

## Chapter 9-84

### DEVELOPMENT AGREEMENTS

#### Sections:

- 9-84.010 Authority and scope.
- 9-84.020 Application.
- 9-84.030 Hearing required.
- 9-84.040 Findings.
- 9-84.050 Agreement recordation and disposition.
- 9-84.060 Periodic review.

#### 9-84.010 Authority and scope.

This chapter establishes city requirements for the consideration of development agreements. As provided for by the state Planning and Zoning Law contained in Government Code Section 6584 et seq., all development agreements or amendments thereto entered into after the effective date of this chapter shall conform to the provisions of this chapter and applicable law. (Ord. 98-8 § 2 (part): prior code § 9-31.010)

#### 9-84.020 Application.

Any owner of real property, or other person having equitable interest in the affected property, or designated as an agent for said persons, may apply to the Planning Department to enter into a development agreement. Amendments to development agreements may only be initiated by the City Council or the property owner.

Application will be made on the forms and in the format provided by the Planning Department. Applications shall bear the information contained herein as well as those materials outlined in the application package provided by the city. (Ord. 98-8 § 2 (part): prior code § 9-31.020)

#### 9-84.030 Hearing required.

All development agreements or amendments shall be considered by the City Council at a noticed public hearing. Whenever the City Council shall determine that termination of a development agreement is warranted, it shall do so only after conduct of a public hearing for that purpose. Development agreements and subsequent amendments shall be adopted by ordinance. (Ord. 98-8 § 2 (part): prior code § 9-31.030)

#### 9-84.040 Findings.

Each development agreement approved by the city shall be based upon a statement of findings prepared by the city and incorporated within the ordinance of adoption. (Ord. 98-8 § 2 (part): prior code § 9-31.040)

#### 9-84.050 Agreement recordation and disposition.

A. Each development agreement or amendment approved and adopted by the city shall be recorded within the office of the County Recorder not later than ten days following council action. One copy of the recorded agreement or amendment shall be contained within the project files within the Planning Department and one original or certified true copy of the recorded agreement or amendment shall be on file in the office of the City Clerk.

B. If the parties to the agreement or their successors in interest cancel the agreement, or if the city terminates or modifies the agreement for failure of the applicant to comply in good faith with the terms or conditions of the agreement, the City Clerk shall cause notice of such action to be recorded with the County Recorder. (Ord. 98-8 § 2 (part): prior code § 9-31.050)

#### 9-84.060 Periodic review.

Each development agreement shall be reviewed annually by the City Council to determine compliance with provisions contained therein. A report of the findings of that review shall be made a part of the project record. Each developer or owner of land subject to a development agreement shall provide written data and report to the Community Development Director demonstrating compliance with the terms and conditions of the agreement. (Ord. 98-8 § 2 (part): prior code § 9-31.060)