

17.14.040: DEVELOPMENT AGREEMENT:

(For a graphical description of the process outlined here, see appendix A, section [17.14.120](#) of this chapter.)

A. Creation Of Development Agreement: After the applicant has obtained approval of the master plan as described above, the approval shall be put in the form of a development agreement.

1. The development agreement shall be in a form approved by the county attorney.
2. The development agreement shall contain, at a minimum, the following:
 - a. A legal description of the land;
 - b. All relevant zoning parameters including all findings, conclusions and conditions of approval;
 - c. A description of approved density and uses for the project;
 - d. A copy of the approved plans, including master plan, site plans, architectural plans, landscape plans, grading plan, trails and open space plans, and other plans which are a part of the master plan approval by the planning commission;
 - e. A description of all developer exactions or agreed upon public and private dedications and commitments;
 - f. The developer's agreement to pay specified service provider fees;
 - g. The form of ownership anticipated for the project property owners' association and operating description;
 - h. Project phasing plans and schedules;
 - i. Other specific requirements, rights and peculiarities pertinent to the project;
 - j. The development agreement shall contain language, which allows for minor, facility specific modifications to occur to the approval without revision of the development agreement.
3. Review of the master plan application or following approval of such master plan, the applicant will submit a completed development agreement reflecting the results of the master plan approval to the planning commission for review.
4. The planning commission will make a recommendation on the development agreement to the county council.

B. Signing Of Development Agreement: Upon the planning commission's recommendation, the development agreement shall be reviewed by the county council. The county council chairperson and the applicant(s) shall sign the development agreement as presented or as amended by the county council upon the recommendation of the county attorney's office within six (6) months of the date of the master plan recommendation by the planning commission. Failure to act by the county council shall constitute a denial. The development agreement shall be filed for recording with the county recorder's office at the applicant's expense. (Ord. 2004-10, 8-10-2004)