

## **RESOLUTION NO. 23-31**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 23-002 TO ALLOW FOR AN EXISTING MI RANCHITO MEXICAN BAR & GRILL TO PROVIDE LIVE ENTERTAINMENT WITHIN AN EXPANDED TENANT SPACE WITHIN AN EXISTING BUILDING, LOCATED IN THE COMMERCIAL (CPD) ZONE AT 1721 EAST AVENUE J (APN 3147-041-022).

WHEREAS, a Conditional Use Permit has been requested by Mi Ranchito Mexican Bar and Grill, Inc., ("Applicant"), to allow for an existing Mi Ranchito Mexican Bar & Grill to provide live entertainment within an expanded tenant space within an existing building located in the Commercial (CPD) zone at 1721 East Avenue J (APN 3147-041-022); and

WHEREAS, an application for the above-described Conditional Use Permit has been filed pursuant to 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 published and provided as required by Chapter 17.32 of the LMC and Section 65905 of the Government Code; and

WHEREAS, staff has performed the necessary investigations, prepared a written report, and recommended approval of this conditional use application, subject to conditions; and

WHEREAS, public notice was published and given as required by law, and a public hearing was held on December 11, 2023; and

WHEREAS, the Lancaster Planning Commission, after considering all evidence presented, desires to approve Applicant's requested Conditional Use Permit.

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

Section 1. That the foregoing recitals are true, correct and incorporated herein as a substantive part of this Resolution.

Section 2. The Planning Commission hereby adopts the following finding pursuant to Section 17.32.090 of the LMC:

- a. That the proposed use will not be in substantial conflict with the adopted general plan for the area.
- b. That 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, or
  2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
  3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- 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.
- d. That 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, and;
  2. By other public or private service facilities as are required.

Section 3. This Commission hereby finds the project exempt from the provisions of the California Environmental Quality Act under Section 15303, Class 3, "New construction or conversion of small structures" of the State CEQA Guidelines. Staff is hereby authorized and directed to prepare, execute and file a Notice of Exemption pursuant to CEQA and State CEQA Guidelines.

Section 4. The Planning Commission hereby approves Conditional Use Permit No. 23-002, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 11<sup>th</sup> day of December 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

RECUSED:

ABSENT:

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JAMES D. VOSE, Chairman  
Lancaster Planning Commission

ATTEST:

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

**Attachments:**

A. Conditions of Approval

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.