

CITY OF SAND CITY

RESOLUTION SC 20-66, 2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAND CITY APPROVING PROCEDURES FOR THE CONSIDERATION OF DEVELOPMENT AGREEMENTS

WHEREAS, In order to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, the Legislature of the State of California adopted Section 65864, *et seq.*, of the Government Code (the "Development Agreement Statute"), authorizing the City, and any person having a legal or equitable interest in the real property, to enter into a Development Agreement and establish certain development rights in the property, which is the subject of the development project application; and

WHEREAS, Cities may establish procedures pursuant to California Government Code section 65865(c) for the consideration of development agreements; and

WHEREAS, DBO Development No. 30, LLC has filed an application requesting approval of a development agreement for the South of Tioga Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sand City that the City Council hereby adopts California Government Code sections 65864, *et seq.* as its procedures for considering development agreements. In considering development agreements, the City Council shall serve as the City's planning agency for purposes of development agreement review and also as the City Council. The City shall prepare, notice, consider, adopt, and periodically review development agreements as provided in California Government Code sections 65864, *et seq.*

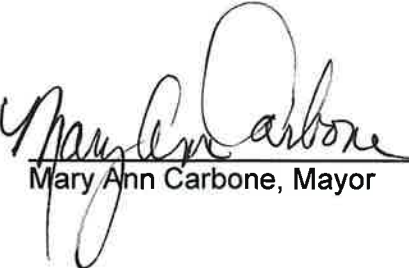
PASSED AND ADOPTED by the City Council of Sand City on the 13th day of October, 2020 by the following vote:

AYES: Council Members Blackwelder, Carbone, Cruz, Hawthorne, Sofer

NOES: None

ABSENT: None

ABSTAIN: None



Mary Ann Carbone, Mayor

ATTEST:



Connie Horca, Acting City Clerk

West's Annotated California Codes

Government Code (Refs & Annos)

Title 7. Planning and Land Use (Refs & Annos)

Division 1. Planning and Zoning (Refs & Annos)

Chapter 4. Zoning Regulations (Refs & Annos)

Article 2.5. Development Agreements (Refs & Annos)

West's Ann.Cal.Gov.Code § 65865

§ 65865. Authorization, procedures and requirements; recovery of costs; compliance with §
66006

Effective: January 1, 2004

Currentness

(a) Any city, county, or city and county, may enter into a development agreement with any person having a legal or equitable interest in real property for the development of the property as provided in this article.

(b) Any city may enter into a development agreement with any person having a legal or equitable interest in real property in unincorporated territory within that city's sphere of influence for the development of the property as provided in this article. However, the agreement shall not become operative unless annexation proceedings annexing the property to the city are completed within the period of time specified by the agreement. If the annexation is not completed within the time specified in the agreement or any extension of the agreement, the agreement is null and void.

(c) Every city, county, or city and county, shall, upon request of an applicant, by resolution or ordinance, establish procedures and requirements for the consideration of development agreements upon application by, or on behalf of, the property owner or other person having a legal or equitable interest in the property.

(d) A city, county, or city and county may recover from applicants the direct costs associated with adopting a resolution or ordinance to establish procedures and requirements for the consideration of development agreements.

e) For any development agreement entered into on or after January 1, 2004, a city, county, or city and county shall comply with Section 66006 with respect to any fee it receives or cost it recovers pursuant to this article.

Credits

(Added by Stats.1979, c. 934, p. 3231, § 1. Amended by Stats.1984, c. 751, § 1; Stats.1986, c. 857, § 1; Stats.2003, c. 288 (A.B.1347), § 1.)

Notes of Decisions (16)

West's Ann. Cal. Gov. Code § 65865, CA GOVT § 65865

Current with urgency legislation through Ch. 372 of 2020 Reg.Sess. Some statute sections may be more current, see credits for details.