

**CITY OF HUNTINGTON BEACH  
LEGAL NOTICE**

**ORDINANCE NO. 4126  
Adopted by the City Council on DECEMBER 5, 2016**

“AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH ADOPTING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF HUNTINGTON BEACH AND BONANNI DEVELOPMENT/JB CONSTRUCTION DEVELOPMENT AGREEMENT NO. 16-002”

**SYNOPSIS:**

Development Agreement No. 16-002 represented a request to enter into a Development Agreement between the City of Huntington Beach and Bonanni Development/JB Construction for 10 years to:

- 1) Establish one of 10 residential units as affordable for persons/families of low income for a period of 55 years, pursuant to Chapter 246 of the Huntington Beach Zoning Subdivision Ordinance (HBZSO); and,
- 2) Pay an “in lieu” fee (\$185,710.00) for the remaining increment of the affordable housing requirement for the Holly Seacliff Specific Plan (HSSP).

The applicant is requesting a density bonus in accordance with State Law and the HBZSO to construct one additional unit above the allowed density (for a total of 10 units where only 9 would be allowed). In addition, a minimum of 15% of the units are required as affordable housing in accord with the HSSP. The applicant is proposing one affordable unit on-site as well as paying an “in lieu” fee to meet the HSSP affordable housing requirements for 15% of the total units (9 units x 15% = 1.35 affordable units required).

Initially the development will be held in single ownership by the developer for an unspecified time period and each of the condominium units will function as rental housing. At some future time, the developer may sell some or all of the units as individual ownership units. The affordability limitation on the one unit will apply to the unit as a rental unit and also when the unit is sold for ownership. The development agreement was proposed voluntarily by Bonanni Development since case law precludes local jurisdictions from compelling inclusionary requirements for rental housing.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting held December 5, 2016 by the following roll call vote:

**AYES:** Posey, O’Connell, Sullivan, Katapodis, Hardy, Delgleize, Peterson

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**THE FULL TEXT OF THE ORDINANCE IS AVAILABLE IN THE CITY CLERK’S OFFICE.**

**This ordinance is effective 30 days after adoption.**

**CITY OF HUNTINGTON BEACH  
2000 MAIN STREET  
HUNTINGTON BEACH, CA 92648  
714-536-5227  
ROBIN ESTANISLAU, CITY CLERK**