

CITY OF FAIRFIELD
RESOLUTION NO. 2020-16

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD
OVERTURNING THE PLANNING COMMISSION'S DECISION AND APPROVING A
TENTATIVE SUBDIVISION MAP (TS2017-003), DEVELOPMENT REVIEW (DR2017-
006), AND COMMUNITY DESIGN PLAN (DR2017-007) FOR THE DEVELOPMENT
OF A 79-LOT RESIDENTIAL SUBDIVISION ON A 11.44-ACRE PROPERTY
LOCATED AT THE NORTHEAST CORNER OF THE LOPES AND GOLD HILL ROAD
INTERSECTION (APNS: 0180-080-290,0180-080-320, 0180-080-330)**

WHEREAS, on July 27, 2017, a General Plan Amendment (GPA2017-002), Zone Change (ZC2017-002), Environmental Review (ER2017-019), Tentative Subdivision Map (TS2017-003) Design Review (DR2017-006) and Community Design Plan (DR2017-007) application for a proposed subdivision and subsequent development of 79 lots located at the northeast corner of Gold Hill Road and Lopes Road (the "Project") was properly filed with the Department of Community Development in accordance with the rules and regulations governing the official filing of such applications; and

WHEREAS, City staff has presented substantial factual information regarding the proposed 79-unit subdivision "Gold Hill Village 3"; and

WHEREAS, the proposed Project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act ("CEQA"), Public Resources Code Sections 21000, et seq., and the State CEQA Guidelines, California Code of Regulations, Title 14, Sections 15000, et seq.; and

WHEREAS, the Planning Commission has held a duly noticed public hearing on August 28, 2019. The City staff presented substantial factual information regarding the proposed Project in staff reports and through oral presentations before the Commission, and the Planning Commission considered all public testimony and information presented during the public hearing regarding this application; and

WHEREAS, the Planning Commission, at the public hearing, voted 5-0 to deny the Development Review, Community Design Plan, and Tentative Subdivision Map, and recommend the City Council deny the General Plan Amendment, and Zone Change, and find the project exempt under Section 15270 of CEQA; and

WHEREAS, the City Council called up for review the Planning Commission's decision of denial of the Development Review, Community Design Plan and Tentative Subdivision Map at their meeting of September 3, 2019, pursuant to Section 25.44.4 Calls for Review of the Zoning Ordinance; and

WHEREAS, at a duly noticed public hearing on January 21, 2020, the City Council considered the information provided by staff, the applicant, and the testimony of members of the public; and

WHEREAS, the City Council has reviewed proposed revisions to the General Plan Land Use Diagram and finds these revisions beneficial and consistent with the purpose and intent of the General Plan; and

WHEREAS, the City Council adopts the following findings in support of this Development Review and Community Design Plan, to wit:

- (a) The project is consistent with the General Plan and Zoning Ordinance, and any applicable Areawide or Specific Plan. *Upon approval of the corresponding General Plan Amendment, the proposed subdivision will be consistent with the City's General Plan. The proposed density of 7.2 units per acre is consistent with the proposed General Plan designation of Residential Low Medium Density (permitting between 4.5 and 8 dwelling units per acre). The site is physically suitable for the type and proposed density of development and, as conditioned, may be developed into its intended use. The Project is consistent with several General Plan Objectives and policies, such as Objective LU 8 (Develop and maintain a pattern of residential land uses which provides for a variety and balance of densities and opportunities for a mixture of different dwelling and tenure types), Objective LU 18 (Encourage infill development and compact growth), Policy LU 18.1 (Utilize land within the existing city limits as efficiently as possible, allowing for a wider variety of housing types and densities within the same zone district, and economical use of public services and infrastructure), and Objective HO 1 (Provide for varied housing opportunities, in terms of type, price, amenities, neighborhood design, and location, for all income groups and family types).*
- (b) The exterior design and appearance of the project will not cause the nature of the neighborhood to economically, physically, or visually decline. The project is complimentary to existing and proposed development in the general area, including adjacent residential housing. *The exterior design and appearance of the houses, as conditioned, will provide an attractive development in the area.*
- (c) The project is of high quality design consistent with applicable design policies and standards of the City. *The project, as conditioned, is a quality design consistent with the Zoning Ordinance for small-lot single-family development as well as the Design and Development Guidelines for subdivisions and house design.*

- (d) Any potentially significant negative impacts to environmental quality and natural resources have been properly mitigated. For this reason, the proposed project complies with the California Environmental Quality Act (CEQA). *The proposed project complies with the California Environmental Quality Act (CEQA). The City has completed an environmental review (ER2017-19) for the proposed subdivision and a Mitigated Negative Declaration has been prepared. The mitigation measures proposed will result in all potentially significant air quality, biological, cultural, geology and soils, greenhouse gas, tribal, and noise impacts being properly mitigated to less than significant levels.*

WHEREAS, the City Council adopts the following findings in support of this Tentative Subdivision Map:

- (a) The proposed subdivision, together with the provision for its design and improvement, is consistent with the City's General Plan in that the General Plan designates the area for Low Medium Density Residential development. *Upon approval of the corresponding General Plan Amendment, the proposed subdivision will be consistent with the City's General Plan. The proposed density of 7.2 units per acre is consistent with the proposed General Plan designation of Residential Low Medium Density (permitting between 4.5 and 8 dwelling units per acre). The site is physically suitable for the type and proposed density of development and, as conditioned, may be developed into its intended use. The Project is consistent with several General Plan Objectives and policies, such as Objective LU 8 (Develop and maintain a pattern of residential land uses which provides for a variety and balance of densities and opportunities for a mixture of different dwelling and tenure types), Objective LU 18 (Encourage infill development and compact growth), Policy LU 18.1 (Utilize land within the existing city limits as efficiently as possible, allowing for a wider variety of housing types and densities within the same zone district, and economical use of public services and infrastructure), and Objective HO 1 (Provide for varied housing opportunities, in terms of type, price, amenities, neighborhood design, and location, for all income groups and family types).*
- (b) The site is physically suitable for the type and proposed density of development and, with proper development techniques, may be developed into its intended use. *The site is relatively flat, and is bordered by residential development to the north, south and west of the site. Interstate 680 is located immediately to the east of the site and separates the project site from the Suisun Marsh. The subdivision as conditioned will be designed to meet the City's Design and Development Guidelines for Subdivisions.*
- (c) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage, and will not substantially and

avoidably injure fish or wildlife of their habitat. *The proposed project complies with the California Environmental Quality Act (CEQA). The City has completed an environmental review (ER2017-19) for the proposed subdivision and a Mitigated Negative Declaration has been prepared. The mitigation measures proposed will result in all potentially significant air quality, biological, cultural, geology and soils, greenhouse gas, tribal, and noise impacts being properly mitigated to less than significant levels.*

- (d) The design of the subdivision or the type of improvements is not likely to cause serious public health problems in that the community water and sewer systems are available to the site. *The Fairfield Suisun Sewer District operates a sewer lift station located on Lopes Road that lies southwest of the proposed project entrance. An easement containing the City of Benicia's Raw Water Transmission Line crosses through the eastern portion of the site from north to south. The project was reviewed by the City of Fairfield Public Works Department, Fairfield Suisun Sewer District, City of Benicia and Solano Irrigation District and, as conditioned, all necessary utilities and services such as water and sewer can be provided to the site.*
- (e) The design of the subdivision or the type of improvements will not conflict with easement acquired by the public for access through, or use of the property within the proposed subdivision, in that there are not access easements for use by the public at large existing on the subject site. *No access easements for public use exist on the site.*
- (f) The discharge of waste from the proposed subdivision into the community sewer serving said proposed subdivision will not result in or add to a violation of the waste discharge requirements applicable to said sewer system which were prescribed by the California Regional Water Quality Control Board, San Francisco Bay Region, in that the existing Fairfield-Suisun Sewer District treatment plant has adequate capacity. *The discharge from the proposed project will not create a condition exceeding the design capacity of this plant. The Fairfield Suisun Sewer District has reviewed the project and has determined that they have the capacity to serve the project.*

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FAIRFIELD HEREBY RESOLVES:

Section 1. To overturn the Planning Commission denial of the Development Review, Community Design Plan and Tentative Subdivision Map, which were contingent on approval of the General Plan Amendment and Zoning Change.

Section 2. Subject to Resolution 2020-15 being adopted by the City Council and becoming effective, the Development Review, Community Design Plan, and Tentative Subdivision Map are hereby approved, subject to the Conditions of Approval as attached hereto.

PASSED AND ADOPTED this 21st day of January, 2020, by the following vote:

AYES: COUNCILMEMBERS: PRICE / BERTANI / MOY / TIMM / VACCARO

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

ABSTAIN: COUNCILMEMBERS: _____

MAYOR

ATTEST:

CITY CLERK