

ORDINANCE NO. 1401

**AMENDING CHAPTER 13.20 OF TITLE XIII
OF THE YUBA COUNTY ORDINANCE CODE
BY AMENDING SECTION 13.20.020 AND BY ADDING
SECTION 13.20.021 WHICH ESTABLISHES
A REDUCED LEVEE FEE FOR DEVELOPMENTS OF TWO OR LESS LOTS
AS SINGLE FAMILY HOMES**


The following ordinance consisting of four (4) sections , was duly and regularly passed and adopted by the Board of Supervisors of the County of Yuba, State of California, at a regular meeting of the Board of Supervisors held on the 6th day of, March 2007, by the following vote:

AYES: Supervisors Logue, Nicoletti, Griego, Schrader, Stocker

NOES: None


ABSENT: None

ABSTAIN: None



Chairperson of the Board of Supervisors
County of Yuba , State of California

**ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS**

By: 

**APPROVED AS TO FORM
DANIEL G. MONTGOMERY, COUNTY COUNSEL**

By: 

THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA, STATE OF CALIFORNIA DOES ORDAIN AS FOLLOWS:

Section 1. This ordinance shall take effect Sixty (60) days after its passage, and before the expiration of Thirty (30) days after its passage a summary shall be published, with the names of the members voting for and against the same, once in a local newspaper of general circulation in the County of Yuba, State of California.

Section 2. Section 13.20.020 of Chapter 13.20 of Title XIII of the Yuba County Ordinance Code is hereby amended to read in its entirety as follows:

13.20.020 Establishment of Fees.

Fee. Levee fees are hereby established as more particularly set forth below:

- (a) The levee fee shall be charged to all new development within the Northern Flood Linda Zone and the Southern Flood Plumas Zone in accordance with the Three Rivers Levee Fee Nexus Study.
- (b) The levee fees shall be paid at the time of submission of the final map for approval. For any subdivision for which a final map has already been approved and recorded, the levee fees shall be paid at the time of issuance of a building permit.

(c) Prior to the issuance of a building permit for a structure on a parcel which has not yet satisfied its entire levee funding obligation, either through previous funding agreements or participation in a levee funding CFD, the applicant shall pay the applicable Three Rivers Levee Fee on the remaining portion of the final map of which the parcel in question is a part for the parcels which have not yet been issued building permits for improvements and in which the applicant has an ownership interest. The amount of the fee due prior to building permit issuance shall be the Gross Developable Acreage of the entire final map multiplied by the applicable Three Rivers Levee Fee multiplied by the rough proportionality of the remaining parcels which do not have building permits to the entire number of parcels in the final map.

(d) Retail/commercial development is exempt from the fees established by this ordinance for the two (2) years following adoption or such longer period as may be established by the Board by amendment.

Section 3. Section 13.20.021 is added to Chapter 13.20 of Title XIII of the Yuba County Ordinance Code and reads as follows:

13.20.021 Establishment of a Reduced Fee.

Reduced Levee Fee. A discounted levee fee is hereby established as more particularly set forth below:

(a) The reduced levee fee shall only apply to New Developments of Two or Less Lots as Single Family Dwellings within the Northern Flood Linda Zone and the Southern Flood Plumas Zone in accordance with the Three Rivers Levee Fee Nexus Study.

(b) The reduced levee fee shall be charged and paid at the time of submission of the final map for approval. For any parcel for which a final map has already been approved and recorded, the reduced levee fee shall be paid at the time of issuance of a building permit.

(c) The reduced levee fee shall be three (3) times the square footage of the single family dwelling.

Section 3. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared unconstitutional.