

ORDINANCE NO. 4187

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH ADOPTING A
DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF HUNTINGTON
BEACH AND SLF-HB MAGNOLIA, LLC (DEVELOPER)
(DEVELOPMENT AGREEMENT NO. 19-001)

WHEREAS, the Planning Commission approved General Plan Amendment No. 17-001, Zoning Map Amendment No. 17-001, Zoning Text Amendment No. 17-005, and Local Coastal Program Amendment No. 17-001 to develop an approximately 29-acre property located on the west side of Magnolia Street at Banning Avenue (Property) with a mixed-use community that provides visitor serving commercial uses, new residential product types, and opportunities for coastal access as well as passive recreation (Project) pursuant to the Magnolia Tank Farm Specific Plan; and

The City and Developer each mutually desire to enter into a Development Agreement with one another to permit and ensure that the Property is developed in accordance with the approved General Plan Amendment No. 17-001, Zoning Map Amendment No. 17-001, Zoning Text Amendment No. 17-005, and Local Coastal Program Amendment No. 17-001 to achieve the mutually beneficial development of the Property.

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1: That the City Council hereby finds that Development Agreement No. 19-001 conforms to Government Code Section 65864 et. seq. and that:

- a. Development Agreement No. 19-001 is consistent with the Huntington Beach General Plan, Local Coastal Program, and Magnolia Tank Farm Specific Plan; and
- b. Development Agreement No. 19-001 is consistent with Chapter 246 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), the Huntington Beach Municipal Code, and the Subdivision Map Act; and
- c. Development Agreement No. 19-001 will not be detrimental to the health, safety and general welfare, and will not adversely affect the orderly development of the property because it is consistent with applicable land use regulations of the zoning regulations in effect at the time of project approval, mitigation measures adopted for the Project in accordance with Environmental Impact Report No. 17-001; and
- d. The City Council has considered the fiscal effect of Development Agreement No. 19-001 on the City and the effects on the housing needs of the region in which the City is situated and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources.

SECTION 2: Based on the above findings, the City Council of the City of Huntington Beach hereby approves Development Agreement No. 19-001 and adopts it by this ordinance pursuant to Government Code Section 65867.5. This action is subject to a referendum.

SECTION 3: This ordinance shall become effective immediately upon certification of Local Coastal Program Amendment No. 17-001 by the California Coastal Commission but not less than 30 days after its adoption.

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 *WJ*

REVIEWED AND APPROVED:

INITIATED AND APPROVED:

City Manager

Director of Community Development

ATTACHMENTS:

Exhibit A: Development Agreement No. 19-001