

ORDINANCE NO. 16-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORANGE APPROVING A FIRST AMENDMENT TO DEVELOPMENT AGREEMENT NO. 7204 BY AND BETWEEN THE CITY OF ORANGE AND CHAPMAN ORANGE HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

APPLICANT: CHAPMAN ORANGE HOLDINGS, LLC

WHEREAS, Section 65864 through 65869.5 of the California Government Code authorizes cities to enter into development agreements with any person having a legal or equitable interest in real property for the development of such property; and

WHEREAS, the City Council of the City of Orange has adopted Chapter 17.44 of the Orange Municipal Code which establishes procedures for the processing and approval of development agreements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORANGE DOES ORDAIN AS FOLLOWS:

SECTION I:

The City Council finds that a public hearing has been held before this City Council pursuant to the procedures described in Chapter 17.44 of the Orange Municipal Code. At the hearing, the City Council has considered testimony presented by the public and the Planning Commission's recommendation to approve the First Amendment to Development Agreement No. 7204 between the City of Orange and Chapman Orange Holdings, LLC (Development Agreement).

SECTION II:

The City Council hereby finds that the Development Agreement between the City of Orange and Chapman Orange Holdings, LLC:

- A. Is consistent with the objectives, policies, general land uses, and programs specified in the General Plan; and
- B. Is compatible with the uses authorized in, and the regulations prescribed for, the zoning district in which the real property is and will be located; and is in conformity with and will promote public necessity, public convenience, general welfare, and good land use practices; and
- C. Will be beneficial to the health, safety, and general welfare; and

- D. Will not adversely affect the orderly development of property or the preservation of property values; and
- E. Will promote and encourage the development of the proposed project by providing a greater degree of requisite certainty.

SECTION III:

The City Council hereby approves the First Amendment to Development Agreement No. 7204 in the form attached hereto and incorporates the Agreement herein by this reference. Within ten (10) days after this Ordinance takes effect, the City Council shall execute the Development Agreement

SECTION IV:

Within ten (10) days after the execution of the Development Agreement by all parties, the City Clerk is directed to record the Development Agreement pursuant to the terms of this Agreement.

SECTION V:

If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

SECTION VI:

The City Clerk is hereby directed to certify the adoption of this Ordinance and cause the same to be published as required by law. This Ordinance shall take effect thirty (30) days from and after the date of its final passage.

ADOPTED this ____ day of _____, 2024.

Daniel R. Slater, Mayor, City of Orange

ATTEST:

Pamela Coleman, City Clerk, City of Orange

APPROVED AS TO FORM:

Mike Vigliotta, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF ORANGE)

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Ordinance was introduced at the regular meeting of the City Council held on the ___ day of _____, 2024, and thereafter at the regular meeting of said City Council duly held on the ___ day of _____, 2024 was duly passed and adopted by the following vote, to wit:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

Pamela Coleman, City Clerk, City of Orange