

RESOLUTION NO. 2021-007

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY
ADOPTING AN RCA LEGACY HOME REBATE PILOT PROGRAM**

WHEREAS, the Western Riverside County Regional Conservation Authority (“RCA”) is a public agency of the State of California formed by a Joint Exercise of Powers Agreement (“JPA”); and

WHEREAS, pursuant to Section 17 of the JPA, the RCA has the power to adopt such rules and regulations as the Board may deem necessary for the conduct of the RCA and its members; and

WHEREAS, the Board adopted a Nexus Fee Study Update (2020 Nexus Study) on December 7, 2020 which increased the Local Development Mitigation Fee (LDMF) required by the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP); and

WHEREAS, the MSHCP acknowledges certain development projects and circumstances that predate the implementation of the MSHCP out of a principle of fairness; and

WHEREAS, some western Riverside County landowners have owned parcels since before the implementation of the MSHCP and have intended to eventually build their primary residence on such property; and

WHEREAS, the Board desires to mitigate fee increases upon landowners who have held a property for their future primary residence since prior to the implementation of the MSHCP; and

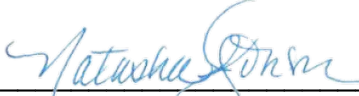
WHEREAS, a rebate pilot program provides an opportunity to provide such a targeted benefit with limited administrative burden and financial risk to the RCA and implementation of the MSHCP; and

WHEREAS, the Board intends for this pilot program to expire after June 30, 2025; and

WHEREAS, the RCA Legacy Home Rebate Pilot Program policy document attached to this Resolution in Exhibit “A” outlines the parameters of the pilot program.

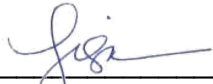
NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Western Riverside County Regional Conservation Authority Board of Directors to adopt the RCA Legacy Home Rebate Pilot Program as described in Exhibit “A” to this Resolution.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Western Riverside County Regional Conservation Authority this 1st day of March 2021.

By: 

Natasha Johnson, Chair
Western Riverside County
Regional Conservation Authority

ATTEST:

By: 

Lisa Mobley, Clerk
Western Riverside County
Regional Conservation Authority

EXHIBIT “A” TO RESOLUTION 2021-007

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

RCA LEGACY HOME REBATE PILOT PROGRAM

1. Purpose. The purpose of this Policy is to establish a partial fee rebate pilot program for specified landowners in western Riverside County who owned land prior to the implementation of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and who build their primary residence upon such land after the increased Local Development Mitigation Fee (LDMF) goes into effect on July 1, 2021 pursuant to the 2020 Nexus Study.

2. Responsibilities.
 - 2.1. The Western Riverside County Regional Conservation Authority (RCA) is responsible for administration of the LDMF, specifically for receiving LDMF revenues from the cities and the County of Riverside (RCA Member Agencies) to invest, account for, and expend the LDMF in accordance with the MSHCP Implementing Agreement.
 - 2.2. RCA Member Agencies are land use authorities that are signatories to the MSHCP and are responsible for collecting the LDMF and remitting LDMF revenues to RCA.

3. Rebate. The rebate shall be the difference between the amount of the LDMF previously paid by the applicant to an RCA Member Agency (a city or the County of Riverside) and the applicable LDMF amount in effect as of June 30, 2021, adjusted for the percentage change in the Consumer Price Index for the Riverside-San Bernardino-Ontario metropolitan area. The RCA has sole discretion to determine the rebate amount.

4. Eligibility. Applicants eligible to receive a rebate shall demonstrate to the satisfaction of the RCA that they meet the following requirements:
 - 4.1. Ownership of land
 - 4.1.1. The residence is on a parcel of land within the boundaries of the MSHCP.

- 4.1.2. The applicant has continuously owned the parcel starting prior to June 30, 2004.
 - 4.1.2.1. If the parcel is owned by a Trust, the applicant must be an original Trustee.
 - 4.1.3. The parcel was legally created and recorded prior to June 30, 2004.
 - 4.2. Construction of primary residence
 - 4.2.1. Received a building permit from an RCA Member Agency after June 30, 2021 for construction of a single family dwelling unit that is the applicant's primary residence.
 - 4.2.2. The residence may be a mobile home or any dwelling eligible for the expedited review process established within the MSHCP.
 - 4.3. Fee payment in full
 - 4.3.1. The applicant paid the full LDMF in full to the RCA Member Agency.
 - 4.4. Occupancy
 - 4.4.1. The applicant has occupied the dwelling as its primary residence for no less than one year following the issuance of the certificate of occupancy.
 - 4.5. One rebate
 - 4.5.1. The applicant has not previously received a rebate through this program.
5. Application. The RCA staff shall create a rebate application and post it to the RCA website. The application shall reference this Policy, establish the information and documents necessary for the RCA to determine eligibility, and describe the method by which an application may be submitted. The RCA may amend the application from time to time, as appropriate. A complete application is required for the RCA to begin review and issue a rebate. The RCA shall inform applicants of deficiencies in an application.
 - 5.1. Timeline
 - 5.1.1. The RCA shall issue a determination of eligibility within 30 days of receipt of a complete application.
 - 5.2. Public record

5.2.1. Applications and related documents are considered public records and will be disclosed upon request pursuant to the California Public Records Act.

6. Limited Funding. Issuance of a rebate is contingent upon available funding. The RCA intends to budget sufficient funding for 50 rebates in FY 2023 to begin the pilot program. All budgeting decisions are the sole discretion of the RCA Board of Directors.

6.1. Queue.

6.1.1. In the event of insufficient funding for eligible applicants, a queue shall be established for when additional funding is available. As funding becomes available, applicants in the queue shall receive rebates in order based on the date on which their application was deemed eligible by the RCA. Placement in the queue is not a future guarantee of a rebate.

7. Sunset. This program shall expire after June 30, 2025.

8. Authority of the RCA Board. The RCA Board has the authority in its sole discretion to modify, extend, or terminate this program at any time for any reason.