

ORDINANCE NO. 2017-20

(Uncodified)

(Development Agreement for the Saranap Village Development)

The Board of Supervisors of Contra Costa County ordains as follows:

SECTION 1. Summary and Purpose. The purpose of this ordinance is to approve a development agreement for the Saranap Village Development, located in the Saranap area of central Contra Costa County.

SECTION 2. Authority. This ordinance is enacted pursuant to Government Code sections 65864 through 65869.5 and Contra Costa County Board of Supervisors' Resolution No. 85/412, which establishes the County's procedures for the consideration of development agreements.

SECTION 3. Recitals.

- (a) Saranap Village Developers, LLC, ("Applicant") desires to develop the Saranap Village Development ("Project") in the Saranap area of central Contra Costa County. The Project is a mixed-use development consisting of approximately 22,260 square feet of commercial space, and up to 198 multi-family residential units. The Project and the location of the Project are more particularly described in the "Development Agreement by and between Contra Costa County and Saranap Village Developers, LLC, Relating to the Development Commonly Known as Saranap Village," which is attached as Exhibit 1 (the "Development Agreement").
- (b) The following discretionary approvals (collectively, the "Discretionary Approvals") are required for the Project: a General Plan amendment to change the land use designations for the Subject Property to new project-specific Mixed-Use (M-15); a General Plan text amendment to change the classifications of Boulevard Way from "arterial" to "collector," and modify the language of General Plan Implementation Measure 5-w; a rezoning ordinance to rezone the Subject Property to a Planned Unit (P-1) zoning district; a vesting tentative map to subdivide the Subject Property into three parcels; a land use permit, including conditions of approval, to allow construction of the Saranap Village Development; preliminary and final development plans to allow for construction of the Saranap Village Development and associated infrastructure, utility, and roadway improvements; and a variance from the minimum parcel size for mixed-use developments in P-1 zoning districts.
- (c) An environmental impact report and its related CEQA mitigation monitoring and reporting program have been prepared for the Project.
- (d) On June 28, 2017, the Contra Costa County Planning Commission held a public hearing to consider the Applicant's application for the Development Agreement. Notice of the hearing was given in accordance with Government Code sections 65864 through 65869.5 and Board of Supervisors' Resolution No. 85/412. After the hearing, the Planning Commission adopted Planning Commission Resolution No. 12-2017, which recommends that the Board of Supervisors adopt this ordinance to approve the Development Agreement.

- (e) Notice of the public hearing for the Board of Supervisors to consider the Applicant's application for the Development Agreement, and to consider adopting this ordinance approving the Development Agreement, was given in accordance with Government Code sections 65864 through 65869.5, and Board of Supervisors' Resolution No. 85/412.

SECTION 4. Findings. The Board of Supervisors has independently reviewed the Development Agreement and finds as follows:

- (a) The provisions of the Development Agreement are consistent with the Contra Costa County 2005-2020 General Plan.
- (b) The Development Agreement satisfies the requirements of Government Code sections 65864 through 65869.5 and Board of Supervisors' Resolution No. 85/412. Government Code sections 65867.5(b) and 66473.7 do not apply to the Development Agreement because the Project does not include a "subdivision" as that term is defined in Government Code section 66473.7.

SECTION 5. Approval of Development Agreement. The Board of Supervisors hereby approves the Development Agreement in the form attached hereto as Exhibit 1, without modification. The Board of Supervisors authorizes the Director of Conservation and Development to execute the Development Agreement on behalf of the County.

SECTION 6. Recording of Development Agreement. Within 10 days after the Development Agreement is fully executed, the Clerk of the Board of Supervisors shall record the Development Agreement in the Official Records of the Contra Costa County Clerk-Recorder pursuant to Government Code section 65868.5.

SECTION 7. Effective Date. This ordinance shall become effective 30 days after passage. Within 15 days of passage, this ordinance shall be published once, with the names of the Supervisors voting for and against it, in the East Bay Times, a newspaper of general circulation published in this County.

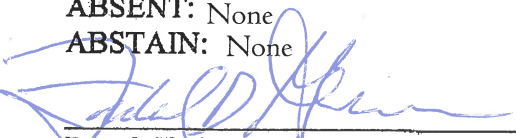
PASSED and ADOPTED on August 15 2017 by the following vote:

AYES: Gioia, Andersen, Burgis, Mitchoff, Glover

NOES: None

ABSENT: None

ABSTAIN: None


Board Chair, Federal Glover

ATTEST:
DAVID J. TWA, Clerk of the Board
of Supervisors and County Administrator

By 
Deputy Clerk, June McHuen

Attachment:
Exhibit 1 – Development Agreement

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