

RESOLUTION NO. 24-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 24-001 TO AMEND THE DEVELOPMENT STANDARDS FOR CONDITIONAL USE PERMIT NO. 22-008 TO ALLOW FOR INCREASED LOT COVERAGE FOR THE DEVELOPMENT OF AN AGE-RESTRICTED RESIDENTIAL COMMUNITY IN THE R-7,000 ZONE LOCATED AT THE SOUTHEAST CORNER OF 60TH STREET WEST AND AVENUE K-4 (APNS: 3204-009-026, 3204-009-079, 3204-009-081)

WHEREAS, an application for a Conditional Use Permit has been requested by Ronald Freeman on behalf of Pacific Communities Builders, Inc. ("Applicant"), to amend the development standards for Conditional Use Permit No. 22-008 to allow for increased lot coverage for the development of an age-restricted residential community at the southeast corner of Avenue K-4 and 60th Street West (Assessor Parcel Numbers 3204-009-026, -079, and -081) in the R-7,000 (single family residential, minimum lot size 7,000 square feet) zone ("Project"); and

WHEREAS, an application for Conditional Use Permit No. 24-001 has been filed pursuant to the regulations contained in Article I of Chapter 17.32 of the Lancaster Municipal Code ("LMC"); and

WHEREAS, a notice of intention to consider the granting of a Conditional Use Permit has been given as required by Article V of Chapter 17.32 of the LMC, and Section 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended approval of this conditional use permit application, subject to the original conditions of approval for CUP 22-008; and

WHEREAS pursuant to the California Environmental Quality Act (Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.) ("CEQA"), an Initial Study (SCH #2022100369) was prepared for Tentative Tract Map No. 53642/Conditional Use Permit No. 22-008 analyzing all potential impacts was prepared for the approved residential project in compliance with CEQA and circulated for public review ending on November 17, 2022; and

WHEREAS, on the basis of the Initial Study, which indicated that all potential environmental impacts would be less than significant within the incorporation of the identified mitigation measures, staff determined that a Mitigated Negative Declaration ("MND") should be prepared; and

WHEREAS, the City of Lancaster Planning Commission ("Planning Commission") approved the Initial Study/Mitigated Declaration and adopted the Mitigation Monitoring and Reporting Program on December 12, 2022 and the Notice of Determination was executed and filed with the Los Angeles County Clerk; and

WHEREAS, the Project (CUP No. 24-001) to modify the development standards was reviewed for compliance with the previously adopted Initial Study/Mitigated Negative Declaration and staff determined that the Project is consistent with this document. Both the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program remain valid and in effect and no further environmental review is necessary; and

WHEREAS, public notice was provided, as required by law, and a public hearing was held by the Planning Commission on May 20, 2024; and

WHEREAS, the Planning Commission, after considering all evidence presented, desires to approve Conditional Use Permit No. 24-001.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LANCASTER, DOES HEREBY RESOLVE, DETERMINE AND ORDER, AS FOLLOWS:

Section 1. This Planning Commission hereby finds the foregoing recitals are true, correct and a substantive part of this Resolution.

Section 2. That the Planning Commission hereby finds that the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the approved residential development and previously adopted by the Planning Commission remains valid and applicable to the Project and no further environmental review is necessary.

Section 3. That the Planning Commission hereby adopts the following findings pursuant to Section 17.32.090 of the LMC, in support of approving this application:

- a. That the proposed use will not be in substantial conflict with the adopted general plan for the area.

The Project (CUP No. 24-001) would amend the development standards, specifically lot coverage, for the approved residential community. This would be in conformance with the General Plan Land Use Designation of Urban Residential (UR) which encourages a variety of residential uses. In addition, the proposed project would be consistent with the goals, objectives, policies, and specific actions identified within the General Plan as described above.

- b. The requested use at the location proposed will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

The approved residential development is an active adult (55+) residential subdivision on smaller lots which would be gated and improvements would be installed to ensure that adequate infrastructure exists to serve the development. While the lots would be smaller than other R-7,000 developments in the area; the use (residential) would be the same. Additionally, the modification to the approved development standards would allow for additional private amenities which would enhance the quality of life for the residents of the subdivision. As such, the Project would not affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.

The residential development is located in a residential zoned area with other residential developments in the immediate area. The development, including the modification to the

development standards, would be consistent with the zone and the surrounding properties and would not be materially detrimental to the use, enjoyment or valuation of other property.

3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The residential development would not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare of the public or surrounding community.

- c. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The residential development is of adequate size and shape to meet all of the required development standards of the R-7,000 zone with the adoption of the conditional use permit. The modification to the development standards to allow for increased lot coverage would be consistent with Section 17.08.340.C.5 and would allow for additional private amenities on the individual lots. The residential development would have adequate landscaping, parking, open space and other development features to integrate with the surrounding residential uses developments.

- d. The proposed site is adequately served:
 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate.

The project site would be gated and accessed from a driveway on Avenue K-8. All roadways adjacent to the project site (60th Street West, Avenue K-4, and Avenue K-8) would be improved to handle the amount and type of traffic that will be accessing the project site.

2. By other public or private service facilities as are required.

The site location has adequate sewer, water, fire, and police services to serve the site or those services can be easily obtained.

Section 4. That the Planning Commission hereby adopts the following Residential Planned Development findings pursuant to Section 17.08.340 of the LMC, in support of approving this application:

- a. The residential planned development meets the goals of the city general plan, pertaining to community design, and the objectives to “enhance overall community form, create a vibrant sense of place,” and to “improve the city’s visual identity by utilizing design standards that install a sense of pride and well-being in the community.

The approved residential development is consistent with City’s General Plan and the Lancaster Municipal Code. The development is an age-restricted (55+) residential

development which will provide an additional housing type which does not currently exist within the City. The approved development would also provide open space and recreational amenities within the community for the residents. Additionally, in accordance with LMC Section 17.08.340.C.5, the Project would modify the development standards to increase lot coverage to 60% which would allow for additional private amenities to be included. With the change in the development standards, the overall development and the residences would continue to be consistent with the City's Design Guidelines and Objective Design Standards, allowing it to provide a sense of place.

- b. The residential planned development adheres to the adopted city design guidelines and the design and performance standards listed in this section, and is consistent with the mission statement of "implementing quality design for timeless architecture that enhances the community's image, price and quality of life."

The residential development would be consistent with the General Plan, Lancaster Municipal Code, the City's Design Guidelines, and the Objective Design Standards adopted as part of the Housing Element Implementation. The architecture and floor plans for the residences, California rooms, and the common recreational facilities would be reviewed and approved prior to the issuance of building permits.

- c. The residential planned development is comprehensive, covers a logical planning area, and provides the opportunity for unique and create designs that are not possible under the city's typical development regulations.

The residential development is comprehensive and covers an approximately 40-acre area. This size of development allows an additional variety of housing to be provided within the City that does not currently exist (age-restricted development.) The modification in the development standards will allow for additional private amenities to be constructed on the lots.

Section 5. This Planning Commission hereby approves Conditional Use Permit No. 24-001, subject to the adopted conditions of approval for Conditional Use Permit No. 22-0 attached hereto and incorporated herein.

Section 6. The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at Lancaster City Hall, 44933 Fern Avenue, Lancaster, CA 93534. This information is provided in compliance with Public Resources Code Section 21081.6.

Section 7. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application.

PASSED, APPROVED and ADOPTED this 20th day of May 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

RECUSED:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

PATTI GARIBAY, Assistant Director – Community Development
Planning & Permitting
City of Lancaster

Within 10 working days of the date of this decision by the Commission, an applicant or an interest City resident may submit to the City Clerk a notice of appeal pursuant to LMC Sections 17.36.030 and 2.44.010 *et seq.*

Any action to challenge the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section 1094.6.