

CHAPTER 13.80
DEFERRAL OF CERTAIN IMPACT FEES

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13.80.010 **TITLE.** This Chapter shall be known and cited as the “Deferral of Certain Impact Fees.” (#1461, #1519)

13.80.020 **PURPOSE.** The County of Yuba desires to encourage the continued investment of new residential and nonresidential development within the County during difficult economic times. The County finds that payment of certain impact fees at issuance of a building permit during difficult economic conditions creates a barrier to such development and desires, by adoption of this Chapter, to ease such barrier by deferring the time of payment of certain fees. In addition, the County finds that waiver of the advance funding charge portion of the PLSP/NASA Road Improvement Fee will be beneficial to stimulating development while not adversely affecting road improvement projects. (#1461, #1519)

13.80.030 **APPLICABLE FEE PROGRAMS.** Notwithstanding any other provision of this Code, all building permits applied for or issued during the time this Chapter is in effect shall be accompanied by the payment of the following fees as applicable to the permit on or before the time described in this Chapter:

- (a) Countywide Capital Facilities Fee;
- (b) Levee Impact Fee;
- (c) PLSP/NASA Road Improvement Fee;
- (d) PLSP/NASA Park Improvement Fee;
- (e) ELSP Road Improvement Fee;
- (f) ELSP Park Improvement Fee;
- (g) Olivehurst Fire Impact Fee; and
- (h) Linda Fire Impact Fee. (#1461)

13.80.040 **FEE DEFERRAL PROGRAM.** All building permits applied for or issued while this Chapter is in effect are eligible to defer the applicable impact fees identified in Section 13.80.030 for a period of time as described in the following:

- (a) Fees that are deferred for single family residential development pursuant to this Chapter shall be due and payable on or prior to a request for final inspection under a building permit. In no case shall the deferral of fees extend beyond eighteen (18) months from the issuance of the building permit and after said 18 months the fees shall be paid in full prior to requesting any further inspections related to the building permit.
- (b) Fees that are deferred for multifamily residential development pursuant to this Chapter shall be due and payable in a pro rata share on or prior to a request for final inspection under a building permit for each structure or

unit within the development. The pro rata share will be determined based on the percentage of square footage of the structure requesting a final to the total square footage of the structures covered by the building permit. In no case shall the deferral of fees extend beyond three (3) years from the issuance of the building permit and after said 3 years, any remainder of the fees shall be paid in full prior to requesting any further inspections related to the building permit.

Fees that are deferred for nonresidential development including commercial and industrial projects pursuant to this Chapter shall be due and payable in a pro rata share on or prior to a request for final inspection under a building permit for each structure or unit within the development. The pro rata share will be determined based on the percentage of square footage of the structure requesting a final to the total square footage of the structures covered by the building permit. In no case shall the deferral of fees extend beyond three (3) years from the issuance of the building permit and after said 3 years, any remainder of the fees shall be paid in full prior to requesting any further inspections related to the building permit. (#1461)

13.80.050 FEE ADJUSTMENTS. Deferred fees shall be paid at the rate or rates applicable at the time of issuance of the permit with the exception of the PLSP/NASA Park Improvement Fee and Olivehurst Fire Impact fee which shall be paid at the rate or rates applicable at the time of payment. (#1461)

13.80.060 FEE WAIVER. Notwithstanding any other provision of the Code, all building permits applied for or issued during the time this Chapter is in effect shall be allowed waiver of the Advanced Funding Charge portion of the PLSP/NASA Road Improvement Fee, the amount of which for fiscal year 2011/12 is \$7,498. (#1519)

13.80.070 EXPIRATION. This Chapter shall remain in effect until June 30, 2016, and as of that date is repealed unless sooner extended or reenacted. All building permits applied for or issued while this Chapter is in effect will be allowed deferral of fees in accordance with this Chapter even if the deferral of payment extends beyond the date this Chapter is repealed. (#1461 as amended by #1493, #1519, #1531)

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