

RESOLUTION NO. 2019-66

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HUNTINGTON ADOPTING ZONING TEXT
AMENDMENT NO. 17-005 BY CREATING THE
MAGNOLIA TANK FARM SPECIFIC PLAN (SP-18) TO APPLY TO REAL PROPERTY ON
THE WEST SIDE OF MAGNOLIA STREET AT BANNING AVENUE

WHEREAS, pursuant to the California State Planning and Zoning Law, the Huntington Beach Planning Commission and Huntington Beach City Council have held separate public hearings relative to Zoning Text Amendment No. 17-005, wherein both bodies have carefully considered all information presented at said meetings, and after due consideration of the findings and recommendations of the Planning Commission and all other evidence presented to the City Council, the City Council finds that such zone change is proper and consistent with the General Plan.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Huntington Beach does hereby resolves as follows:

SECTION 1: The Magnolia Tank Farm Specific Plan is consistent with the adopted Land Use Element of the General Plan, and other applicable policies and is compatible with surrounding development.

SECTION 2: The Magnolia Tank Farm Specific Plan enhances the potential for superior urban design in comparison with the development standards under the base district provisions that would apply if the Plan were not approved.

SECTION 3. The deviations from the base district provisions that otherwise would apply are justified by the compensating benefits of the Magnolia Tank Farm Specific Plan, which guide the creation of a mixed-use community that provides visitor serving commercial uses, new residential product types, and opportunities for coastal access as well as passive recreation.

SECTION 4: The Magnolia Tank Farm Specific Plan includes adequate provisions for utilities, services, and emergency vehicle and public service demands and will not exceed the capacity of existing and planned systems.

SECTION 5: That the real property subject to this Resolution is west of Magnolia Street at Banning Avenue and is more particularly described in the legal description and sketch collectively attached hereto as Exhibit A and incorporated by this reference as though fully set forth herein.

SECTION 6: The Magnolia Tank Farm Specific Plan, attached herein as Exhibit B and incorporated by this reference as though fully set forth herein, is hereby adopted and approved. This resolution shall take effect immediately upon certification of Local Coastal Program Amendment No. 17-001 by the California Coastal Commission.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the ____ day of _____, 2019.

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney *MM*

REVIEWED AND APPROVED:

INITIATED AND APPROVED:

City Manager

Director of Community Development

ATTACHMENTS:

Exhibit A: Legal Description and Map

Exhibit B: Specific Plan No. 18 – Magnolia Tank Farm Specific Plan

Exhibit A

Legal Description and Map

The land referred to in this policy is situated in the County of Orange, State of California, and is described as follows:

Parcel 1: (A.P.N. 114-150-36)

That portion of the southeast quarter of the southeast quarter of Section 13, Township 6 South, Range 11 West, San Bernardino Base and Meridian, in the Rancho Las Bolsas, in the City of Huntington Beach, County of Orange, State of California, as shown on a map recorded in Book 51 page 14 of miscellaneous maps, in the office of the County Recorder of said County, lying easterly of the easterly line of that certain strip of land 145.00 feet wide, described and designated as Parcel D1-104 in the final order of condemnation had in Case No. 80955 of the Superior Court of the State of California, in and for the County of Orange, a certified copy of which was recorded September 8, 1961 in Book 5842 page 7 of Official Records.

Except therefrom the "severed property" as described in Part B of the Grant Deed from the Southern California Edison Company, a corporation, recorded August 4, 2003 as Instrument No. 2003000931976 of Official Records.

Also excepting therefrom: "All oil, gas, petroleum and other mineral or hydrocarbon substances in and under or which may be produced from that certain portion of the hereinabove described as Parcels 1 and 2 together with the right to use those portions only of said lands which underlie a plane parallel to and five hundred (500) feet below the present surface of said lands, for the purpose of prospecting for, developing and/or extracting said oil, gas, petroleum and other mineral or hydrocarbon substances from said lands by means of wells drilled into said subsurface of said land from drill sites located on other land, it being expressly understood and agreed that said grantor, their successors and assigns, shall have no right to enter upon the surface of said lands or to use said lands or any portion thereof to said depth of five hundred (500) feet, for any purpose whatsoever", as reserved in the Deed from Dorothy Constance Smith recorded July 30, 1962 in Book 6194 page 470 of Official Records.

Parcel 2: (A.P.N. 114-481-32)

That portion of the northeast quarter of fractional Section 24, Township 6 South, Range 11 West, San Bernardino Base and Meridian, in the Rancho Las Bolsas, in the City of Huntington Beach, County of Orange, State of California, as shown on a map recorded in Book 51 page 14, in the office of the County Recorder of said County, described as follows:

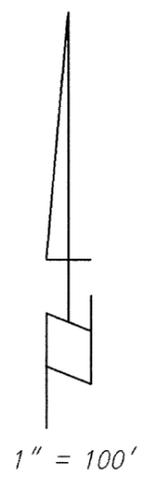
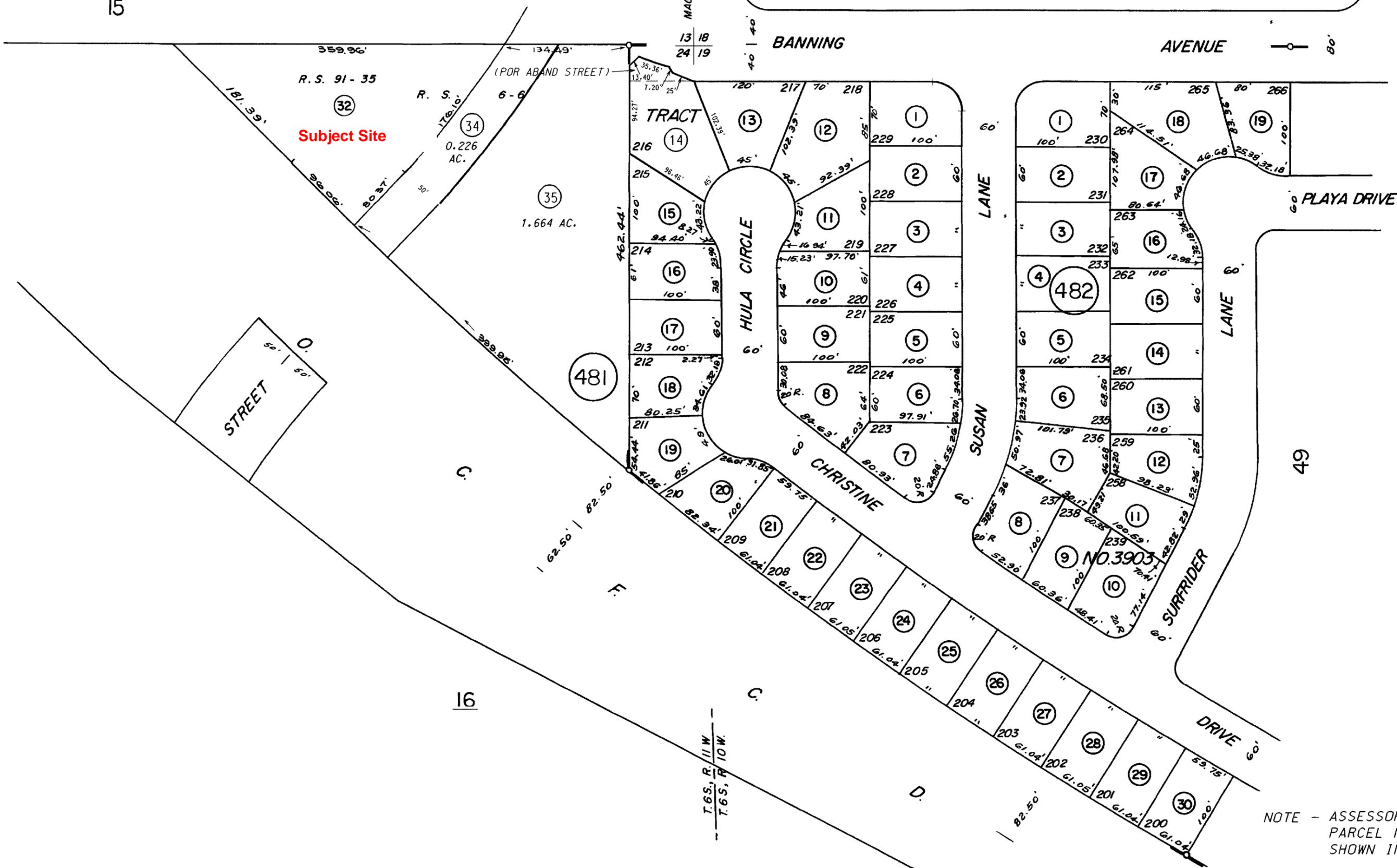
Beginning at the intersection of the northerly line of said fractional Section 24 with the northeasterly right of way line of the Orange County Flood Control District's "Huntington Beach Channel" as described in the final order of condemnation recorded in Book 5591 page 500, et seq. of Official Records in the office of the County Recorder of said County; thence north $89^{\circ} 32' 40''$ east along said northerly line of fractional Section 24 a distance of 360.17 feet to the southwesterly corner of that certain real property described and designated as "Parcel Two" in that certain road easement to the City of Huntington Beach recorded October 13, 1967 in Book 8418 page 439 of said Official Records, said southwesterly corner being also a point in a curve concave to the northwest having a radius of 950.00 feet from which point a radial line of said curve bears north $57^{\circ} 33' 35''$ west; thence southwesterly along said curve through a central angle of $10^{\circ} 37' 14''$ an arc distance of 176.10 feet; thence tangent to said last mentioned curve 80.37 feet to a point in a curve in said northeasterly right of way line of the Orange County Flood Control District's "Huntington Beach Channel", said last mentioned curve being concave to the northeast and having a radius of 4,717.50 feet from which point a radial line of said curve bears north $43^{\circ} 40' 03''$ east; thence northwesterly along said last mentioned curve, through a central angle of $01^{\circ} 10' 00''$ an arc distance of 96.06 feet; thence tangent to said curve north $45^{\circ} 09' 57''$ west 181.36 feet to the point of beginning.

Except therefrom the "Severed Property" as described in Part B of the Grant Deed from the Southern California Edison Company, a corporation, recorded August 4, 2003 as Instrument No. 2003000931976 of Official Records.

Basis of Bearing:

Bearings shown hereon are based upon the centerline of Magnolia Street being north $00^{\circ} 17' 10''$ west as shown on Record of Survey 2005-1075 filed in Book 232 pages 1-10, of Records of Survey, Records of Orange County, California.

15



NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

MARCH 1963

TR. NO. 3903 M. M. 165- 48, 49, 50

ASSESSOR'S MAP
BOOK 114 PAGE 48
COUNTY OF ORANGE

