

County of Sonoma
DEFERRAL OF FEE PAYMENT ON AFFORDABLE HOUSING

PURPOSE

The purpose of the changes to this section is to allow the payment of development fees to be deferred until the permanent financing for an affordable or special needs housing project is obtained. Development fees are normally charged at the time of building permit issuance, and are used to pay for public improvements such as traffic signals or new parks that are associated with new development. The zoning code currently requires that an affordable housing developer obtain a loan for the deferral of fee payments. The changes allow a deferral agreement instead of the loan, which would be recorded against the property. Deferring the payment of development fees for affordable or special needs housing reduces the cost of those projects, while still providing funds for future public improvements.

APPLICABILITY

Fee deferrals are available only on projects that provide:

- Affordable housing for rent or sale to low or very low income households; or,
- Housing for persons with special needs such as the elderly or disabled, where at least 20% of the units are offered to low-income households.

PERMIT REQUIREMENTS

- A written letter requesting the fee deferral is required at the time an application for the affordable or special needs housing project is submitted for approval by the County. The request will be considered as part of the project approval process to evaluate the timing of needed public improvements.
- If a fee deferral is granted, a fee deferral agreement must be signed by the applicant and the Director of the Permit and Resource Management Department, prior to issuing a building or grading permit for the project.

OTHER PROVISIONS

- Fee deferrals may only be approved if the Director determines that the funding is not needed to complete programmed public improvements in the near-term.
- Development fees include traffic impact fees and parkland dedication fees that are charged by the County on new development.
- Fee deferrals do not apply to fees charged by other non-county public agencies such as the school districts, Water Agency, sanitation districts or other special districts.