

RESOLUTION NO. 2026-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DENYING AN APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DENIAL OF MAJOR SITE PLAN AND VESTING TENTATIVE TRACT MAP 19342 FOR CONDOMINIUM PURPOSES FOR THE DEVELOPMENT OF 32 RESIDENTIAL TOWNHOMES ON PROPERTY ZONED R-1-20, ONE-FAMILY RESIDENTIAL (MINIMUM LOT SIZE OF 20,000 SQUARE FEET) LOCATED AT 111 WEST HERMOSA DRIVE

WHEREAS, applications were filed for a Major Site Plan and Vesting Tentative Tract Map to construct 32 residential townhomes pursuant to the Housing Accountability Act, Government Code Section 65589.5 on property zoned R-1-20, One-Family Residential (Minimum lot size of 20,000 square feet) located at 111 West Hermosa Drive, more specifically described as Orange County Assessor's Parcel No. 292-021-14 (the "Project").

WHEREAS, on February 25, 2026, the Planning Commission of the City of Fullerton, in compliance with the noticing requirements of Fullerton Municipal Code (FMC) Chapter 15.76, held a duly noticed public hearing at which time it considered all evidence presented, both written and oral.

WHEREAS, on February 25, 2026, the Planning Commission directed staff to return with resolutions for denial of the project.

WHEREAS, on March 11, 2026, the Planning Commission approved the resolutions denying the entitlements based on safety impacts at the intersection of Hermosa Drive and Harbor Boulevard.

WHEREAS, on March 12, 2026, pursuant to FMC Section 15.76.170, an appeal of the decision by the Planning Commission to the City Council was filed.

WHEREAS, on May 5, 2026, the City Council of the City of Fullerton, in compliance with the noticing requirements of Fullerton Municipal Code (FMC) Chapter 15.76, held a duly noticed public hearing at which time it considered all evidence presented, both written and oral relating to the appeal.

WHEREAS, after the closure of the public hearing, the City Council directed staff to return with resolutions for denial of the project based on the health and safety impacts relating to traffic as found by the Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON does hereby DENY the appeal of the Planning Commission's decision, and upholds the Commission's denial of the project based on the following findings, facts and reasons:

SECTION 1. The project was submitted as a “Builder’s Remedy” project under the Housing Accountability Act (“HAA”). While certain findings have to be made to deny a residential project under the HAA, such projects are not exempt from the California Environmental Quality Act (“CEQA”).

SECTION 2. Certain relevant facts about the project were presented to the City Council relating to its review and consideration of the project and the appeal, summarized as follows:

- A. The project is proposed for a real property parcel that is located at the northwest corner of Hermosa Drive and Harbor Boulevard.
- B. The property is 1.33 acres in size (57,934.80 square feet) and the zoning of the project site is R-1-20, which requires a minimum lot size of 20,000 square feet. Because the project is a Builder’s Remedy project, it is not required to abide by the zoning which would allow a maximum of only two single family homes. Instead, the project proposes 32 residential condominium units.
- C. Harbor Boulevard is a major arterial street, with some of the highest traffic volumes found along a city street.
- D. Hermosa Drive is a relatively narrow two-lane, two-way undivided collector roadway that is in a more rural area of the City, with regular horse traffic, horse trails and horse properties. There are no sidewalks or street parking along Hermosa Drive. Immediately to the west of the proposed entrance to the project is a blind curve. The street is used as access to the recreational area of Laguna Lake as well as being regularly used for cut-through traffic to avoid Imperial Highway and to access the elementary school on Hermosa Drive. Such traffic is reasonably expected to increase due to nearby residential projects. The surrounding streets are also narrow, and car maneuverability is somewhat limited.
- E. The proposed buildings on the project property are pushed close to Harbor Boulevard, with a 50-foot setback along the west property line and an approximately 30-foot setback at the northwest corner.
- F. Vehicle access to the project site is from a singular driveway entrance located at the southwest corner of the project along Hermosa Drive, requiring all residents and guests of the project to enter from the narrow collector street rather than Harbor Boulevard.
- G. Although the applicant considered an entrance to the project from Harbor Boulevard, the applicant chose not to implement such an entrance, including providing a turn deceleration lane from Harbor Boulevard into the project, but chose not to do so.

- H. There have been nine car accidents along Harbor Boulevard between La Entrada Place and Las Rendas Drive (which are on either side of Hermosa Drive) in the year prior to the hearing on the project -- three of which were at the intersection of Harbor Boulevard and Hermosa Drive -- including the following:
1. Harbor and Las Rendas - November 22, 2025
 2. Harbor and Hermosa - February 25, 2026
 3. August 17, 2025
 4. December 10, 2025
 5. March 17, 2026
 6. Harbor and La Entrada – April 13, 2026
 7. May 30, 2025.
- I. There are numerous safety conditions relating to the design and physical layout at the intersection of Harbor Boulevard and Hermosa Drive, directly adjacent to the project, which create safety impacts:
1. There is no right-turn lane going southbound from Harbor Boulevard onto Hermosa Drive.
 2. There is no protected left-turn going northbound from Harbor Boulevard onto Hermosa Drive.
 3. As a major arterial, Harbor Boulevard has higher speeds, which affects both the safety of cars turning from southbound Harbor Boulevard onto Hermosa Drive, as well as cars being unable to efficiently and safely turn right from Hermosa Drive onto southbound Harbor Boulevard.
 4. There is no right-turn lane from Hermosa Drive into the project property which will cause cars to stack on Hermosa Drive turning into the project site – in an area that is already a bottleneck and that serves as the entrance to a recreational area for visitors, rural properties with horses using the roadways, and cut-through traffic that will be increasing.
 5. There are no sidewalks on Hermosa Drive or bike lanes, but instead only edge line striping. Although road and sidewalk improvements are part of the project on Hermosa Drive, such improvements will only be along the length of the project and would not prevent cars stacking on Hermosa Drive to turn into the project property.

6. Children cross the roadway to access the elementary school, across from the project on the other side of Harbor Boulevard. With the project, the number of children at this school is reasonably expected to increase, as will the safety hazards to these children from the increased traffic.
7. No traffic study was prepared to evaluate the impacts of the proposed 32-unit development on the surrounding neighborhood, despite the site's underlying R-1-20 zoning designation, which would otherwise permit a maximum of two dwelling units and generate substantially less traffic. Due to increased traffic volume, road configurations and the circumstances described above, a traffic study is necessary for the City's review of the project.

SECTION 3. The project was processed under a Class 32 Infill CEQA exemption (CEQA Guidelines section 15332). This exemption requires that there not be any significant impacts on traffic, noise, air quality, or water quality. The Categorical Exemption report that was prepared for the project does not contain an adequate analysis of the traffic impacts and the City Council does not find that the project is subject to this exemption with the limited analysis that was provided.

SECTION 4. In addition to not complying with CEQA, the totality of the facts set forth in Section 2 above combine to create a specific, adverse impact on the public health and safety as it relates to traffic and as to unstudied traffic and safety impacts.

SECTION 5. The City Clerk shall certify the passage of this resolution.

SECTION 6. This Resolution shall take effect immediately.

ADOPTED BY THE FULLERTON CITY COUNCIL ON JUNE 16, 2026

Fred Jung
Mayor

ATTEST:

Lucinda Williams, MMC
City Clerk

Date