

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A ZONING AMENDMENT TO CHANGE THE ZONING CLASSIFICATION FROM GENERAL COMMERCIAL (G-C) TO CENTRAL BUSINESS DISTRICT COMMERCIAL (C-3) ON A 0.56-ACRE PROPERTY LOCATED ON THE NORTHWEST CORNER OF HIGHLAND AVENUE AND VALENCIA DRIVE

PRJ2020-00003 – ZON-2020-0019, ZON-2021-0002, LRP-2020-0005, LRP-2020-0006

APPLICANT: PROGENY 1, LP
PROPERTY OWNER: MCEB, LLC

RECITALS

WHEREAS, the City of Fullerton Community and Economic Development Department received applications for a Major Site Plan (ZON-2020-0019), Minor Exception (ZON-2021-0002), General Plan Revision (LRP-2020-0005) and Zoning Amendment (LRP-2020-0006) to develop a mixed-use project with 20 residential apartments with 5% (one unit) deed-restricted unit for very-low-income and 1,152 square feet of ground floor commercial space more specifically described as: Orange County Assessor's Parcel Nos. 032-181-18 and 032-181-20,

WHEREAS, 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 held a duly noticed public hearing for PRJ2020-0003.

WHEREAS FMC Section 15.72.050 states that the Planning Commission must review a request to amend the zoning for a given property to determine if the proposed amendment is consistent with the objectives of the zoning ordinance and the General Plan and, if consistent, the Planning Commission makes a recommendation of approval to City Council.

WHEREAS the Planning Commission of the City of Fullerton, recommended that City Council approve PRJ2020-0003 including Major Site Plan (ZON-2020-0019), Minor Exception (ZON-2021-0002), General Plan Revision (LRP-2020-0005) and Zoning Amendment (LRP-2020-0006).

WHEREAS, the City of Fullerton, as Lead Agency, prepared an Initial Study / Mitigated Negative Declaration to identify the potential environmental impacts associated with the construction and implementation of the project in conformance with the provisions of the California Environmental Quality Act (CEQA) (California Public Resources Code Sections

21000 et seq.) and CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3, Section 15000 et seq.).

WHEREAS, the Planning Commission and City Council considered the information contained in the Draft Initial Study / Mitigated Negative Declaration dated July 16, 2021 and Technical Appendices, the Final Initial Study including Comments, Responses to Comments and Errata dated August 25, 2021, the Mitigation Monitoring and Reporting Program and the administrative record during the public review process.

THE CITY COUNCIL OF THE CITY OF FULLERTON DOES ORDAIN AS FOLLOWS:

1. In all respects as set forth in the Recitals of the Ordinance.
2. The City Council, pursuant to FMC Section 15.72.050.B finds as follows:

Finding: City Council finds the amendment consistent with the objectives of the Zoning Ordinance and the General Plan.

Fact: The C-3 zoning classification provides a highly concentrated business district that includes mixed residential and commercial use, primarily (but not limited to) the downtown. The project proposes to construct a mixed-use development with residential units (including two live-work) as well as a retail space embedded in a walkable area with a mix of commercial and residential uses south of the Downtown and Civic Center and southwest of the Fullerton Transportation Center.

Fact: The zoning amendment to the C-3 zoning classification facilitates the addition of residences to a commercial property consistent with State and local housing goals that emphasize the need for increased housing production to accommodate existing and future housing needs.

THEREFORE, City Council does hereby approve said Zoning Amendment LRP-2020-0006 subject to the following condition of approval:

1. Approval of this application is contingent on the approval of Major Site Plan (ZON-2020-0019). Should City Council not approve Major Site Plan (ZON-2020-0019), Minor Exception (ZON-2021-0002), General Plan Revision (LRP-2020-0005)
- 2.
3. and Zoning Amendment (LRP-2020-0006) shall be similarly denied.

ADOPTED BY THE FULLERTON CITY COUNCIL ON NOVEMBER 2, 2021.

Bruce Whitaker
Mayor

ATTEST:

Lucinda Williams, MMC
City Clerk

Date