Supplemental Application for a

Development Agreement (DA), DA Amendment & DA Cancellation

Project Address_____ DA # _____

A Development Agreement is an agreement between the City and a developer in compliance with Government Code Section 65864 and Chapter 17.66 (Development Agreements) of the Zoning Code.

A development agreement shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The development agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement. The agreement may provide that construction shall be commenced within a specified time and that the project or any phase thereof be completed within a specified time.

Consideration of a development agreement may be initiated by property owner(s) or other persons having a legal or equitable interest in the property proposed to be subject to the agreement or an authorized agent of the owner(s); or a resolution of intention by the Council. Either party may propose an amendment to, or cancellation in whole or in part of, any development agreement. A development agreement may only be amended or canceled, in whole or in part, by mutual agreement of all parties to the agreement, or their successor(s)-in-interest.

This checklist should be reviewed with a Planner at the Permit Center and must be submitted with the application. Incomplete applications cannot be processed and will be returned to the applicant together with a checklist specifying the items that are incomplete.

MINIMUM SUBMITTAL REQUIREMENTS:

Listed below are the minimum submittal requirements for a Development Agreement (DA), DA Amendment or DA Cancellation. If there are multiple entitlements, they may be combined under one submittal.

☐ **DIGITAL COPIES (PDF)** of all application material
a) Submit via USB Flash Drive.

☐ **MASTER APPLICATION** (three copies)
a) Cover Sheet with Applicant Signature.
b) Environmental Assessment.
c) Tree Inventory.
d) Taxpayer Protection Act Disclosure Form.

☐ **DRAFT FORM OF DEVELOPMENT AGREEMENT** (one copy)
a) Mandatory Provisions
- Duration of the agreement
- Permitted uses of the property
- Density or intensity of use

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- Maximum height and size of proposed buildings
- Provisions for reservation or dedication of land for public purposes.

b) Permissive Provisions
- May include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement.
- May provide that construction shall be commenced within a specified time and that the project or any phase thereof be completed within a specified time.

☐ **CONSENT TO AMENDMENTS OR CANCELLATIONS** (one copy if applicable)
a) Written consent from all parties to the agreement consenting to the amendment or cancellation of the agreement (excluding City).

☐ **OWNERSHIP VERIFICATION** (one copy)
a) Copy of Grant Deed identifying legal or equitable interest in the real property which is the subject of the development agreement.
b) Written Consent from property owner to authorize representative (if applicable).

☐ **PRELIMINARY TITLE REPORT** (one copy; not more than six months old)

☐ **NOTIFICATION PACKET** (two sets)
a) Radius Map and Ownership List.
b) Affidavit.
c) Mail Merge (Excel Spreadsheet).

☐ **APPLICATION FEES**

☐ **ADDITIONAL ITEMS:**
In addition, the following items may be required by the Planner for submittal:

☐ **DEVELOPMENT PLANS** (three full size copies and two 11”x17” reductions)

☐ **DEVELOPMENT SCHEDULE**

☐ **OTHER ITEMS**_____

Please respond thoroughly to the directives below. Use additional sheets if necessary.

1) Describe how the development agreement would be in the best interests of the City.

2) Describe how the development agreement is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan, and this Zoning Code.

3) Describe how the development agreement would not be detrimental to the health, safety, and general welfare of persons residing in the immediate area, nor be detrimental or injurious to property or persons in the general neighborhood or to the general welfare of the residents of the City.

4) Describe how the development agreement is consistent with the provisions of State law (Government Code Sections 65864 through 65869.5.)