

RESOLUTION NO. 2021- 12  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA  
UPDATING THE CITY'S DEVELOPMENT IMPACT FEE PHASED IN  
IMPLEMENTATION PLAN

WHEREAS, on November 16, 2006, the City Council adopted Ordinance No. 790, which implemented the City's Development Impact Fee program, and, which established the level of Development Impact Fees; and

WHEREAS, by Ordinance 799 adopted December 6, 2007, the City Council last approved a revision to the level of Development Impact Fees; and

WHEREAS, Yreka Municipal Code Section 11.23.180 provides for a phased implementation schedule, where

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| (1) Effective date of the ordinance codified in this chapter  | 25% |
| (2) Six months after effective date of the ordinance codified in this chapter, and continuing until order of the city council made by resolution at a regularly scheduled council meeting. Until that time, the city council will review the phased implementation schedule every six months, and the council may, in its discretion, set fees up to the full amounts of the fees as set forth in the City of Yreka Impact Fee Report, which fee modifications, if adopted, shall be effective six months after the order of the city council | 50% |

WHEREAS, the Yreka City Council has conducted a workshop on February 9, 2021 to discuss the phased implementation schedule.

WHEREAS, the Yreka City Council at its regular meeting held March 2, 2021 requested a modification to the phased in plan, as allowed by resolution, for the phased implementation schedule to a fully phase in the impact fees to be increased to a phased in approach of 75% within six months of passage of the resolution on September 6, 2021, and 100% within twelve months of the passage of this resolution on April 6, 2022.

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Yreka, California, as follows:

Section 1. That the Yreka Municipal Code Section 11.23.180 that provides for a phased implementation schedule fees be modified from the current 50% of phased fees to 75% within six months of passage of the resolution (expected September 6, 2021), and 100% within twelve months of the passage of this resolution (expected April 6, 2022).

Section 2. It is further resolved, if any section, subsection, part, clause, sentence or phrase of this Resolution or the application thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, the validity of the remaining portions of this Resolution, the application thereof, shall not be effected thereby but shall remain in full force and effect, it being the intention of the City Council to adopt each and every section, subsection, part, clause, sentence phrase regardless of whether any other section, subsection, part, clause, sentence or phrase or the application thereof is held to be invalid or unconstitutional.

Adopted this 6th day of April 2021, by the following called vote:

AYES: Baird, Freeman, Kegg, McCoy, Middleton

NOES:

ABSENT:

  
\_\_\_\_\_  
Duane Kegg, Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

City Clerk

Code of Ordinances (3) More frequently, if directed by the city council, by ordinance, or if authorized by this chapter, the resolution after a noticed public hearing.

(Ord. 799 § 2(part), 2007).

### 11.23.180 - Implementation.

- (a) Increases for Inflation. Each of the base fees in effect for each category shall be increased annually in January by the composite construction cost index as published in the most recent November Engineering News Record, or some similar cost index, in order to keep pace with changes in the cost of construction. The city will determine whether the fees need an inflationary increase at least once a year, but may change the amount of the fee at any time to keep pace with construction costs.
- (b) Phased Implementation Schedule. Implementation of the fees identified in this chapter will be phased according to the following schedule:

EXPAND

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|---|-----|
| (1) Effective date of the ordinance codified in this chapter  | 25% |
| (2) Six months after effective date of the ordinance codified in this chapter, and continuing until order of the city council made by resolution at a regularly scheduled council meeting. Until that time, the city council will review the phased implementation schedule every six months, and the council may, in its discretion, set fees up to the full amounts of the fees as set forth in the City of Yreka Impact Fee Report, which fee modifications, if adopted, shall be effective six months after the order of the city council | 50% |

- (c) Additional Administrative Procedures. The city council may adopt by resolution any administrative procedures necessary to carry out the intent of this chapter.

(Ord. 799 § 2(part), 2007).

< 11.20.100 - Penalty for violation.

Chapter 11.24 - DUTY TO CONSTRUCT CURBS, GUTTERS, SIDEWALKS AND DRIVEWAY APPROACHES AND LANDOWNERS' DUTY TO REPAIR, MAINTAIN, LIABILITY RELATING TO SIDEWALKS, CURBS, GUTTER, CURB CUTS AND DRIVEWAY APPROACHES AND OBSTRUCTION REMOVAL AND RECLAMATION OF PERSONAL PROPERTY >