

Development Services Group

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SB-937 Verification & Acknowledgement Form

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SB-937 is a California law designed to ease the financial burden on developers by postponing the payment of certain fees related to public improvements and facilities in residential developments. Under this law, local agencies are restricted from requiring the payment of these fees until the request for Temporary Certificate Occupancy or Certificate of Occupancy, whichever occurs first.

If you choose to defer the applicable impact fees to occupancy, the applicable fee rates at time of payment will depend on whether the project meets the definition of “designated residential development project” as defined in Government Code section 66007(c)(4). Please review the [City's Guiding Principles for Implementation of SB-937](#) to understand how these distinctions may apply to your project. The city also requires fee deferral agreements on projects that meet specific criteria. See the section below titled “Projects Requiring Fee Deferral Agreements.”

Project Information:

Project Name: _____ Application #: _____

Application Site Address: _____

Please check the appropriate selection to indicate the eligibility category for your project:

Designated Residential Project Eligibility

**Development Impact rates to be paid at occupancy are the rates in effect at permit issuance.*

- The project dedicates 100 percent of units to lower income households as defined by [California Health and Safety Code Section 50079.5](#), exclusive of a manager’s unit or units.
- The project qualifies under [California Government Code Section 65662](#) as a low barrier navigation center.
- The project is approved by a local government pursuant to [Article 2 \(commencing with Section 65912.110\)](#) or [Article 3 \(commencing with Section 65912.120\)](#) of California Government Code Chapter 4.1.
- The project meets the requirements described in [California Government Code Section 65913.4\(a\)](#).
- The project meets the criteria described in [California Government Code Section 65913.16\(c\)](#).
- The project is entitled to a density bonus pursuant to [California Government Code Section 65915\(b\)](#).
- The project contains 10 or fewer dwelling units. *To be eligible, the entire development project must be 10 or fewer dwelling units, not per single building nor per group of permit applications submitted at a time.*

Projects Not Meeting the Definition of Designated Residential

*Development Impact rates to be paid at occupancy are the rates in effect at time of payment.

- Check this box if your project does not meet any of the above listed criteria under Designated Residential Project Eligibility and you wish to defer the Development Impact fees to occupancy.

Process for Deferring Development Impact Fees under SB-937:

1. Complete the Building Permit Application
2. Include the SB-937 Verification & Acknowledgement Form
3. Division review and approval of project criteria.
 - o Certain projects will require a fee deferral agreement

Projects Requiring Fee Deferral Agreements

The City of Elk Grove will require Fee Deferral Agreements for:

- Residential permits in a project of 10 or fewer single-family homes
- Mixed-Use development as described in Section 9 of the [City’s Guiding Principles for Implementation of SB-937 \(Resolution No. 2024-227\)](#)

Fee Deferral Templates

- [Market Rate Single Residential Unit Fee Deferral Agreement Template](#)
- [Mixed-Use Project Fee Deferral Template](#)

***A fee deferral agreement must be executed and recorded prior to permit issuance should the permit applicant wish to defer payment of impact fees. Please allow 30-45 days for the processing of any required fee deferral agreements.**

4. Prior to obtaining a Certificate of Occupancy
 - o Applicant to request the final fee invoice for any unpaid Development Impact Fees. Please allow a minimum of (5) business days to process a final fee invoice.
 - o Once payment has been made and confirmed, a Temporary Certificate of Occupancy or a final Certificate of Occupancy will be issued.

I agree to pay in full all final fees, including but not limited to any outstanding Development Impact fees, prior to Temporary Certificate of Occupancy or Certificate of Occupancy, whichever occurs first. Furthermore, I understand and agree that a fee deferral agreement must be executed and recorded prior to permit issuance for residential permits in projects of 10 or fewer units, or for mixed-use projects as described above. I also understand that if I choose to defer impact fees, the invoicing of these fees may take up to one week to process, and I will plan my project timeline accordingly.

Property Owner Signature _____ Date _____

Housing Division Signature _____ Date _____
*Signature Upon Approval

Building Division Signature _____ Date _____