

COUNCIL POLICY			
Subject: CREDIT AND REIMBURSEMENT POLICIES AND PROCEDURES	Policy Number	Effective Date	Number of Pages
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## PURPOSE:

The ~~purpose~~Purpose of this policy is to establish procedures for the award of credits and/or reimbursements ~~pursuant to Development Impact~~for Capital Facilities Fees ~~authorized inconsistent with Chapter 21-04 of the~~ Santa Rosa City Code ~~Title 21~~.

## FEE PAYMENT

Development ~~impact fees~~Impact Fees shall be charged and paid as called for by applicable ~~ordinances~~City Ordinances. The amount of the fee shall be determined by the applicable fee schedule in effect on the date ~~such~~when fees are due. Fees shall be due and payable prior to the issuance of any building ~~permits~~permit, subject to certain delay or deferral as may be expressly permitted by City Ordinances.

## CREDIT OR REIMBURSEMENT

### Definitions

All capitalized terms used in ~~this~~the Policy shall have the meaning as defined in Title 21 of the Santa Rosa City Code, as amended from time to time, unless otherwise ~~defined~~provided herein.

### Eligibility Requirements

Only ~~basie~~public infrastructure projects, ~~as set forth that have been identified in the Technical Reports for the City's five-year~~ Capital Facilities Fee, Southwest Area Development Impact Fee and Southeast Area Development Impact Fee, respectively, ~~shall~~ Improvement Project (CIP) program ~~may~~ be eligible for ~~award of a Credit~~CFF credit or ~~Reimbursement~~. ~~Developers who construct public facilities without City pre-approval may not be~~ reimbursement. ~~The Director of Transportation and Public Works (Director) will further determine whether a proposed public infrastructure project is eligible for a Credit~~CFF credit or ~~Reimbursement~~. reimbursement based on whether the proposed project will provide community benefit, meet a current need within the surrounding community and whether there are, or will be, the necessary funds within the CFF accounts to support the proposed credit or reimbursement, while still allowing appropriate funding of the five-year CIP program.

### Process

Developer shall identify the desire to obtain a CFF credit or reimbursement from the City at the time Developer is seeking entitlements for the proposed development project, if any, or if there are no required entitlements for the development project, then at the time Developer is submitting the

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proposed development project for review and approval of public infrastructure improvements. It is the intent of this policy that the Developer shall identify this request as early in the development process as possible. A Developer seeking a CFF credit or reimbursement shall submit its written request along with Developer's application for entitlements or review/approval of public improvement plans.

The request for CFF credit or reimbursement shall be routed to the Director for eligibility determination. The Director shall make his/her determination of award, partial award, or denial prior to final review of the entitlement application or final approval of the public improvement plans. The Director is authorized to prepare and negotiate a CCF credit and/or reimbursement agreement with Developer, which shall be completed prior to issuance of any building permit for the proposed development project. Developers who construct public infrastructure improvements without City pre-approval in the form of a written agreement will not be eligible for a credit or reimbursement.

A Developer may appeal the Director's denial, or partial award, of its request for CFF credit or reimbursement to the City Council pursuant to Chapter 1-20 of the Santa Rosa City Code.

#### Limitations

1. No ~~Credit~~credit award amount shall exceed the amount of the fee obligation pursuant ~~to the applicable chapter of Title~~Chapter 21--04.
2. The sole source of payment for any award of ~~Reimbursement~~reimbursement shall be the revenue collected from the ~~fees pursuant to applicable chapter of Title 21~~Capital Facilities Fees.
3. ~~3.~~—Under no circumstances will be there be any interest ~~be~~ paid on any ~~Reimbursement~~reimbursement or outstanding ~~Reimbursement~~reimbursement balance.