

CITY OF FAIRFIELD

RESOLUTION NO. 2021-20

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD ADOPTING A MITIGATED NEGATIVE DECLARATION (ER2019-043) FOR ANNEXATION AND DEVELOPMENT OF A 10,342 SQUARE-FOOT CHURCH AND ASSOCIATED SITE IMPROVEMENTS ON A VACANT ±1.23-ACRE PARCEL ON SUNSET AVENUE (APN: 0037-160-040), AND FINDING THE PROPOSED ANNEXATION (ANX2019-002) OF THE ENTIRE ±2.1-ACRES LOCATED ON SUNSET AVENUE (APNS: 0037-160-040, 0037-160-060) CONSISTENT WITH THE CITY'S GENERAL PLAN AND MUNICIPAL SERVICE REVIEW.

WHEREAS, on November 27, 2019 applications for Annexation (ANX2019-002), Minor Development Review (MD2019-010), and Environmental Review (ER2019-043) for a proposed 10,342 square-foot church and associated site improvements located off of Sunset Avenue (APN: 0037-160-040) ("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, the Planning Commission held a duly noticed public hearing for the proposed projects on November 18, 2020, approving the Development Review and forwarded the Mitigated Negative Declaration and Annexation to the City Council with recommendation for adoption and approval; and

WHEREAS, the City Council has held a duly noticed public hearing for the proposed Annexation and Mitigated Negative Declaration for the project on January 19, 2020; and

WHEREAS, the Planning Commission has reviewed the Mitigated Negative Declaration (ER2019-043) and Mitigation Monitoring Program for the Project and all comments received and, based on the whole record before it, recommends City Council adoption of the Mitigated Negative Declaration and Mitigation Monitoring Program, to wit:

- (a) City staff prepared an Initial Study of the potential environmental effects of the proposed Project. Staff determined that there were potential significant impacts associated with air quality, biological resources, cultural resources, geology and soils, and tribal cultural resources that could be mitigated to a less than significant level through air quality control measures (Mitigations AQ1); obtaining required pre-construction surveys for biological resources (Mitigations BIO1), protocols if archeological resources (Mitigation CR1), or human remains (Mitigation CR2) are uncovered during construction; protocols if paleontological resources (Mitigation GEO1) are uncovered during construction; meeting Sound Transmission Class Ratings construction standards (Mitigation NOI1); completing cultural sensitivity training prior to construction (Mitigation TC1) and protocols if tribal cultural resources (Mitigation TC2) are uncovered during construction. A copy of the Initial Study and Mitigated Negative Declaration are attached hereto as Exhibit "A" and incorporated herein by reference.

- (b) City staff provided public notice of the public comment period and of the intent to adopt the Mitigated Negative Declaration as required by law.
- (c) There is no substantial evidence, in light of the whole record before the Planning Commission, that the Project, as conditioned, will have a significant effect on the environment.
- (d) The Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission.
- (e) The Mitigation Monitoring Plan set forth in the Mitigated Negative Declaration has been prepared in accordance with law.

WHEREAS, the Planning Commission has determined the following findings exist in support of this Annexation request:

- (a) The proposed annexation is consistent with the goals, policies, and objectives of the General Plan. *The site is designated Residential Medium on the General Plan Land Use Diagram. The annexation is necessary order to obtain the provision of City services, such as sewer and water, to serve the project's utility needs. The site is consistent with General Plan Land Use Element Objectives Policy ED 7.3: Preserve and enhance the community's assets and character, including education, agriculture, open space, recreational amenities, cultural amenities, and other factors, which make the community an attractive area to live, work, and invest; Policy LU 2.3: Review and comment on all development proposals within the unincorporated areas of the City's sphere of influence and in neighboring cities; Policy LU 10.1: Where infill development is proposed, the character, scale and density of existing single-family residential neighborhoods should be preserved in the new development; Objective LU 18: Encourage infill development and compact growth; Objective UD 4: Ensure high standards of quality in development; Objective UD 8: Encourage and approve infill development which is compatible with the surrounding area.*
- (b) The proposed annexation would not be detrimental to the public interest, health, safety, or welfare of the City. *Annexation of the site would not be detrimental to the public interest, health, safety or welfare of the City. Annexation of the site is necessary to facilitate development of the Project. The Project has been designed to complement and enhance the existing visual character of the site and its surroundings. The Project as proposed and the conditioned will ensure that it does not bear an adverse effect on the general welfare of the surrounding neighborhood and the City. The project has been conditioned to meet or exceed City of Fairfield design and development regulations and comply with all applicable sections of the Zoning Ordinance.*
- (c) The proposed annexation is consistent with the 2012 Municipal Service Review. *The project site is within of the City of Fairfield Sphere of Influence and has it been analyzed in the most recent 2012 Municipal Service Review. The Project will require LAFCO*

approval of the proposed annexation. Therefore, the project entitlements shall not be valid unless and until LAFCO approves and completes the proposed annexation into the City of Fairfield.

WHEREAS, the City Council desires to initiate proceedings pursuant to the Cortese-Knox-Hertberg Act of 2000, commencing with Section 56000 of the California Government Code, for a reorganization which would annex territory to the City of Fairfield.

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

Section 1. The Mitigated Negative Declaration as contained in Exhibit "A" is hereby adopted.

Section 2. The annexation of the property described in Exhibit "B" is hereby found consistent with the General Plan and Focused Municipal Service Review. The Solano County LAFCO is hereby requested to take proceedings for the annexation of territory as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

PASSED AND ADOPTED this 19th day of January, 2021, by the following vote:

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

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

ABSTAIN: COUNCILMEMBERS: _____

MAYOR

ATTEST:

CITY CLERK