

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Supervisor Marion Ashley and Supervisor Jeff Stone

SUBMITTAL DATE:
July 9, 2008

SUBJECT: Establish County Procedures for Development Agreements

RECOMMENDED MOTION: That the Board of Supervisors:
Directs the Transportation and Land Management Agency Director, working with the Executive Office and County Counsel, to report back to the Board in 90 days with a draft ordinance that establishes procedures for Development Agreements.

BACKGROUND: On September 11, 2001 (M.O. 3.72), the Board of Supervisors rescinded Resolution 87-525, and all amendments thereto, which established County procedures and requirements for Development Agreements. In its decision to rescind the Development Agreement procedures, the Board cited the need to update these procedures to address land use policy in the new Riverside County Integrated Plan (RCIP) and the proposed Development Impact Fee ordinance.

Several developers have recently approached the Transportation and Land Management Agency and asked to enter into a development agreement so that they can secure long-term development rights. Government Section 65865.(c) states:

"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."

As demonstrated in the recent BIA/County Strike Force workshop, the County is committed to developing new approaches to assist the development community and the local economy. Establishing County procedures for development agreements will provide another tool for those members of the development community who are seeking long-term certainty regarding development. At the same time, development agreements can be another method by which important infrastructure, not addressed by the Development Impact or other fee programs, can be developed.

Departmental Concurrence

Marion Ashley

Marion Ashley
5th District Supervisor

Jeff Stone

Jeff Stone
3rd District Supervisor

Dep't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.

District:

Agenda Number:

3.66

The Honorable Board of Supervisors

RE: Establish County Procedures for Development Agreements

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It is therefore recommended that the Transportation and Land Management Agency (TLMA) Director, working with County Counsel and the Executive Office, draft a new ordinance for development agreements for the Board's consideration. As the new ordinance is prepared, the TLMA Director will solicit input from parties interested in entering into a development agreement with the County.

ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



July 10, 2008

VIA FACSIMILE

The Hon. Roy Wilson
County of Riverside
ATTN: Clerk of the Board
4080 Lemon St., 1st Floor
Riverside, CA 92501

**RE: Agenda Item 3.66, July 15, 2008: Establish County Procedures for
Development Agreements – *SUPPORT***

Dear Chairman Wilson and Members of the Board:

The Endangered Habitats League (EHL) *supports* the adoption of this item to direct TLMA to reestablish procedures for development agreements. In our experience, if used properly, development agreements can be an important tool for securing public benefits in exchange for increased certainty in the entitlement process. Its contractual framework also provides more flexibility than a strictly mitigation-based approach.

However, we request ask that, in developing the procedures, TLMA solicit input not only from parties seeking agreements but also from other community stakeholders. Endangered Habitats League specifically requests an opportunity to provide input.

Thank you very much considering our views, and we look forward to working with you.

With best regards,

Dan Silver, MD
Executive Director

cc: Board Members
TLMA
County Counsel