

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

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Policy:

Development agreement fees and development mitigation fees were implemented by the Board to provide funding for projects that will mitigate impacts resulting from the rapid rate of new development projected for the county. It is the Board's policy to restrict the use of these funds for projects in or directly benefiting the area in which the fees were collected. Use of these funds for projects outside the local area in which the fees were collected will require the approval of the Board.

Development agreement and countywide development mitigation fees are established for capital facilities, parkland acquisition, recreational trails, habitat conservation, open space land bank provisions, and public service needs to meet the demand caused by new growth and development.

The countywide development mitigation fees were superseded with the passage of County Ordinance 659.6, development impact fees.

The acquisition and conservation of the habitat component of the development mitigation fee is established through the Interim Open space Mitigation Fee, County Ordinance 810.

Each year the County Executive Officer will consult with the Board to discuss capital facilities needs including parks, trails and habitat lands within each supervisorial district. Based on the needs identified by Board members, the Executive Officer will develop proposed allocations of public facilities funds for Board approval. The needs identified by Board members and the Board approved allocations of public facilities funds will be included in the county's capital improvement program (CIP).

The Executive Officer will update the CIP needs annually. The Executive Officer, after consultation with the Board and affected departments, will update the CIP and recommend to the Board a funding plan to include Board approved allocations of public facilities funds.

Allocations of funds will require approval of the Board separate from the approval of the capital budget plan or the county's annual budget.

Allocations from the public services offset will be made through the annual budget process. The Executive Officer will recommend appropriate allocations of these funds to offset the increased funding required to maintain service levels impacted by new residential development.

In determining the allocation of development mitigation funds, balanced geographical distribution and projected needs based on present and future development shall be considered. Development mitigation funds can be allocated to projects with regional or countywide benefit such as regional jails or sheriff's stations. To the extent practical,

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development funds will be allocated to projects based on a determination of the benefit received by the local area in which the fees were collected.

In considering development agreements, a credit may be allowed against public facilities, regional park land, recreational trails, habitat conservation fees where a development agreement provides for the dedication of land or construction of improvements in excess of that required for the project subject to the development agreement. Standards and exemptions for qualified dedication are subject to the provisions of Resolution No. 87-525 as amended by Resolution No. 88-39. A credit will be issued against the habitat conservation fee for the amount paid under the Coachella Valley Fringe-Toed Lizard Habitat Conservation Plan as specified in Section 202 of Resolution No. 87-525, as amended by Resolution No. 88-39.

Reference:

- Minute Order 3.20 of 07/05/88 (Ordinance 659)
- Minute Order 9.4 of 07/05/88
- Minute Order 3.41 of 11/22/88
- Minute Order 3.16 of 06/06/89
- Minute Order 3.5 of 07/18/89
- Minute Order 3.24 of 11/28/89
- Minute Order 3.2 of 11/24/92
- Minute Order 3.1b of 08/06/96
- Minute Order 13.1 of 03/13/01
- Minute Order 3.4 of 09/11/01
- Minute Order 9.11 of 11/26/02
- Minute Order 15.1 of 07/22/03
- Minute Order 3.5 of 09/12/06
- Minute Order 3.3 of 04/10/07

(Attachment “A” to follow)

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ATTACHMENT "A"

DEVELOPMENT AGREEMENT FEES	DEVELOPMENT MITIGATION FEES
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Public Facilities Component

- 1 Public Facilities - DA-PF-SD-1
- 2 Public Facilities - DA-PF-SD-2
- 3 Public Facilities - DA-PF-SD-3
- 4 Public Facilities - DA-PF-SD-4
- 5 Public Facilities - DA-PF-SD-5

26 Public Facilities - CDM-PF-SD-4

Public Services Component

- 6 Public Services - DA-PS-COW

Regional Parkland Component

- 7 Regional Parkland - DA-RP-SD-1
- 8 Regional Parkland - DA-RP-SD-2
- 9 Regional Parkland - DA-RP-SD-3

Regional Trails Component

- 12 Recreational Trails - DA-RT-SD-1
- 13 Recreational Trails - DA-RT-SD-2
- 14 Recreational Trails - DA-RT-SD-3

Habitat Conservation Component

- 17 Habitat Conservation - DA-HC-SD-1
- 18 Habitat Conservation - DA-HC-SD-2
- 19 Habitat Conservation - DA-HC-SD-3

DA - Development Agreement
CDM - Countywide Development Mitigation
RP - Regional Parklands
COW – Countywide
RT - Regional Trails
HC - Habitat Conservation
SD - Supervisorial District
PS – Public Services