

# FOUNTAIN VALLEY PLANNING COMMISSION AGENDA

CITY HALL COUNCIL CHAMBERS  
10200 SLATER AVENUE

Wednesday, February 25, 2026  
REGULAR MEETING – 6:00 PM

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in Planning Commission meetings, please contact the Planning Department at 714-593-4425. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting.

## ZOOM LINK INFORMATION

- Participants that choose to watch the Planning Commission meeting through zoom are automatically placed in the waiting room and will then be admitted into the meeting. In order to make a public comment, you will indicate through the chat feature which item you would like to speak on, or click on the “raise hand” icon to let the administrator know you wish to speak.
- All participants are muted unless you are requesting to speak, at which time you will be allowed to unmute and make you comment.
- All public comments are allowed up to 3 minutes to speak.

CFV is inviting you to a scheduled Zoom meeting.

Topic: Planning Commission Meeting

Time: Feb 25, 2026 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://fountainvalley.zoom.us/j/84406951186?pwd=b561KAU0DsY8mRo5NVr9sYvxOTayuJ.1>

Meeting ID: 844 0695 1186

Passcode: 662880

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## REGULAR MEETING

### CALL TO ORDER

### SALUTE TO THE FLAG

**ROLL CALL:** Vu, Brothers, Huebner, Azcona, James, Chair Langer

### ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS

Anyone wishing to speak during Public Comments must fill out and submit a blue speaker card. The Planning Commission can take no action on this date, unless the item is agendized. Anyone wishing to speak on items not on tonight’s agenda may do so during Public Comments. Speakers on items scheduled for Public Hearing or non-public hearing items will be invited to speak when those items are heard. (Three minutes per speaker)

It is customary for Commissioners to visit applicant sites. Unless any Commissioner has further disclosure statements at this time, it may be stated that no contact was made during the visit with the applicant, his/her agent or neighbors of the proposed project.

## CONSENT CALENDAR

### 1. 12-17-2025 PLANNING COMMISSION MEETING MINUTES

**Recommended Action:** Receive and File the 12-17-2025 Planning Commission meeting

minutes.

## **PUBLIC HEARINGS**

### **2. CONDITIONAL USE PERMIT NO. 1940 – THE PICKLR**

Petition submitted by Duyum Dulom to establish and operate a Pickleball facility located at 17904 Magnolia Street. This item is categorically exempt from CEQA per section 15301.

**Recommended Action:** Staff recommends that the Planning Commission adopt Alternative #1: Adopt Resolution No. 26-05 adopting a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approving Conditional Use Permit No. 1940 to establish and operate a pickleball facility located at 17904 Magnolia Street.

### **3. CODE AMENDMENT (CA) NO. 25-07 – PLAZA DEL LAGO – MEDICAL OFFICE LIMITATION**

Petition submitted by Wallace Rodecker and the Plaza del Lago Owners Association to remove the maximum 25% medical office use requirement from Planning Area C in Section 4.4.3 of the Warner / Newhope Specific Plan and to permit medical office use by-right in Planning Area C of the Specific Plan during the hours of 7:00 a.m. to 6:00 p.m., in the Plaza del Lago office building located at 17220 Newhope Street. This item is exempt from CEQA per section 15061(b)(3) of the CEQA Guidelines as it has no potential for resulting in a physical change to the environment, directly or indirectly.

**Recommended Action:** Pleasure of the Planning Commission.

### **4. CODE AMENDMENT (CA) NO. 26-01 - BY-RIGHT APPLICATION PROCESS 20% AFFORDABLE RESIDENTIAL PROJECTS**

A CA to amend Fountain Valley Municipal Code Sections 21.08.030, 21.15.030, and 21.90.020, and add Section 21.46.120 to permit owner-occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households. The item is exempt from CEQA per Sections 15060(c)(2) and 15060(c)(3).

**Recommended Action:** Staff recommends that the Planning Commission adopt Alternative #1: Adopt Resolution No. 26-01 recommending the City Council adopt a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approve Code Amendment No. 26-01 to amend the Fountain Valley Municipal Code (FVMC) Sections 21.08.030, 21.15.030, and 21.90.020, and add section 21.46.120 to permit owner-occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households.

## **NEW BUSINESS**

None.

## **UNFINISHED BUSINESS**

None.

## **PUBLIC COMMENTS**

Anyone wishing to speak on non-agendized items may do so at this time.

## **ELECTION OF NEW PLANNING COMMISSION CHAIR AND VICE CHAIR**

## **ELECTION OF NEW SIGN COMMITTEE MEMBERS**

## **COMMENTS FROM STAFF**

## **COMMENTS FROM COMMISSIONERS**

## **ADJOURNMENT**

Adjournment to the next regular Planning Commission meeting scheduled for March 25, 2026.

ALL ITEMS WHICH HAVE FINAL APPROVAL BY THE PLANNING COMMISSION MAY BE APPEALED TO THE CITY COUNCIL WITHIN 10 CALENDAR DAYS OF THE COMMISSION'S ACTION BY ANY APPLICANT OR PROPERTY OWNER WITHIN 1,000 FT. OF THE SUBJECT PROPOSAL. PERSONS WISHING FURTHER INFORMATION SHOULD CONTACT THE PLANNING DEPARTMENT (CHAPTER 21. 60 FVMC)

Planning Commission meetings can be viewed on FVTV via Spectrum Cable Channel 3, Frontier FiOS Channel 21, and AT&T U-Verse Channel 99. Commission Meetings are also posted on the City's website at [www.fountainvalley.gov](http://www.fountainvalley.gov).

CITY OF FOUNTAIN VALLEY PLANNING COMMISSION MINUTES

CITY HALL COUNCIL CHAMBERS  
10200 SLATER AVENUE

WEDNESDAY, DECEMBER 17, 2026 – 6:00 P.M.

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SPECIAL MEETING

CALL TO ORDER: Chair Langer called the meeting to order at 6:00 pm.

SALUTE TO THE FLAG: Chair Langer led the flag salute.

ROLL CALL:

PRESENT: Huebner, Brothers, Vu, Azcona, Vice-Chair Lopez, Chair Langer

ABSENT: None.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATION

Agenda Item 2 - Resolution 25-15 and comment letters received from Michael and Terry Miller and Thach Do

CONSENT CALENDAR

1. 11-12-2025, PLANNING COMMISSION MEETING MINUTES

Action: Receive and File November 12, 2025, Planning Commission meeting minutes.

Motion: Brothers Second: Huebner

AYES: Huebner, Brothers, Vu, Lopez, Langer

NAYS: None.

ABSTAIN: None.

PUBLIC HEARING

2. CONDITIONAL USE PERMIT 1936 – JAN NOIRE RESTAURANT – 17071 BUSHARD ST

Petition submitted by Toby Nguyen on behalf of the business owner to open and operate a large-format restaurant with a Type 47 alcohol license (beer, wine, distilled spirits) and indoor live entertainment / live band. Proposed hours of operation would be seven (7) days per week from 11:00 AM until 12:00 AM, with the proposed indoor live entertainment hours of operation from 5:00 PM until 12:00 AM, seven (7) days per week. This item is categorically exempt from CEQA – Class 1, Existing Facilities, Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, establishes that existing structures involved in negligible or no expansion of use beyond the previously existing are exempt from the provisions of CEQA.

Chair Langer opened the public hearing. Senior Planner Matt Jenkins presented the staff report and answered questions from commissioners. The applicant and project designer Toby Nguyen was present and answered questions from commissioners. Public Comments: Paul Nguyen, Vince Tucker. With no one else wishing to speak on this item, Chair Langer closed the public hearing.

Action: Alternative 1: Adopt Resolution No. 25- 15, approving a large-format restaurant with a Type 47 alcohol license (beer, wine, distilled spirits) and indoor live entertainment / live band, with hours of operation from 11:00am until 10:00pm, seven (7) days per week, located at 17071 Bushard Street.

Motion: Lopez Second: Huebner

AYES: Huebner, Brothers, Vu, Lopez, Langer

NAYS: None.

ABSTAIN: None.

NEW BUSINESS

None.

UNFINISHED BUSINESS

None.

PUBLIC COMMENTS

None.

COMMENTS FROM STAFF

Commissioner Brothers asked about dates for commission applicant interviews. Community Development Director stated that the deadline to apply is tomorrow and he thanked the commission for a fruitful year.

COMMENTS FROM COMMISSIONERS

Commissioner Richard Lopez stated that he has enjoyed being a part of the commission over the past five years and that he will not return next year. Chair Langer thanked Richard Lopez for his service to the community and wished everyone happy holidays.

ADJOURNMENT

Chair Langer adjourned the meeting to the next regular Planning Commission meeting on January 14, 2026.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary



# Request for Planning Commission Action

**TO:** Planning Commission

**DATE:** February 25, 2026

**FROM:** Steven Ayers, Principal Planner

**SUBJECT:** The Picklr – Conditional Use Permit No. 1940

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Location: 17904 Magnolia Street

Zoning: C1 – Local Business

General Plan: General Commercial

Project Applicant: Duyum Dulom  
SRK Architects, Inc.  
2234 S. Figueroa St  
Los Angeles, CA 90007

Property Owner: Todd Huber/PCG Village Center LLC  
133 Penn St.  
El Segundo, CA 90274

Proposal:

Petition submitted by Duyum Dulom, on behalf of The Picklr, to establish and operate a pickleball facility located at 17904 Magnolia Street (Attachment #1).

Code Requirement:

Per Fountain Valley Municipal Code (FVMC) Section 21.10.030 Table 2-6, a Conditional Use Permit (CUP) is required for an indoor amusement/entertainment facility in the C1-Local Business zone. An indoor amusement/entertainment facility is an establishment providing indoor amusement and entertainment services for a fee or admission charge. The Picklr, a members only establishment, charges a membership fee to play at the facility.

Discussion:

Duyum Dulom has submitted a request, on behalf of The Picklr, to establish and operate a Pickleball facility located at 17904 Magnolia Street. The Picklr is a rapidly expanding franchise business focused on indoor pickleball courts. As noted in the Project Description Letter, The Picklr aims to provide a professional-level experience for pickleball players of all skill levels (Attachment #2).

The Picklr is proposing to operate out of the existing one-story, 18,144 square foot (sf) commercial building, previously occupied by Rite-Aid, in the commercial shopping center located at the northeast corner of Magnolia Street and Talbert Avenue. The proposal includes the addition of a new 1,662 sf mezzanine for a total of 19,806 sf tenant space. The tenant space will be comprised of six (6) pickleball courts, a community room, a locker and bathroom area, a pro-shop for pickleball gear and snacks, and lounge areas on the first floor and on the mezzanine level (Attachment #3). The Community Room will be utilized for corporate or other team-building events where teams can gather for a meeting or presentation. The lounge area on the ground and mezzanine levels will be utilized for members to meet, relax, and wait for their turn on the courts.

The Picklr will offer various membership levels, clinics and coaching via AI, open play, and will also be available to non-members that can pay a drop-in fee to access the facilities or participate in events and tournaments. The Picklr has 7 to 8 tournaments a year for members and non-members for a drop-in fee. Non-members can only host a tournament if they are renting out the club for a private function or in conjunction with renting out the community room. The tournaments that will be offered by The Picklr are those mandated by Corporate and are largely limited to the existing members of the location. They are typically run around holidays and last 2-3 hours. Since the facility is smaller than other pickleball facilities with only 6 courts, there will be no external sponsored tournaments like you might see at larger facilities with bleachers and spectators (which will not be provided at the proposed Project). While non-members are allowed to participate for a fee, the vast majority of participants will be members and tournament participants are capped.

### Noise Analysis

The applicant provided a Noise Analysis prepared by Meridian Consultants for the proposed Project (Attachment #4). The noise analysis first analyzed the ambient noise directly behind the proposed tenant space between the building and the rear property line adjacent to the single-family homes to the north (which are only 25 ft away) over a 24-hour period. The study found that the highest observed noise measurement was at 63 dBA at 6:00 am and the lowest 47.7 dBA at 2:00 am. The purpose of measuring the ambient noise in the area is to help substantiate the fact that if operational noise from the proposed use is lower than the ambient noise, it will be drowned out and less noticeable to neighbors.

The analysis then measured the operational noise from the facility. Noise inputs were derived from a two-part acoustic analysis conducted in 2025 for a proposed "The Picklr" facility located in Carlsbad, CA. The analysis incorporated: (1) a Sound Pressure Level (SPL) study conducted on June 9, 2025, at an existing 15-court Picklr facility in Birmingham, Alabama, and (2) a Reverberation Time (RT60) study conducted on July 28, 2025, at the Carlsbad site. The SPL study documented peak interior sound levels during full gameplay, identifying a representative per-court value of 85.6 dBA LAeq. This value was conservatively applied to all six proposed courts of the proposed use as simultaneous area sources. Additionally, a SPL value of 86.0 dB/m<sup>2</sup> was applied to the spectator area derived from a computer modeling SoundPLAN reference noise source library, specifically for a "standing crowd" scenario. This source assumes 100% of individuals are speaking simultaneously, a highly conservative assumption for a recreational pickleball setting where spectators are

primarily passive observers during gameplay. This input was selected to ensure a worst-case estimate of cumulative operational noise levels, despite actual conditions being typically quieter.

The Picklr would operate wholly within the interior of the tenant space, with all games, spectator activity, and other noise located indoors. The Noise Analysis states that under typical conditions, interior noise from such uses would not be expected to propagate to exterior areas at levels detectable above ambient noise, particularly given the structural enclosure of the building itself. The analysis provides a conservative evaluation by assuming that the rear doors are open during operation to allow for the maximum possible sound transmission to the exterior of the rear of the building. The analysis predicted operational noise levels of 31.8 dBA during the daytime and 27.0 dBA during the nighttime. Since the Project generated levels would be substantially below the existing ambient levels, operational noise from the facility would not cause a measurable or perceptible increase in the local noise environment.

To help further ensure noise from the facility will not be an issue, the applicant has proposed to apply a foam sound attenuation material to the interior face of the rear wall. This treatment is designed to absorb mid- to high-frequency sound energy and reduce internal reflections, contributing to lower reverberant noise levels and reducing the chance of any sound energy transmitting through the wall. Additionally, to further reduce interior sound levels and reverberation, The Picklr will install a suspended cloud grid across portions of the ceiling. This system consists of semi-rigid felt panels arranged in two meshed perpendicular arrays and suspended below the ceiling plane. By absorbing reflected sound energy, this treatment significantly reduces interior reverberation time (RT60) and peak noise levels associated with pickleball gameplay and spectator activity.

The analysis also accounted for the noise impact to the adjacent commercial tenant space to the east whom The Picklr would share a common wall with. FVMC 6.28.060 establishes noise standards of 55 dBA between 7:00 am – 10:00 pm and 45 dBA between 10:00 pm – 7:00 am. The shared common wall between the tenant spaces provides a Sound Transmission Class (STC) rating of 63 which in fact reduces the noise output from the proposed use from the predicted 86 dBA to 23 dBA. Since this is below the maximum interior noise levels in the FVMC (55 dBA between 7:00 am – 10:00 pm and 45 dBA between 10:00 pm – 7:00 am), interior noise impacts would not be considered significant.

### Hours

The proposed hours of operation in the Project Description Letter are 6:00 am – 12:00 am seven (7) days a week, however in recent conversations with the applicant they propose adjusted hours of 5:30 am – 11:00 pm, seven (7) days a week. Although the noise analysis predicts noise levels below ambient noise in the area, staff feels that a conservative approach is more suited when approving a use with early morning and late night hours of operation that have the potential to conflict with the welfare of adjacent properties – especially when the use is so close to residential uses. Limiting the hours of operation initially, will help the Project comply with General Plan Land Use Goal LU-1 by requiring that new development is located, scaled, buffered, and designed to minimize negative impacts on adjacent neighborhoods. As such, staff is recommending hours of operation consistent

with FVMC 6.28.050 maximum exterior noise standards hours of 7:00 am – 10:00 pm. Staff has included Condition of Approval (COA) #4 which would allow expanded hours of operation after 6 months upon request from the applicant subject to review of the Community Development Director.

### Parking Analysis

The commercial shopping center operates with a total of 407 parking spaces. The proposed The Picklr use requires 4 spaces/1,000 sf thus requiring 79 parking spaces within the center. The combined parking requirement for all uses in the center, including The Picklr, is 355 parking spaces, resulting in a surplus of 52 remaining spaces. Operationally, with only six (6) pickleball courts, the maximum of 24 players can play at one time in the facility. With an additional round of 24 players waiting to play, and an estimate of 20 spectators, the total amount of people onsite at any given time would be close to 68 people. Assuming everyone coming to the facility is driving their own car, which may not always be the case, the total amount of cars coming to The Picklr still falls below the calculated 79 parking spaces per code requirements.

The Picklr will also host tournaments that are largely limited to the existing members of the location. They typically run around holidays and last about 2-3 hours each. The applicant has noted that since the facility only has six (6) courts, there will be no external sponsored tournaments, such as those found at larger facilities. Staff feels that parking for the tournaments should not be an issue, but have included a COA (COA 44) in case parking does become an issue for the shopping center that includes measures including limiting the number of patrons allowed in the building at one time, staggering reservation times, and implementing employee carpooling.

With the proposed COA's included Resolution No. 26-05 staff supports the request as submitted (Attachment #5).

### Environmental Clearance:

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 and can be determined categorically exempt pursuant to Class 1, Existing Facilities, Section 15301 of the CEQA Guidelines, which establishes that existing structures involved in negligible or no expansion of use beyond the previously existing are exempt from the provisions of CEQA. The proposed project includes the establishment and operation of a pickleball facility in an existing tenant space in a shopping center. No exterior physical changes or intensification to the building would occur as a result of the project (Attachment #6).

### Notice Furnished:

Public hearing notices were mailed to all property owners and commercial tenants within 1,000 feet of the subject property. The item was published in the Orange County Register and notices were posted at City Hall and the Recreation Center.

Alternatives:

1. Adopt Resolution No. 26-05 adopting a Notice of Exemption in accordance with the California Environmental Quality Act and approving Conditional Use Permit No. 1940 to establish and operate a pickleball facility located at 17904 Magnolia Street.
2. Continue the request and direct staff to prepare a resolution for denial.
3. Continue this request for additional information.

Recommended Action:

Staff recommends that the Planning Commission adopt Alternative #1: Adopt Resolution No. 26-05 adopting a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approving Conditional Use Permit No. 1940 to establish and operate a pickleball facility located at 17904 Magnolia Street.

Prepared By: Steven Ayers, Principal Planner

Approved By: Omar Dadabhoy, Deputy City Manager/Community Development Director

- Attachments:
1. Vicinity Map
  2. Project Description Letter
  3. Project Plans
  4. Noise Study
  5. Resolution No. 26-05 with Exhibit 1 Conditions of Approval
  6. Notice of Exemption



**PROJECT DESCRIPTION**

**Project Name:** The Picklr, Fountain Valley  
**Project Address:** 17904 Magnolia St., Fountain Valley, CA 92708  
**APN:** 167-013-24  
**Zoning:** General Commercial (C1)  
**Existing Building area:** ± 18,144 SF

**Business Description:**

The Picklr is a rapidly expanding franchise focused on indoor pickleball courts (without spectator's seating). The Picklr aims to provide a professional-level experience for pickleball players of all skill levels. **The Picklr, Fountain Valley** will be an interior tenant improvement project within an existing one-story commercial building of approximately 18,144 SF located at 17904 Magnolia St., Fountain Valley, CA 92708, within an established multi-tenant retail shopping center/Village center in the General Commercial (C1) zoning district. The project involves no expansion of the existing ground floor building footprint. There is a new mezzanine proposed which will be approximately 1,600 SF.

Business Hours: 6.00 am – 12.00am

Days of operation: 7 days a week

Staff numbers: 2 full-time, 3 part-time (on a need basis)

**The Picklr, Fountain Valley** location will provide services listed below:

1. Indoor Courts: 6 indoor pickleball courts (without spectators seating) will be provided, allowing for year-round play regardless of weather conditions. The courts can be reserved by using The Picklr app. Minimum 1 hr. is required to reserve court. Each court will have 2 to 4 players, unless the member utilize the training program of the Wingfield and ball machine allowing for only 1 player to practice.
2. Pro-shop for pickleball gear and grab and go cooler for snacks and drinks
3. Community rooms: This space will be used for meetings or presentations. The community room can be reserved by calling the business directly. Minimum reservation time is 2 hr. Sometimes the whole facility is rented out, typically for a corporate team building event. When that happens, no other customers would be allowed in during this blocked off time. The corporate team building events commonly want to have a space where they will have a quick meeting or presentation, this community rooms will accommodate that experience.
4. Rest of the spaces will have reception, warm up/cool down room, lounge areas, restrooms, lockers, showers, office and storage areas.

5. Clinics and Coaching via AI: The facility will offer clinics for different skill levels and utilizes Wingfield's AI-powered video technology for game improvement and coaching.
6. Open Play: Members can participate in open play sessions to enjoy casual games.
7. Membership Options: The facility will offer various membership levels, including a full "Unlimited" membership that provides access to all amenities without extra fees.
8. Non-Member Play: Non-members can pay a drop-in fee to access the facilities or participate in events and tournaments which is open to members only.
9. Reservation system: The courts can be reserved by using The Picklr app. Minimum 1 hr. is required to reserve court. The community room can be reserved by calling the business directly, minimum reservation time is 2 hr.
10. Tournament: These tournaments are meant for members only and is not open to general public except Non-Member Play as noted above, item#8

PicklR has approximately 7 to 8 mandatory tournaments a year for members, however non-members can purchase an entry to the tournament for a fee. There are other optional tournaments that can be run at the individual club level. Non-members can only host a tournament if they are renting out the club for a private function or in conjunction with renting out the community room

11. New 1,662 SF Mezzanine: This space will function same as the community rooms on the ground floor. It will be used for corporate or other team building events where teams can gather and have a meeting, presentation or just get together, lounge.

**Reasons for initiating the CUP application:**

The previous business occupying 17904 Magnolia St., Fountain Valley, CA 92708 was RITE AID which was retail use and the proposed use is indoor pickleball courts which falls under 'Indoor Amusement/Entertainment Facility' and is a change of use which requires Conditional Use Permit.

**Surrounding uses to North, South, East and West:**

**North:** North of the project site is a single-family residential neighborhood, consisting of detached one- and two-story homes fronting Winterberry Street. These residences back onto the commercial property line, separated by a masonry wall.

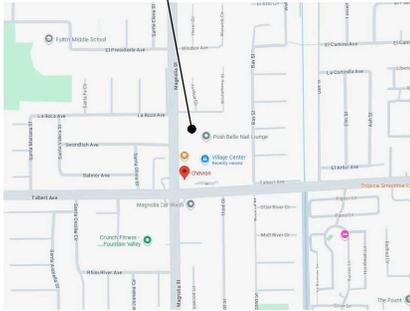
**South:** To the south are other commercial uses within the same shopping center along Magnolia Street and Talbert Ave, including Dutch Bros Coffee, sprouts supermarket, dog camp pet grooming store, chevron gas station and smaller retail/service tenants sharing the same parking lot and drive aisles.

**East:** East of the project site is a single-family residential neighborhood, consisting of detached one- and two-story homes fronting Bay St. These residences back onto the commercial property line, separated by a masonry wall.

**West:** To the West is a small shopping plaza with retail stores such as State Farm, Nails and hair, smoke shop, tacos el rancho and Firestone auto care. Beyond the shopping plaza is a single-family residential neighborhood

VICINITY MAP

PROJECT LOCATION



DIRECTORY

TENANT

THE PICKLR

TEL: 562 - 799 - 4439  
 ATTN: TRACEY SWANITZ - PICKLR FRANCHISE OWNER  
 EMAIL: tracey.swanitz@thepicklrfanchise.com

CLIENT/CONTRACTOR

PROCON DEVELOPMENT INC.  
 4522 KATELLA AVE., SUITE A  
 LOS ALAMITOS, CA 90720

TEL: 562 - 799 - 4439  
 ATTN: GUY CASTILLO - PRESIDENT/OWNER  
 EMAIL: gcastillo@proconcg.com

ARCHITECT

SRK ARCHITECTS INC.  
 2234 S. FIGUEROA STREET  
 LOS ANGELES, CA 90007

TEL: 213 - 259 - 8455  
 ATTN: DUYUM DULOM - PROJECT MANAGER  
 EMAIL: ddulom@srkarchitectsinc.com

TEL: RUBEN HARO - PROJECT ARCHITECT  
 ATTN: rharo@srkarchitectsinc.com  
 EMAIL: 213 - 259 - 8037

SCOPE OF WORK

EXISTING VACANT RETAIL BUILDING TO BE CONVERTED TO AN INTERIOR PICKLE BALL COURT FACILITY CONSISTING OF THE FOLLOWING:

1. INDOOR COURTS: 6 INDOOR COURTS WILL BE PROVIDED, ALLOWING FOR YEAR-ROUND PLAY REGARDLESS OF WEATHER CONDITIONS. EACH COURT WILL HAVE 2 TO 4 PLAYERS, UNLESS UTILIZING THE TRAINING PROGRAM OF THE WINGFIELD AND BALL MACHINE ALLOWING FOR ONLY 1 PLAYER TO PRACTICE.
2. PRO-SHOP FOR PICKLEBALL GEAR AND GRAB AND GO COOLER FOR SNACKS AND DRINKS.
3. REST OF THE SPACES WILL HAVE RECEPTION, WARM UP/COOL DOWN ROOM, LOUNGE AREAS, RESTROOMS, LOCKERS, SHOWER/CHANGING ROOM, OFFICE, STORAGE AREAS AND NEW MEZZANINE.
4. CLINICS AND COACHING VIA AI: THE FACILITY WILL OFFER CLINICS FOR DIFFERENT SKILL LEVELS AND UTILIZES WINGFIELD'S AI-POWERED VIDEO TECHNOLOGY FOR GAME IMPROVEMENT AND COACHING.
5. OPEN PLAY: MEMBERS CAN PARTICIPATE IN OPEN PLAY SESSIONS TO ENJOY CASUAL GAMES.
6. MEMBERSHIP OPTIONS: THE FACILITY WILL OFFER VARIOUS MEMBERSHIP LEVELS, INCLUDING A FULL "UNLIMITED" MEMBERSHIP THAT PROVIDES ACCESS TO ALL AMENITIES WITHOUT EXTRA FEES.
7. NON-MEMBER PLAY: NON-MEMBERS CAN PAY A DROP-IN FEE TO ACCESS THE FACILITIES OR PARTICIPATE IN EVENTS AND TOURNAMENTS.

SHEET INDEX

ARCHITECTURAL

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| 7) | SK-7 | LINE OF SIGHT        |



2234 South Figueroa Street  
 Los Angeles, CA 90007 USA  
 Tel 213-747-1199  
 srkarchitectsinc.com

THE PICKLR - FOUNTAIN VALLEY  
 17904 MAGNOLIA STREET  
 FOUNTAIN VALLEY, CA 92708

COVER SHEET

Planning Department  
 Received 1/8/26

Project #: 25017  
 Scale: N/A  
 Date: 10-28-2025

SK-1

**PROPERTY INFORMATION**

ADDRESS: 17904 MAGNOLIA STREET, FOUNTAIN VALLEY, CA 92708  
 APN: 167-013-24  
 LEGAL DESCRIPTION: SEC 30 T 5 R 10 POR SW1/4  
 LOT SQ. FT. 347,038  
 ZONE: GENERAL COMMERCIAL (C1)

**EXISTING BUILDING (C.B.C.):**

NUMBER OF STORIES: 1  
 BUILDING AREA:  
 (E) RITE AID (VACANT) 18,144 SF  
 (E) COVERED ENTRY 1,609 SF  
 TOTAL (E) BLDG. AREA 19,753 SF

AUTO SPRINKLER SYSTEM: YES, NFPA 13  
 CONSTRUCTION TYPE: III-B  
 OCCUPANCY: M - MERCANTILE

**PROPOSED BUILDING (C.B.C.):**

NUMBER OF STORIES: 1  
 BUILDING AREA:  
 THE PICKLR 18,144 SF  
 (E) COVERED ENTRY 1,609 SF  
 TOTAL (E) BLDG. AREA 19,753 SF

\* (N) MEZZANINE 1,662 SF  
 AUTO SPRINKLER SYSTEM: YES, NFPA 13  
 CONSTRUCTION TYPE: III-B  
 OCCUPANCY: \*\*A-3 - ASSEMBLY

\*(N) MEZZANINE DOES NOT CONTRIBUTE TO BUILDING AREA, 1,662 SF < 1/3.

\*\*INDOOR PICKLE BALL COURTS WITHOUT SPECTATOR SEATING.

**BUILDING JUSTIFICATION (C.B.C.)**

ALLOWABLE BUILDING HEIGHT 504.3  
 A-3 = 40 FEET

ALLOWABLE NUMBER OF STORIES 504.4  
 A-3 = 1 STORIES

ALLOWABLE AREAS 506.2  
 A-3 = 24,000 S.F.

NON-SEPARATED OCCUPANCIES 508.3  
 BASED ON THE MOST RESTRICTIVE ALLOWANCES FOR THE OCCUPANCY GROUPS\_A-3 IS THE MOST RESTRICTIVE

BUILDING HEIGHT 25'-1" < 40' COMPLIES  
 BUILDING STORIES 1 < 1 COMPLIES  
 BUILDING AREA 19,753 < 24,000 COMPLIES

**OCCUPANT LOAD (C.B.C.)**

GROUND FLOOR = 109  
 MEZZANINE = 97  
 TOTAL BLDG. = 206

SEE SK-5 FOR SUMMARY OF OCCUPANT LOAD

**EGRESS (C.B.C.)**

2 EXITS REQUIRED  
 3 EXITS PROVIDED

**PLUMBING CALCULATIONS**

PLUMBING FIXTURE CALCULATIONS PER C.P.C. CHAPTER 4

SEE OCCUPANT LOAD SUMMARY ON THIS PAGE & SK-5

'A-3' OCCUPANCY = \*192 OCC. (96 MALE/FEMALE)

\*EXCLUDES 14 OCCUPANTS FOR THE RESTROOMS, SHOWER AND LOCKER AREAS SINCE THIS IS THE SAME POPULATION UTILIZING THE RESTROOMS.

TOTAL FIXTURES REQUIRED  
 'A-3'  
 MALE = 1-W.C., 1-URINAL, 1-LAV.  
 FEMALE = 3-W.C., 0-URINAL, 1-LAV.  
 OTHER = 1-DRINKING FOUNTAIN, 1-SERV. SINK

TOTAL FIXTURES PROVIDED  
 MALE = 2-W.C., 1-URINAL, 2-LAV.  
 FEMALE = 3-W.C., 0-URINAL, 2-LAV.  
 UNISEX = 2-W.C., 2-LAV.  
 SHOWERS = 1-SHOWERS  
 OTHER = 1-DRINKING FOUNTAIN, 1-SER. SINK

**PARKING SUMMARY**

REQUIRED PARKING PROPOSED USE (THE PICKLR)  
 2 PER COURT (6 COURTS) = 12 SPACES  
 +  
 1 PER EA. 300 S.F. OF FLOOR AREA OF ANCILLARY SPACE (\*19,806 S.F.) = 67 SPACES  
 TOTAL REQUIRED PROPOSED = 79 SPACES

\*ANCILLARY SPACE CALCULATION  
 (18,144 + 1,662) = 19,806 S.F.

NOTE:  
 PARKING REQUIRED FOR EXISTING USE "RITE-AID" BUILDING 18,144 / 250 = 73 SPACES REQUIRED FOR EXISTING USE.

TOTAL PARKING REQUIRED ON-SITE  
 TOTAL SPACES REQUIRED = 364 SPACES

TOTAL PARKING PROVIDED ON-SITE  
 STANDARD SPACES = 393 SPACES  
 ADA ACCESSIBLE = 14 SPACES  
 TOTAL PROVIDED ON-SITE = 407 SPACES

**CODES**

PROJECT SHALL COMPLY WITH THE FOLLOWING CODES:  
 2022 CALIFORNIA BUILDING CODE  
 2022 CALIFORNIA ELECTRICAL CODE  
 2022 CALIFORNIA MECHANICAL CODE  
 2022 CALIFORNIA PLUMBING CODE  
 2022 CALIFORNIA ENERGY CODE  
 2022 CALIFORNIA FIRE CODE  
 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE



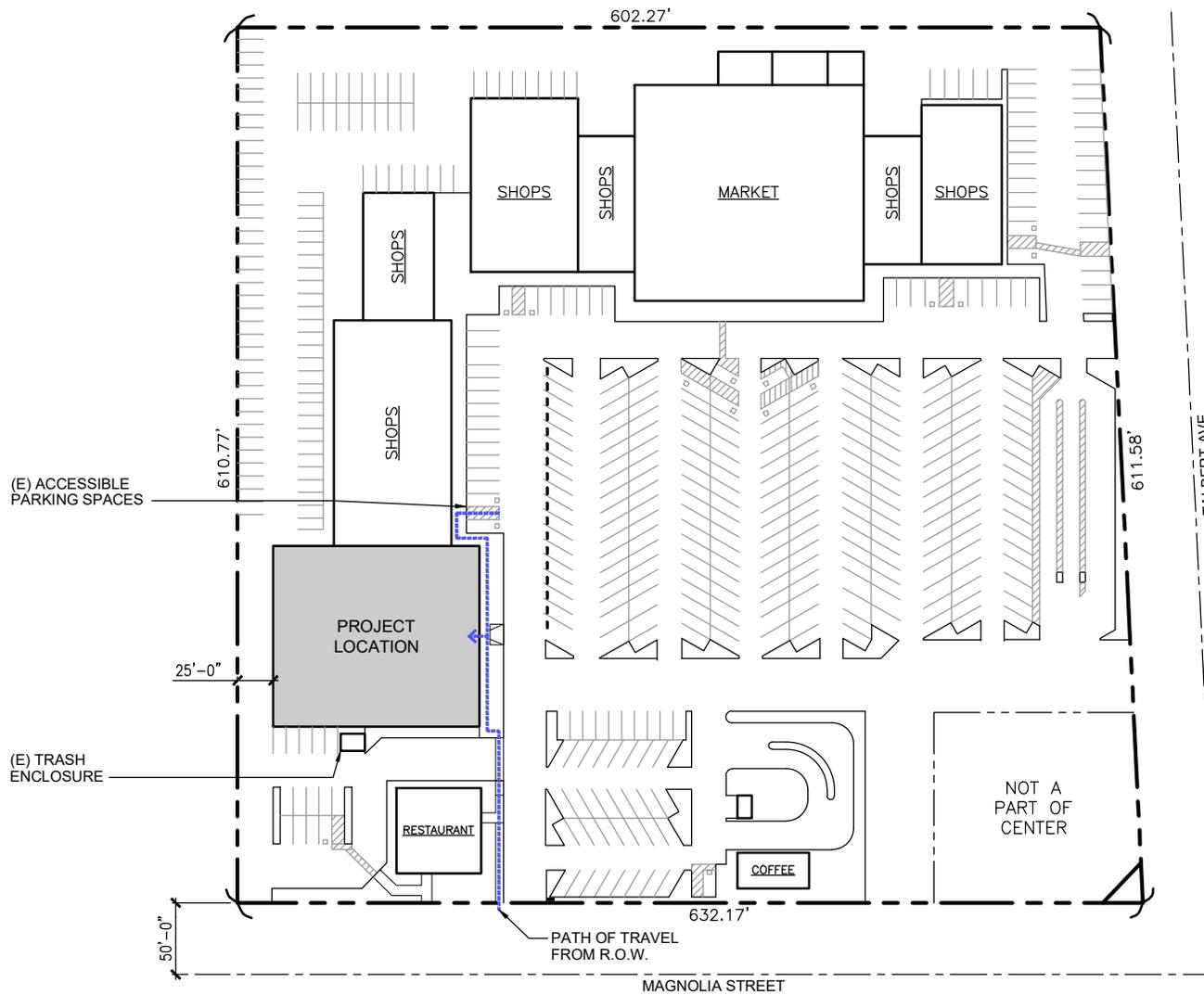
2234 South Figueroa Street  
 Los Angeles, CA 90007 USA  
 Tel 213-747-1199  
 srkarchitectsinc.com

THE PICKLR - FOUNTAIN VALLEY  
 17904 MAGNOLIA STREET  
 FOUNTAIN VALLEY, CA 92708

**CODE DATA**

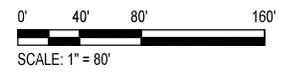
Project #: 25017  
 Scale: N/A  
 Date: 10-28-2025

**SK-2**



NOTE:  
 1. SITE PLAN IS FOR REFERENCE ONLY.

2. ALL EXISTING EXTERIOR LIGHTING TO MEET THE REQUIREMENTS OF FVMC 21.22.070(h) AND IS SCREENED FROM ADJACENT PROPERTIES PER FVMC 21.18.060. ALL ILLUMINATION, INCLUDING SECURITY LIGHTING, SHALL BE DIRECTED DOWNWARDS, AWAY FROM ADJACENT PROPERTIES AND PUBLIC RIGHTS OF WAY IN COMPLIANCE WITH SECTION 21.18.060(EXTERIOR LIGHTING) OF THIS TITLE



**SRK**  
 STEWART  
 ROMBERGER  
 KITE  
 ARCHITECTS INC.

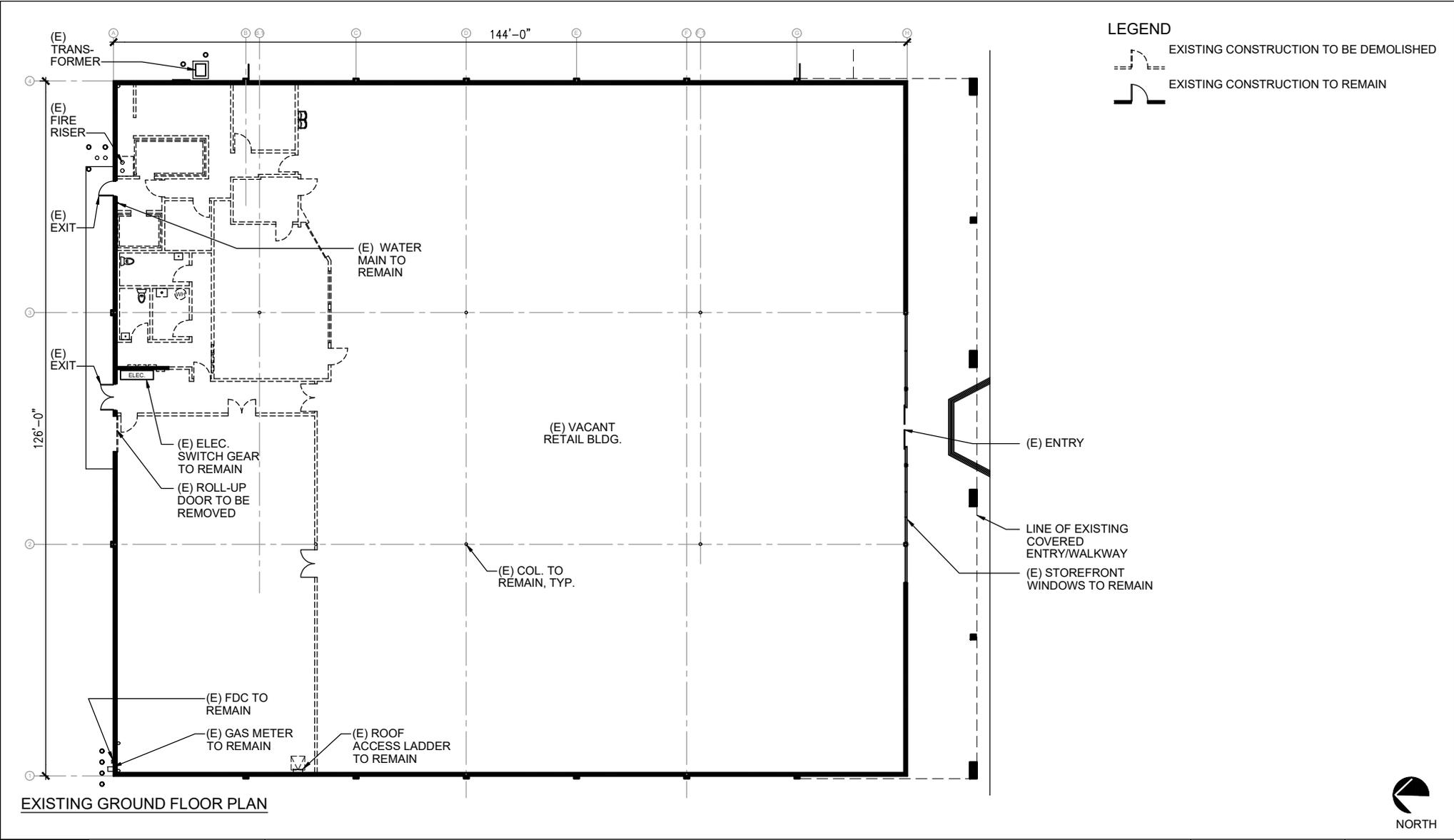
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 Tel 213-747-1199  
 srkarchitectsinc.com

THE PICKLR - FOUNTAIN VALLEY  
 17904 MAGNOLIA STREET  
 FOUNTAIN VALLEY, CA 92708

SITE PLAN

Project #:  
 25017  
 Scale:  
 1/128" = 1'-0"  
 Date:  
 10-28-2025

**SK-3**



EXISTING GROUND FLOOR PLAN

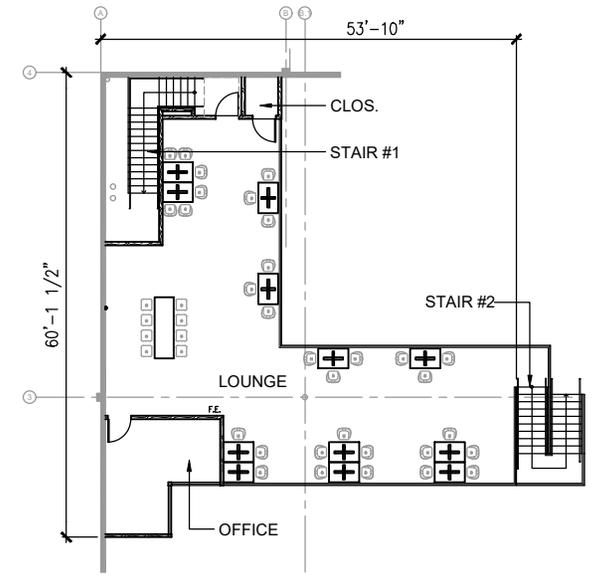
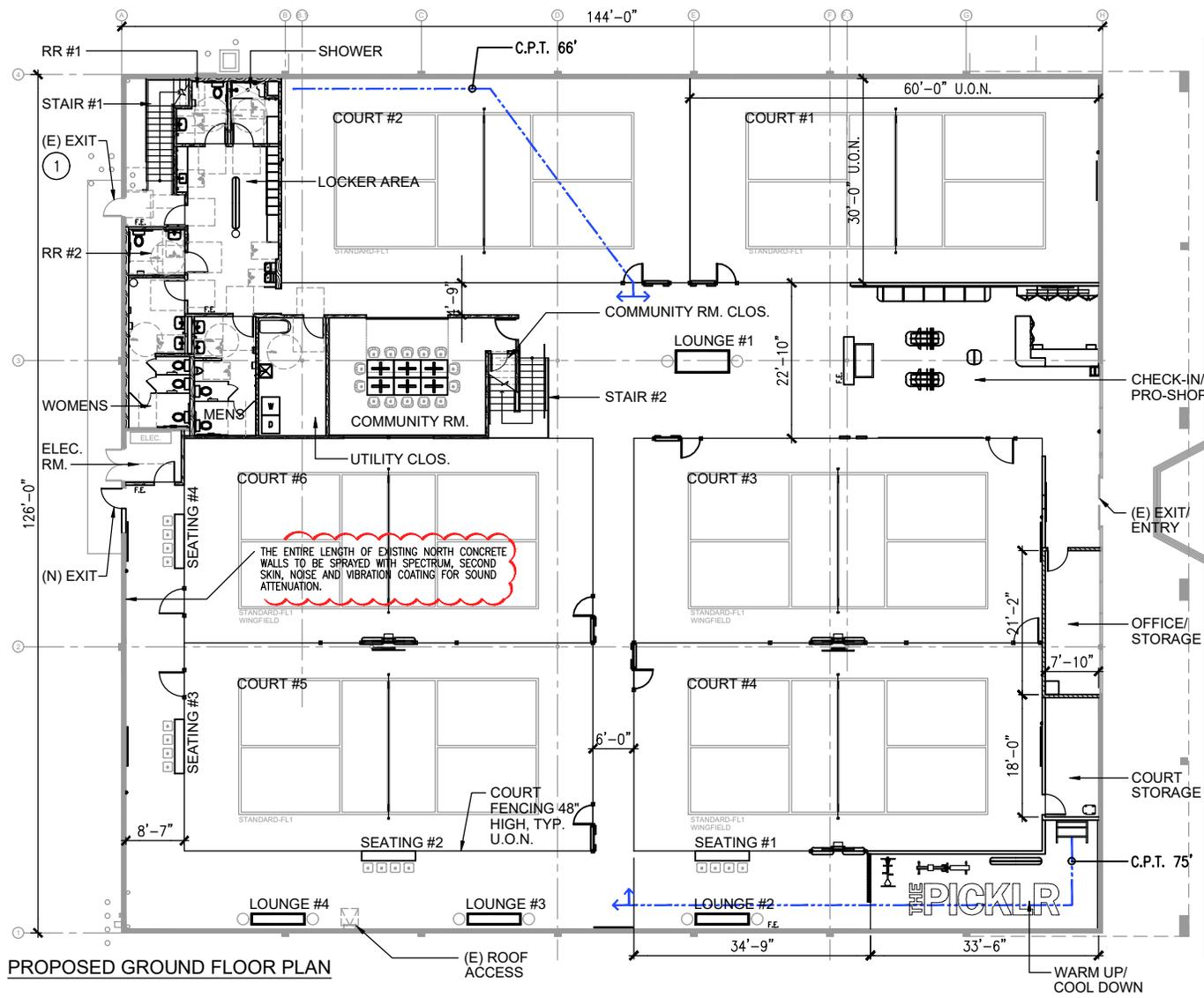
**SRK**  
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 ROMBERGER  
 KITE  
 ARCHITECTS INC.

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THE PICKLR - FOUNTAIN VALLEY  
 17904 MAGNOLIA STREET  
 FOUNTAIN VALLEY, CA 92708  
 EXISTING FLOOR PLAN

Project #:  
 25017  
 Scale:  
 1/16" = 1'-0"  
 Date:  
 10-28-2025

**SK-4**



**PROPOSED MEZZANINE FLOOR PLAN**

**LEGEND**

- EXISTING CONSTRUCTION TO REMAIN
- NEW CONSTRUCTION

**C.P.T. COMMON PATH OF TRAVEL**

**KEYNOTE**

① VERIFY DOOR IS 36" WIDE, OR ENLARGE OPENING.

**OCCUPANT LOAD SUMMARY**

	SF	LOAD	OCC.
GRND. FLOOR			
CHECK-IN/PROSHOP	809	60	14
OFFICE/STO.	169	150	2
COURT STO.	137	300	1
WARM-UP/COOL DN.	408	50	9
LOUNGE #1	40	15	3
COMM. RM.	419	15	28
COMM. RM. CLOS.	33	300	1
UTILITY CLOS.	171	300	1
MENS	157	150	2
WOMENS	189	150	2
ELEC. RM.	62	300	1
LOCKER AREA	343	50	7
SHOWER	59	150	1
RR#1	60	150	1
RR#2	55	150	1
LOUNGE #2-4	60	15	4
**SEATING #1-4	95	15	7
*6-COURTS	10,870	-	24
SUB-TOTAL OCC.			109
MEZZANINE			
LOUNGE	1,399	15	94
OFFICE	176	150	2
CLOS.	22	300	1
SUB-TOTAL OCC.			97
TOTAL BLDG. OCC.			206

\*COURTS CALCULATED AT 4 MAX. PER COURT  
 \*\*SEATING FOR PLAYERS WHILE RESTING

**SRK**  
 STEWART  
 ROMBERGER  
 KITE  
 ARCHITECTS INC.

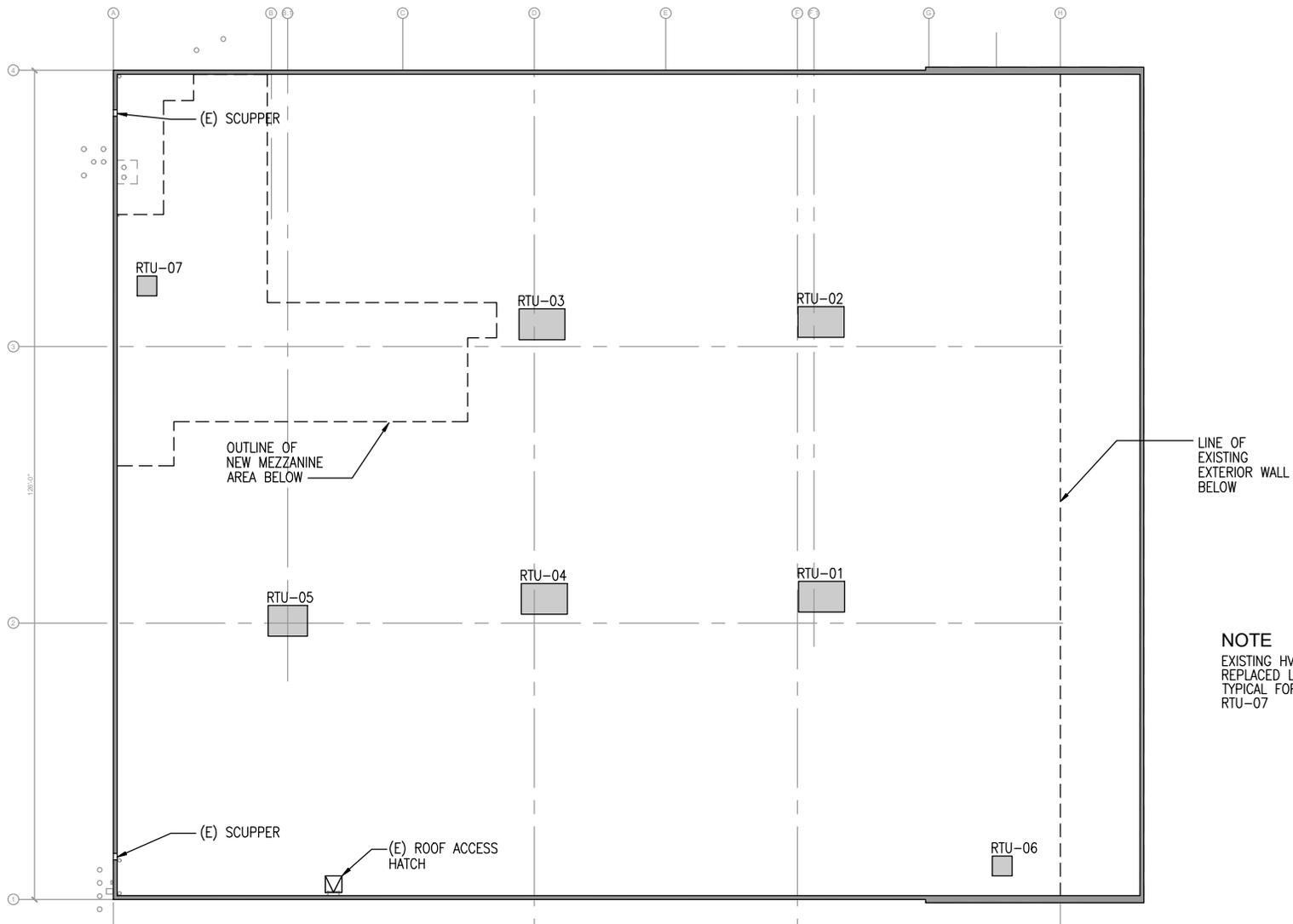
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 17904 MAGNOLIA STREET  
 FOUNTAIN VALLEY, CA 92708

**PROPOSED FLOOR PLANS**

Project #: 25017  
 Scale: 1/16" = 1'-0"  
 Date: 10-28-2025

**SK-5**

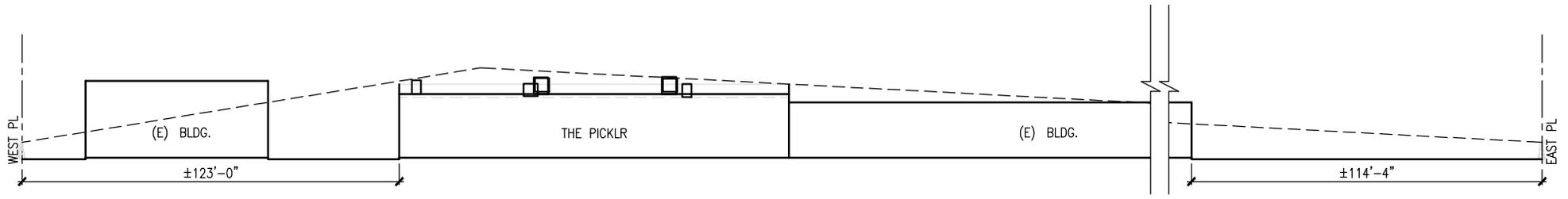


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Los Angeles, CA 90007 USA  
Tel 213-747-1199  
srkarchitectsinc.com

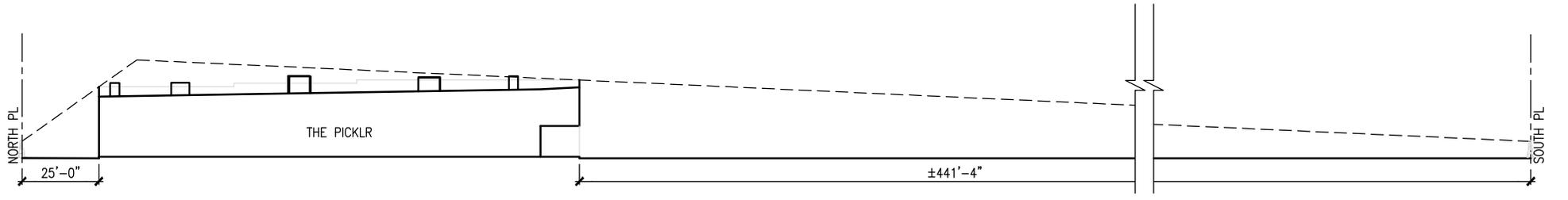
THE PICKLR - FOUNTAIN VALLEY  
17904 MAGNOLIA STREET  
FOUNTAIN VALLEY, CA 92708  
EXISTING ROOF PLAN

Project #: 25017  
Scale: 1/16" = 1'-0"  
Date: 10-28-2025

SK-6



LINE OF SIGHT - WEST-EAST



LINE OF SIGHT - NORTH-SOUTH



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 17904 MAGNOLIA STREET  
 FOUNTAIN VALLEY, CA 92708

LINE OF SIGHT

Project #:  
 25017  
 Scale:  
 1/32" = 1'-0"  
 Date:  
 10-28-2025

SK-7

# NOISE STUDY

---

## THE PICKLR PROJECT

*17904 Magnolia Street  
Fountain Valley, CA 92708*

### PREPARED FOR:

Procon Development Inc.  
4522 Katella Avenue, Suite A  
Los Alamitos, CA 90720

### PREPARED BY:



860 Hampshire Road, Suite P  
Westlake Village, CA 91361  
[www.meridianconsultantsllc.com](http://www.meridianconsultantsllc.com)

DECEMBER 2025

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### Appendices

1.0	Noise Monitoring Data Sheets
1.1	Short-term Noise Monitoring Data Sheets
1.2	Long-term Noise Monitoring Data Sheet
2.0	SoundPLAN Output Sheets
3.0	INSUL Output Sheets

## A. EXECUTIVE SUMMARY

---

This *Noise Study* assesses and discusses the potential noise impacts that may occur with The Picklr (Project).

The analysis describes the existing environment in the Project area; estimates future levels at surrounding land uses resulting from operation of the Project; and identifies the potential for significant impacts. The study summarizes the potential for the Project to conflict with applicable noise regulations, standards, or thresholds, and to identify any measures that may be necessary to reduce potentially significant impacts.

### Operational Noise

Noise generated by the Pickleball facility originates from multiple operational components, each contributing differently to overall acoustic exposure at surrounding land uses. The primary source of noise is the repetitive impact of the plastic ball against paddles and court surfaces, which produces high-frequency, impulse-like sounds often perceived as sharper and more intrusive than other recreational activities. Player vocalizations, including calls, cheering, and casual conversation, contribute a secondary but non-negligible component, particularly in social or competitive play scenarios. If spectators are present, crowd noise, comprised of intermittent cheering, group conversations, and movement, adds to the cumulative sound environment, especially during peak periods or special events. Together, these sources result in a dynamic acoustic profile that may vary throughout the day based on court usage, match intensity, and facility scheduling.

Predicted noise levels would not exceed the City's daytime exterior noise standard (Section 6.28.050 of the Fountain Valley Municipal Code [FVMC]) of 55 dBA or the nighttime standard of 50 dBA at the adjacent nearby residential properties. Additionally, when accounting for typical residential building attenuation (estimated at 15 to 20 dBA for standard construction with partially open windows), interior noise levels at these same receptors would remain well below the City's daytime interior noise standard (Section 6.28.060 of the FVMC) of 55 dBA or the nighttime standard of 45 dBA at the adjacent nearby residential properties.

Because predicted noise levels fall below both exterior and interior standards under conservative operating assumptions, impacts would not be considered significant, and no mitigation is required.

## B. PROJECT DESCRIPTION

---

The proposed project involves the adaptive reuse of an existing commercial building located at 17904 Magnolia Street in the City of Fountain Valley (refer to **Figure 1: Project Site Location**), for the development of an indoor pickleball facility. The existing structure will be repurposed to accommodate six indoor pickleball courts, along with associated spectator seating, restrooms, and minor ancillary facilities (e.g., check-in area, vending machines). No significant exterior structural additions or expansions are currently proposed (refer to **Figure 2: Proposed Site Plan**).

The facility is proposed to operate daily from 6:00 AM to 12:00 AM (midnight), which represents an extended operational period potentially affecting adjacent noise-sensitive receptors, particularly during early morning and late-night hours. The Project site is located within a commercially zoned district but in proximity to residential uses, requiring a focused evaluation of ambient and project-generated noise levels.

The project does not involve outdoor pickleball courts or amplified outdoor audio. Parking will be provided on-site using the existing surface lot. Project construction activities are expected to be limited to interior modifications and minor building upgrades, with negligible grading or demolition.



FIGURE 1  
Project Site Location

SOURCE: Google Earth - 2025



## C. EXISTING CONDITIONS

### 1. Ambient Noise Levels

#### (a) Short-term Measurements

Short-term sound monitoring was conducted at three (3) locations to measure the ambient sound environment in the Project vicinity. Measurements were taken over 15-minute intervals at each location on October 15, 2025 and October 16, 2025 during daytime hours. The specific time periods of each measurements are provided in **Table 1: Short-term Ambient Noise Measurements**. **Figures 3-5: Short-term Noise Monitoring Locations** depicts locations where ambient noise measurements were conducted. As shown in **Table 1**, ambient noise levels ranged from a low of 53.1 dBA ( $L_{eq}$  15-minute) between 11:17 AM through 11:32 AM at the eastern corner of the Project site (Site 3) to a high of 68.0 dBA ( $L_{eq}$  15-minute) between 10:59 AM through 11:14 AM west of the Project site across Magnolia Street (Site 1).

TABLE 1: SHORT-TERM AMBIENT NOISE MEASUREMENTS				
Location Number/Description	Nearest Use	Time Period	Noise Source	dBA Leq
1 West of the Project site across Magnolia Street	Residential	10/15/2025, 10:59 AM–11:14 AM	Vehicle and pedestrian traffic along Magnolia Street	68.0
		10/16/2025, 11:03 AM–11:18 AM		65.2
2 Northwest of the Project site on the corner of Magnolia Street and La Roca Avenue	Residential	10/15/2025, 10:39 AM–10:54 AM	Vehicle and pedestrian traffic along Magnolia Street and La Roca Avenue	67.2
		10/16/2025, 10:46 AM–11:01 AM		66.9
3 Eastern corner of the Project site	Residential	10/15/2025, 11:17 AM–11:32 AM	Vehicle and pedestrian traffic within the parking lot of the Project site	53.1
		10/16/2025, 11:21 AM–11:36 AM		58.4

Notes: dBA = A-weighted decibels; Leq = average equivalent sound level.

Source: Refer to **Appendix 1.1: Short-term Noise Monitoring Data Sheets**.

**(b) Long-term Measurements**

Long-term (24-hour) sound monitoring was conducted within the Project site adjacent to the single-family residential neighborhood to the north along Winterberry Street. Measurements were taken continuously from 12:00 PM on October 15, 2025 through 12:00 PM on October 16, 2025 and are presented in **Table 2: Long-Term Ambient Noise Measurements**. **Figure 6: Long-term Noise Monitoring Location** depicts the location where long-term ambient noise measurements were conducted. As shown in **Table 2**, noise levels ranged from 56.5 dBA (Leq-daytime) during the daytime period (7:00 AM – 10:00 PM) and 56.1 dBA (Leq-nighttime) during the nighttime period (10:00 PM – 7:00 AM). Additionally, 24-hour CNEL noise levels were 62.7 dBA CNEL.

TABLE 2: LONG-TERM AMBIENT NOISE MEASUREMENTS			
Location Number/Description	Daytime	Nighttime	24-hour CNEL
	dBA		
<b>A</b> At the Project site, adjacent to the single family residential community along Winterberry Street	56.5	56.1	62.7

Notes: dBA = A-weighted decibels; Leq = average equivalent sound level.  
 Source: Refer to **Appendix 1.2: Noise Monitoring Data Sheet**.



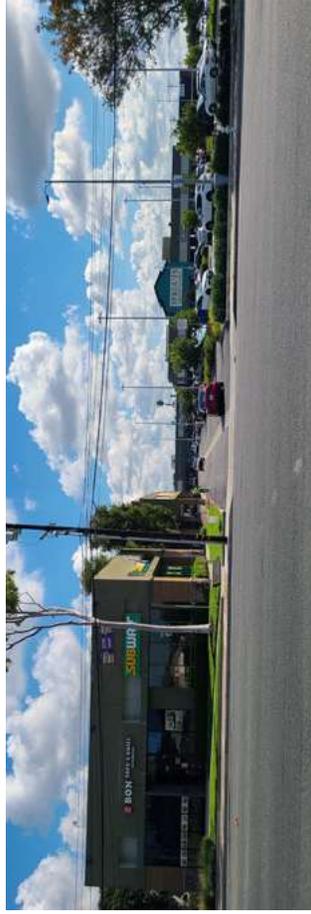
North



West



South



East



SOURCE: Google Earth - 2025

FIGURE 3



North



West



South



East



SOURCE: Google Earth - 2025

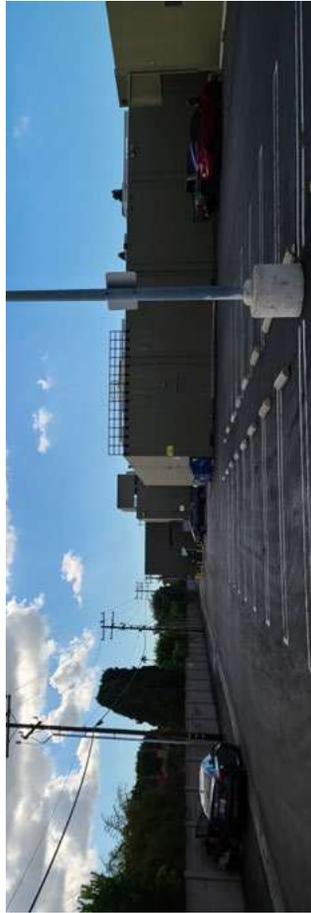
FIGURE 4



North



West



South



East



SOURCE: Google Earth - 2025

FIGURE 5



North



West



South



East



SOURCE: Google Earth - 2025

FIGURE 6

# Noise Monitoring Location (Site A)

## D. APPLICABLE REGULATIONS

### 1. City of Fountain Valley Noise Standards

The Noise Element of the City of Fountain Valley General Plan establishes noise quality standards for land use categories based on the State of California Office of Noise Control land use compatibility recommendations. Community noise exposures are recommended as normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable for various classes of land use sensitivity. As shown in **Table 3: Guidelines for Noise Compatible Land Use**, the City of Fountain Valley guidelines an exterior noise exposure standard of 60 dB CNEL is the most desirable level for single-family residential uses while levels of 70 dB CNEL are acceptable for usable outdoor space (patios, decks, pools, etc.). A level of 70 dB CNEL is considered “conditionally acceptable”. In a “conditionally acceptable” noise category, new construction should be undertaken only after a noise analysis has been made and needed noise insulation features have been incorporated in the project design. These standards apply to exterior recreational noise.

TABLE 3: GUIDELINES FOR NOISE COMPATIBLE LAND USE	
Land Use Categories	Community Noise Equivalent Level (CNEL)
	55 60 65 70 75 80
Residential—Low-Density Single-Family, Duplex, Mobile Homes	Normally acceptable (light gray)
	Conditionally acceptable (medium gray)
Residential—Multiple Family	Normally acceptable (light gray)
	Conditionally acceptable (medium gray)
Transient Lodging - Motel, Hotels	Normally acceptable (light gray)
	Conditionally acceptable (medium gray)
Schools, Libraries, Churches, Hospitals, Nursing Homes	Normally acceptable (light gray)
	Conditionally acceptable (medium gray)
Auditoriums, Concert Halls, Amphitheaters	Normally acceptable (light gray)
	Conditionally acceptable (medium gray)
Sports Arena, Outdoor Spectator Sports	Normally acceptable (light gray)
	Conditionally acceptable (medium gray)

TABLE 3: GUIDELINES FOR NOISE COMPATIBLE LAND USE												
Land Use Categories	Community Noise Equivalent Level (CNEL)											
	55	60	65	70	75	80						
Playgrounds, Neighborhood Parks	[Shaded area from 55 to 65]											
	[Shaded area from 70 to 80]											
Golf Courses, Riding Stables, Water Recreation, Cemeteries	[Shaded area from 55 to 70]											
	[Shaded area from 75 to 80]											
Office Buildings, Business Commercial and Professional	[Shaded area from 55 to 65]											
	[Shaded area from 70 to 80]											
Industrial, Manufacturing, Utilities, Agriculture	[Shaded area from 55 to 70]											
	[Shaded area from 75 to 80]											
<p><b>Normally Acceptable:</b> Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.</p>												
<p><b>Conditionally Acceptable:</b> New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will suffice.</p>												
<p><b>Normally Unacceptable:</b> New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.</p>												
<p><b>Clearly Unacceptable:</b> New construction or development should generally not be undertaken.</p>												

Source: Governor’s Office of Planning and Research, *General Plan Guidelines: 2017*, Appendix D.

## 2. City of Fountain Valley Municipal Code

Chapter 6.28, Noise Control, of the FVMC establishes criteria for ambient noise measurements and sets stationary noise limits applicable to residential zone districts. These standards are codified in Section 6.28.050 of the FVMC and summarized in **Table 4: Exterior Noise Standards**. As shown, Section 6.28.050 establishes a base daytime exterior noise limit of 55 dBA and a nighttime limit of 50 dBA. However, the ordinance requires that a 5 dBA penalty be applied when the noise in question contains offensive characteristics, including impacts, pure tones, speech, or music. Additionally, where the measured ambient noise level exceeds the applicable standard for any statistical noise descriptor (e.g.,  $L_{50}$ ,  $L_{25}$ ,  $L_8$ ,  $L_2$ ,  $L_{max}$ ), the allowable noise limit is increased to match the measured ambient level for that specific descriptor. These provisions ensure that both tonal quality and existing baseline conditions are factored into compliance evaluations.

Additionally, Section 6.28.060 of the FVMC establishes criteria for interior noise standards of 55 dBA between 7:00 AM to 10:00 PM and 45 dBA between 10:00 PM to 7:00 AM.

TABLE 4: EXTERIOR NOISE STANDARDS					
Time Period	Noise Level (dBA)				
	$L_{50}$	$L_{25}$	$L_8$	$L_2$	$L_{max}$
7:00 AM – 10:00 PM	55	60	65	70	75
10:00 PM – 7:00 AM	50	55	60	65	70

Source: City of Fountain Valley Municipal Code, Section 6.28.050.

Note: A 5 dBA penalty shall be applied in the event of an alleged offensive noise such as impact noise, simple tones, speech, music, or any combination of thereof. If the measured ambient level exceeds any of the noise limit categories ( $L_{50}$ ,  $L_{25}$ ,  $L_8$ ,  $L_2$ ,  $L_{max}$ ), the allowable noise exposure standard shall be increased to reflect the ambient noise level.

## E. METHODOLOGY

---

### 1. Ambient Noise Measurements

Noise-level monitoring was conducted by Meridian Consultants between October 15, 2025 and October 16, 2025 at four (4) locations within the Project area vicinity, as shown in **Figures 3** through **6**. Noise-level monitoring was conducted for both 15-minute intervals (Sites 1 through 3) and 24-hour (Site A) using a Larson Davis Model 831 sound-level meter. This meter satisfies the American National Standards Institute (ANSI) standard for general environmental noise measurement instrumentation. The ANSI specifies several types of sound-level meters according to their precision. Types 1, 2, and 3 are referred to as “precision,” “general-purpose,” and “survey” meters, respectively. Most measurements carefully taken with a Type 1 sound-level meter will have a margin of error not exceeding 1 dB. The Larson Davis Model 831 is a Type 1 precision sound-level meter. This meter meets all requirements of ANSI S1.4-1983 and ANSI1.43-1997 Type 1 standards, as well as International Electrotechnical Commission (IEC) IEC61672-1 Ed. 1.0, IEC60651 Ed 1.2, and IEC60804 Type 1, Group X standards. The sound-level meter was located approximately 5 feet above ground and was covered with a Larson Davis windscreen. The sound-level meter was field calibrated with an external calibrator prior to operation.

### 2. Operational Noise

#### *Exterior Noise*

Operational noise levels associated with the proposed facility were modeled using SoundPLAN, a commercially available acoustic software that simulates noise propagation while accounting for terrain, structural barriers, and landscaping. It was assumed that operations would occur between 6:00 AM and 12:00 AM.

Noise inputs were derived from a two-part acoustic analysis<sup>1</sup> conducted in 2025 for a proposed "The Picklr" facility at 5830 El Camino Real in Carlsbad, California. The analysis incorporated: (1) a Sound Pressure Level (SPL) study conducted on June 9, 2025, at an existing 15-court Picklr facility in Birmingham, Alabama, and (2) a Reverberation Time (RT60) study conducted on July 28, 2025, at the future Carlsbad site. The SPL study documented peak interior sound levels during full gameplay, identifying a representative per-court value of 85.6 dBA LAeq. This value was conservatively applied to all six proposed courts as simultaneous area sources.

The Birmingham facility, which also served as the basis for a 2024 peer-reviewed acoustic study,<sup>2</sup> incorporates acoustic ceiling treatments shown to significantly reduce reverberation times. These findings informed the RT60 study in Carlsbad, which evaluated sound decay characteristics post-installation of a demising wall. These empirical results were incorporated into the modeling

---

<sup>1</sup> RNS Acoustics, 5830 El Camino Real – Picklr Acoustic Analysis, dated August 20, 2025.

<sup>2</sup> Spectrum Engineers, The Picklr Sound Study, dated May 24, 2024.

assumptions to ensure that the proposed facility's interior acoustic treatment is adequately represented in projected operational noise levels.

An SPL value of 86.0 dB/m<sup>2</sup> is applied to the spectator area derived from the SoundPLAN reference noise source library, specifically for a “standing crowd” scenario. This source assumes 100% of individuals are speaking simultaneously, a highly conservative assumption for a recreational pickleball setting where spectators are primarily passive observers during gameplay. This input was selected to ensure a worst-case estimate of cumulative operational noise levels, despite actual conditions being typically quieter.

### ***Interior Noise***

The Composite Sound Transmission data is developed for the wall(s) and the calculated noise exposure is converted to octave band sound pressure levels (SPL) for typical noise. The reduction in room noise due to absorption is calculated and subtracted from the interior octave noise levels, and the octave band noise levels are logarithmically summed to yield the overall interior room noise level.

Modeling of wall assemblies is accomplished using the Sound Insulation Prediction Model, INSUL, which is a model-based computer program, for predicting the sound insulation of walls, floors, ceilings, and windows. It is acoustically based on theoretical models that require only minimal material information that can make reasonable estimates of the sound transmission loss (TL), STC and IIC for use in sound insulation calculations; such as the design of common party walls and multiple family floor-ceiling assemblies, etc. INSUL can be used to quickly evaluate new materials or systems to investigate the effects of changes to existing designs. It models individual materials using the simple mass law and coincidence frequency approach and can model more complex assembly partitions, as well. It has evolved over several versions into an easy-to-use tool and has refined the theoretical models by continued comparison with laboratory tests to provide acceptable accuracy for a wide range of constructions. INSUL model performance comparisons with laboratory test show that the model generally predicts the performance of a given assembly within 3 STC points.

## F. IMPACT ANALYSIS

---

### Exterior Noise

The proposed Pickleball facility would operate within an existing enclosed building, with all gameplay, spectator activity, and associated noise sources located indoors. Under typical conditions, interior noise from such uses would not be expected to propagate to exterior areas at levels detectable above ambient, particularly given structural enclosure. However, to ensure a conservative evaluation, the analysis assumes that all doors and windows are open during operation, thereby minimizing the sound-attenuating properties of the building and allowing for the maximum possible sound transmission to the exterior.

Primary noise sources, including ball impacts, player vocalizations, and spectator activity, were modeled cumulatively under peak usage conditions. Noise levels were evaluated at the outdoor façades of nearby sensitive receptors (Sites 1–3 and Site A) to ensure potential impacts are not underestimated. Modeled daytime (7:00 AM to 10:00 PM) and nighttime (10:00 PM to 7:00 AM) operational noise levels are presented in **Table 5: Modeled Exterior Noise Levels from Operational Sources** with contour visualizations shown **Figure 7: Operational Noise Level Contour Map (daytime)** and **Figure 8: Operational Noise Level Contour Map (Nighttime)**. As shown, predicted operational noise levels at adjacent residences range from 22.2 dBA to 27.2 dBA during the daytime and from 17.5 dBA to 27.0 dBA during the nighttime at nearby sensitive receptors. These levels are well below the City’s daytime exterior noise standard of 55 dBA, and the nighttime standard of 50 dBA.

Additionally, predicted operational noise levels are significantly lower than existing ambient conditions. Short-term ambient daytime noise measurements (refer to **Table 1**) taken near the Project site ranged from a low of 53.1 dBA (Leq-15minute) to a high of 68.0 dBA (Leq-15minute). By contrast, modeled daytime operational noise levels from the proposed Pickleball facility ranged Project-generated levels are substantially below existing ambient levels, thus would not cause a measurable or perceptible increase in the local noise environment.

Long-term ambient noise measurements (refer to **Table 2**) taken at the nearest adjacent sensitive receptor ranged from 56.5 dBA during the daytime and 56.1 dBA during the nighttime. By contrast, modeled operational noise levels from the proposed Pickleball facility ranged from 31.8 dBA during the daytime and 27.0 dBA during the nighttime (Site A). Project-generated levels are substantially below existing ambient levels, thus would not cause a measurable or perceptible increase in the local noise environment.

When accounting for typical residential building attenuation (estimated at 15 to 20 dBA for standard construction with partially open windows), interior noise levels at these same receptors would

remain well below the City’s interior noise standard of 55 dBA during the daytime period and 45 dBA during nighttime period.

Because predicted noise levels fall below both exterior and interior standards under conservative operating assumptions and would be substantially below existing ambient levels, impacts would not be considered significant, and no mitigation is required.

TABLE 5: MODELED EXTERIOR NOISE LEVELS FROM OPERATIONAL SOURCES				
Monitoring Site	Time Period	Modeled Noise Levels, dBA	Exterior Noise Standards, dBA	Exceeds Standard?
1 West of the Project site across Magnolia Street	Daytime	27.2	55	No
	Nighttime	22.4	50	No
2 Northwest of the Project site on the corner of Magnolia Street and La Roca Avenue	Daytime	27.2	55	No
	Nighttime	22.4	50	No
3 Eastern corner of the Project site	Daytime	22.2	55	No
	Nighttime	17.5	50	No
A At the Project site, adjacent to the single family residential community along Winterberry Street	Daytime	31.8	55	No
	Nighttime	27.0	50	No

Notes: dBA = A-weighted decibels; Leq = average equivalent sound level.  
Source: Refer to **Appendix 2.0: SoundPLAN Output Sheets**.

## Interior Noise

The proposed indoor pickleball facility shares a common wall to the east with an adjoining commercial building on the project site. Per the City’s noise standards, interior noise levels shall not exceed 55 dBA Leq during daytime hours (7:00 AM to 10:00 PM) and 45 dBA Leq during nighttime hours (10:00 PM to 7:00 AM) within non-residential occupied spaces. This section assesses whether noise generated by facility operations is likely to exceed these thresholds within the adjoining structure.

A sound blocking level of STC<sup>3</sup> of above 45 means that a listener in a quiet room would need to exert effort to hear raised speech levels in adjacent rooms, and the speech would not be understandable or disruptive. These standards are typically found in classrooms, conference rooms, executive

<sup>3</sup> STC is a number used to rate the effectiveness of soundproofing system or material.

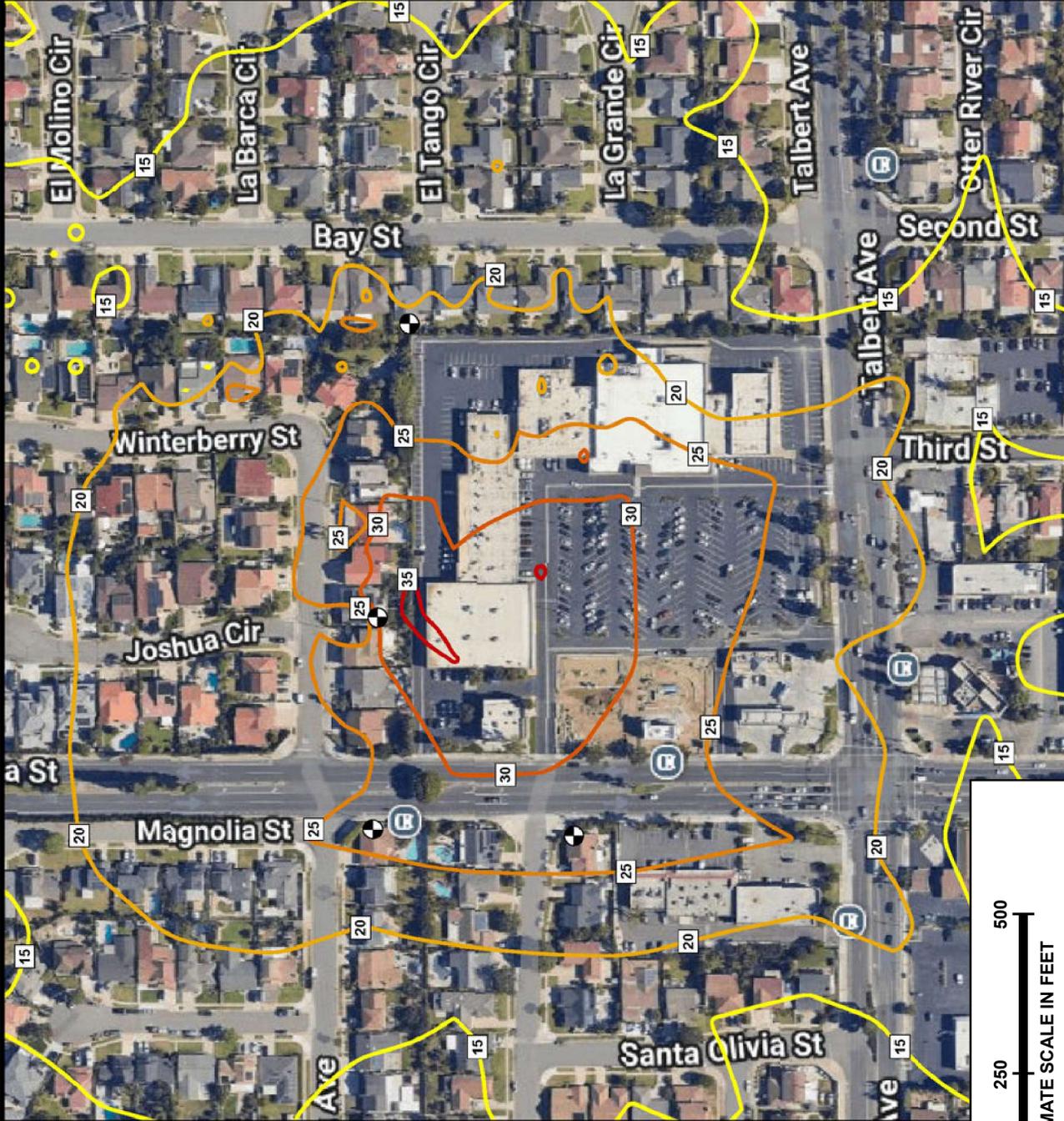
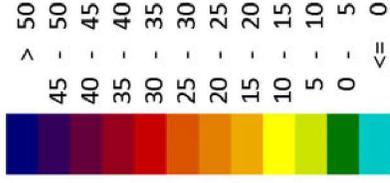
offices, patient exam rooms, treatment room and consultation rooms and are also known to be the “best blocking” assembly. An STC of above 45 is also generally used for multi-family construction, as speech cannot be heard through the walls and loud sounds are only faintly audible.

Based on the measured source levels from the referenced Birmingham facility, the following assembly is recommended (refer to **Appendix 3.0**):

- 2 Layers 5/8 Type Gypsum Board (Pickler Side)
- 4” Metal Stud Row (minimum)
- 4” R30 Batt Insulation
- 1” Air Gap (minimum)
- 4” R30 Batt Insulation
- 4” Metal Stud Row (minimum)
- 1 Layer 5/8 Type Gypsum Board (Adjacent Side)

As detailed in **Appendix 3.0**, wall assemblies would result in a STC rating of 63. Based on the referenced maximum SPL of 85.6 dBA LAeq, the room sound level at the adjacent commercial use would not exceed the interior noise standard of 55 dBA Leq during daytime hours (7:00 AM to 10:00 PM) and 45 dBA Leq during nighttime hours (10:00 PM to 7:00 AM). As such, interior noise impacts would not be considered significant, and no mitigation is required.

Noise level  
Leq,d  
in dB(A)



SOURCE: Meridian Consultants - 2025.

FIGURE 7

Operational Noise Level Contour Map (Daytime)



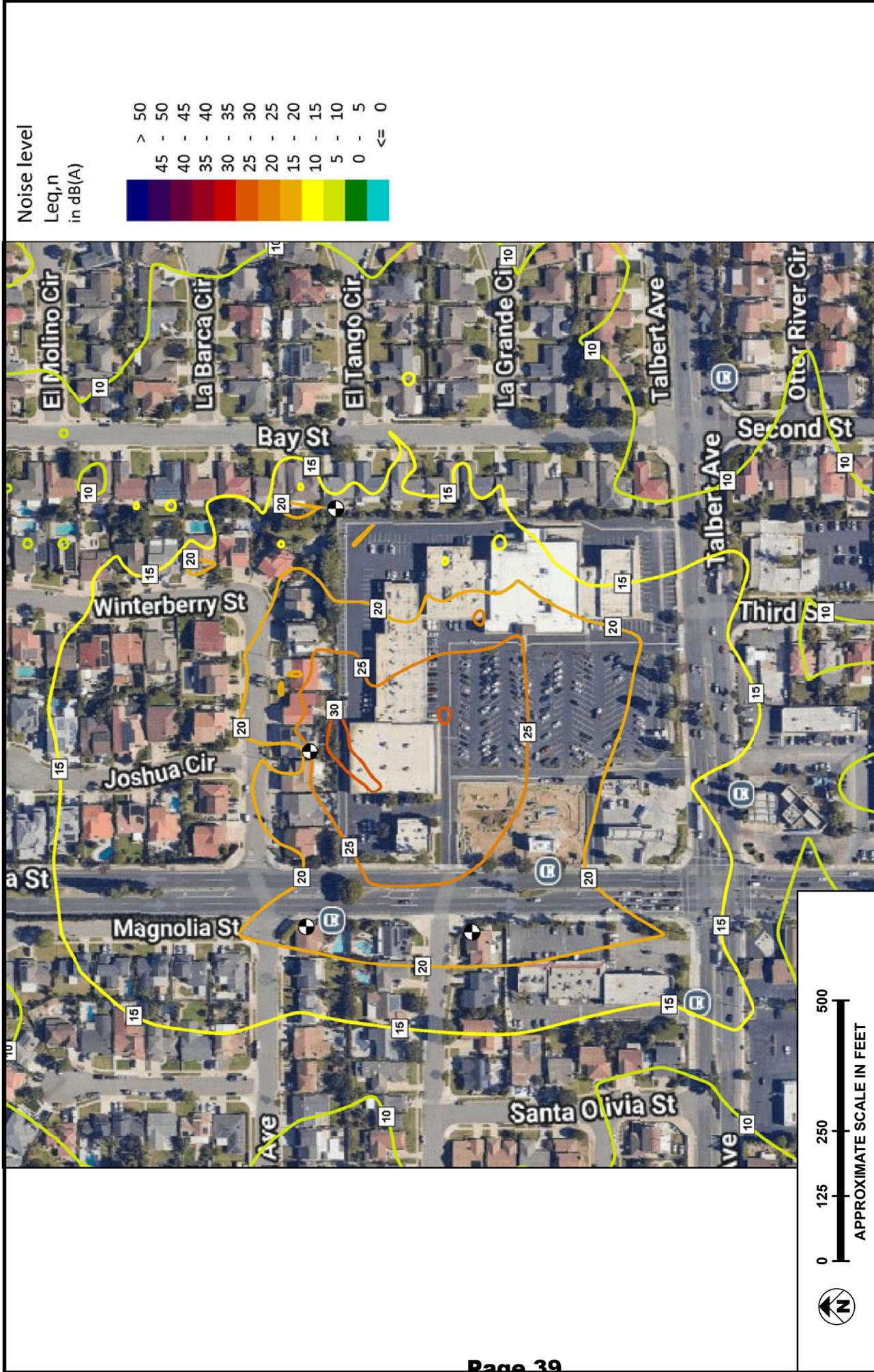


FIGURE 8  
 Operational Noise Level Contour Map (Nighttime)

SOURCE: Meridian Consultants - 2025.



463-001-25

## G. CERTIFICATION

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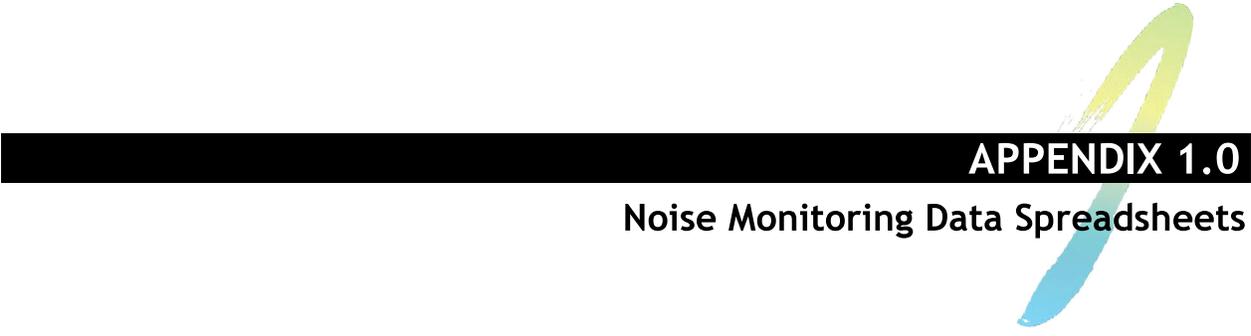
The contents of this noise study represent an accurate depiction of the noise environment and impacts associated with the proposed **The Picklr Project**. The information contained in this noise study is based on the best available information at the time of preparation. If you have any questions, please contact me directly at (818) 415-7274.

Sincerely,



**Christ Kirikian, INCE**  
**Managing Consultant**

ckirikian@meridianconsultantsllc.com



**APPENDIX 1.0**

**Noise Monitoring Data Spreadsheets**



**APPENDIX 1.1**

**Short-term Noise Monitoring Data Sheets**

**Monitoring Location: Site 1**  
**Monitoring Date: 10/15/2025**

Monitoring Period			
Time	LAeq	LASmax	LASmin
10:59:41	66.5	72.2	57.8
11:00:41	64.2	69.9	57.0
11:01:41	67.2	72.2	60.8
11:02:41	64.3	75.6	53.8
11:03:41	68.2	76.2	55.3
11:04:41	63.7	72.4	52.2
11:05:41	68.8	75.5	60.3
11:06:41	65.3	71.4	55.5
11:07:41	70.3	75.6	61.5
11:08:41	74.0	85.3	62.6
11:09:41	69.7	78.0	56.9
11:10:41	67.7	71.7	56.8
11:11:41	64.7	68.7	54.0
11:12:41	68.9	75.5	51.7
11:13:41	65.1	70.0	51.7
11:14:41	62.6	67.0	58.7
		85.3	51.7

15-minute LAeq

**68.0**

**Monitoring Date: 10/16/2025**

Monitoring Period			
Time	LAeq	LASmax	LASmin
11:03:45	65.7	69.6	51.4
11:04:45	62.5	69.3	51.4
11:05:45	67.3	71.9	61.8
11:06:45	59.3	64.8	51.6
11:07:45	67.4	73.5	55.4
11:08:45	63.6	70.5	53.5
11:09:45	64.4	69.5	55.5
11:10:45	64.1	68.4	53.8
11:11:45	65.8	73.2	52.4
11:12:45	65.4	72.0	57.3
11:13:45	62.9	68.1	54.4
11:14:45	66.6	71.1	56.7
11:15:45	63.0	69.4	51.6
11:16:45	67.2	74.1	58.0
11:17:45	60.1	64.9	51.3
11:18:45	67.9	69.7	64.9
		74.1	51.3

15-minute LAeq

**65.2**

Monitoring Location: Site 2  
 Monitoring Date: 10/15/2025

Monitoring Date: 10/16/2025

Monitoring Period			
Time	LAeq	LASmax	LASmin
10:39:52	71.8	83.7	62.2
10:40:52	63.9	69.4	51.4
10:41:52	68.3	75.5	51.6
10:42:52	64.2	72.8	52.5
10:43:52	67.7	72.6	55.4
10:44:52	64.9	72.2	48.9
10:45:52	66.8	73.4	46.2
10:46:52	67.1	72.5	53.9
10:47:52	68.0	74.9	49.0
10:48:52	68.6	71.9	59.3
10:49:52	63.9	68.1	56.1
10:50:52	68.6	74.4	54.9
10:51:52	61.1	71.4	46.7
10:52:52	68.5	73.4	58.7
10:53:52	65.1	72.0	43.3
10:54:52	65.3	68.1	57.6
		83.7	43.3

15-minute LAeq **67.2**

Monitoring Period			
Time	LAeq	LASmax	LASmin
10:46:40	68.1	75.2	55.2
10:47:40	64.9	73.7	55.0
10:48:40	67.2	72.0	56.3
10:49:40	63.5	71.8	54.9
10:50:40	68.5	74.6	57.7
10:51:40	62.8	69.1	54.5
10:52:40	68.3	73.8	58.5
10:53:40	66.9	74.5	55.4
10:54:40	65.9	73.1	55.6
10:55:40	68.3	74.1	56.3
10:56:40	65.7	70.5	55.4
10:57:40	67.1	72.3	60.3
10:58:40	64.8	71.3	55.0
10:59:40	66.6	72.0	54.6
11:00:40	61.3	67.9	54.1
11:01:40	71.0	76.7	64.5
		76.7	54.1

15-minute LAeq **66.9**

**Monitoring Location: Site 3**  
**Monitoring Date: 10/15/2025**

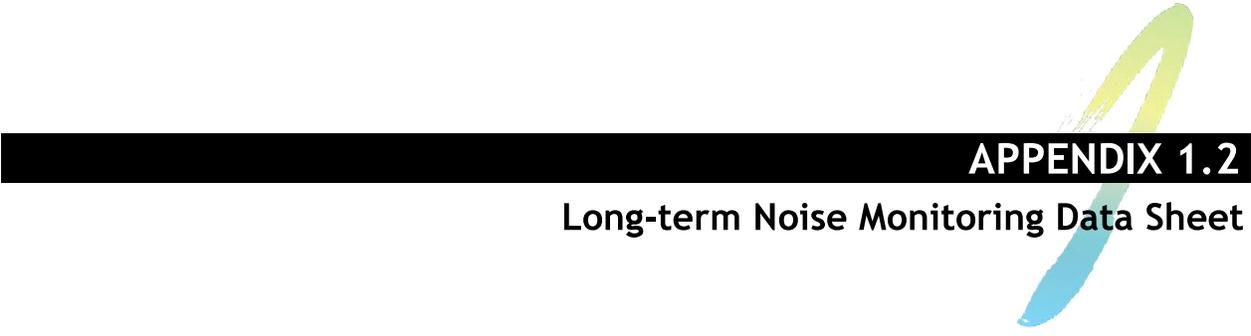
Monitoring Period			
Time	LAeq	LASmax	LASmin
11:17:33	51.7	63.2	50.3
11:18:33	53.0	59.7	50.8
11:19:33	53.6	57.8	52.4
11:20:33	52.8	55.7	51.7
11:21:33	52.6	57.2	51.2
11:22:33	52.8	59.6	50.0
11:23:33	58.3	64.7	50.0
11:24:33	53.4	58.2	49.3
11:25:33	51.1	55.3	49.0
11:26:33	50.1	54.9	49.2
11:27:33	52.1	58.3	49.1
11:28:33	54.4	60.9	49.7
11:29:33	54.1	68.0	48.7
11:30:33	49.6	56.4	48.1
11:31:33	48.9	50.1	48.3
11:32:33	49.9	51.9	48.9
		68.0	48.1

15-minute LAeq **53.1**

**Monitoring Date: 10/16/2025**

Monitoring Period			
Time	LAeq	LASmax	LASmin
11:21:56	51.1	64.4	48.6
11:22:56	54.3	59.6	49.1
11:23:56	60.4	71.5	50.6
11:24:56	49.8	51.9	48.8
11:25:56	48.9	50.1	48.0
11:26:56	49.4	50.0	48.3
11:27:56	49.3	50.7	48.4
11:28:56	52.9	56.7	48.9
11:29:56	50.1	51.9	48.7
11:30:56	50.6	54.0	48.6
11:31:56	50.9	53.1	49.0
11:32:56	63.6	72.3	49.2
11:33:56	61.6	69.7	57.4
11:34:56	61.8	63.4	58.0
11:35:56	62.1	63.3	61.2
11:36:56	62.8	63.3	62.5
		72.3	48.0

15-minute LAeq **58.4**



**APPENDIX 1.2**

**Long-term Noise Monitoring Data Sheet**

Monitoring Location: Site A  
 Date: October 15 - October 16, 2025

Monitoring Period	Monitored Logarithmic Leq	Evening/Night Adjustments	
		10 dB	5 dB
0 / 24	50.7	1176926	372177
am	49.0	787220	248941
1:00	47.7	591766	187133
2:00	48.7	741392	234449
3:00	51.6	1456388	460550
4:00	59.8	9542826	3017707
5:00	63.0	1998955	6321250
6:00	61.3	1336577	4226628
7:00	58.1	6398114	2023261
8:00	54.3	2668572	843877
9:00	55.1	3254348	1029115
10:00	56.6	4570882	1445440
11:00	53.8	242291	766191
12:00	59.6	902961	2855413
1:00	54.8	301251	952638
2:00	56.2	414962	1312224
3:00	55.4	348315	1101468
4:00	54.4	277637	877967
5:00	55.4	344647	1089871
6:00	54.4	277475	877453
7:00	55.6	367202	1161195
8:00	51.9	155036	490266
9:00	50.8	119457	377757
10:00	49.5	88148	278747
11:00			
pm			

Leq Morning Peak Hour 7:00-10:00 a.m.  
 59 dBA

Leq Evening Peak Hour 7:00-10:00 p.m.  
 54.3 dBA

Leq Nighttime 10:00 pm-7:00 a.m. (not adjusted)  
 56.1 dBA

Leq Daytime 7:00 am-10:00 p.m.  
 56.5 dBA

Leq 8-Hour  
 51.7 dBA

Ldn: 10 dB adjustment between 10:00 p.m. & 7:00 a.m.  
 62.5 dBA

CNEL: 5 dB adjustment between 7:00p.m. & 10:00 p.m., & 10 dB  
 62.7 dBA adjustment between 10:00 p.m. & 7:00 a.m.

Difference between CNEL and Ldn  
 CNEL - Ldn 0.17115015



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**APPENDIX 2.0**

**SoundPLAN Output Sheets**

## The Picklr Contribution level - Results

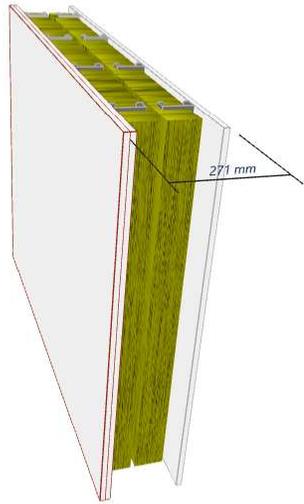
**9**

Source	Source group	Source ty	Leq,d dB(A)	Leq,n dB(A)	
<b>Receiver Site 1: Swordfish Avenue 8970 FI G Leq,d 27.2 dB(A) Leq,n 22.4 dB(A)</b>					
Court 1	Default industrial noise	Area	12.8	8.0	
Court 2	Default industrial noise	Area	9.8	5.0	
Court 3	Default industrial noise	Area	16.7	11.9	
Court 4	Default industrial noise	Area	15.4	10.6	
Court 5	Default industrial noise	Area	16.5	11.7	
Court 6	Default industrial noise	Area	15.3	10.5	
Lounge Area	Default industrial noise	Area	20.5	15.8	
Spectator Area 1	Default industrial noise	Area	23.4	18.6	
<b>Receiver Site 2: La Roca Avenue 8984 FI G Leq,d 27.2 dB(A) Leq,n 22.4 dB(A)</b>					
Court 1	Default industrial noise	Area	16.1	11.3	
Court 2	Default industrial noise	Area	15.4	10.6	
Court 3	Default industrial noise	Area	15.2	10.4	
Court 4	Default industrial noise	Area	14.7	9.9	
Court 5	Default industrial noise	Area	14.7	9.9	
Court 6	Default industrial noise	Area	14.3	9.5	
Lounge Area	Default industrial noise	Area	21.9	17.2	
Spectator Area 1	Default industrial noise	Area	22.3	17.5	
<b>Receiver Site 3: Bay Street 17877 FI G Leq,d 22.2 dB(A) Leq,n 17.5 dB(A)</b>					
Court 1	Default industrial noise	Area	12.0	7.2	
Court 2	Default industrial noise	Area	13.1	8.3	
Court 3	Default industrial noise	Area	7.0	2.2	
Court 4	Default industrial noise	Area	8.3	3.6	
Court 5	Default industrial noise	Area	8.8	4.0	
Court 6	Default industrial noise	Area	9.2	4.4	
Lounge Area	Default industrial noise	Area	18.5	13.8	
Spectator Area 1	Default industrial noise	Area	15.1	10.3	
<b>Receiver Site A: La Crescenta Avenue 9050 FI G Leq,d 31.8 dB(A) Leq,n 27.0 dB(A)</b>					
Court 1	Default industrial noise	Area	22.1	17.3	
Court 2	Default industrial noise	Area	22.0	17.2	
Court 3	Default industrial noise	Area	20.0	15.3	
Court 4	Default industrial noise	Area	19.1	14.4	
Court 5	Default industrial noise	Area	19.0	14.2	
Court 6	Default industrial noise	Area	20.1	15.3	
Lounge Area	Default industrial noise	Area	27.1	22.3	
Spectator Area 1	Default industrial noise	Area	25.1	20.3	

	Meridian Consultants LLC 860 Hampshire Road, Suite P Westlake Village CA 91361	1
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**APPENDIX 3.0**  
INSUL Output Sheets

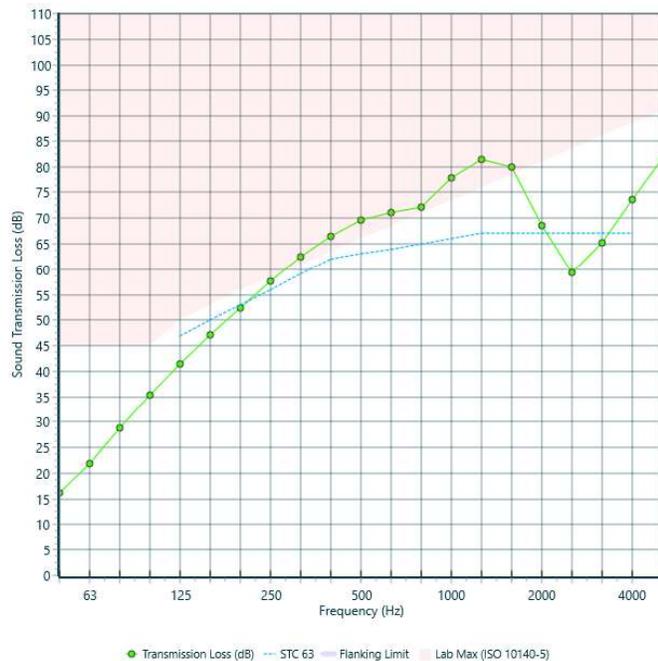


STC 63  
OITC 46

System description

Panel 1 2 x 15.9 mm Type X Gypsum Board  
 Frame Double Steel Stud (89 mm x 38 mm), Stud spacing 406 mm, Cavity Width 223 mm + 101.6 mm Fibreglass (10kg/m3) 60mm  
 Panel 2 1 x 15.9 mm Type X Gypsum Board  
 Details Panel Size 2.7 m x 4.0 m, Partition surface mass = 34.9 kg/m<sup>2</sup>, Mass-air-mass resonant frequency = 44 Hz

freq. (Hz)	TL (dB)	Roct (dB)
50	16	
63	22	20
80	29	
100	35	
125	42	39
160	47	
200	52	
250	58	56
315	62	
400	67	
500	70	69
630	71	
800	72	
1000	78	76
1250	81	
1600	80	
2000	69	64
2500	59	
3150	65	
4000	74	69
5000	82	



RESOLUTION NO. 26-05

A RESOLUTION OF THE FOUNTAIN VALLEY PLANNING COMMISSION ADOPTING A NOTICE OF EXEMPTION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING CONDITIONAL USE PERMIT (CUP) NO. 1940 FOR THE PICKLR TO ESTABLISH AND OPERATE A PICKLEBALL FACILITY LOCATED AT 17904 MAGNOLIA STREET

WHEREAS, an application for Conditional Use Permit No. 1940 was submitted by Duyum Dulom, on behalf of The Picklr, in accordance with Municipal Code, Title 21; and

WHEREAS, the Fountain Valley Planning Commission considered said application at its noticed public hearing on February 25, 2026; and

WHEREAS, the Planning Commission has imposed conditions, pursuant to the Conditional Use Permit process, which mitigate potential negative effects of the proposed project; and

WHEREAS, the Planning Commission has determined that the proposed Conditional Use Permit is consistent with the Fountain Valley General Plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1

The Planning Commission finds that due notice of the public hearings in the Council Chambers, City Hall, 10200 Slater Avenue, was given as required by the Fountain Valley Municipal Code (FVMC), Title 21, and the Statutes of the State of California.

SECTION 2

Findings and Supporting Facts: - The Planning Commission finds that the subject application meets the criteria for a Conditional Use Permit found in Chapter 21.36 of the Fountain Valley Municipal Code as follows:

1. The proposed use is allowed within the C1 – Local Business zoning district with the approval of a Conditional Use Permit and complies with all other applicable provisions of the Development Code and the Municipal Code.

*Per Fountain Valley Municipal Code (FVMC) Section 21.10.030 Table 2-6, a CUP is required for an indoor amusement/entertainment facility in the C1-Local Business zone. An indoor amusement/entertainment facility is an establishment providing indoor amusement and entertainment services for a fee or admission charge. The*

*Picklr, a members only establishment, charges a membership fee to play at the facility.*

2. The proposed use is consistent with the actions, goals, objectives, and policies of the General Plan and any applicable specific plan.

*The proposed use is consistent with General Plan Goal LU-1/Policy LU-1.1 'Land Use Compatibility and Viability.' The proposed use meet General Plan Goal LU-1 by providing an arrangement of compatible land uses that protects and maintains attractive and safe neighborhoods while promoting dynamic activity centers and preserving conventional commercial and industrial uses. Also, the proposed use will meet Policy LU-1.1 by requiring that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. As noted in the Staff Report, the noise analysis provided for the Project notes that the noise impact to the surrounding residential neighborhood will be below the ambient noise in the area. The noise analysis assumes the worst case scenario with all six (6) pickleball courts being used at the same time with a noise value of 85.6 dBA, a spectator Sound Pressure Level (SPL) noise value of 86.0 dB/m<sup>2</sup>, and the rear doors of the business open and still projects only 31.8 dBA during the daytime and 27.0 dBA during the nighttime. As the conditions of approval require the rear door to be closed at all times, except for cases of emergency, the only opening to the building utilized by customers is facing south toward the parking lot, and the applicant will be installing sound attenuation inside the facility to the ceiling and rear wall, the projected sound output to the residential neighbors would be negligible. Also, the wall assembly between the proposed use and the adjacent commercial tenant with a Sound Transmission Class (STC) rating of 63, would reduce any noise from the proposed use to about 23 dBA - below the FVMC maximum interior noise standards of 55 dBA during the daytime hours and 45 dBA during the nighttime hours. Lastly, limiting the hours of operation initially from 7:00 am – 10:00 pm seven (7) days a week, will help the Project comply with General Plan Land Use Goal LU-1 by requiring that new development is located, scaled, buffered, and designed to minimize negative impacts on adjacent neighborhoods. Expanded hours of operation may be possible after 6 months upon request from the applicant subject to review of the Community Development Director.*

3. The design, location, shape, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.

*The design, location, shape, size, and operating characteristics of the proposed use would be compatible with the existing and future land uses in the vicinity. As noted above in finding 1, noise output from the facility will be negligible and would not affect surrounding land uses. The multi-tenant building was designed to accommodate a multitude of retail type uses, including for an indoor amusement/entertainment facility subject to the approval of a conditional use permit. The operations of the proposed use would be completely indoor with little impact to the outside of the building. Tournaments would be limited to 7-8 times a year for 2-3 hours per tournament. Conditions of approval in Exhibit 1 have been included to ensure the proposed use would not be detrimental to surrounding businesses and residential properties.*

4. The subject site is physically suitable for the type and density/intensity of use being proposed including the provision of public access (e.g., width and pavement type), facilities, and utilities (e.g., drainage, fire protection, sewers, water), shape, size, the absence of physical constraints, and compatibility with adjoining land uses.

*The multi-tenant commercial shopping center was approved in 1964 and was designed to accommodate a multitude of commercial tenants. Sufficient vehicular and pedestrian access would be provided from Magnolia Street and Talbert Avenue. Sufficient facilities as well as drainage, fire protection, sewers, and water utilities would be provided. The proposed use would be adequate in shape and size for the building, would not pose any physical constraints on the property, and would be compatible with the existing commercial shopping center's uses as well as uses in the area.*

5. Granting the Conditional Use Permit would not be detrimental to the public convenience, health, interest, safety, or welfare, or injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

*The operations of the proposed use would be consistent with the normal anticipated operating characteristics of an indoor amusement/entertainment facility in a commercial shopping center in the C1-Local Business zone. The conditions of approval included in this resolution would help ensure the operations of the proposed use would not be detrimental to the public convenience, health, interest, safety, or welfare, or injurious to persons, property, or improvements in the vicinity and C1-Local Business zoning district in which the business is located.*

6. 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.

*The proposed project has been reviewed in compliance with CEQA and is categorically exempt per Section 3 below.*

7. By signing this Resolution, the business owner/operator has demonstrated his/her understanding of the conditions imposed in the Conditional Use Permit (attached as Exhibit 1 herein) granted to him/her and has agreed on the record to abide by those conditions.

### SECTION 3

The Planning Commission finds that the subject application meets all the criteria for a Conditional Use Permit found in the City's zoning regulations; moreover, the Commission finds that this project is categorically exempt from CEQA – Class 1 (15301-Existing Facilities), which establishes that existing structures involved in negligible expansion of use beyond the previously existing are exempt from CEQA. The proposed project includes the establishment and operation of a pickleball facility in an existing tenant space in a shopping

center. No exterior physical changes or intensification to the building would occur as a result of the project.

SECTION 4

The Planning Commission hereby approves Conditional Use Permit No. 1940 for The Picklr to establish and operate a pickleball facility located at 17904 Magnolia Street.

PASSED, APPROVED, AND ADOPTED THIS 25<sup>TH</sup> DAY OF FEBRUARY, 2026.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

BY SIGNING THIS PERMIT, THE PERMITTEE ACKNOWLEDGES ALL OF THE CONDITIONS IMPOSED AND ACCEPTS THIS PERMIT SUBJECT TO THOSE CONDITIONS AND WITH THE FULL AWARENESS OF THE PROVISIONS OF CHAPTER 21.36 OF THE FOUNTAIN VALLEY MUNICIPAL CODE.

BY SIGNING THIS RESOLUTION, THE APPLICANT ACKNOWLEDGES ACCEPTANCE OF THE BENEFITS OF THE **CONDITIONAL USE PERMIT** AND AGREES TO WAIVE ANY RIGHT TO LATER CHALLENGE ANY CONDITION(S) IMPOSED AS UNFAIR, UNNECESSARY, OR UNREASONABLE.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Sign/Print

## EXHIBIT 1

### CONDITIONS OF APPROVAL Conditional Use Permit No. 1940

The Picklr  
17904 Magnolia Street  
Fountain Valley, CA

The following Conditions of Approval [COA] apply to this project. The COA's are specific conditions applicable to the proposed project. The property owner is responsible for the fulfillment of all conditions and standard development requirements, unless specifically stated otherwise (e.g., business OPERATOR, project APPLICANT).

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, permittee expressly accepts and agrees to comply with the following Conditions of Approval of this Permit:

#### Planning Department Conditions:

1. The site plan, floor plans, elevation plans, etc. dated received January 8, 2026 and approved by the Planning Commission on February 25, 2026, (Attachment #3 to the staff report for this project) shall be made part of this application approval and cannot be modified without prior approval by either the Planning Commission or the Community Development Director.
2. The activities of the business covered by the approved CUP are those described in this Resolution, the accompanying staff report, and as listed in the description letter attached to the staff report for this Project).
3. Hours of operation shall be restricted to the hours of 7:00 a.m. to 10:00 p.m., seven (7) days a week.
4. After the first six months of operation, the business may submit a request to modify the hours of operation to the Community Development Director to allow for expanded hours of operation but in no event shall the business be open earlier than 5:30 am or later than 12:00 am. The Director shall consider calls for service and substantiated complaints regarding the subject business in his/her determination. The Director may also add any conditions deemed necessary to address any noise or safety concerns. The Director may also require the applicant to revert to their previously approved hours should complaints continue.
5. Hours of delivery shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. Monday through Saturday, and no time on Sunday or legal holiday.
6. There shall be no trash dumping, removal, or servicing from the facility between the hours of 10:00 p.m. and 7:00 a.m., seven (7) days a week.
7. The applicant shall install signage near the trash dumpster prohibiting trash dumping during the hours of 10:00 p.m. – 7:00 a.m. compliant with FVMC 6.28.050. Said signage shall be installed prior to certificate of occupancy of the building.

8. To prevent scavenging, illegal dumping, and to contribute to the general cleanliness of the proposed Project, the Project shall provide a refuse containment area with a screened and securable gate. Also, exterior signage shall be provided outside of the trash enclosure prohibiting the scavenging of any material from the trash dumpster. The signage shall be included in the applicant's plan check submittal to the City.
9. To maintain the cleanliness of the property, the developer, property manager, and/or property owner shall be responsible for maintaining the area adjacent to their premises over which they have control free of litter.
10. This resolution supersedes previously approved Conditional Use Permit Resolutions for the address at 17904 Magnolia Street.
11. The colors, materials and facades of the building shall be as approved by the Planning Commission. No changes to the colors or materials shall occur without approval by the Community Development Director. Changes that the Community Development Director deems to vary significantly from the originally approved design shall be forwarded to the Planning Commission for its review and determination.
12. Lighting shall be scheduled to direct the light downward away from adjacent properties around the Project, including residential and open space properties. If needed, light shielding may be installed to prevent light spillage onto adjacent properties. No additional exterior lighting is to be added unless a photometric study concludes the added lighting will have zero lighting shed impact on adjacent properties.
13. The applicant shall provide signing on the trash enclosure prohibiting the salvage of any material from the trash dumpsters.
14. Street and unit numbers are to be maintained in such a manner as to be plainly visible, shall not be hidden from view by trees, shrubs, bushes, etc., and other obstructions on the property. Street numbers shall be located and be a minimum size so that they are clearly visible from the street. All numbers shall not be less than 6 in. in height and 2 in. in stroke and be of contrasting color from the background. Street and unit numbers must be installed prior to issuance of Certificate of Occupancy of the business.
15. There shall be no storage or onsite parking of boats, trailers, campers, recreational vehicles, tents, inoperable vehicles, unregistered vehicles, or the like on the Site.
16. The applicant shall comply with all requirements of the Building and Fire Departments for this type of use.
17. The character and administration of the project shall be consistent with the Project Description Letter (Attachment #2 to the staff report for this project.)
18. All new, and/or replaced, rooftop equipment shall be screened from public view per FVMC 21.18.080. All roof-mounted mechanical equipment (air conditioning, heating, ventilation ducts, exhaust, etc.) shall be screened from the view of adjacent properties and rights-of-way as specifically approved by the Planning Director. Roof treatment shall be common to the building and extended to all four (4) building elevations.

19. Per California Air Resources Board (CARB) regulations, all delivery trucks shall not sit idling for more than 5 minutes within 100 feet of a residential property line. Delivery trucks shall be turned off when loading and unloading. Signage shall be installed on the building at the delivery area addressing this condition, shall be included in the applicant's plan check submittal, shall be subject to review and approval by the Planning & Building Director, and shall be installed prior to certificate of occupancy of the business.
20. Conditional Use Permit No. 1940 shall be approved and in effect for a period of 12 months from the original date of approval by the City Council, and/or Planning Commission. If no development has commenced at the end of this 12-month time period, project approval shall expire and be determined void. A one-year extension may be granted at the discretion of the Community Development Director. A request for an extension of time should be made in writing by the applicant thirty (30) days prior to the expiration date.

Date of Project Approval: February 25, 2026

Date of Project Expiration: February 25, 2027

21. The resolution is not effective unless it is signed by the applicant indicating and acknowledging his/her understanding of the conditions imposed herein. The failure of the applicant to sign this permit in no way shall be deemed to confer any greater rights than are contained in this permit.
22. By signing and accepting the resolution, the applicant accepts the benefits conferred by the permit subject to the conditions imposed therein. By accepting the right to operate pursuant to the permit, the applicant waives all rights to challenge any condition imposed as unfair or unreasonable.
23. The business operator agrees to indemnify, hold harmless, and defend the City, its officers, agents and employees, from any and all liability or claims that may be brought against the City arising out of its approval of this permit, save and except that caused by City's active negligence. The applicant shall provide a copy of conditions of approval to each manager and to all employees.
24. The applicant shall comply with all federal, state, and local laws. Violations of any of those laws in connection with the use will be cause for revocation of this permit.
25. The City may exercise all legal remedies available for correction and compliance of any violation of any condition of approval, including administrative citations and prosecution of misdemeanors as may be found appropriate.
26. No satellite dishes greater than 1.1 meters in residential areas and 2.2 meters in commercial areas shall be installed on the subject property without approval of the Planning Commission.
27. Signage shall comply with the sign program for the shopping center.
28. Refuse containment areas shall be provided with a screened and securable gate compliant with the Fountain Valley Municipal Code and Rainbow Disposal specs.

29. The Community Development Director may interpret the implementation of each condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved condition of approval is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes are substantial in nature, an amendment to the original Entitlement may be required pursuant to the provisions of the Fountain Valley Municipal Code.
30. The interior premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place with an illumination of not less than ten (10) foot candle as measured at the floor level.
31. Install, and maintain in proper working order, security cameras around the premises. These cameras should include, but are not limited to, visual coverage of the areas available to the public, entrances/exits to the building, all sides of the exterior of building, and parking areas. These cameras will have high resolution and low-light capability; video from all cameras will be recorded and made available to the Police Department upon request. A video camera plan shall be included in the applicant's plan check submittal to the Building Department and security cameras shall be installed prior to issuance of certificate of occupancy. These security cameras must also record audio to capture any sound events or issues.

Applicant's Initials \_\_\_\_\_

32. The petitioner shall be responsible for maintaining the premises free of graffiti.
33. The number of persons shall not exceed the maximum occupancy load as determined by the Fire Department. If required by the Fire Department, signs indicating the occupant load shall be posted in a conspicuous place near the main entrance and must be posted prior to final inspection and prior to issuance of a certificate of occupancy.
34. All pickleball activity related to the proposed use, including classes, exercise, meetings, tournaments, gatherings, etc. shall occur within the interior of the building only and shall be prohibited on the exterior of the building.
35. Based on substantiated noise complaints, the Community Development Director may require any, or all, of the following:
  - Additional sound attenuation measures
  - Reduction in hours of operation
  - Noise monitoring paid for by the applicant or operator
36. All rear and side doors facing residential properties shall remain closed at all times and shall only be used in cases of emergency. Signage shall be installed on all rear and side doors regarding this condition and shall be included in the applicants plan check submittal subject to the review and approval of the Community Development Director.

37. The use shall operate in conformance with the City's Noise Ordinance at all times. In the event that the City receives noise related complaints, and the City determines that noise level monitoring or measurement(s) are warranted, the business owner shall reimburse the City for all associated/documented costs.
38. Three or more sustained complaints within any one-year period received by the Fountain Valley Police Department regarding disturbances which have been caused by the business located at 17904 Magnolia Street, may be grounds for revocation proceedings.
39. Prior to issuance of a Certificate of Occupancy, the applicant shall install proposed interior acoustic ceiling treatments above the courts consisting of a suspended cloud grid of semi-rigid felt panels arranged in two meshed perpendicular arrays suspended below the ceiling plane to reduce interior reverberation time (RT60) and peak noise levels associated with pickleball gameplay and spectator activity. Also, the applicant shall apply a foam sound attenuation material to the interior face of the rear wall to reduce reverberation and peak impulse noise. These noise attenuation materials shall be included in the applicants plan check materials and are subject to the review and approval of the Community Development Director.
40. All employee, patron, and other parking associated with the business shall occur on-site. Should the parking demand exceed the available on-site parking, the business owner shall immediately implement measures to reduce parking demand, such as limiting the number of patrons allowed in the building at one time, staggering reservation times, and implementing employee carpooling.
41. Any applicable School District and Sanitation District Fees shall be paid prior to building permit issuance.
42. Live Entertainment or "Accessory Entertainment Uses" as defined in the Fountain Valley Municipal Code shall be prohibited.
43. Any amplified or stereo music shall be prohibited.
44. The sale, service, or dispersal of alcoholic beverages on the premises shall be prohibited.
45. Violation of any condition of approval shall be a misdemeanor.
46. The business shall comply with FVMC 21.24.110(27) which prohibits vehicle signs for the principal purpose of advertising a business.
47. The windows of the business shall be free of any obstruction, tinting, or painting, except for window signage as permitted by the Fountain Valley Sign Code.
48. An alarm system shall be installed and be of a type that sounds a signal when it is activated.
49. Penal Code Section 313.1(e) regulates the display of harmful matter. The applicant acknowledges that he has read, understood and agreed to abide by same.

50. Permittee acknowledges that Education Code Section 48200 et. seq. provides that persons between the ages of 6 and 18 are subject to compulsory education and are required to be in school unless exempted. Permittee agrees not to allow the business to become a "hang out" for truants and agrees not to allow youths to congregate or otherwise loiter in or around the business. Permittee shall take reasonable steps to control the conduct of others on this property so that it does not become a nuisance or otherwise disturb the peace and quiet of the neighborhood or peace, health and safety of the community.
51. The establishment will not provide any video or arcade games.
52. There shall be no grandstands or bleachers permitted within the facility.
53. The STC rating of the common wall between the proposed use and the adjacent use to the east shall be high enough to bring projected noise from the proposed use below interior noise measurements of the FVMC. This information shall be included in the applicant's building plan check submittal to the City and subject to the review and approval of the Community Development Director.
54. There shall be a maximum of 8 tournaments per year within the facility. A schedule of tournaments shall be provided to the Planning Department at the request of the Community Development Director.
55. The conditions herein contained shall run with the land and shall be binding on the applicant, and all heirs, executors, administrators, and successors in interest to the real property that is the subject of this approval and entitlement.

#### Building Department

56. Prior to the approval of grading plans, complete landscaping plans must be submitted and approved by the Community Development Director and Public Works Director. Landscaping plans must be signed by a California licensed Landscape Architect and be consistent with grading plans.
57. Install, maintain, and provide for all California Disabled Access compliance per the California Building Code and the Division of State Architect. No encroachment into the disabled path of travel is allowed under any condition with the exception of emergency vehicles and personnel.
58. Projects must comply with the California Code of Regulations, Title 24; Fountain Valley Ordinances, and California law in effect at the time of plan submittal.

#### Public Works Department

59. Grant no easement over any portion of this improvement between the time of approval of the tentative improvement and the time of final approval of the improvement, except as required by the City Engineer.
60. All public improvements, including but not limited to, streets, sewer, water, storm drain,

traffic systems, traffic control, and street repairs shall be constructed in accordance with the most recent edition of the City of Fountain Valley Public Works Standard plans.

61. Provide improvement plans as prepared by a Registered Civil Engineer for all improvements. The plans shall be 24 in. by 36 in. mylar with an appropriate engineering scale (1"=10', 1"=20', 1"=40'). The plans shall include, but not be limited to, paving, sidewalk, curb, gutter, street lighting and all underground utilities. Underground utilities shall include, but not be limited to: electrical, communications, street lighting, gas, sewer, water and appropriate storm drain facilities. The design, layout and location of the gas, electrical, communications and street lighting shall be in accordance with the requirements of the respective utility company.
62. Without credit, provide for street improvements including, but not limited to, curbs, gutters, street paving, traffic control devices, ADA accessible driveway approaches, ADA curb ramps, and sidewalks within the public right-of-way.
63. All vehicular access shall conform to the City of Fountain Valley standard plans and specifications and shall be subject to final approval of the City Engineer.
64. Comply with the applicable provision of City ordinances concerning payment of fees or assessments, zoning regulations and subdivision development. All fees and assessments must be paid prior to the approval of the improvement plans and issuance of any permits.
65. Pay Development Fees prior to permit issuance.

Public Works – Environmental Division

66. The project's demolition activities shall comply with the City's Construction and Demolition Recycling Program (C&D Recycling Program). Complete the following steps in order to create your Construction Waste Management Plan (CWMP).
67. Complete and submit the Construction Waste Management Plan (CWMP) before any Building permits have been issued.
68. Identify which authorized recycling/transfer hauling facility you will be using.
69. Save and submit to the City the weight ticket(s) indicating Construction & Demolition (C&D) and or Construction Demolition Public (CDP) and/or Diversion Report for review.
70. All projects will be signed off when all weight tickets demonstrate compliance and include the following information per the City of Fountain Valley Municipal Code 6.09.
71. Trash Enclosures areas must comply with State Recycling Regulations. Each enclosure shall provide sufficient area for the collection of refuse and recyclable materials. Trash containers shall be enclosed to prevent discharge of trash, and be equipped with lids or screened, roofed or walled, and runoff should be diverted around trash areas to avoid flow through. Trash enclosure drainage if any should be directed to vegetative areas whenever feasible.

**CITY OF FOUNTAIN VALLEY**  
Planning Department  
10200 Slater Avenue, Fountain Valley, CA 92708  
714-593-4425 – fountainvalley.org

**Notice of Exemption**

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**TO:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

**FROM:** City of Fountain Valley  
10200 Slater Avenue  
Fountain Valley, CA 92708

County Clerk  
County of Orange  
12 Civic Center Plaza  
Santa Ana, CA 92701

Project Title: The Picklr - Conditional Use Permit No. 1940

Project Location/Address: 17904 Magnolia Street

Project Activity/Description: Petition submitted by Duyum Dulom, on behalf of The Picklr, to establish and operate a pickleball facility located at 17904 Magnolia Street.

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Public Agency Approving Project: **City of Fountain Valley, Orange County, California**

Project Applicant: Duyum Dulom - SRK Architects, Inc.

Project Applicant's Address: 2234 S. Figueroa St Los Angeles, CA 90007 Phone Number: (213)259-8455

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**Exempt Status: (check one):**

- Ministerial (Sec. 21080 (b)(1); 15268);
- Declared Emergency (Sec. 21080 (b)(3); 15269 (a));
- Emergency Project (Sec. 21080 (b)(4); 15269 (b) (c));
- Categorical Exemption. State type and section number: 15301
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt: This request is exempt from CEQA pursuant to Sections 15301 which establishes that existing structures involved in negligible or no expansion of use beyond the previously existing are exempt from the provisions of CEQA. The proposed project includes the establishment and operation of a pickleball facility in an existing tenant space in a shopping center. No exterior physical changes or intensification to the building would occur as a result of the project.

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**Lead Agency**  
Contact Person: Steven Ayers, Principal Planner Contact Phone: 714-593-4431

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?:  Yes  No

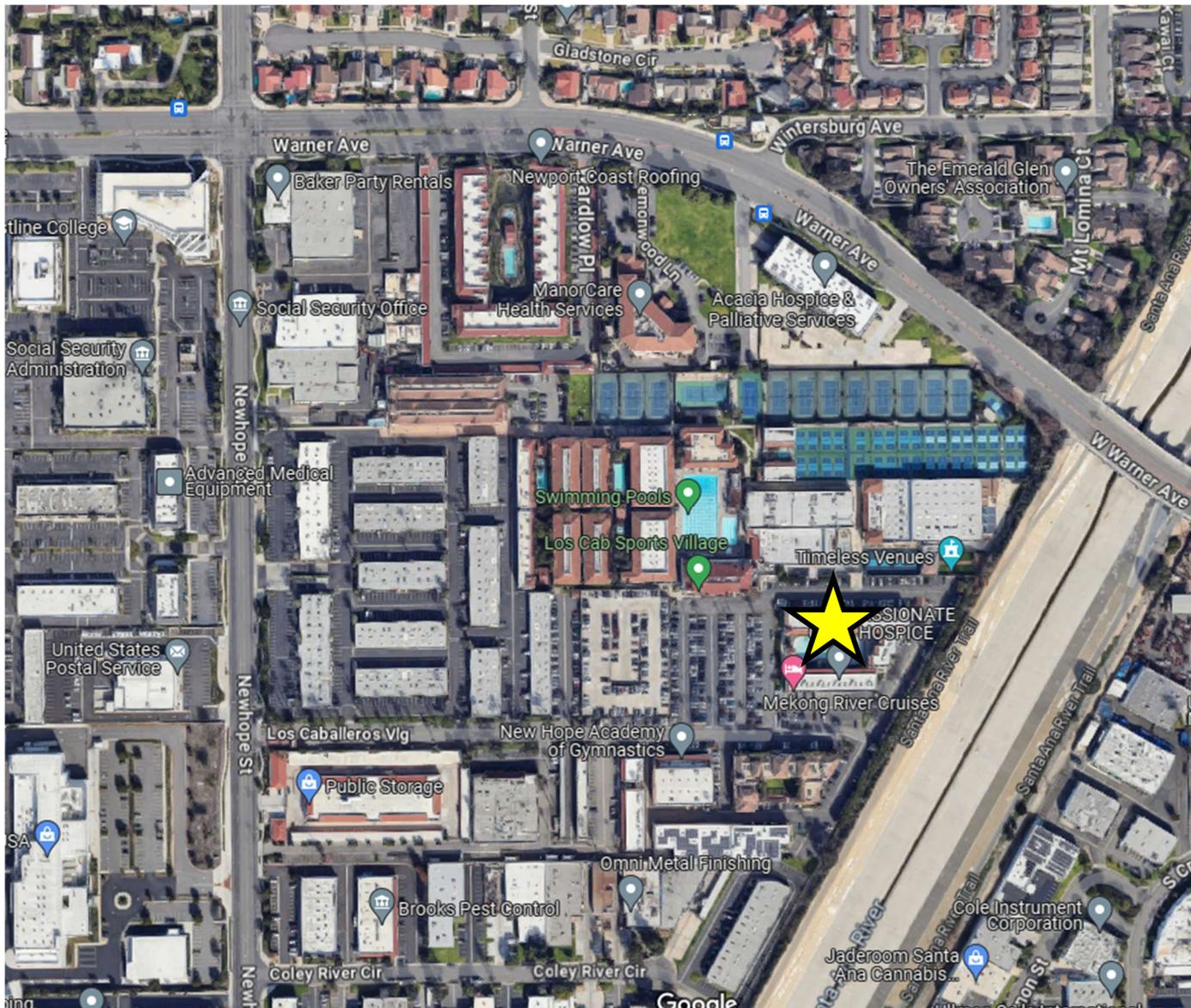
Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency  Signed by Applicant

# Vicinity Map

CA 25-07

## Plaza del Lago



17220 Newhope Street



# Request for Planning Commission Action

**TO:** Planning Commission **DATE:** February 25, 2026  
**FROM:** Senior Planner, Matt Jenkins  
**SUBJECT:** Code Amendment No. 25-07 – Plaza del Lago Medical Office Limitation

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Project Location: Plaza del Lago  
17220 Newhope Street  
Fountain Valley, CA

APN: 169-421-11

Project Applicant: Wallace Rodecker / Rodecker Family Trust / Rodecker Companies, LLC.

Project Representative: Jim Henshall – CFG Investments, Inc.

Zoning: Warner Newhope Specific Plan

General Plan: Specific Plan Area

Proposal:

Petition submitted by Wallace Rodecker and the Plaza del Lago Owners Association to remove the maximum 25% medical office use requirement from Planning Area C in Section 4.4.3 of the Warner / Newhope Specific Plan and to permit medical office use by-right in Planning Area C of the Specific Plan during the hours of 6:00 a.m. to 7:00 p.m., in the Plaza del Lago (PDL) office building located at 17220 Newhope Street (Attachment 1).

Background:

The Warner/Newhope Specific Plan (WNSP) is an approximate 37-acre site located at 17272 Newhope Street, with the main entrance to the development accessible from the east side of Newhope Street, across from the Fountain Valley Post Office. The plan area contains a mixture of residential, recreational, office, light industrial, and storage uses, most of which share parking and access. The WNSP is divided into 12 Planning Areas that describe and provide use standards for each area (Attachment 2). The Los Caballeros (Los Cab) Sports Club is located in Planning Area A and is the main tenant in

the Specific Plan. PDL, located in Planning Area C, was approved in 1979 for a 43,000 square foot, multi-tenant office complex, with no limitations on medical office use. Condition No. 10 from Planning Commission Resolution No. 79-32, did however, place a restriction prohibiting retail uses in PDL. In 2004, the current Specific Plan was adopted by the City Council and a 25% square footage limitation for medical office use was placed on the PDL office complex (Planning Area C), including the requirement for a Conditional Use Permit (CUP) subject to the review and approval of the Planning Commission.

In late 2025, and during the time the applicant prepared their application for the specific plan amendment, two (2) future tenants submitted CUP applications with the city and were approved by the Planning Commission for medical office uses in PDL:

- CUP 1938 #118 – T-Quan Acupuncture Clinic
- CUP 1939 #120 - ARWA Physical Therapy

With the addition of these two (2) tenants, the total percentage of medical office use in PDL increased to 23% - just below the 25% maximum outlined in the Specific Plan.

Code Requirement:

PDL is located in Planning Area C of the WNSP as shown on the attached Land Use Plan from the Specific Plan (Attachment 2). Allowable land uses are indicated in Section 4.4 of the Specific Plan, which also indicates uses permitted with approval of a CUP in Section 4.4.3.

*4.4.3 Conditional Use Permit*

- *The following are permitted with approval of a Conditional Use Permit:*
  - *Medical offices and services (clinics, offices and laboratories) only in Planning Area C with the approval of a parking study. A maximum of 25% of the building area may be devoted to medical offices.*
  - *Schools, specialized training and education.*
  - *Photographic studios.*
  - *Automated teller machines (ATMs).*
  - *Parking*
  - *Telecommunication facilities per Section 21.28 of the Fountain Valley Municipal Code.*

Proposed Code Amendment:

The proposed Code Amendment (CA) (Attachment 3) would remove the maximum 25% limit on medical office uses in Plaza del Lago and would allow medical office by-right, during the hours of 6:00 a.m. to 7:00 p.m. in the PDL building. The amendment would also remove the requirement for a parking study in Planning Area C.

As proposed, the Warner/Newhope Specific Plan would be amended as follows:

“ ...

Section 4.4.1 Permitted Uses

- Business support services
- Offices, administrative, business, professional.
- Research and Development (R&D).
- Personal storage (mini-storage) is a permitted use in Planning Area G.
- *Medical offices and services with operating hours between 6:00 a.m. and 7:00 p.m., seven (7) days per week.*

...”

“ ...

Section 4.4.3 Conditional Use Permit

- The following are permitted with approval of a Conditional Use Permit:
  - Medical offices and services (clinics, offices and laboratories) in Planning Area C *with operating hours between 7:00 p.m. and 6:00 a.m., seven (7) days per week.* ~~Only in Planning Area C with approval of a parking study. A maximum of 25% of the building area may be devoted to medical offices.~~
  - Schools, specialized training, and education
  - Photographic Studios
  - Automated Teller Machines (ATMs).
  - Parking.
  - Telecommunications facilities per Section 21.28 of the Fountain Valley Municipal Code

...”

Discussion:

The current request submitted by Wallace Rodecker and the Plaza del Lago Owners Association is to remove the maximum 25% medical office use requirement from Planning Area C in Section 4.4.3 of the Warner/Newhope Specific Plan and to permit medical office use by-right in Planning Area C of the Specific Plan during the hours of 6:00 a.m. to 7:00 p.m., in the PDL office building adjacent to the Los Caballeros Sports Complex (Attachment 4). The applicant originally requested the hours to operate from 7:00 a.m. to 6:00 p.m., but recently amended the request (Attachment 5).

The PDL property is a 2-story professional office complex consisting of two, 2-story buildings separated by a large decorative pond with a total of 54 office condominium suites, totaling 43,440 square feet. Pedestrian access to the units is achieved by an exterior walkway at the first and second stories of the buildings, which faces inward towards the decorative pond. The complex utilizes the shared parking in the

Warner/Newhope Specific Plan, located in Planning Areas K and K-1, which is also shared by the Los Caballeros Sports Complex (Attachment 6).

Given the unique nature of the site and the mixture of land uses, per the WNSP, the required parking is not based on the parking standards outlined in Chapter 21.22 of the Fountain Valley Municipal Code (FVMC), but instead upon the actual demand for parking. When the Specific Plan was created in 2004, a parking demand study was prepared to establish a baseline condition for parking use and demand in the Specific Plan area. The study indicated there were 947 shared parking spaces available in Planning Area K, K-1, and I. The study also references 932 shared spaces available in Planning Area K and K-1 specifically. While not stated at the time of the Specific Plan adoption, staff's understanding is that the 25% maximum for medical uses in PDL was based on the availability of shared spaces.

While individual parking ratios based on land use are not utilized in the Specific Plan's parking analysis, the parking demand study references a parking requirement for PDL, whereas the required parking for medical office use was one (1) parking space per 143 square feet of floor space, and general office use was one (1) space per 250 square feet of floor space. Using these parking ratios to establish a parking requirement for PDL at the time of the Specific Plan approval in 2004, PDL would have required 206 parking spaces (Figure 1).

Figure 1			
	Square Footage (SF)	Parking Ratio	Spaces
25% Medical	10,860 SF	1 space per 143 SF	76
75% Office	32,580 SF	1 space per 250 SF	130
Total:	43,440 SF		206

If PDL was converted to 100% medical uses today at a parking ratio of one (1) space per 200 square feet using the city parking requirements in Table 3-3 from FVMC 21.22, the entire development would require 217 parking spaces (Figure 2). This results in an increase of 11 parking spaces.

Figure 2			
	Square Footage (SF)	Parking Ratio	Spaces
100% Medical	43,440 SF	1 space per 200 SF	217

Previous Planning Commission Approvals - CUP 1900 Parking Analysis:

On February 9, 2022, the Planning Commission adopted Resolution No. 22-06 approving CUP 1900 for the conversion of an existing childcare center into nine (9) residential condominium units at Los Cab. A parking observation analysis was conducted on two (2) non-consecutive weekdays, and one (1) Saturday during the hours of 7:00 a.m. to 7:00 p.m., in September 2021 (Attachment 7). Referring to parking in Planning Area K and K-1 with 932 shared parking spaces, the maximum occupancy of the shared parking area

observed during the weekday was 553 parking spaces. During the weekend, 482 was the highest observed demand. Conversely, the study concluded there was 379 spaces available during the weekday, and 482 spaces available during the weekend.

CUP 1927 – Timeless Venues:

In 2024, Timeless Venues received approval for a wedding and event venue facility at the Los Caballeros Sports Village. At the time it was indicated 996 shared parking spaces were provided at Los Cab as indicated in the staff report for CUP 1927. The parking analysis for Timeless Venues was based on a previous approval for a 9-unit condominium conversion project in 2022 for Los Cab and approved by the Planning Commission (CUP 1900). This parking analysis (Attachment 7) references the 932 shared parking spaces in Planning Areas K and K-1, specifically, not 996 spaces.

Timeless Venues typically holds events such as weddings, charity galas, and other social events that may primarily take place during the evening and weekend times, while typical medical office uses operate during daytime business hours. The proposed CA would approve medical occupancy by-right during the hours from 6:00 a.m. to 7:00 p.m. and would require a CUP to operate outside of those hours. Staff does not anticipate a conflict with medical office use during the daytime and a wedding and event facility primarily operating during the evening and weekends.

Using a conservative approach referencing the 932 shared parking spaces in Planning Area K and K-1, and the most recent parking analysis from CUP 1900 in prepared in 2021, Figure 3 provides the following parking analysis below:

Figure 3		
Attachment ____ (2021 Parking Analysis)	Weekday	Weekend
Total Parking in Shared Areas per 2021 parking analysis:	932	932
Highest Number of Spaces Occupied:	553	482
Timeless Venues Parking Requirement per CUP 1927:	140	140
Additional Required Parking for 100% Medical Use in PDL 100% (Figure 2):	11 spaces	11 spaces
Available Parking Observed per 2021 parking analysis:	379	450
Surplus Parking in Shared Planning area K and K-1:	228 spaces	299 spaces

Figure 3 provides a parking calculation using the least number of spaces reported in Planning Area K and K-1 at 932 shared parking spaces. The maximum observed parking spaces occupied per the 2021 parking analysis was used as a baseline condition, plus the maximum required parking spaces for Timeless Venues was used for a parking requirement per CUP 1927. Adding the additional 11 parking spaces required for PDL to be converted to 100% medical, an approximate surplus of parking is shown. Based on this calculation, approximately 228 parking spaces would be available during the weekday, and 299 parking spaces would be available during the weekend.

Conclusion:

PDL currently has 29 tenants controlling the 54 condominium office spaces, whereas several tenants control multiple units. According to the tenant roster provided for PDL, the office complex currently has limited vacancy with only five (5) single tenant spaces, and there currently is multiple general office practices occupying multiple condominium office spaces in PDL.

As previously discussed, the Specific Plan requires that any new structures or expansions would be required to verify there is a minimum of 5% or 47 parking spaces open and available. The Planning Commission recently approved two projects where there was a different parking requirement than the previous use, and it was documented that there was sufficient parking available for the new use in the Los Cab sports complex. As shown in the calculation in Figure 3 of this report, a surplus of parking is estimated in the shared parking area of Planning Area K and K-1.

Environmental Clearance:

The proposed CA is determined to be Categorically Exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines – Section 15061(b)(3) as it has no potential for resulting in a physical change to the environment. The proposed CA would allow for an increase in the type of existing, permitted land use, but does not propose the construction of any new square footage to the building (Attachment 8).

Notice Furnished:

Public hearing notices were mailed to all property owners and commercial tenants within 1,000 feet of the subject property. The item was published in the Orange County Register and notices were posted at City Hall and at the City's website at [www.fountainvalley.gov/AgendaCenter](http://www.fountainvalley.gov/AgendaCenter)

Alternatives:

1. Adopt Resolution No. 26-03 recommending the City Council approve a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approve Code Amendment No. 25-07 to remove the maximum 25% medical office use requirement from Planning Area C in Section 4.4.3 of the Warner/Newhope Specific Plan and to permit medical office use by-right in Planning Area C of the Specific Plan, during the hours of 6:00 a.m. to 7:00 p.m., in the Plaza del Lago office building located at 17220 Newhope Street (Attachment 9).
2. Amend Resolution No. 26-03 and recommend the City Council approve a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approve Code Amendment No. 25-07 to increase the maximum percentage

of medical office use in Planning Area C in Section 4.4.3 of the Warner/Newhope Specific Plan from 25% to 50%, during the hours of 6:00 a.m. to 7:00 p.m., in the Plaza del Lago office building located at 17220 Newhope Street.

3. Continue the request and direct staff to prepare a resolution for denial.
4. Continue this request for additional information.

Recommended Action:

Pleasure of the Planning Commission.

Prepared By: Matt Jenkins, Senior Planner

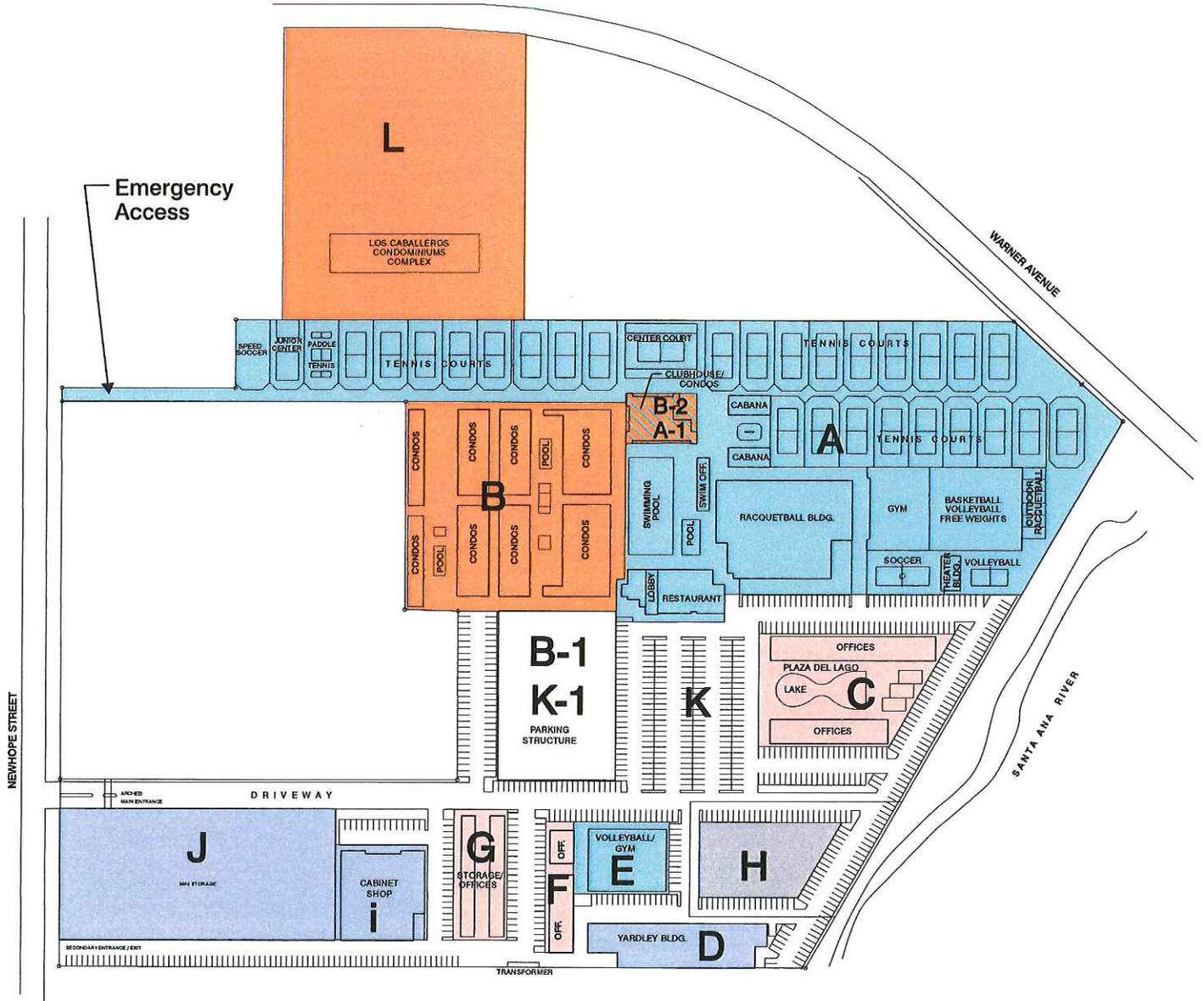
Reviewed By: Steven Ayers, Principal Planner

Approved By: Omar Dadabhoy, Community Development Director /  
Deputy City Manager

- Attachments:
1. Vicinity Map
  2. WNSP Land Use Map
  3. CC Ordinance
  4. CFG Investments request
  5. Amended hours
  6. WNSP Parking Graphic
  7. Parking Analysis dated October 2, 2021
  8. Notice of Exemption
  9. Resolution No. 26-03

# City of Fountain Valley

## Warner/Newhope Specific Plan



- High Density Residential
- Sports and Fitness
- Mixture High Density Residential and Sports & Fitness
- Professional Office
- Commercial Manufacturing
- Future Expansion Area
- Parking

Base Map Source: Hunsaker & Associates

# Land Use Plan



Not to Scale

Figure 4

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOUNTAIN VALLEY APPROVING A CATEGORICAL EXEMPTION PER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING CODE AMENDMENT (CA) NO. 25-07 TO REMOVE THE MAXIMUM 25% MEDICAL OFFICE USE REQUIREMENT FROM PLANNING AREA C IN SECTION 4.4.3 OF THE WARNER / NEWHOPE SPECIFIC PLAN AND TO PERMIT MEDICAL OFFICE USE BY-RIGHT IN PLANNING AREA C OF THE SPECIFIC PLAN DURING THE HOURS OF 6:00 A.M. TO 7:00 P.M., IN THE PLAZA DEL LAGO OFFICE BUILDING LOCATED AT 17220 NEWHOPE STREET

WHEREAS, the Warner/Newhope Specific Plan (“Specific Plan”) was approved by the Fountain Valley City Council on October 5, 2004; and

WHEREAS, the Specific Plan contains development standards and intensities for individual planning areas; and

WHEREAS, the proposed amendment will continue to promote the development of the Specific Plan area in a manner that is sensitive to the surrounding community and environment; and

WHEREAS, the Planning Commission has reviewed and approved two (2) new land uses in the Specific Plan area since 2022; and

WHEREAS, staff analyzed the parking requirements at that time and a surplus of available shared parking spaces were available in the Specific Plan area; and

WHEREAS, the proposed CA 25-07 has been publicly noticed in accordance with State Law and the Fountain Valley Municipal Code; and

WHEREAS, the Fountain Valley Planning Commission considered the proposed Code Amendment No. 25-07 at a duly noticed public hearing on February 25, 2026, and by a vote of \_\_-\_\_ recommended the City Council approve CA 25-07 ; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOUNTAIN VALLEY DOES HEREBY ORDAINS AS FOLLOWS:

SECTION 1

The City Council hereby determines that CA 25-07 is not subject to the California Environmental Quality Act (“CEQA”), pursuant to Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in

question may have a significant effect on the environment, the activity is not subject to CEQA.

## SECTION 2

The City Council finds that due notice of the public hearing on \_\_\_\_\_, 2026, conducted in the City Council Chambers, 10200 Slater Avenue, Fountain Valley, was given as required by the Fountain Valley Municipal Code, Title 21, and the State of California. Public notice of this hearing and a copy of the City Council agenda were posted at City Hall, Recreation Center and the Fountain Valley Library.

## SECTION 3

The Warner/Newope Specific Plan shall be amended as follows:

“ ...

### Section 4.4.1 Permitted Uses

- Business support services
- Offices, administrative, business, professional.
- Research and Development (R&D).
- Personal storage (mini-storage) is a permitted use in Planning Area G.
- *Medical offices and services with operating hours between 6:00 a.m. and 7:00 p.m., seven (7) days per week.*

...”

“ ...

### Section 4.4.3 Conditional Use Permit

- The following are permitted with approval of a Conditional Use Permit:
  - Medical offices and services (clinics, offices and laboratories) in Planning Area C *with operating hours between 7:00 p.m. and 6:00 a.m., seven (7) days per week.* ~~only in Planning Area C with approval of a parking study. A maximum of 25% of the building area may be devoted to medical offices.~~
  - Schools, specialized training, and education
  - Photographic Studios
  - Automated Teller Machines (ATMs).
  - Parking.
  - Telecommunications facilities per Section 21.28 of the Fountain Valley Municipal Code

...”

## SECTION 4

Pursuant to Fountain Valley Municipal Code section 21.34.050 the City Council does hereby find as follows:

1. The proposed amendment ensures and maintains internal consistency with the actions, goals, objectives and policies of the general plan, and would not create any inconsistencies with this title, in the case of a title amendment.

*The proposed CA is consistent with the goals and actions of the general plan and specific plan. The amendment will promote General Plan Goal LU-1, which is to allow an arrangement of compatible land uses, while protecting and maintaining the surrounding neighborhood.*

2. The proposed amendments would not be detrimental to the public convenience, health, interest, safety or welfare of the city.

*The proposed amendment will allow for additional medical office use in the existing Plaza de Lago office building in the Warner/Newhope Specific Plan area, which allows for a variety of office uses in the existing 2-story office building. As indicated in the staff report, sufficient parking will be available for future medical office uses in the Plaza del Lago office complex, therefore the CA should not be detrimental to the interests of the public*

3. 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 as indicated in Section 1 above.
4. The proposed amendment is internally consistent with other applicable provisions of Title 21 and the Warner / Newhope Specific Plan.

*Removing the 25% square footage limitation on the medical office uses in Planning Area C will not affect any other development standard in the Specific Plan. The parking requirement is specific to Section 4.4.3 of the Specific Plan only and does not need to be amended in any other location in the Specific Plan.*

## SECTION 5

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council declares that it would have passed this ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would subsequently be declared invalid or unconstitutional.

## SECTION 6

The City Clerk shall certify the adoption of this ordinance and cause it to be published as required by law. This ordinance shall become effective thirty (30) days after the date of its adoption.

PASSED, APPROVED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2026.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM

**HARPER & BURNS LLP**

\_\_\_\_\_  
Attorneys for the City



17220 Newhope St., Suite. # 224 • Fountain Valley, CA 92708  
(714) 557-1430 • Fax (714) 557-1439 • [www.cfginvestments.com](http://www.cfginvestments.com)

**VIA HAND DELIVERY AND EMAIL**

December 22, 2025

Mr. Matt Jenkins  
City of Fountain Valley----Community Development Department  
10200 Slater Avenue  
Fountain Valley, CA 92708

**RE: Planning and Development Application Packet for an Amendment to the Warner/Newhope Specific Plan (Revised Cover Letter for Application)**

Mr. Jenkins:

Please be advised CFG Investments, Inc. is the property management company for the Plaza del Lago Owners Association (“the Association”).

The Association and Mr. Wallace Rodecker previously submitted the Planning and Development Application Packet on October 1, 2025 which requests an amendment to the Warner/Newhope Specific Plan. The City has requested that this revised cover letter to the Application be submitted following the City’s initial review of the Application.

The applicant is Mr. Wallace Rodecker, and certain entities associated with Mr. Rodecker, who own business condominiums at the Plaza del Lago Professional Offices Complex. The Association also supports this Application. A \$10,000 application fee was also delivered with this Application for fees and costs related to the Application. Mr. Rodecker and the Association understand any amount of the application fee which is not used for reasonable fees and costs shall be returned by the City.

The Warner/Newhope Specific Plan states the area commonly known as the Plaza del Lago Professional Offices Complex (“the Complex”) is an office complex developed to house professional offices, including medical businesses, centered on an artificial lake. The Complex is located at 17220 Newhope St., Fountain Valley, CA 92708. There are 54 office units in the Complex, with 27 units located on both floors. (Warner/Newhope Specific Plan, p. 13.) Parking for the Complex is in the shared parking facilities at the Los Caballeros Complex which includes 932 shared parking spaces. (See Section 3.2.2 of the Warner/Newhope Specific Plan, p. 28.)

Under section 4.4.1 of the Warner/Newhope Specific Plan the permitted uses for the Complex are business support services, offices including administrative, business, and professional offices, and offices for research and development businesses. (Warner/Newhope Specific Plan, p. 42.) The Application is a request to the City of Fountain Valley to Amend the Warner/Newhope Specific Plan, Section 4.4.3---Conditional Use Permit by eliminating the language in this section stating: “A maximum of 25% of



the building area may be devoted to Medical Offices.” (Warner/Newhope Specific Plan, p. 42.)

The Application contends there should not be a restriction on the amount of square footage in the Complex being devoted to medical offices or medical-related businesses. This Application is also supported by the Association which is confirmed by a Resolution from the Association’s Board of Directors attached to the Application.

Section 4.4.3---Conditional Use Permit of the Warner/Newhope Specific Plan states:

“The following are permitted with approval of a Conditional Use permit:

- Medical offices and services (clinics, offices, and laboratories) only in Planning Area C with the approval of a parking study. A maximum of 25% of the building area may be devoted to Medical offices.
- Schools, specialized training, and education.
- Photographic studios.
- Automated teller machines (ATMs).
- Parking.
- Telecommunications facilities Per Section 21.28 of the Fountain Valley Municipal Code.”

The proposed amendment to Section 4.4.3 as requested by this Application would only be that the language stating, “A maximum of 25% of the building area may be devoted to Medical offices” be deleted from Section 4.4.3, and the amended section should be worded to state:

“The following are permitted by right:

- Medical offices and services (clinics, offices, and laboratories) in Planning Area C with medical offices and services that are businesses having normal operating hours between 7 a.m. and 6 p.m. on any day of the week. If a medical office or service wishes to have operating hours outside of the limit between 7 a.m. and 6 p.m. on any day of the week, this medical office or service must apply to the City of Fountain Valley for a conditional use permit and/or provide a new parking study establishing new baseline data for parking use in the area as requested by the City of Fountain Valley.
- Schools, specialized training, and education.
- Photographic studios.
- Automated teller machines (ATMs).
- Parking.
- Telecommunications facilities Per Section 21.28 of the Fountain Valley Municipal Code.”

Based on calculations by the City’s Community Development Department, the Complex presently has 21% of its interior office space devoted to medical offices or medical-related businesses. (8,960) square feet out of the total square footage of 43,400 being presently



17220 Newhope St., Suite. # 224 • Fountain Valley, CA 92708  
(714) 557-1430 • Fax (714) 557-1439 • [www.cfginvestments.com](http://www.cfginvestments.com)

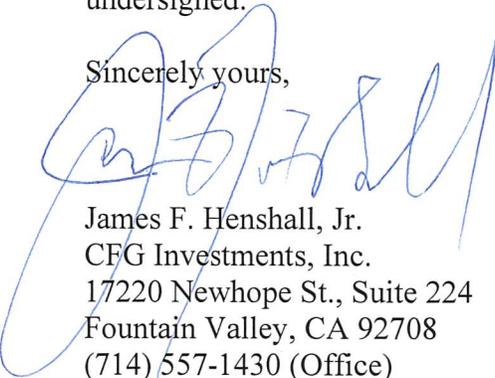
used for medical offices or medical-related businesses.) Recently, new owners, potential new owners, and potential new tenants who are medical offices or medical-related businesses have expressed an interest in locating their businesses at the Complex. The owners in the Complex should be given the ability to place these medical offices and medical-related businesses into the Complex since the Complex was developed by the City to have professional offices, including medical-related businesses, in this Complex.

Given the increase of health care businesses in Orange County, including in Fountain Valley, it is anticipated that additional medical-related businesses shall be interested in locating to the Complex in the future. The applicant and the Association believe there will not be any negative aspects to eliminating the 25% restriction on medical-related businesses at the Complex. On the contrary, it shall allow the Complex to continue to house businesses for medical use and professional use, which is exactly what the Complex was developed to do.

The current 25% restriction hinders the Complex in attracting the type of business which would allow the Complex to continue to be successful. This amendment would also allow the City to attract additional medical professionals and medical-related businesses to serve Fountain Valley residents for their healthcare needs.

If you have any questions concerning this Application, please contact the applicant or the undersigned.

Sincerely yours,



James F. Henshall, Jr.  
CFG Investments, Inc.  
17220 Newhope St., Suite 224  
Fountain Valley, CA 92708  
(714) 557-1430 (Office)  
(714) 227-4427 (Cell)  
[jim@cfginvestments.com](mailto:jim@cfginvestments.com) (Email)

**From:** [Jim Henshall](#)  
**To:** [Matt Jenkins](#)  
**Cc:** [Wallace Rodecker](#); [Steve Meyer](#); [Carm Gullo](#)  
**Subject:** RE: Notice of Hearing Before Planning Commission-2-25-26  
**Date:** Thursday, February 12, 2026 4:48:48 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Matt,

Thank you for your email.

As to Section 4.4.3 Conditional Use Permit, the language will need to be as follows:

Section 4.4.3 Conditional Use Permit

- The following are permitted with approval of a Conditional Use Permit:
  - Medical offices and services (clinics, offices and laboratories) in Planning Area C **with operating hours between 6:00 a.m. and 7:00 p.m., seven (7) days per week**, ~~only in Planning Area C with approval of a parking study. A maximum of 25% of the building area may be devoted to medical offices.~~
  - Schools, specialized training, and education
  - Photographic Studios
  - Automated Teller Machines (ATMs).
  - Parking.
  - Telecommunications facilities per Section 21.28 of the Fountain Valley Municipal Code

Let me know your thoughts on the language. I am in the office all day tomorrow.

Best regards,

Jim Henshall

CFG Investments, Inc., property management company for the Plaza del Lago Owners Association

17220 Newhope Street, Suite 224

Fountain Valley, CA 92708

(714) 557-1430 (Office)

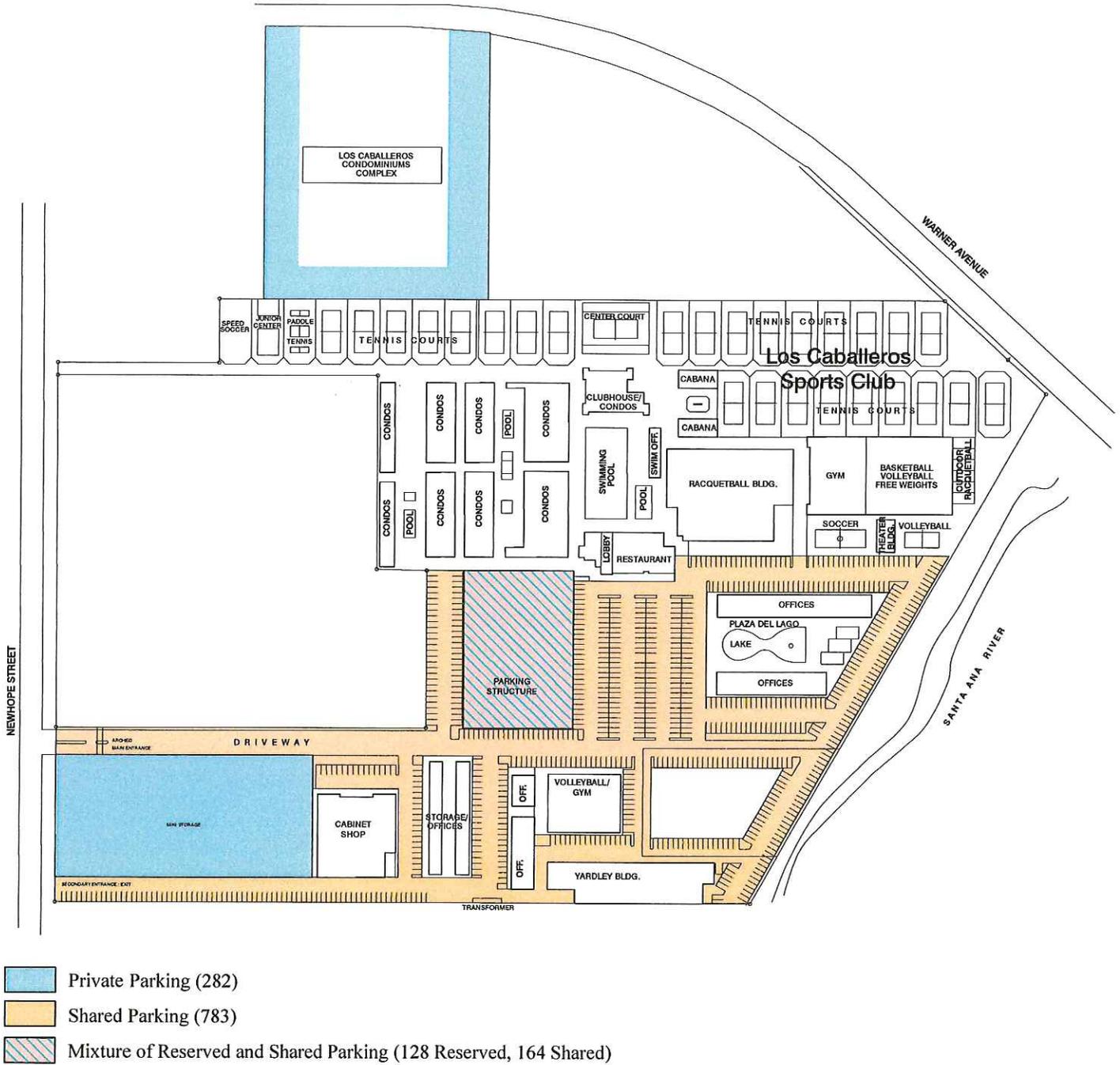
(714) 227-4427 (Cell)

**[jim@cfginvestments.com](mailto:jim@cfginvestments.com)** (Email)

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# City of Fountain Valley

## Warner/Newhope Specific Plan



Base Map Source: Hunsaker & Associates

## Parking Plan

Figure 6

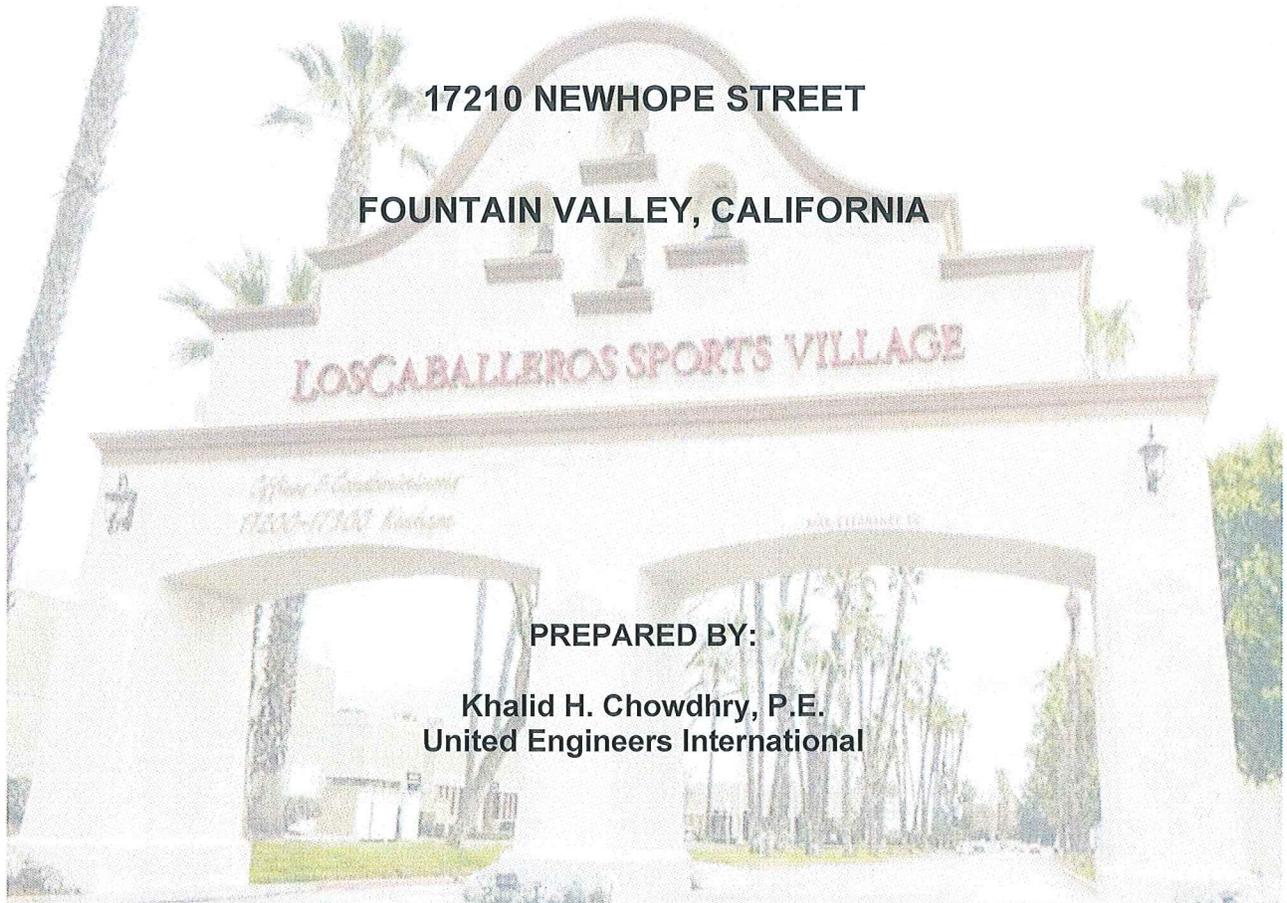


Not to Scale

**PARKING OCCUPANCY AND SUPPLY STUDY**  
**PROPOSED TENANT IMPROVEMENT FROM CHILD CARE FACILITY**  
**TO CONDOMINIUM UNITS**  
**FOR THE EXISTING**  
**WARNER/NEWHOPE SPECIFIC PLAN**  
**LOS CABALLEROS SPORTS VILLAGE/MIXED-USE DEVELOPMENT**

**17210 NEWHOPE STREET**

**FOUNTAIN VALLEY, CALIFORNIA**



**PREPARED BY:**

**Khalid H. Chowdhry, P.E.**  
**United Engineers International**

**October 2, 2021**

## INTRODUCTION

United Engineers International has conducted a parking occupancy and supply analysis for the conversion of a child care facility to condominium units within the Los Caballeros Sports Village/Mixed-Use Development. The project is located at 17210 Newhope Street, Fountain

Valley, California. The existing development is governed by the Warner/Newhope Specific Plan that was adopted by the City of Fountain Valley in September 2004. Among other things, the Specific Plan regulates the parking conditions for the site. Per the Specific Plan and the City of Fountain Valley, the analysis was performed to determine if the current parking supply of the existing development can accommodate the proposed new condominium units.

This memorandum summarizes the peak parking generation and observed parking occupation for the proposed improvement and the details of the surrounding project area.

## PROJECT DESCRIPTION

The proposed project is to convert a former 6,552 square-foot youth center, that included infant care, childcare and a game room, to nine residential condominium units. The youth center occupies the ground floor of a three-story building that has two levels of condominiums above the proposed improvement. The existing building is located within the Los Caballeros Sports Village/Mixed-Use Development. All vehicle access and parking will be provided by the existing driveways and parking spaces of the development.

## SCOPE

United Engineers has prepared a parking occupancy study for the tenant improvement of the youth center/child care facility to nine-unit Condominium. Per the Fountain Valley Municipal Code, nine condominium units are required to provide about 21 parking spaces

(2.25 per unit). The Warner/Newhope Specific Plan, which divides the overall site into

Planning Areas, specifies that the shared parking for the development is located in Planning

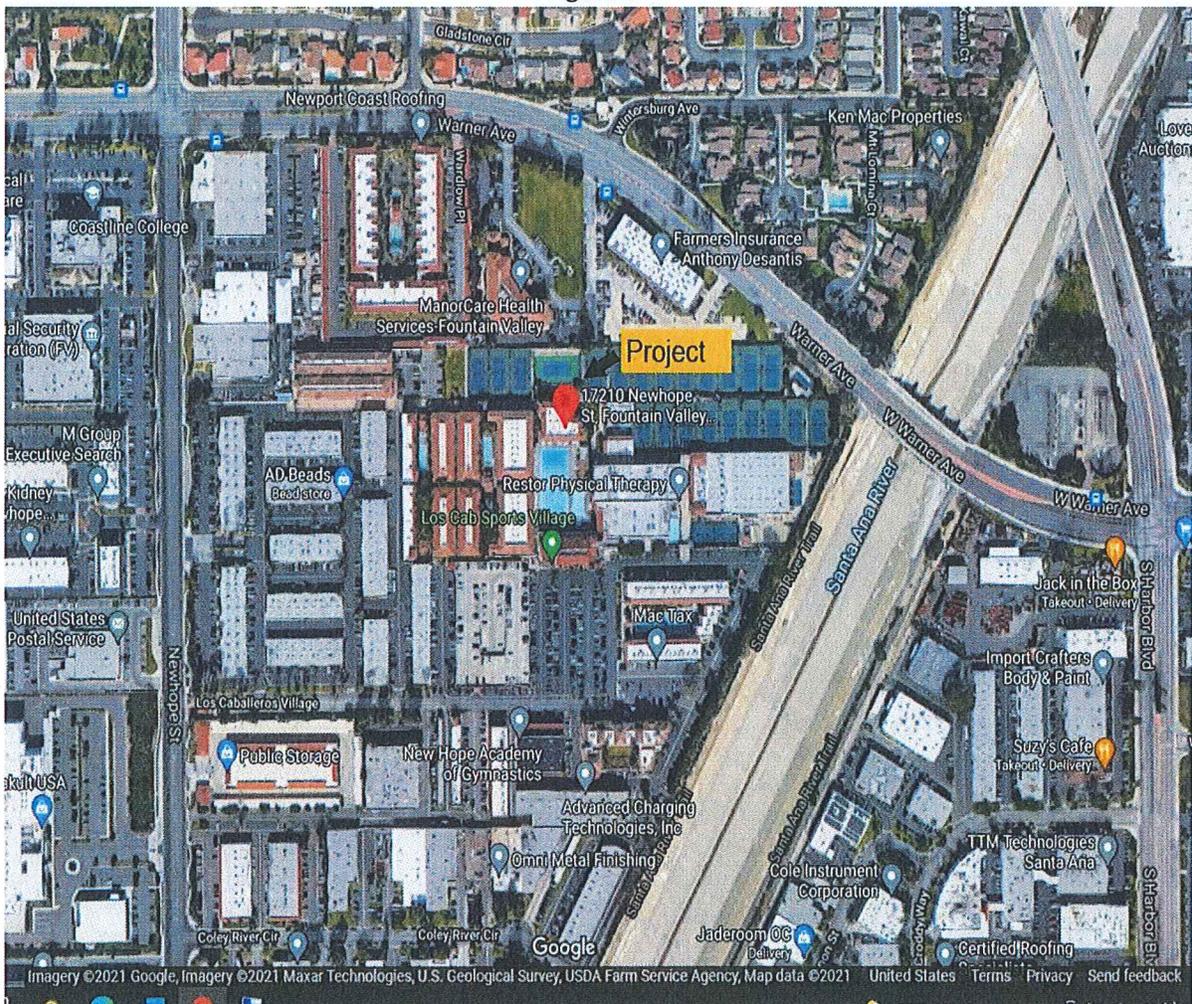
Areas K, K-1, and I. The Specific Plan states that the project location, Sub-Planning Area A-1, should take parking from Planning Area K and K-1. The Specific Plan also indicates that there are 932 parking spaces available in these Planning areas. To observe the existing parking demand the study has performed parking surveys of Lot K and K-1 from 7 am to 7 pm on a Tuesday and Wednesday (weekdays) and a Saturday (weekend).

The results, as described below, have determined the peak parking demand and parking percentage occupancy rate. The study indicates that there is enough excess capacity to accommodate the new parking demand of 21 parking spaces.

## PROJECT LOCATION

The proposed condominiums are located within the 37-acre Warner/Newhope Specific Plan which makes up the Los Caballeros Sports Village/Mixed-Use Development. The development and Specific Plan are bounded by Newhope Street on the west, Warner Avenue on the north, the Santa Ana River on the east and light industrial uses on the south. The site is zoned Commercial Manufacturing and Office Commercial by the City of Fountain Valley General Plan. As mentioned previously, the Warner/Newhope Specific Plan divides up the overall development into planning areas. The Planning Areas are identified as A, A1, B, B-1, B-2, C, D, E, F, G, H, I, J, K, K-1, and L. The existing youth center that will be replaced is located in Sub-Planning Area A-1 and the condominiums on the second and third floor are in Sub-Planning Area B-2. A map of the project location is contained in Figure 1 below.

Figure 1



### Existing Street System

**Warner Avenue** is generally an east-west running Major Arterial<sup>1</sup> within the vicinity of the project and is bordered by mostly residential land uses but also includes educational, health services and office uses. Warner Avenue is generally three lanes in each and left-turn pockets at intersections. The posted speed limit is 45 m.p.h. Parking is prohibited in the vicinity of the project.

**Newhope Street** is generally a north-south running Augmented Primary Arterial<sup>2</sup> within the vicinity of the project. Newhope Street south of Warner Avenue provides access to mostly health care, office and commercial uses. Newhope Street generally has two lanes in each direction with left-turn pockets at intersections. The posted speed limit is 40 m.p.h. Parking is prohibited in the vicinity of the project.

### Area Transit

**Route 72** of Orange County Transportation Authority, travels along Warner Avenue and serves the project area. The route goes from Warner and Pacific Coast Highway to Tustin Ranch and Legacy. The route provides daily service.

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<sup>1</sup> Designation per the *City of Fountain Valley General Plan*, adopted March 21, 1995.

<sup>2</sup> Designation per the *City of Fountain Valley General Plan*, adopted March 21, 1995.

## ANALYSIS Parking Generation

### City of Fountain Valley Parking Requirements

The City of Fountain Valley requires residential condominiums to provide 2.25 vehicle parking spaces per unit per the City of Fountain Valley Municipal Code Section 21.22.040. This would require approximately 21 (rounding up) parking spaces for the proposed project.

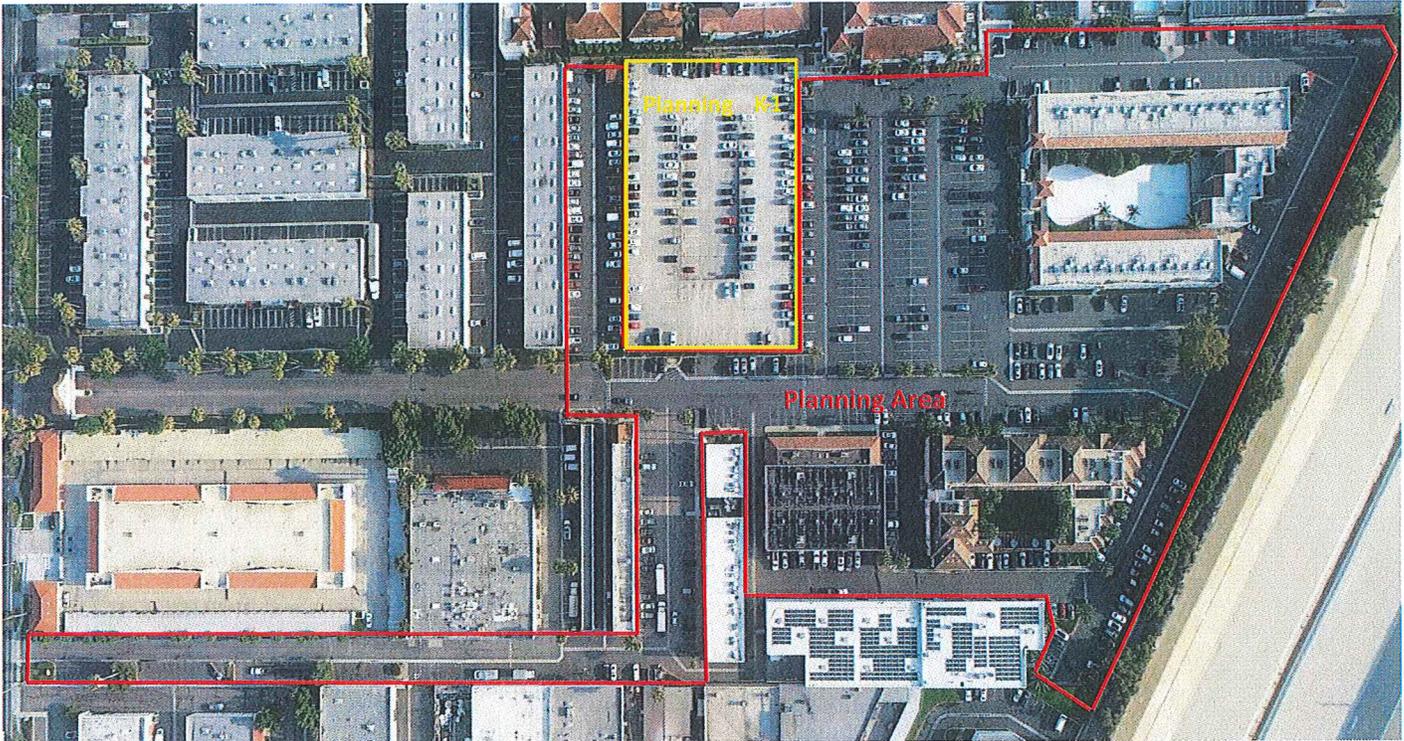
An analysis has been performed to determine the current peak parking demand of the existing shopping center. The analysis has done a parking occupation study on site to determine the actual parking demand and an analysis of the parking generation using the *ITE Parking Generation Manual, 5<sup>th</sup> Edition*.

### Parking Occupancy Survey

To observe the existing parking demand, the study has performed parking surveys of Lot K and K-1 within the existing Los Caballeros Sports Village/Mixed-Use Development. Figure 2, on the following page, indicates the study area. It was determined to count the number of vehicle spaces occupied between 7 a.m. to 7 p.m. on a weekday and a weekend day. The on-site parking occupation surveys were taken on Tuesday, August 24, 2021, Wednesday, September 29, 2021, and Saturday, August 21, 2021.

Figure 2

Parking Occupancy Study Area



Planning Area 1 outlined in red □  
Planning Area 1 outlined in yellow □

The results of the survey are indicated in Figure 3a (Weekday) and Figure 3b (Weekend) below:

Figure 3a

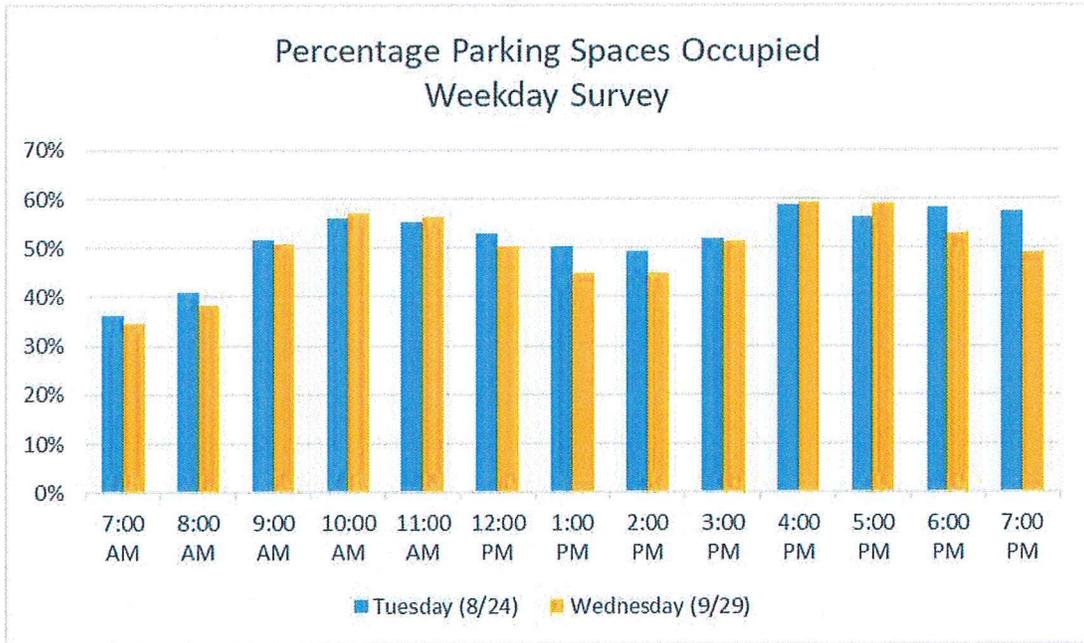
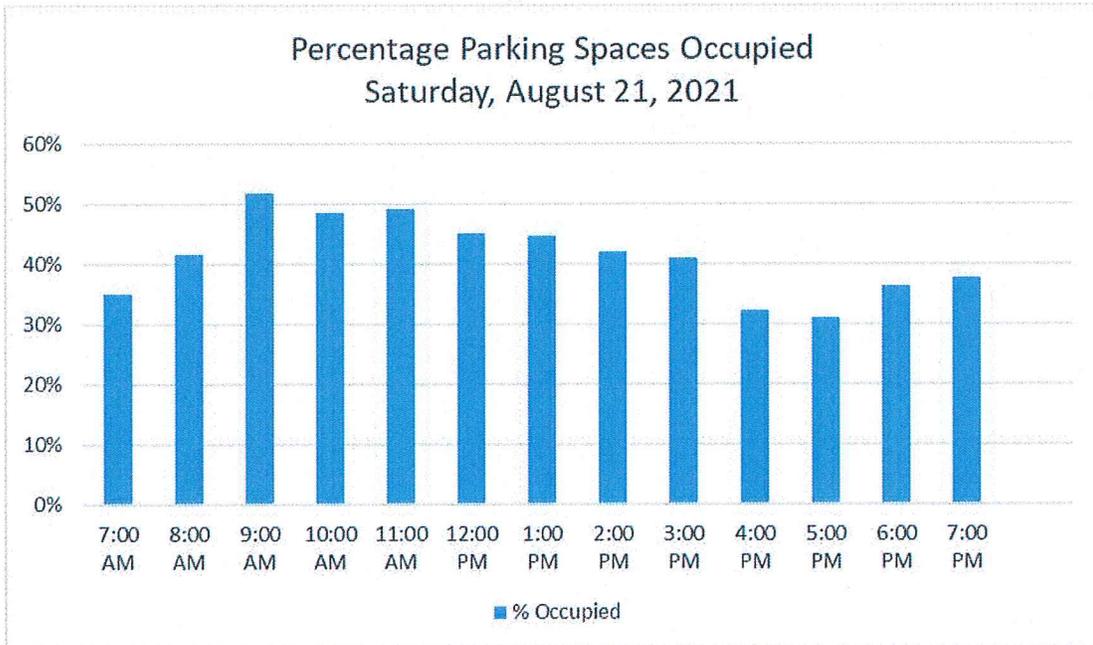


Figure 3b



As the graphs in Figures 3a and 3b illustrate, the percentage of parking spaces occupied throughout the day was below 60%. The two weekday surveys show that the parking demand is very similar and was slightly higher on Wednesday. The highest number of spaces occupied at any one time during the weekdays was 553. During the weekend survey (Saturday), 482 was the highest recorded parking demand. Therefore, there would be an approximate supply of 379 parking spaces available during the highest weekday demand and 450 parking spaces available during the highest weekend demand

### ITE Parking Generation

The *ITE Parking Generation Manual, 5<sup>th</sup> Edition* lists the weekday peak parking generation rate as 1.21 spaces per unit and the peak parking weekend rate as 1.31 spaces per unit for Multifamily Housing (Land Use Code 220). Using the ITE rate, the number of spaces needed for the proposed condominium improvement would be 11 spaces for the weekday peak demand and 12 for the weekend peak demand. Therefore, the 2.25 vehicle parking space per unit per the City of Fountain Valley Municipal Code, as the most conservative, would dictate as the occupancy rate to design to.

## CONCLUSION

The proposed project is to convert a former 6,552 square-foot youth center, that included infant care, childcare and a game room, into nine residential condominium units. The youth center occupied the ground floor of a three-story building that has two levels of condominiums above the proposed improvement. The existing building is located within the Los Caballeros Sports Village/Mixed-Use Development. All vehicle access and parking will be provided by existing driveways and parking spaces of the development. Per the Fountain Valley Municipal Code, nine condominiums are required to provide about 21 parking spaces (2.25 per unit). The Warner/Newhope Specific Plan indicates that the project location, Sub-Planning Area A-1, should take parking from Planning Area K and K-1. The Specific Plan also states that there are 932 parking spaces available in these Planning areas.

The key findings of the analysis are:

- There are sufficient parking spaces available to meet the peak parking demand of the proposed project without the need to add any additional parking spaces to the overall development. The occupancy study showed that there would be 379 parking spaces available during the highest weekday demand and 450 parking spaces available during the highest weekend demand
- A field survey of the parking demand was performed to measure the parking occupancy. This survey found that less than 60% of the parking was being utilized by the existing uses throughout the day.
- Using the ITE parking generation rate, the peak parking demand for a nine-unit condominium would be 11 spaces for a weekday and 12 spaces for a weekend.

**Notice of Exemption**

---

**TO:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

**FROM:** City of Fountain Valley  
10200 Slater Avenue  
Fountain Valley, CA 92708

County Clerk  
County of Orange  
12 Civic Center Plaza  
Santa Ana, CA 92701

Project Title: CA 25-07 - Plaza del Lago Medical Office

Project Location/Address: 17220 Newhope Street, Fountain Valley, CA 92708

Project Activity/Description: Petition by Wallace Rodecker and the Plaza del Lago Owners Association to remove the maximum 25 % medical office use requirement from Planning Area C in Section 4.4.3 of the Warner / Newhope Specific Plan and to permit medical office by-right in Planning Area C in PDL.

Public Agency Approving Project: **City of Fountain Valley, Orange County, California**

Project Applicant: Wallace Rodecker / Plaza del Lago Owners Association

Project Applicant's Address: 17220 Newhope Street, Fountain Valley, CA 92708 Phone Number: (714)932-3016

---

**Exempt Status: (check one):**

- Ministerial (Sec. 21080 (b)(1); 15268);
- Declared Emergency (Sec. 21080 (b)(3); 15269 (a));
- Emergency Project (Sec. 21080 (b)(4); 15269 (b) (c));
- Categorical Exemption. State type and section number: 15301
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt: Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines which states that CEQA only applies to projects which have the potential for causing a significant effect on the environment.

---

**Lead Agency**  
Contact Person: Matt Jenkins, Senior Planner Contact Phone: 714-593-4427

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?:  Yes  No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency  Signed by Applicant

RESOLUTION NO. 26-03

A RESOLUTION OF THE FOUNTAIN VALLEY PLANNING COMMISSION ADOPTING A NOTICE OF EXEMPTION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND RECOMMENDING THE CITY COUNCIL APPROVE CODE AMENDMENT NO. 25-07 TO REMOVE THE MAXIMUM 25% MEDICAL OFFICE USE REQUIREMENT FROM PLANNING AREA C IN SECTION 4.4.3 OF THE WARNER / NEWHOPE SPECIFIC PLAN AND TO PERMIT MEDICAL OFFICE USE BY-RIGHT IN PLANNING AREA C OF THE SPECIFIC PLAN DURING THE HOURS OF 6:00 A.M. TO 7:00 P.M., IN THE PLAZA DEL LAGO OFFICE BUILDING LOCATED AT 17220 NEWHOPE STREET

WHEREAS, the Warner/Newhope Specific Plan (“Specific Plan”)(“WNSP”) was approved by the Fountain Valley City Council on October 5, 2004; and

WHEREAS, the Specific Plan contains development standards and intensities for individual planning areas; and

WHEREAS, an application for a Code Amendment (CA) to the Warner/Newhope Specific Plan was submitted by Wallace Rodecker and the Plaza del Lago Owners Association in accordance with Municipal Code, Title 21 and Chapter 4.4.3 of the Warner/Newhope Specific Plan and

WHEREAS, the proposed amendment will continue to promote the development of the Specific Plan area in a manner that is sensitive to the surrounding community and environment; and

WHEREAS, the proposed CA 25-07 has been publicly noticed in accordance with State Law and the Fountain Valley Municipal Code; and

WHEREAS, the Fountain Valley Planning Commission considered said application at its noticed public hearing on February 25, 2026; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF FOUNTAIN VALLEY DOES HEREBY ORDAINS AS FOLLOWS:

SECTION 1

The Planning Commission hereby determines that CA No. 25-07 is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) as it has no potential for resulting in a physical change to the environment, directly or indirectly.

SECTION 2

The Planning Commission finds that due notice of the public hearing on February 25, 2026, conducted in the City Council Chambers, 10200 Slater Avenue, Fountain Valley, was given as required by the Fountain Valley Municipal Code, Title 21, and the State of California. Public notice

of this hearing and a copy of the Planning Commission agenda were posted at City Hall, and at the City's website at [www.fountainvalley.gov/AgendaCenter](http://www.fountainvalley.gov/AgendaCenter)

### SECTION 3

Pursuant to Fountain Valley Municipal Code section 21.34.050 the Planning Commission does hereby find as follows:

1. The proposed amendment ensures and maintains internal consistency with the actions, goals, objectives and policies of the general plan, and would not create any inconsistencies with this title, in the case of a title amendment.

*The proposed CA is consistent with the goals and actions of the general plan and specific plan. The amendment will promote General Plan Goal LU-1, which is to allow an arrangement of compatible land uses, while protecting and maintaining the surrounding neighborhood. Medical office use is currently permitted in Planning Area C of the WNSP up to 25 %, and the amendment will allow for additional medical office use in Planning Area C of the WNSP up to 100%, during the hours of 6:00 a.m. and 7:00 p.m., seven (7) days per week.*

2. The proposed amendments would not be detrimental to the public convenience, health, interest, safety or welfare of the city.

*The proposed amendment will allow for additional medical office use in the existing Plaza de Lago office building in the WNSP area, which allows for a variety of office uses in the existing 2-story office building. As indicated in the staff report, sufficient parking will be available for future medical office uses in the Plaza del Lago office complex, therefore the CA should not be detrimental to the interests of the public. Section 3.2.3 Required Parking of the WNSP requires any new structure or expansion to existing structures in the Specific Plan is required to verify a minimum of 5% of the shared parking is available. As indicated in the staff report, there would be an estimated 228 parking spaces available in the shared parking areas during the weekday, and 299 shared spaces available during the weekend.*

3. 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 as indicated in Section 1 above.
4. The proposed amendment is internally consistent with other applicable provisions of Title 21 and the Warner / Newhope Specific Plan.

*Removing the 25% square footage limitation on the medical office uses in Planning Area C will not affect any other development standard in the Specific Plan. The parking requirement is specific to Section 4.4.3 of the Specific Plan only and does not need to be amended in any other location in the Specific Plan.*

### SECTION 4

The Planning Commission finds that Code Amendment 25-07 is consistent with the Fountain Valley Municipal Code, as well as the Fountain valley General Plan, and Warner / Newhope

Specific Plan, and recommends the City Council approve Code Amendment No. 25-07 as set forth in "Exhibit A" attached hereto and incorporated herein.

PASSED, APPROVED AND ADOPTED THIS 25th DAY OF FEBRUARY 2026.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary



# Request for Planning Commission Action

TO: Planning Commission

Agenda Date: February 25, 2026

FROM: Principal Planner, Steven Ayers

SUBJECT: BY-RIGHT APPLICATION PROCESS 20% AFFORDABLE RESIDENTIAL  
PROJECTS – CODE AMENDMENT NO. 26-01

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## Location:

Citywide

## Proposal

A Code Amendment (CA) to amend Fountain Valley Municipal Code (FVMC) Sections 21.08.030, 21.15.030, and 21.90.020, and add Section 21.46.120 to permit owner-occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households.

## Discussion

On October 7, 2025, the City received a letter from The Department of Housing and Community Development (“HCD”) regarding the City’s implementation of its adopted and approved Housing Element – specifically Program 1a: Rezone to Accommodate Regional Housing Needs Allocation (RHNA) (Attachment #1). The letter also notes Program 1e: Alternative Housing Sites to Rezone Sites to Accommodate the RHNA, but in later discussions, HCD is only looking for compliance with Program 1a at this time.

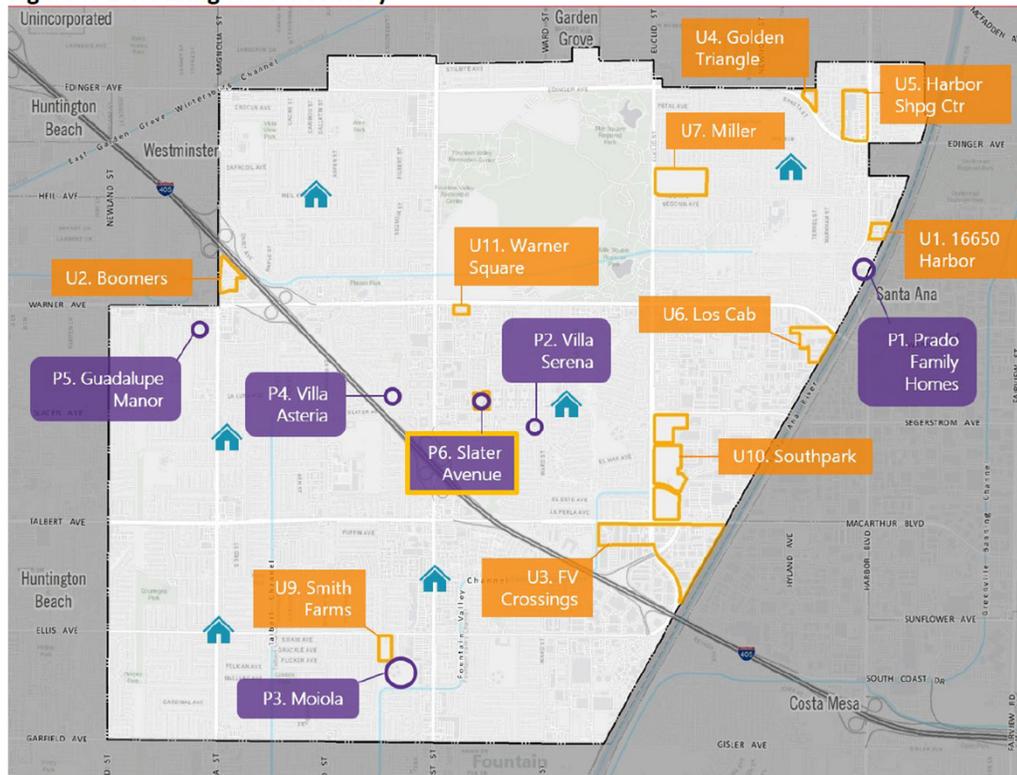
State law [California Government Code 65583.2(h) and (i)] requires that projects identified in the Housing Element be zoned to permit owner-occupied and rental multifamily residential use by right for developments in which at least 20 percent of the units are affordable to lower income households during the planning period. Program 1a of the Housing Element stipulates that the City shall permit owner-occupied and rental multi-family uses by-right for projects with 20% or more units affordable to lower income households.

This change, which is already specifically provided for in state law, requires the city to process applications administratively for residential projects in which 20% of the units will be deed restricted as affordable. The administrative review precludes any requirements from public hearings before the Planning Commission and City Council. A developer could develop one of the sites listed in Table H-22 of the 2021-2029 Housing Element (below), (geographic location provided in Figure H-1) by right if they propose a minimum of 20% of the units in the development as affordable to lower income households. The amendment would apply to only the sites listed in Table H-22 that are spread over residential zones as well as Specific Plan Areas including the Crossings, Warner/Newhope, and Southpark Specific Plan Areas.

**TABLE H-22  
 HOUSING SITES INVENTORY**

Map Ref	Site Name	GP <sup>1</sup>	Zone <sup>2</sup>	Acres	Density (du/ac)		Housing Capacity by Income Category			
					Assumed	Max	VL/L	M	AM	Total <sup>5</sup>
P1	Prado Family Homes	HDR	SP	1.95	25.7	30	49	0	1	50
P2	Villa Serena	LMDR	GH	4.07	7.4	10.8	0	0	12	12
P3	Moiola	LMDR	R1/GH	12.9	5.7	5/10.8	0	0	74	74
P4	Villa Asteria	LMDR	GH	1.02	10.8	10.8	0	0	7	7
P5	Guadalupe Manor	MDR	C1	0.73	25.7	46.5	29	0	0	29
P6	Slater Avenue	MU1	MU1	3.34	81	65	33	78	159	270
<b>Planned/Entitled Sites Subtotal</b>				<b>24.0</b>	<b>--</b>	<b>--</b>	<b>111</b>	<b>78</b>	<b>253</b>	<b>442</b>
U1	16650 Harbor	VHDR	R5 <sup>3</sup>	3.58	50	65	179	0	0	179
U2	Boomers	MU2	MU2 <sup>3,4</sup>	6.88	40	75	41	83	151	275 <sup>6a</sup>
U3	FV Crossings	SP	SP <sup>3</sup>	48.37	22	--	550	110	440	1,100
U4	Golden Triangle	VHDR	R5 <sup>3</sup>	2.34	50	65	117	0	0	117
U5	Harbor Shpg. Center	MU2	MU2 <sup>3</sup>	16.69	35	55	53	105	193	351 <sup>6b</sup>
U6	Los Cab Sports Vlg.	SP	SP <sup>3</sup>	14.74	45	--	99	200	364	663 <sup>6c</sup>
U7	Miller Property	HDR	R4 <sup>3</sup>	18.64	22	30	62	122	227	411 <sup>6d</sup>
U8	Smith Farms	LMDR	GH	4.2	6	10.8	0	9	17	26
U9	Southpark	SP	SP <sup>3</sup>	35.35	31	--	570	110	420	1,100
U10	Warner Square	MU1	MU1 <sup>3</sup>	1.84	65	75	18	36	66	120 <sup>6e</sup>
<b>Vacant and Underutilized Sites Subtotal</b>				<b>152.6</b>	<b>--</b>	<b>--</b>	<b>1,689</b>	<b>775</b>	<b>1,878</b>	<b>4,342</b>
<b>ADUs</b>				<b>--</b>	<b>--</b>	<b>--</b>	<b>310</b>	<b>59</b>	<b>15</b>	<b>384</b>
<b>Total Capacity</b>				<b>176.6</b>	<b>--</b>	<b>--</b>	<b>2,110</b>	<b>834</b>	<b>2,224</b>	<b>5,168</b>
<b>RHNA</b>				<b>--</b>	<b>--</b>	<b>--</b>	<b>2,093</b>	<b>834</b>	<b>1,912</b>	<b>4,839</b>
<b>Surplus Capacity</b>				<b>--</b>	<b>--</b>	<b>--</b>	<b>17</b>	<b>0</b>	<b>312</b>	<b>329</b>

**Figure H-1 Housing Sites Inventory**



The requirement to process applications administratively without any discretionary review has long been a part of the State's Policies and Goals. Similar to other cities, Fountain Valley is developing Objective Design Standards that any residential project (regardless of the review process) would have to meet. These design standards are scheduled to be presented before the Planning Commission in March of this year.

The amendment also includes definitions to help clarify the meaning of 'by right', 'permitted use', 'discretionary', and 'ministerial.' Essentially, by right uses are allowed without discretionary review or approval. By right uses are allowed in a zoning district subject to the restrictions applicable to the zoning district and may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. The by-right approval process may also be referred to as a ministerial approval process, where the review of a project is based upon fixed/mandatory standards (height, setbacks, FAR, lot coverage, etc.) and does not involve the use of personal judgment. These projects would be discretionary and would not require the approval of findings, public notice, public hearings, inclusion of conditions of approval or mitigation measures, the decision of an appointed and/or elected body, nor the opportunity to appeal.

Lastly, as noted above, the amendment would address permitted uses in Specific Plan Areas and address the proposed change in permitted projects with 20% affordable in Specific Plans as Table H-22 of the 2021-2029 Housing Element.

#### State Review

State HCD has reviewed the proposed Ordinance and ensures that it meets the intent of the letter sent to the city on October 7, 2025.

#### Environmental Clearance:

Adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") under Sections 15060(c)(2)(the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. The amendment is merely a text amendment to the FVMC as required by Program 1a of the 2021-2029 Housing Element and California Government Code 65583.2(h) and (i) to permit owner-occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households. Moreover, for purposes of this section and Section 65583, the phrase "use by right" shall mean that the local government's review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Any subdivision of the sites shall be subject to all laws, including, but not limited to, the local government ordinance implementing the Subdivision Map Act. A local ordinance may provide that "use by right" does not exempt the use from design review. However, that design review shall not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. (Attachment #2).

Notice Furnished:

The item was published in the Fountain Valley Register and public notices were posted at City Hall, Recreation Center, and Fountain Valley Library.

Alternatives:

1. Adopt Resolution No. 26-01 recommending the City Council adopt a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approve Code Amendment No. 26-01 to amend the Fountain Valley Municipal Code (FVMC) Sections 21.08.030, 21.15.030, and 21.90.020, and add section 21.46.120 to permit owner-occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households (Attachment #3).
2. Continue the request and direct staff to prepare resolutions for denial.
3. Continue this request for additional information.

Recommended Action:

Staff recommends that the Planning Commission adopt Alternative #1: Adopt Resolution No. 26-01 recommending the City Council adopt a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approve Code Amendment No. 26-01 to amend the Fountain Valley Municipal Code (FVMC) Sections 21.08.030, 21.15.030, and 21.90.020, and add section 21.46.120 to permit owner-occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households.

Prepared By: Steven Ayers, Principal Planner

Approved By: Omar Dadabhoy, Deputy City Manager/Community Development Director

Attachments: 1. HCD Letter dated October 7, 2025  
2. Notice of Exemption  
3. Resolution No. 26-01 with Attachment "A"

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

651 Bannon Street, Ste. 400  
Sacramento, CA 95811  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



October 7, 2025

Omar Dadabhoy, Community Development Director  
Planning Division  
City of Fountain Valley  
10200 Slater Avenue  
Fountain Valley, CA 92708

**RE: City of Fountain Valley Rezone Implementation – Letter of Technical Assistance**

Dear Omar Dadabhoy:

The purpose of this letter is to provide technical assistance regarding the City's implementation of its adopted and approved Housing Element, specifically Program 1a: Rezone to Accommodate Regional Housing Needs Allocation (RHNA) and Program 1e: Alternative Housing Sites to Rezone Sites to Accommodate the RHNA pursuant to Government Code section 65583.2, subdivision (c).

On January 29, 2025, the City sent the California Department of Housing and Community Development (HCD) copies of ordinances to fulfill the obligations of housing element Program 1a and Program 1e. On April 14, 2025, the City met with HCD to discuss the requirement to execute Program 1a and 1e rezoning to include sites zoned to permit owner-occupied and rental multifamily residential use by-right for developments in which at least 20 percent of the units are affordable to lower-income households during the planning period. By-right means local government review must not require a conditional use permit (CUP), planned unit development permit, or any other discretionary review or approval that would constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.<sup>1</sup>

During the April 14, 2025 meeting, City staff disagreed with HCD's finding that requirements had not been met. On June 9, 2025, HCD received a letter from the City's Attorney. The letter opines that the City's General Plan holds authority "without the need to duplicate one or more zoning ordinances" and operates as "the law to be followed." Upon further review, HCD determines that the City's General Plan does not satisfy the necessary rezone requirements of the adopted and approved Housing Element. While the City's General Plan references the parameters of Housing Element program

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<sup>1</sup> Gov. Code § 65583.2, subd. (i)

requirement, the text of the General Plan itself neither legally implements nor enforces the requirements that are necessary to meet Housing Element completion.

The City Attorney's opinion that its General Plan suffices does not absolve the City of its requisite rezoning to permit owner-occupied and rental multifamily residential use by right for developments in which at least 20 percent of the units are affordable to lower-income households. The City must adopt a zoning ordinance that implements the required rezone to authorize by-right development consistent with its RHNA and adopted Housing Element.

As such, HCD requests that the City revise its zoning ordinance in order to memorialize and implement the by-right requirements of Program 1a and Program 1e of the approved and adopted Housing Element. HCD will review the documentation provided by the City and issue correspondence before taking any action authorized by Government Code section 65585, subdivisions (i) and (j). Such action may include issuance of written findings (Corrective Action Letter) and revoking HCD's finding that the City's housing element is in substantial compliance with Housing Element Law and/or referral to the California Office of the Attorney General.

HCD provides the City until November 7, 2025 to provide a written response to these findings. If you have questions or need additional information, please contact Stephanie Chan, Senior Housing Policy Specialist, at [stephanie.chan@hcd.ca.gov](mailto:stephanie.chan@hcd.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Melinda Coy', with a long horizontal stroke extending to the right.

Melinda Coy  
Housing Accountability Unit Chief

**Notice of Exemption**

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**TO:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

**FROM:** City of Fountain Valley  
10200 Slater Avenue  
Fountain Valley, CA 92708

County Clerk  
County of Orange  
12 Civic Center Plaza  
Santa Ana, CA 92701

Project Title: By-Right Application Process 20% Affordable Residential Projects - Code Amendment No. 26-01

Project Location/Address: City of Fountain Valley - Citywide

Project Activity/Description: A Code Amendment (CA) to amend Fountain Valley Municipal Code (FVMC) Sections 21.08.030, 21.15.030, and 21.90.020, and add Section 21.46.120 to permit owner-occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households.

Public Agency Approving Project: **City of Fountain Valley, Orange County, California**

Project Applicant: City of Fountain Valley

Project Applicant's Address: 10200 Slater Ave., Fountain Valley, CA 92708 Phone Number: (714)593-4425

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**Exempt Status: (check one):**

- Ministerial (Sec. 21080 (b)(1); 15268);
- Declared Emergency (Sec. 21080 (b)(3); 15269 (a));
- Emergency Project (Sec. 21080 (b)(4); 15269 (b) (c));
- Categorical Exemption. State type and section number: 15060(c)(2) and 15060(c)(3)
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt: This request is exempt from CEQA pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**Lead Agency**  
Contact Person: Steven Ayers, Principal Planner Contact Phone: 714-593-4431

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?:  Yes  No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

- Signed by Lead Agency                       Signed by Applicant

## RESOLUTION NO. 26-01

A RESOLUTION OF THE FOUNTAIN VALLEY PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL APPROVE A CATEGORICAL EXEMPTION PER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVE CODE AMENDMENT (CA) NO. 26-01 TO AMEND THE FOUNTAIN VALLEY MUNICIPAL CODE (FVMC) SECTIONS 21.08.030, 21.15.030, AND 21.90.020, AND ADD SECTION 21.46.120 TO PERMIT OWNER-OCCUPIED AND RENTAL MULTI-FAMILY USES BY RIGHT FOR PROJECTS WITH 20% OR MORE UNITS AFFORDABLE TO LOWER INCOME HOUSEHOLDS

WHEREAS, the Fountain Valley City Council adopted the Development Code Update on December 7, 2000; and

WHEREAS, the 2021-2029 Housing Element, approved through Resolution No. 9853 by the City Council on October 4, 2022 was certified by the State Housing Community Development Department ("HCD") on October 13, 2022; and

WHEREAS, "Program 1a: Rezone to Accommodate RHNA" of the 2021-2029 Housing Element notes that the City shall permit owner-occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households; and

WHEREAS, State HCD found that the FVMC is out of compliance with Program 1a of the 2021-2029 Housing Element and California Government Code Section 65583.2(h) and (i) which allows projects by right if they provide 20 percent of the units in the development as affordable to lower income households; and

WHEREAS, the City Council recognizes that certain State housing law requirements apply by operation of law and, to the extent of any inconsistency, supersede and control over conflicting provisions of the FVMC; and

WHEREAS, to promote administrative clarity, the City Council desires to amend the FVMC to expressly implement by-right housing provisions consistent with Government Code section 65583.2(h) and (i) and the City's certified Housing Element;

WHEREAS, the proposed Code Amendment No. 26-01 has been publicly noticed in accordance with State Law and the Fountain Valley Municipal Code; and

WHEREAS, the Fountain Valley Planning Commission considered the proposed CA No. 26-01 at a duly noticed public hearing on February 25, 2026.

### SECTION 1

The Planning Commission hereby determines that CA No. 26-01 is exempt from the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2)(the activity would not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting

in physical change to the environment, directly or indirectly. The amendment is merely a text amendment to the FVMC as required by Program 1a of the 2021-2029 Housing Element and California Government Code 65583.2(h) and (i) to permit owner-occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households. Moreover, for purposes of this section and Section 65583, the phrase “use by right” shall mean that the local government’s review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Any subdivision of the sites shall be subject to all laws, including, but not limited to, the local government ordinance implementing the Subdivision Map Act. A local ordinance may provide that “use by right” does not exempt the use from design review. However, that design review shall not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

## SECTION 2

The Planning Commission finds that due notice of the public hearing on February 25, 2026, conducted in the City Council Chambers, 10200 Slater Avenue, Fountain Valley, was given as required by the Fountain Valley Municipal Code, Title 21, and the State of California. Public notice of this hearing and a copy of the Planning Commission agenda were posted at City Hall, Recreation Center and the Fountain Valley Library.

## SECTION 3

Pursuant to Fountain Valley Municipal Code section 21.34.050 the Planning Commission does hereby find as follows:

1. The proposed amendment ensures and maintains internal consistency with the actions, goals, objectives and policies of the General Plan, and would not create any inconsistencies with Title 21, in the case of a title amendment. The proposed amendment would promote and encourage the development of a variety of housing opportunities to accommodate current and projected households by promoting the construction of additional dwelling units to accommodate Fountain Valley’s share of regional housing needs in accordance with adopted land use policies (General Plan Housing Element Goal #1/Policy 1.1). CA 26-01 would be consistent with Program 1a of the 2021-2029 Housing Element, California Government Code Section 65583.2(h) and (i), and Title 21 and would not create any inconsistencies with Title 21, in the case of a title amendment.
2. The proposed amendment would not be detrimental to the public convenience, health, interest, safety or welfare of the city. CA 26-01 would clearly permit owner-occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households per Program 1a of the 2021-2029 Housing Element and California Government Code 65583.2(h) and (i) to ensure consistency with the Fountain Valley Municipal Code to ensure public convenience, health, interest, safety, and welfare would be met.
3. The proposed amendment has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the city’s environmental review procedures as addressed in Section 1 above.

4. The proposed amendment is internally consistent with other applicable provisions of Title 21. As noted in finding 1 above, CA 26-01 would amend FVMC Sections 21.08.030, 21.15.030, and 21.90.020, and add 21.46.120 to permit owner-occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households to provide internal consistency with other applicable provisions of Title 21 and the General Plan. There are no other known inconsistencies with the proposed amendment and other applicable provisions of Title 21.

#### SECTION 4

The Planning Commission finds that Code Amendment 26-01 is consistent with the Fountain Valley Municipal Code, as well as the Fountain Valley General Plan, and recommends the City Council approve Code Amendment No. 26-01 as set forth in “Exhibit A” attached hereto and incorporated herein.

PASSED, APPROVED, AND ADOPTED THIS 25<sup>TH</sup> DAY OF FEBRUARY, 2026.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOUNTAIN VALLEY APPROVING A CATEGORICAL EXEMPTION PER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING CODE AMENDMENT (CA) NO. 26-01 TO AMEND THE FOUNTAIN VALLEY MUNICIPAL CODE (FVMC) SECTIONS 21.08.030, 21.15.030, AND 21.90.020, AND ADD SECTION 21.46.120 TO PERMIT OWNER-OCCUPIED AND RENTAL MULTI-FAMILY USES BY RIGHT FOR PROJECTS WITH 20% OR MORE UNITS AFFORDABLE TO LOWER INCOME HOUSEHOLDS

WHEREAS, the Fountain Valley City Council adopted the Development Code Update on December 7, 2000; and

WHEREAS, the 2021-2029 Housing Element, approved through Resolution No. 9853 by the City Council on October 4, 2022 was certified by the State Housing Community Development Department ("HCD") on October 13, 2022; and

WHEREAS, “Program 1a: Rezone to Accommodate RHNA” of the 2021-2029 Housing Element notes that the City shall permit owner-occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households; and

WHEREAS, State HCD found that the FVMC is out of compliance with Program 1a of the 2021-2029 Housing Element and California Government Code Section 65583.2(h) and (i) which allows projects by right if they provide 20 percent of the units in the development as affordable to lower income households; and

WHEREAS, the City Council recognizes that certain State housing law requirements apply by operation of law and, to the extent of any inconsistency, supersede and control over conflicting provisions of the FVMC; and

WHEREAS, to promote administrative clarity, the City Council desires to amend the FVMC to expressly implement by-right housing provisions consistent with Government Code section 65583.2(h) and (i) and the City’s certified Housing Element;

WHEREAS, the Fountain Valley Planning Commission considered the proposed CA 26-01 at a duly noticed public hearing on February 25, 2026, and by a vote of \_\_\_\_\_ recommended the City Council approve a Categorical exemption per CEQA and approve CA 26-01 to amend FVMC Section 21.08.030, 21.15.030, and 21.90.020, and add Section 21.46.120 to allow projects by right if they provide 20 percent of the units in the development as affordable to lower income households; and

WHEREAS, the proposed CA 26-01 has been publicly noticed in accordance with State Law and the Fountain Valley Municipal Code.

## SECTION 1

The City Council hereby determines that CA 26-01 is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2)(the activity would not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. The amendment is merely a text amendment to the FVMC as required by Program 1a of the 2021-2029 Housing Element and California Government Code 65583.2(h) and (i) to permit owner-occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households. Moreover, for purposes of this section and Section 65583, the phrase “use by right” shall mean that the local government’s review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Any subdivision of the sites shall be subject to all laws, including, but not limited to, the local government ordinance implementing the Subdivision Map Act. A local ordinance may provide that “use by right” does not exempt the use from design review. However, that design review shall not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

## SECTION 2

The City Council finds that due notice of the public hearing on \_\_\_\_\_, 2026, conducted in the City Council Chambers, 10200 Slater Avenue, Fountain Valley, was given as required by the Fountain Valley Municipal Code, Title 21, and the State of California. Public notice of this hearing and a copy of the City Council agenda were posted at City Hall, Recreation Center and the Fountain Valley Library.

## SECTION 3

Pursuant to Fountain Valley Municipal Code section 21.34.050 the City Council does hereby find as follows:

1. The proposed amendment ensures and maintains internal consistency with the actions, goals, objectives and policies of the General Plan, and would not create any inconsistencies with Title 21, in the case of a title amendment. The proposed amendment would promote and encourage the development of a variety of housing opportunities to accommodate current and projected households by promoting the construction of additional dwelling units to accommodate Fountain Valley’s share of regional housing needs in accordance with adopted land use policies (General Plan Housing Element Goal #1/Policy 1.1). CA 26-01 would be consistent with Program 1a of the 2021-2029 Housing Element, California Government Code Section 65583.2(h) and (i), and Title 21 and would not create any inconsistencies with Title 21, in the case of a title amendment.
2. The proposed amendment would not be detrimental to the public convenience, health, interest, safety or welfare of the city. CA 26-01 would clearly permit owner-

“Exhibit A”

occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households per Program 1a of the 2021-2029 Housing Element and California Government Code 65583.2(h) and (i) to ensure consistency with the Fountain Valley Municipal Code to ensure public convenience, health, interest, safety, and welfare would be met.

3. The proposed amendment has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the city’s environmental review procedures as addressed in Section 1 above.
4. The proposed amendment is internally consistent with other applicable provisions of Title 21. As noted in finding 1 above, CA 26-01 would amend FVMC Sections 21.08.030, 21.15.030, and 21.90.020, and add 21.46.120 to permit owner-occupied and rental multi-family uses by right for projects with 20% or more units affordable to lower income households to provide internal consistency with other applicable provisions of Title 21 and the General Plan. There are no other known inconsistencies with the proposed amendment and other applicable provisions of Title 21.

**SECTION 4**

The permit required for Affordable Housing in Section 21.08.030 Table 2-2 is amended as follows and footnote (5) to Table 2-2 is added as follows:

“ ...

TABLE 2-2							
PERMIT REQUIRED BY DISTRICT							
Allowed Uses and Permit Requirements for Residential Zoning Districts			P	Permitted Use			
			CUP	Conditional Use Permit Required			
			SUP	Special Use Permit Required			
			—	Use Not Allowed			
LAND USE <sup>(1)</sup>	R1	GH	R2	R3	R4	R5	Specific Use Regulations
<b>RESIDENTIAL USES</b>							
Affordable housing	P <sup>(5)</sup>	P <sup>(5)</sup>	P <sup>(5)</sup>	P <sup>(5)</sup>	P <sup>(5)</sup>	P <sup>(5)</sup>	

Notes:

(5) The following types of residential projects shall be allowed by right pursuant to California Government Code section 65583.2(h) and (i): residential projects that include owner occupied and/or rental multi-family residential units located on sites identified in the City’s adopted Housing Element inventory as suitable to accommodate the City’s lower-income Regional Housing Needs Allocation, as that inventory may be amended from time to time, and that incorporate a minimum of 20 percent of the units in the development as affordable to lower-income households..

...”

**SECTION 5**

"Exhibit A"

The permit required for Affordable Housing in Section 21.15.030 Table 2-10 is amended as follows and footnote (5) to Table 2-10 is added as follows:

" ...

TABLE 2-10		
MIXED-USE DISTRICT LAND USE AND PERMIT REQUIREMENTS		
	P CUP —	Permitted Use Conditional Use Permit required Use not allowed
Allowed Uses and Permit Requirements for Mixed-Use Zoning Districts	PERMIT REQUIRED	
LAND USE (1)	MU-1 and MU-2	Specific Use Regulations
MANUFACTURING AND PROCESSING USES		
RESIDENTIAL USES		
Affordable housing	P <sup>(5)</sup>	

Notes:

(5) The following types of residential projects shall be allowed by right pursuant to California Government Code section 65583.2(h) and (i): residential projects that include owner occupied and/or rental multi-family residential units located on sites identified in the City's adopted Housing Element inventory as suitable to accommodate the City's lower-income Regional Housing Needs Allocation, as that inventory may be amended from time to time, and that incorporate a minimum of 20 percent of the units in the development as affordable to lower-income households.

..."

**SECTION 6**

Section 21.90.020(2) is hereby amended to include the definition of "by right"

..."

"By right" means a use that is allowed without discretionary review or approval that would not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Any subdivision of a site shall be subject to all laws, including, but not limited to, the local government ordinance implementing the Subdivision Map Act. A by right use may still be subject to design review, provided that the design review does not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. The by-right approval process may also be referred to as a ministerial approval process, where the review of a project is based upon fixed/mandatory standards and does not involve the use of personal judgment.

..."

**SECTION 7**

“Exhibit A”

The definition of “permitted use” in Section 21.90.020(16) is hereby amended as follows:

...”

“Permitted use” means any use allowed in a zoning district and subject to the restrictions applicable to that zoning district. The use shall be allowed by right without discretionary review or approval that would not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Any subdivision of a site shall be subject to all laws, including, but not limited to, the local government ordinance implementing the Subdivision Map Act. A by right use may still be subject to design review, provided that the design review does not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. The by-right approval process may also be referred to as a ministerial approval process, where the review of a project is based upon fixed/mandatory standards and does not involve the use of personal judgment.

...”

SECTION 8

Section 21.90.020(4) is hereby amended to include the definition of “discretionary”

...”

“Discretionary” means a use or project that is not classified as by right/ministerial and constitutes a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code (CEQA). These projects are subject to review based on best practices and expert judgment rather than fixed/mandatory requirements. Discretionary review typically includes evaluation based on required findings, public notice, public hearing, inclusion of conditions of approval (and or Mitigation Measures), decision by an appointed and/or elected body and the opportunity to appeal.

...”

SECTION 9

Section 21.90.020(13) is hereby amended to include the definition of “ministerial”

...”

“Ministerial.” See “By right.”

...”

SECTION 10

Section 21.46.120 “Specific plan uses.” shall be added as follows:

“ ...

Permitted uses shall be outlined in each specific plan. Notwithstanding any provision of a specific plan to the contrary, the following types of residential projects shall be allowed by right pursuant to California Government Code section 65583.2(h) and (i): residential projects that include owner occupied and/or rental multi-family residential units located on sites identified in the City’s adopted Housing Element inventory as suitable to accommodate the City’s lower-income Regional Housing Needs Allocation, as that inventory may be amended from time to time, and that incorporate a minimum of 20 percent of the units in the development as affordable to lower-income households.

...”

SECTION 11

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council declares that it would have passed this ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would subsequently be declared invalid or unconstitutional.

SECTION 12

The City Clerk shall certify to the adoption of this ordinance and cause it to be published as required by law. This ordinance shall become effective thirty (30) days after the date of its adoption.

PASSED, APPROVED AND ADOPTED THIS \_\_\_ DAY OF \_\_\_\_\_, 2026.

ATTEST:

\_\_\_\_\_  
Rick Miller, City Clerk

\_\_\_\_\_  
Jim Cunneen, Mayor

APPROVED AS TO FORM

HARPER & BURNS LLP



\_\_\_\_\_  
Attorneys for the City  
City of Fountain Valley