **Construction of Resolution:** The provisions of this Resolution are subject and subordinate to the provisions of Elk Grove Municipal Code Chapter 16.95 and shall always be constructed and applied consistent therewith as they presently exist or may from time-to-time hereafter be amended.
6. **Effective Date:** This Resolution shall be effective July 28, 2025, which is greater than 60 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 28th day of May 2025




BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

ACTIVE TRANSPORTATION FEE RATES

Land Use Category	Unit Description	DUE Rate	Active Transportation Fee per Unit	Active Transportation Fee per Unit with 5.5% Admin Fee
Residential (Traditional)				
Up to 1,200 SF	Dwelling Size	0.41	\$ 747	\$ 788
> 1,200 SF to 1,400 SF	Dwelling Size	0.78	\$ 1,420	\$ 1,498
> 1,400 SF to 1,700 SF	Dwelling Size	0.86	\$ 1,566	\$ 1,652
> 1,700 SF to 2,000 SF	Dwelling Size	1	\$ 1,821	\$ 1,921
> 2,000 SF to 2,700 SF	Dwelling Size	1.1	\$ 2,003	\$ 2,113
>2,700 SF to 3,400 SF	Dwelling Size	1.17	\$ 2,130	\$ 2,247
> 3,400 SF	Dwelling Size	1.24	\$ 2,258	\$ 2,382
Senior Adult Residential				
Up to 1,000 SF	Dwelling Size	0.27	\$ 492	\$ 519
Greater than 1,000 SF	Dwelling Size	0.32	\$ 583	\$ 615
Shopping Center	1,000 SF	0.92	\$ 1,675	\$ 1,767
Auto Mall	Acres	2.45	\$ 4,461	\$ 4,706
Gas Station w/ Convenience Market	Fueling Positions	1.27	\$ 2,313	\$ 2,440
Theater/Cinema	Seats	0.01	\$ 18	\$ 19
Office	1,000 SF	0.97	\$ 1,766	\$ 1,863
Industrial	1,000 SF	0.36	\$ 656	\$ 692
Hotel/Motel	Rooms	0.15	\$ 273	\$ 288
Hospital	Beds	0.94	\$ 1,712	\$ 1,806
Assembly	1,000 SF	0.37	\$ 674	\$ 711
Day Care Center	1,000 SF	1.42	\$ 2,586	\$ 2,728
Congregate Care Facility	Dwelling Units	0.1	\$ 182	\$ 192
Assisted Living	Beds	0.13	\$ 237	\$ 250
School (K-12)	Students	0.14	\$ 255	\$ 269

STAGED INCREASE OF ACTIVE TRANSPORTATION FEE FOR OFFICE USES

Fee	Year (fee per 1,000 square feet)			
	2025	2026	2027	2028 +
ATF	\$1,472	\$1,602	\$1,733	\$1,863
Percent of the maximum value in the Nexus Study	79%	86%	93%	100%

Notes

- 1. All rates include the administrative fee rate of 5.5%.*
- 2. The fees shall be subject to the normal Annual update. The update would be based upon the fee listed for that year, plus any prior CPI adjustment(s) that would normally increase the maximum allowed rate.*

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2025-097

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 May 28, 2025 by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Robles, Brewer, Spease, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California