



AGENDA ITEM: 2.

DATE: 5/20/24

## STAFF REPORT

### CONDITIONAL USE PERMIT NO. 24-001 (CONDITIONAL USE PERMIT NO. 22-008 AMENDMENT)

**DATE:** May 20, 2024

**TO:** Lancaster Planning Commission

**FROM:** Jocelyn Swain, Senior Planner  
Community Development Department  
Planning and Permitting Division

**APPLICANT:** Pacific Communities Builders, Inc. / Ronald Freeman

**LOCATION:** ±40 acres at the southeast corner of 60<sup>th</sup> Street West and Avenue K-4  
(Assessor Parcel Numbers: 3204-009-026, 3204-009-079, 3204-009-081)

**REQUEST:** An amendment to Conditional Use Permit No. 22-008 to modify the development standards to increase lot coverage for an age-restricted residential planned development in the R-7,000 (single family residential, minimum lot size 7,000 square feet) zone

**RECOMMENDATION:** Adopt Resolution No. 24-10 approving Conditional Use Permit No. 24-001 amending 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 60<sup>th</sup> Street West and Avenue K-4 (APNs: 3204-009-026, 3204-009-079, 3204-009-081).

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## **BACKGROUND**

Tentative Tract Map No. 53642 was originally approved by the Planning Commission on April 19, 2004 and expired after all available extensions were granted.

On December 12, 2022, the Planning Commission approved Tentative Tract Map No. 53642 and Conditional Use Permit No. 22-008 to allow for the subdivision of the subject property into 208

single family residential lots and the construction of an age-restricted residential planned development. The Planning Commission also adopted the Initial Study/Mitigated Negative Declaration prepared for the project and the associated Mitigation Monitoring and Reporting Program.

### **GENERAL INFORMATION**

Table 1 summarizes the general information concerning this project.

**Table 1: General Information**

<b>ITEM</b>	<b>DESCRIPTION</b>
<b>APN-</b>	3204-009-026, 3204-009-079, 3204-009-081
<b>LOCATION</b>	±40 acres at the southeast corner of 60 <sup>th</sup> Street West and Avenue K-4
<b>ZONING AND LAND USE</b>	The subject property is zoned R-7,000 (single family residential, minimum lot size 7,000 square feet) and is currently vacant.
<b>SURROUNDING LAND USES AND ZONING</b>	North: Residential subdivision; R-7,000 South: Avenue K-8 followed by vacant land and a residential subdivision; R-7,000 East: Vacant; R-7,000 West: 60 <sup>th</sup> Street West followed by residential subdivision; R-7,000
<b>CURRENT DEVELOPMENT</b>	The project site is currently vacant.
<b>ENVIRONMENTAL REVIEW</b>	An initial study (SCH #2022100369) was prepared for Tentative Tract Map No. 53642/Conditional Use Permit No. 22-008 and circulated for a 30-day public review period in accordance with the California Environmental Quality Act (CEQA). The public review period started on October 18, 2022 and ended on November 17, 2022. The Initial Study/Mitigated Negative Declaration and associated Mitigation Monitoring and Report Program were adopted by the Planning Commission on December 12, 2022. The proposed project (CUP No. 24-001) 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. No further environmental review is necessary

	Effective January 1, 1991, applicants whose projects have the potential to result in the loss of fish, wildlife or habitat through urbanization and/or land use conversion are required to pay filing fees as set forth under Section 711.4 of the Fish and Game Code. Pursuant to Section 21089(b) of the Public Resources Code, the approval of a project is not valid, and no development right is vested, until such fees are paid.
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### **PROJECT DESCRIPTION:**

The project was approved as a tentative tract map for the subdivision of approximately 40 acres into 208 single family residential lots and lots for common open space and drainage basins. It also included a conditional use permit to create an age-restricted residential planned development on smaller lots. The conditional use permit established development standards including lot width, depth, size, and lot coverage. These changes in development standards from the R-7,000 zone were granted for the development in exchange for providing a minimum of 15% open space and enhanced design features. The approved development would provide 5.86 acres (approximately 16.33%) of common open space including park areas/community gardens, walking trails, recreational area with pool and a community building.

Subsequent to the approval of the project, the applicant has expressed the desire to be able to provide a California Room (outdoor living space) on individual lots as an option for purchasers of the residences. In order to facilitate this amenity, the applicant has requested an increase in the maximum lot coverage from 50% to 60%. No other changes to the development standards have been requested or are necessary. The approved and proposed development standards are shown in the table below.

#### **Development Standards**

<b>Site Specification</b>	<b>Approved Standard</b>	<b>Proposed Standard</b>
Lot Size	4,250 sf	4,250
Minimum Lot Width	45'	45'
Minimum Lot Depth	90'	90'
Lot Coverage	50%	60%
Side yard Setback	4'	4'

### **ANALYSIS:**

#### **General Plan Consistency**

The Project was analyzed for consistency with the City of Lancaster General Plan 2030. The development would be consistent with the General Plan land use designation of Urban Residential (UR) and the types of uses envisioned therein. The UR land use designation envisions a variety of residential uses with “density ranges 2.1 to 6.5 dwellings per acre” (General Plan Objective

17.1). The proposed use is consistent with the goals, objectives, and policies of the General Plan as indicated below.

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|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy 3.1.1:</b>  | Ensure that development does not adversely affect the groundwater basin.                                                                                                                              |
| <b>Policy 3.1.3:</b>  | Encourage the use of recycled tertiary treated wastewater when possible.                                                                                                                              |
| <b>Policy 3.2.1:</b>  | Promote the use of water conservation measures in the landscape plans of new developments.                                                                                                            |
| <b>Policy 3.2.2:</b>  | Consider the potential impact of new development projects on the existing water supply.                                                                                                               |
| <b>Policy 3.2.5:</b>  | Promote the use of water conservation measures in the design of new developments.                                                                                                                     |
| <b>Policy 3.3.1:</b>  | Minimize the amount of vehicular miles traveled.                                                                                                                                                      |
| <b>Policy 3.4.4:</b>  | Ensure that development proposals, including City sponsored projects, are analyzed for short- and long-term impacts to biological resources and that appropriate mitigation measures are implemented. |
| <b>Policy 3.5.1:</b>  | Minimize erosion problems resulting from development activities.                                                                                                                                      |
| <b>Policy 3.6.1:</b>  | Reduce energy consumption by establishing land use patterns which would decrease automobile travel and increase the use of energy efficient modes of transportation.                                  |
| <b>Policy 4.3.3:</b>  | Ensure that the provision of noise attenuation does not create significant negative visual impacts.                                                                                                   |
| <b>Policy 15.1.2:</b> | Cooperate with local water agencies to provide an adequate water supply system to meet the standards for domestic and emergency needs.                                                                |
| <b>Policy 15.1.5:</b> | Ensure sufficient infrastructure is built and maintained to handle and treat wastewater discharge.                                                                                                    |
| <b>Policy 16.3.1</b>  | Promote development patterns which will minimize the costs of infrastructure development, public facilities development and municipal service cost delivery.                                          |
| <b>Policy 16.6.1:</b> | Require new development to construct and/or pay for new on-site                                                                                                                                       |

capital improvements necessitated by their project, consistent with performance criteria identified in Objective 15.1.

**Goal 17:** To establish a variety of land uses, which serve to develop Lancaster into a balanced and complete community in which people live, work, shop and play.

**Policy 18.1.4:** Encourage the long-term maintenance of new residential development.

**Policy 18.2.2:** Encourage appropriate development to locate so that municipal services can be efficiently provided.

The amendment to the development standards for the Project would not conflict with any of the policies of the General Plan. The General Plan has policies that promote a variety of land uses including many types of residential uses. The approved development would result in the subdivision of 40 acres which are designated for residential uses and the development an age-restricted residential community. The Project (CUP No. 24-001) would amend the development standards to allow for increased lot coverage. This increase in the maximum lot coverage within this residential community would allow the developer to provide the residents with additional amenities including the option for a California Room for outdoor living on individual lots. This would provide another housing choice for residents in the community.

### **Housing Element Consistency**

The Project supports the goals and objectives of the City of Lancaster's Housing Element. Specifically, the Housing Element identifies objectives and policies to provide a variety of housing types to the residents of the City. The proposed project would provide a gated community with single-family residences on smaller lots. This community would be age-restricted with most of the residents 55 years and older. This provides an additional housing choice in the community which is not currently available.

### **Compliance with the Lancaster Municipal Code (LMC)**

The Project complies with the development standards for residential uses in the R-7,000 zone as identified in Sections 17.08.060, 17.08.070 and 17.08.340 of the Lancaster Municipal Code with the approval of the conditional use permit amending the original development standards. The Section 17.08.340.C.5 specifically requires the developer to create custom development standards for the project and the request for an increase in lot coverage is consistent with that requirement.

### **Compliance with the City of Lancaster Design Guidelines**

The Project complies with the intent of the Design Guidelines with respect to site design and layout for residential developments. Pedestrian connectivity is provided within the project site and along the project frontage. The elevations and floor plans for the development would be reviewed and approved for compliance with the Design Guidelines and the Objective Design Standards prior to

the issuance of construction permits. The increase in lot coverage would allow for additional private amenities to be provided on the individual lots. This would ensure quality design with 360-degree architecture which enhances the community's image and quality of life for its residents.

### **CONDITIONAL USE PERMIT FINDINGS**

In order to grant a CUP, Section 17.32.090 of the Lancaster Municipal Code states that the Planning Commission must make all of the following findings:

**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. 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.**

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 (60<sup>th</sup> 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 obtained.

### **RESIDENTIAL PLANNED DEVELOPMENT FINDINGS**

In order to approve a residential planned development, the findings in Section 17.08.340 must be made:

- 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, pride 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 creative 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.

## **LEGAL NOTICE**

A notice of Public Hearing was mailed to all property owners within a 500-foot radius of the project, posted in three places, posted on the subject property, and noticed in Antelope Valley Press on May 10, 2024.

## **RECOMMENDATION**

Adopt Resolution No. 24-10 approving Conditional Use Permit No. 24-001 amending the development standards for Conditional Use Permit No. 22-008 to allow for increased lot coverage for the development of an age-restricted community in the R-7,000 zone located at the southeast corner of 60<sup>th</sup> Street West and Avenue K-4 (APNs: 3204-009-026, 3204-009-079, 3204-009-081). All original conditions of approval associated with CUP No. 22-008 remain valid.

### **Attachments:**

- A. Resolution No. 24-10



B. Planning Commission Staff Report packet dated 12/12/22