



Administrative Policy
RESIDENTIAL IMPACT FEE DEFERRAL
Community Development –A415

Effective Date:

March, 2011

Revised Date:

Residential Impact Fee Deferral

Summary

This policy has been created as a result of Town Council direction to staff to develop a formal process for the short term deferral of impact fees for residential development.

A short deferral may be allowed if:

- (a) there is a Council approved development agreement between the Town and the developer approving deferral of the development fees;
- (b) such development fees are deferred no later than the issuance of a certificate of occupancy (C of O);
- (c) the deferred development fees are secured by appropriate security;
- (d) the deferral otherwise conforms with state law.

Process

A residential development impact fee deferral written request from the property owner shall be submitted to Community Development requesting inclusion in the program.

A development agreement between the Town and the developer shall be presented to the Town Council for consideration. Attached is a draft agreement approved as to form on January 20, 2011.

If the development agreement is approved by Council:

- 1. It becomes effective 30 days after Council approval.
- 2. The development agreement shall be recorded in the Office of the County Recorder of Gila County, pursuant to ARS 9-500.05(D).
- 3. Owner shall reimburse the Town for any costs associated with recording the development agreement.

Implementation

Community Development staff will attach the Council-approved development agreement (including the impact fee schedule showing any deferred fees) to each building permit subject to the development agreement.

Community Development staff will verify development impact fee payment prior to issuance of certificate of occupancy (C of O).

References

Council Decision Request approved January 20, 2011
Ordinance 798 approved February 17, 2011