



Development Agreement

APPLICATION + SUBMITTAL REQUIREMENTS

THE CITY MAY AT ITS SOLE DISCRETION & WHEN SIGNIFICANT BENEFIT WILL INURE TO THE CITY OF CALISTOGA, ENTER INTO A DEVELOPMENT AGREEMENT WITH ANY PERSON HAVING A LEGAL OR EQUITABLE INTEREST IN REAL PROPERTY FOR THE DEVELOPMENT OF SUCH PROPERTY AS PROVIDED IN THIS CHAPTER, SO LONG AS SUCH PERSON'S INTEREST ENTITLES HIM TO ENGAGE IN SUCH DEVELOPMENT. A DEVELOPMENT AGREEMENT SHALL NOT BE APPROVED UNLESS THE CITY COUNCIL FINDS THAT THE PROVISIONS OF THE AGREEMENT ARE CONSISTENT WITH THE GENERAL PLAN & ANY APPLICABLE SPECIFIC PLAN. THE PROVISIONS OF THE GOVERNMENT CODE, AS MAY BE AMENDED, INCLUDING, BUT NOT LIMITED TO: ENFORCEABILITY OF THE DEVELOPMENT AGREEMENT, FINDINGS OF CONSISTENCY NECESSARY FOR THE APPROVAL OF A DEVELOPMENT AGREEMENT, & MODIFICATION/SUSPENSION OF A DEVELOPMENT AGREEMENT, SHALL BE FOLLOWED IN THE APPROVAL OF A DEVELOPMENT AGREEMENT. NOTWITHSTANDING THE ABOVE, ALL APPLICATIONS REQUESTING APPROVAL OF AN AMENDMENT TO THE GENERAL PLAN OR OF A REZONING SHALL BE BROUGHT TO THE CITY COUNCIL FOR CONSIDERATION OF WHETHER A DEVELOPMENT AGREEMENT WOULD BE APPROPRIATE FOR THE PARTICULAR DEVELOPMENT.



APPLICATION SUBMITTAL & REVIEW

CHAPTER 17.39 OF THE ZONING ORDINANCE STATES THAT ALL APPLICATIONS REQUESTING APPROVAL OF A GENERAL PLAN AMENDMENT BE BROUGHT TO THE CITY COUNCIL FOR CONSIDERATION OF WHETHER A DEVELOPMENT AGREEMENT WOULD BE APPROPRIATE FOR THE PARTICULAR DEVELOPMENT. IF A DEVELOPMENT AGREEMENT IS DESIRED, PLEASE IDENTIFY AS PART OF THE APPLICATION, A SUBSTANTIVE SUMMARY OF THE POINTS PROPOSED, INCLUDING JUSTIFICATION FOR THESE TERMS, FOR INCLUSION IN A DEVELOPMENT AGREEMENT.

- APPLICATIONS FOR A DEVELOPMENT AGREEMENT SHALL BE FILED WITH THE PLANNING & BUILDING DEPARTMENT ON THE FORMS PROVIDED BY SAID DEPARTMENT & SHALL BE ACCOMPANIED BY FILING FEES AND/OR DEPOSITS AS SPECIFIED BY THE DEPARTMENT TO COVER THE COSTS ASSOCIATED WITH PROCESSING APPLICATIONS FOR DEVELOPMENT AGREEMENTS.
- DRAFTING THE DEVELOPMENT AGREEMENT. AS A PART OF THE APPLICATION, THE APPLICANT SHALL SUBMIT A SUBSTANTIVE SUMMARY OF THE POINTS PROPOSED FOR INCLUSION IN THE DEVELOPMENT AGREEMENT. THE CITY ATTORNEY SHALL DRAFT THE DEVELOPMENT AGREEMENT. THE DEVELOPMENT AGREEMENT SHALL CONTAIN THE INFORMATION & PROVISIONS REQUIRED BY GOVERNMENT CODE SECTION 65865.2 AS MAY BE AMENDED.
- HEARINGS REQUIRED. THE PLANNING COMMISSION & THE CITY COUNCIL SHALL HOLD A PUBLIC HEARING ON THE PROPOSED DEVELOPMENT AGREEMENT. NOTICE OF INTENT TO CONSIDER THE ADOPTION OF A DEVELOPMENT AGREEMENT SHALL BE GIVEN PURSUANT TO THE REQUIREMENTS OF THE GOVERNMENT CODE SECTION 65867 AS MAY BE AMENDED. NOTICE REQUIREMENTS FOR AMENDMENTS, ENFORCEMENT ACTIONS, & TERMINATION ACTIONS SHALL BE CONSISTENT WITH THE REQUIREMENTS OF ARTICLE 2.5 CHAPTER 4 OF TITLE 7 OF THE GOVERNMENT CODE AS MAY BE AMENDED.



SUBMITTAL CHECKLIST

NOTE: PLEASE CHECK WITH STAFF IF YOU HAVE QUESTIONS ABOUT ITEMS ON THIS LIST

- ☐ COMPLETED & SIGNED GENERAL PLANNING APPLICATION ☐ APPLICATION FEE/INITIAL DEPOSIT ☐ WRITTEN STATEMENT



SUBMITTAL REQUIREMENTS

- ☐ (1) HARDCOPY OF ALL REPORTS, FORMS, LETTERS, ETC. IN 8.5"X11" SIZE ☐ (1) HARDCOPY OF ALL EXHIBITS, MAPS, PHOTOS, ETC. IN 11"X17" SIZE (MAX)
- ☐ PDF OF ALL APPLICATION MATERIALS EMAILED TO PLANNING@CALISTOGACA.GOV OR A THUMB DRIVE WITH PDF VERSIONS OF APPLICATION MATERIALS



FINANCE INFORMATION (STAFF ONLY)

DATE	DESCRIPTION	PAYMENT TYPE	APPLICATION DEPOSIT	APPLICATION FEE	CREDIT CARD FEE