

**Item #4**  
**Amendment No. 3 to the**  
**Burton Ranch Development &**  
**Annexation Agreement**

Planning Commission Meeting  
November 8, 2023

# Background

- The Burton Ranch Development & Annexation Agreement was recorded on April 6, 2006.
- The purpose of a Development Agreement is to reduce uncertainties regarding ultimate construction of the project and provides a vested right to development the property.

# Background -Cont.

- **Amendment #1** was recorded on June 23, 2014
- **Amendment #2** was recorded on September 6, 2019 (expires on May 31, 2024)

# Amendment Request

- The applicant has requested a 3<sup>rd</sup> amendment to the Development & Annexation Agreement.

The 3<sup>rd</sup> amendment addresses:

- a) Extending the agreement to May 31, 2034 (provides an additional 10 years from current agreement expiration date)
- b) Changes in ownership, property legal descriptions, pro-rata share related to bonded lines for sewer/electricity fees, & requires proof of payment by MHCSD pursuant to the Wastewater Services Agreement

# CEQA Exemption

- An Addendum to the 2005 Burton Ranch Specific Plan Final EIR was prepared to document the 3<sup>rd</sup> amendment to Development & Annexation Agreement.
- The Addendum found that none of the conditions described in CEQA Guidelines section 15162 have occurred and therefore no additional environmental review is required.

# **Staff Recommendation**

- Adopt Resolution No. 994 (23) recommending that the City Council approve amendment No. 3 to the Burton Ranch Development & Annexation Agreement and acceptance of an Addendum to the Final EIR (SP 04-01);

OR

- Provide other direction

**End of Presentation**