

RESOLUTION NO. 9293

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOUNTAIN VALLEY AMENDING THE FOUNTAIN VALLEY GENERAL PLAN (GENERAL PLAN AMENDMENT NO. 10-03) TO INCREASE THE MAXIMUM DENSITY IN THE R-4 "HIGH DENSITY RESIDENTIAL" ZONE TO 30 DWELLING UNITS PER ACRE (DU/AC)

WHEREAS, the *Fountain Valley General Plan Update* was approved by the City Council on March 21, 1995; and

WHEREAS, the *Housing Element* was approved by the City Council on December 15, 2009; and

WHEREAS, the *Housing Element* permits multiple dwellings of up to 20 du/ac in the R-4 (High Density Multiple Dwelling) zone; and

WHEREAS, the *Land Use Element* allows for the development of multi-family residential structures and other attached dwelling units up to a density of 20 du/ac; and

WHEREAS, Government Code § 65583.2 (Chapter 724 of the 2004 statutes "A.B. 2348") requires that cities with a population of at least 50,000 that are located within a Metropolitan Statistical Area (MSA) with a population of more than 2 million must be zoned to permit at least 30 du/ac in order to qualify as a housing site potentially affordable to households in the extremely low, very low, or low income ranges; and

WHEREAS, Table "A" of AB 2348 states that all cities in Orange County have a MSA Classification of IV with a population of more than 2 million; and

WHEREAS, according to the 2000 Census, Fountain Valley has a population of 54,978; and

WHEREAS, on December 8, 2010, the Planning Commission held a duly noticed public hearing to consider General Plan Amendment No. 10-03 to amend the Fountain Valley General Plan to increase the maximum density in the R-4 "High Density Residential" zone to 30 du/ac; and

WHEREAS, on December 8, 2010, the Planning Commission adopted Resolution No. 10-59 recommending approval of the requested General Plan Amendment; and

WHEREAS, the City Council conducted a duly noticed public hearing on January 18, 2011 to consider the requested General Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FOUNTAIN VALLEY AS FOLLOWS:

SECTION 1: The proposed changes are required by SB2, AB 2348, and the 2009 Housing Element which was prepared pursuant to the provisions of CEQA. An Initial Study was circulated for public review from November 12, 2009 through December 15, 2009 and no comments were received. The Mitigated Negative Declaration was approved by the City Council on December 15, 2009.

SECTION 2. The City Council finds that the proposed General Plan Amendment allows for orderly growth and development in the City and furthers the goals of the other elements of the General Plan.

SECTION 3. The City Council finds that:

- a. The proposed general plan amendment would provide for the orderly growth in the City in a manner consistent with the High Density Residential land use designations of the General Plan.
- b. The proposed amendment ensures and maintains internal consistency with the actions, goals, objectives, and policies of the General Plan, and will not create any inconsistencies with the Development Code.
- c. The proposed amendment would not be detrimental to the public convenience, health, interest, safety, or welfare of the City; and
- d. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's Environmental Review Procedures.

SECTION 4: The City Council hereby amends the Housing Element of the Fountain Valley General Plan to increase the maximum density in the R-4 zone to 30 du/ac. The proposed change from Section III.B.1 of the 2009 Housing Element should read as follows...

...R-4 (High Density Multiple Dwelling): Permits two dwelling units, and multiple dwellings of up to 20 30 dwelling units per acre pursuant to a conditional use permit, with a minimum lot size of 10,000 square feet. Maximum permitted building height is 35 feet. Parking for multiple dwellings is Studio, bachelor or one bedroom unit: 1.5 spaces for each unit with 1 space per unit in a garage//carport. 2 or more bedroom unit: 2 spaces for each unit plus 0.5 additional spaces for each bedroom over 2, 1 enclosed space per 2 bedroom unit and 2 enclosed spaces for 3 or more bedroom units. Affordable housing and small residential care homes are permitted uses in this zone."

SECTION 5: The City Council hereby amends the Land Use Element of the Fountain Valley General Plan to increase the maximum density to 30 du/ac in the High Density Residential land use designation. The proposed changes are as follows...

Section 2.3 LAND USE DESIGNATIONS

Residential Land Uses

Figure 2-1 – Land Use Plan Legend

“...HIGH DENSITY RESIDENTIAL (UP TO 20 30 DU/AC)...”

ZONING DEFINITIONS

“...HIGH DENSITY MULTIPLE DWELLING” DISTRICT – permits the use of two-family dwellings, multiple-family dwellings, dwelling groups and apartment homes, maximum density 20 30 dwellings units per acre.”

TABLE 2-1 – Page 2-4

“ ...

<u>General Plan</u>	<u>Zoning</u>	<u>Maximum Density</u>	<u>Per Acre Population</u>
Low Density	A1, R1, PC, NR, AH	5	15
Low Medium Density	A1, R1, R2, PC, NR, GH, AH	10.8	32
Medium Density	A1, R1, R2, R3, PC, NR, GH, AH	15	45
High Density	A1, R1, R2, R3, R4, PC, NR, GH, AH	20 30	60 90

...”

“...High Density Residential will allow for the development of multi-residential structures and other attached dwelling units up to a density of twenty thirty dwelling units per acre.”

SECTION 6: The City Council hereby amends the Noise Element of the Fountain Valley General Plan to amend the Future CNEL Noise Contours Map to increase the maximum density to 30 du/ac in the High Density Residential land use designation. The proposed changes are as follows...

Section 7.4.1 Noise Sources and Levels

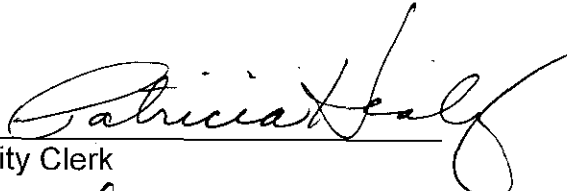
Figure 7-7 – Future CNEL Noise Contours

“...HIGH DENSITY RESIDENTIAL (UP TO 20 30 DU/AC)...”

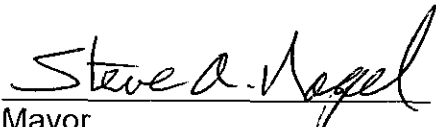
SECTION 7: The Planning Director is hereby authorized to send a copy of this General Plan Amendment to all of the agencies as specified in Government Code Section 65357.

PASSED, APPROVED AND ADOPTED THIS 18TH DAY OF JANUARY, 2011.


ATTEST:



City Clerk



Mayor



City Attorney

VOTE

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss.
CITY OF FOUNTAIN VALLEY)

I, Kathleen Heard, Deputy City Clerk of the City of Fountain Valley, do hereby certify that the foregoing Resolution was adopted at the Council meeting held on the 18th day of January 2011. by the following vote, to wit:

AYES: NAGEL, CRANDALL, COLLINS, MCCURDY, VO
ABSENT: NONE
NOES: NONE



Kathleen Heard, Deputy City Clerk