

## **RESOLUTION NO. 23-38**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 66680 FOR THE SUBDIVISION OF APPROXIMATELY 72 GROSS ACRES INTO 219 LOTS (215 SINGLE FAMILY RESIDENTIAL LOTS AND FOUR DRAINAGE BASIN LOTS) IN THE R-7,000, R-10,000, AND R-15,000 ZONES GENERALLY BOUND BY AVENUE K-8, AVENUE L, 52<sup>ND</sup> STREET WEST, AND 57<sup>TH</sup> STREET WEST (APNS: 3204-006-025, -026, -027, -031, -032, -033, -067, -071, -075, -081, -085, -086, -088), ADOPTING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (SCH# 2023110234), APPROVING THE MITIGATION MONITORING AND REPORTING PROGRAM AND AUTHORIZING STAFF TO EXECUTE AND FILE THE NOTICE OF DETERMINATION

WHEREAS, a Tentative Tract Map has been requested by Jeff Evans ("Applicant") to allow for the subdivision of approximately 72 gross acres into 219 lots (215 single family residential lots and four drainage basin lots) generally bound by Avenue K-8, Avenue L, 52<sup>nd</sup> Street West, and 57<sup>th</sup> Street West (APNs: 3204-006-025, -026, -027, -031, -032, -033, -067, -071, -075, -081, -085, -086, -088) in the R-7,000 (single family residential, minimum lot size 7,000 square feet), R-10,000 (single family residential, minimum lot size 10,000 square feet), and R-15,000 (single family residential, minimum lot size 15,000 square feet) zones ("Project"); and

WHEREAS, an application for the above-described Tentative Tract Map has been filed pursuant to Chapter 16.08 of the Lancaster Municipal Code ("LMC"); and

WHEREAS, staff has performed the necessary investigations to ensure the division of land would be consistent with the purpose of the City's Subdivision Ordinance, the State Subdivision Map Act, and the regulations of the LMC, prepared a written report, and recommended approval of this Tentative Tract Map, subject to conditions; 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 #2023110234) analyzing all potential impacts was prepared for the proposed project in compliance with the California Environmental Quality Act ("CEQA") and circulated for public review ending on December 8, 2023; and

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

WHEREAS, the public review period closed on December 8, 2023 and all comments received from the public and responsible, trustee, and interested agencies were considered; and

WHEREAS, copies of the Initial Study were available during the public review period at City Hall, Lancaster Library, and on the City's website; and

WHEREAS, public notice was provided, as required by law, and a public hearing was held by the City of Lancaster Planning Commission ("Planning Commission") on December 11, 2023; and

WHEREAS, the Planning Commission, after considering all evidence presented, desires to approve the Applicant's requested Tentative Tract Map.

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

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

Section 2. That the Planning Commission hereby certifies that it has reviewed and considered the information in the Initial Study/Mitigated Negative Declaration prepared for the proposed project in compliance with the California Environmental Quality Act ("CEQA") (including its implementing regulations) prior to taking action. The Planning Commission hereby finds that the Initial Study determined that the proposed project could have a significant effect on the environment; however, there will not be a significant effect in this case with the implementation of the mitigation measures as detailed in the Mitigated Negative Declaration. The Planning Commission hereby finds, pursuant to Section 21082.1 of the Public Resources Code, that the Initial Study/Mitigated Negative Declaration prepared for the proposed project reflects the independent judgement of the City of Lancaster.

Section 3. That the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program included in the Mitigated Negative Declaration.

Section 4. That the Community Development Department, Planning and Permitting staff is hereby authorized and directed to prepare, execute, and file a Notice of Determination pursuant to CEQA (including its implementing guidelines).

Section 5. That the Planning Commission hereby adopts the following findings pursuant to Section 16.08.110 of the LMC:

- a. The proposed subdivision is consistent with the general plan, any applicable specific plan, and is compatible with the general plan land uses, goals, objectives, policies, and specific actions specified in such plan.

The project is a residential subdivision consistent with the general plan land use designation of Urban Residential (UR) and with the policies, goals, objectives, and

specific actions of the General Plan. The project is not located within the boundaries of a Specific Plan.

- b. The design and improvement of the proposed subdivision is consistent with the general plan, any applicable specific plan, Title 17, and this title.

The design and improvements of the proposed subdivision are consistent with the General Plan and use designation of UR and the development standards identified in Sections 17.08.060 and 17.080.070 of the LMC. The project site is not located within the boundaries of a specific plan.

- c. The site is physically suitable for the type and density of the development proposed.

The project site is physically suitable for the type and density of the proposed development. Adequate roadway capacity and infrastructure exists in the vicinity of the project or can be provided to support the development.

- d. The design of the subdivision or the improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The design of the subdivision and the improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. An initial study was prepared for the development to assess potential impacts to twenty-one (21) resource areas including biological resources. A total of 155 Joshua trees were observed on the project site and mitigation measures have been provided to address impacts to this species. No other sensitive status plant or animal species were identified during the surveys and mitigation measures have been provided to ensure that any potential impacts remain less than significant. Mitigation measures have also been provided for other resource areas such as air quality, cultural resources, geology and soils, hazards/hazardous materials, and noise. Additionally, the developer would be required to pay the City's Biological Impact Fee, which is utilized to help conserve biological resources found throughout the Antelope Valley.

- e. The design of the subdivision or the type of improvements will not cause serious public health problems.

The design of the subdivision and the associated improvements are not likely to cause serious public health problems as adequate sewer and water systems will be provided to the development. Additionally, all residences within the subdivision are required to have trash collection services in accordance with the City of Lancaster's Waste Management franchise agreement.

- f. The design or the types of improvements of the subdivision will not conflict with easements acquired by the public at large, for access through, or use of, property

within the subdivision. The City may approve the map if alternate easements will be provided in accordance with Section 66474(g) of the Subdivision Map Act.

There are no known public easements or access across the subject property; therefore, the design of the subdivision will not conflict with public access. Any utility can be accommodated within the design of the project.

- g. The City's action will not have an adverse effect on the housing needs of the region and the City has balanced these needs against the public service needs of its residents and available fiscal and environmental resources, in accordance with Section 66412.3 of the Subdivision Map Act.

The project would have a beneficial effect on the housing needs of the region because an additional 215 dwelling units would be provided. The project would not adversely affect the economic health of the City as the infrastructure to support the project, such as roadways and utility lines, currently existing in the vicinity of the project site and the maintenance of this infrastructure is already occurring.

- h. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

The project is not expected to have any significant impact on any future passive or natural heating or cooling opportunities. The project has been designed to take advantage of heating and cooling opportunities to the extent feasible. Additionally, the project is required to comply with Title 24, which includes requirements for solar energy.

Section 6. This Planning Commission hereby approves Tentative Tract Map No. 66680, subject to the conditions attached hereto and incorporated herein.

Section 7. 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 8. 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 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 List
- B. Mitigation Monitoring and Reporting Program

Within 10 working days of the date of this decision by the Commission, an applicant or an interested 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.