CITY COUNCIL AGENDA REPORT

CITY HALL

CITY OF SONORA 94 N. WASHINGTON STREET, SONORA, CA 95370 P: (209) 532-4541

SERVICE, INNOVATION, INTEGRITY, COLLABORATION, RESPECT, LEADERSHIP

DATE: March 30, 2026

TO: Honorable Mayor and Members of the City Council

FROM: Tyler Summersett, Community Development Director
Josh Varinsky, City Attorney Office

SUBJECT: Waive the Second Reading by Title Only and Adopt Ordinance No. 915, Approving a Development Agreement Between the City of Sonora and SV110 LLC to Extend the Life of the Cuesta Heights Vesting Tentative Map

RECOMMENDATION:

Waive the Second Reading by Title Only and Adopt Ordinance No. 915, Approving a Development Agreement Between the City of Sonora and SV110 LLC to Extend the Life of the Cuesta Heights Vesting Tentative Map.

BACKGROUND:

As shown below and in the attached Tentative Map (Attachment 1), the project is a residential subdivision of approximately 20.76 acres near the intersection of Shaws Flat and Roble Road. The Tentative Map consists of forty-six (46) residential lots and required subdivision improvements, including roadways, utilities, and landscaping. Development is anticipated to occur in three (3) phases.

The Tentative Map was originally approved on March 3, 2008, and has received various extensions since that time, which include both state automatic extensions and local discretionary extensions. The Tentative Map was set to expire on March 3, 2026. Before this date, the Applicant filed a request to extend the Tentative Map by means of a Development Agreement, which can further extend the Tentative Map for the duration of the Development Agreement (Government Code, section 66452.6).

For additional background on the project, also included is the City Council staff report from September 19, 2022, when the Tentative Map received its most recent extension (Attachment 2).

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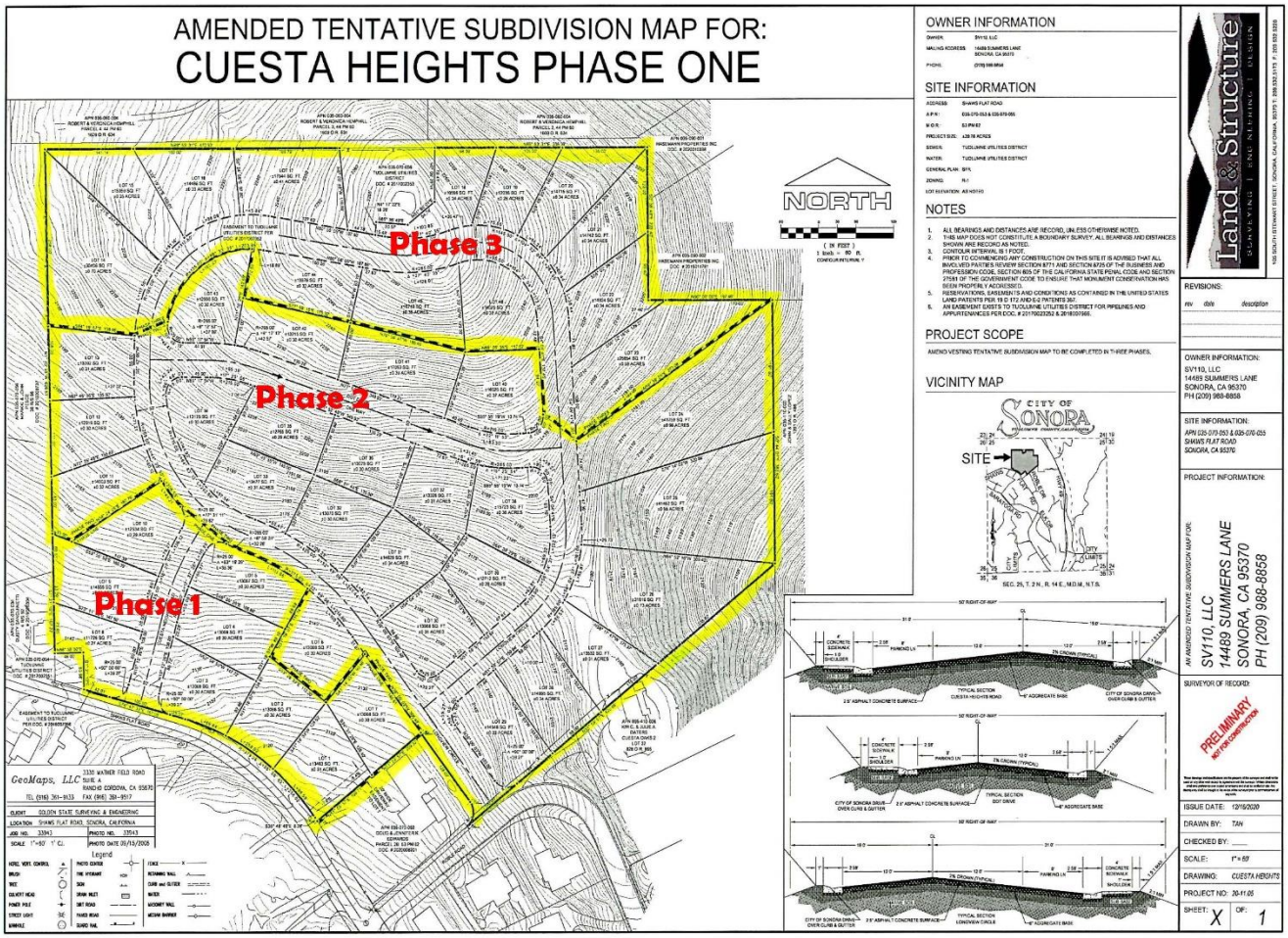

DISCUSSION / ANALYSIS:

A development agreement is a specific type of agreement authorized by California statutes between a city/county and a development applicant. A development agreement allows the applicant to proceed with development in accordance with existing land use regulations (e.g., General Plan and zoning) regardless of future changes to local land use regulations. A development agreement may also extend the life of a tentative map and include additional terms and conditions for the project.

There are two main purposes to the proposed Development Agreement (Attachment 3), which include: (1) extending the life of the Tentative Map, and (2) updating the Conditions of Approval for the project (Attachment 4). The main terms are summarized as follows:

- (Section 1.7) The Term of the Development Agreement is seven (7) years, which will also apply to the Tentative Map. The Applicant will be required to file a final map for all subdivision parcels before expiration of the term of the Development Agreement.

- (Section 3.1) The Developer will receive vested rights to develop the property in accordance with the existing General Plan and Zoning designations for the property.

- (Section 3.3) Based on discussions with the Applicant and further review by City staff, revisions are proposed to the original Conditions of Approval. These changes include the following, in the aim of making the project more financially feasible:

  The project originally required a sidewalk along the frontage of the property serving Shaws Flat Road. This requirement has been removed, given the low possibility of pedestrian connectivity in this area.

  The project previously had an approved Landscape Plan by the Parks & Recreation Committee. As the City's former Parks & Recreation Committee has been dissolved, the final landscaping and maintenance plans for each phase will need to be approved by the City Council or the Community Development Director.

  The project originally required sidewalks on both sides of the street. The revised condition allows for sidewalks on only one side of the streets within the subdivision.

  Originally the project included the condition to require a $4,000 fee per unit for the City to use for affordable housing programs. The City does not maintain any type of inclusionary housing ordinance and other housing projects would not be subject to this same requirement under existing City rules. This requirement has been removed.

- (Sections 4.1, 4.2) The project would be subject to all applicable Citywide fees at the time of building permit, including impact fees.

HOUSING ELEMENT

The Cuesta Heights site is included as a surplus site in the City's site inventory for the updated Housing Element. The City's Regional Housing Needs Assessment (RHNA) requirement was to accommodate two (2) units on the Lemke property site, one for very low income and one for the low-income category. The Cuesta Heights Project site is included to accommodate a total of forty-six (46) units, split between the moderate and above moderate category. The Cuesta Heights site is considered surplus inventory beyond the City's assigned RHNA. In accordance with Government Code, section 65863 (No Net Loss Law), the provisions of the Development

Agreement would not affect the lots under the existing Tentative Map or cause any net loss to the City's RHNA for the 2024-2029 cycle.

CEQA DETERMINATION:

The Project was subject to environmental review at the time of the original Tentative Map, pursuant to the Mitigated Negative Declaration (MND) adopted by the City Council (Attachment 5). The site and surrounding area are in substantially the same condition since original approval of the Project and prior map extensions, as no development has occurred in the area. By this Development Agreement, there are no substantial changes to the Project, no substantial changes in the circumstances under which the Project is being undertaken, and no new information of substantial importance that was not known to the City at the time the MND was adopted. Based on the foregoing and there being no changes in use from the Development Agreement, the environmental impacts are consistent with the original MND, and no subsequent environmental document is required for the Development Agreement.

FISCAL IMPACT:

Approval of the Development Agreement will have no impact to the General Fund beyond staff time. A Funding Agreement is in place with the developer to cover the costs of preparing the Development Agreement and Ordinance No. 915, staff reports, public noticing, and staff time to prepare and present the item for consideration.

ATTACHMENTS:

1. Vesting Tentative Map
2. City Council Agenda Report (September 19, 2022)
3. Development Agreement
4. (Revised) Conditions of Approval
5. Mitigated Negative Declaration
6. Mitigation Monitoring and Reporting Program
7. Planning Commission Resolution No. 03-23-2026-A
8. City Council Ordinance No. 915

SUBSEQUENT ACTIONS:

Upon formal adoption of the Development Agreement, City staff would file a Notice of Exemption for the project, assemble the exhibits, and record the Development Agreement on title to the property.

CORE COUNCIL PRIORITIES:

Economic Development/Growth and General Plan