



## COMMERCIAL AND RESIDENTIAL DEVELOPMENT FEE DEFERRAL PROGRAM

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### ***Program and Purpose***

The City relies on development to implement many of its key plans, including the conversion of older, outdated industrial sites downtown to new neighborhoods and the redevelopment of the Platinum Triangle. Because In an effort to make Anaheim an even more desirable location for development, the City Council has adopted a Fee Deferral Program to promote development in Anaheim. When building permits are issued for new development, the developer must pay a variety of fees. Inspection fees cover the costs to ensure safety and compliance with codes related to the developer's construction. Impact fees are paid to mitigate the impacts of new development on the City's infrastructure, such as parks, roadways, sewers, electrical and water systems, highway beautification, and public safety. This program allows the payment of the impact fees to be deferred until the development is ready for final inspection or a temporary or final certificate of occupancy. The purpose of this program is to reduce the up-front cost of development within the City of Anaheim.

### ***Which Projects Are Eligible?***

Any new development subject to the impact fees specified below.

### ***How To Apply***

1. Submit a letter of request on company letterhead to the Planning & Zoning Public Counter either in person or via US Mail. (See the attached sample letter.) Include the address (es) of the project and the associated building permit numbers.

### ***The Following Fees Will Be Deferred***

- Electrical Service Connection Fees
- Library Fees
- Park Fees
- Platinum Triangle Supplemental Traffic Impact Fees
- Platinum Triangle Supplemental Storm Drain Impact Fees
- Platinum Triangle Supplemental Sewer Impact Fees
- Platinum Triangle Supplemental Arterial Highway Beautification Fees
- Platinum Triangle General Plan and Environmental Processing Fee
- Sewer Connection Fees
- Sewer Impact Fees
- Storm Drain Impact Fees
- Sewer Assessment Area Fees
- Storm Drain Assessment Area Fees
- Traffic Impact and Improvement Fees
- Water Service Connection Fees
- Water System Upgrade Fees

- *The one exception is the East Santa Ana Canyon Area fee. The Utility is obligated to pay back previous developers through reimbursement agreements.*

**Electrical System Upgrade Fees:** System Upgrade Fees are required when new or relocated electric circuits or equipment are necessary to serve a development. Standard practice is to have developers pay in-line with their schedule, and the Utility then constructs these improvements within public streets. In other words, the utility collects System Upgrade Fees when the developer needs to have the upgrades constructed, not in accordance with any predefined timetable. Therefore, upgrade fees can, on occasion, be required prior to final inspection, but only in order to have enough time to perform the construction to meet the developer's timetable.

**Collection of Fees for Other Agencies:** The City has no authority to defer collection of fees imposed by agencies, such as school districts and the Transportation Corridor Agencies.

**Note:** Project processing, permit and inspection fees and other agency fees that are collected by the City (such as school and sanitation district fees) are not eligible for deferral.

Final project fees are those fees in effect at the time of permit issuance; if fees should increase or decrease during the deferral period, no adjustment will be made.

### ***Processing and Fees***

When a request for a fee deferral is received, the applicant will be advised within five (5) working days which fees are eligible for deferral and what each fee amount is. As a condition of the request for deferment of fees, the property owner will need to execute an Agreement to pay the Development Fees and provide at least one form of security for the payment (such as a letter of credit) for the entire amount of fees deferred.

This Agreement needs to be recorded by the property owner in the office of the county recorder of Orange County and, from the date of recordation, shall constitute a lien for the payment of the Development Fees which shall be enforceable against successors in interest to Owner. Interest will be charged on all amounts deferred in an amount equal to the average annual rate of interest earned by the City Treasurer on the investment of pooled funds for the prior fiscal year. An initial non-refundable deferral application processing fee of \$1,000 will be collected. For projects with multiple phases, each subsequent deferral request will be subject to a \$250 processing fee.

### ***For further information, Contact***

**John P. Ramirez**

Development Project Manager  
Anaheim Planning Department  
200 South Anaheim Boulevard | Suite 162  
Anaheim, CA 92805

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[SAMPLE REQUEST LETTER]

DATE

John P. Ramirez  
Development Project Manager  
City of Anaheim  
200 South Anaheim Boulevard, Suite 162  
Anaheim CA 92805

Re: Impact Fee Deferral Request for [PROPERTY ADDRESS (ES)]

Dear Mr. Ramirez:

As the owner of [PROPERTY ADDRESS], I would like to formally request the deferral of impact fees for the property (ies) referenced above. The building permit(s) associated with this project include [INSERT ALL APPLICABLE PERMIT NUMBERS].

I understand that the processing of my request will require a covenant to be recorded against the property (ies) acknowledging that all deferred fees will be paid prior to final building inspection or temporary or final certificate of occupancy, whichever occurs first.

I also agree to disclose this request to any and all potential subsequent owners in the event the property is transferred prior to final building inspection or temporary or final certificate of occupancy.

Sincerely,

[PROPERTY OWNER]

