

## **RESOLUTION NO. 22-30**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING TENTATIVE TRACT MAP (TTM) NO. 61920 TO ALLOW FOR THE SUBDIVISION OF 38.9 GROSS ACRES INTO 162 SINGLE-FAMILY LOTS LOCATED AT THE NORTHEAST CORNER OF 55<sup>TH</sup> STREET WEST AND AVENUE K (ASSESSOR PARCEL NUMBERS: 3203-016-035, -036, -037), ADOPTING A MITIGATED NEGATIVE DECLARATION, AND RECOMMENDING APPROVAL TO CITY COUNCIL FOR ZONE CHANGE (ZC) NO. 21-04 FOR A CHANGE OF ZONE FROM R-10,000 AND R-15,000 TO R-7,000.

WHEREAS, a Tentative Tract Map has been requested by United Civil, Inc (“Applicant”) to allow for the subdivision of 162 single-family residential lots on 38.9 gross acres located at the northeast corner of 55th Street West and Avenue K (APNs: 3203-016-035, -036, -037) in the 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; and

WHEREAS, a Zone Change has been requested by United Civil, Inc., for a change in zoning from R-10,000 and R-15,000 to R-7,000; and

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

WHEREAS, an application for the above-described Zone Change has been filed pursuant to Chapter 17.24 of the Lancaster Municipal Code (“LMC”); and

WHEREAS, staff has performed the necessary investigations to ensure the proposed division of land would be consistent with the purpose of the City’s Subdivision Ordinance, the State Subdivision Map Act, and regulations of the LMC, prepared a written report, and recommended approval of this Tentative Tract Map, subject to conditions; and

WHEREAS, a notice of intention to consider granting of a Zone Change has been given as required by Chapter 17.24 of the LMC, and Section 65905 of the Government Code of the State of California; and

WHEREAS, public notice was published and given as required by law, and a public hearing was held on October 17, 2022; and

WHEREAS, the Planning Commission, after considering all evidence presented, desires to approve Applicant’s requested Tentative Tract Map; and

WHEREAS, the Planning Commission, after considering all evidence presented, desires to recommend approval to City Council for the Applicant’s requested Zone Change

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 a substantive part of this Resolution.

Section 2. That the Planning Commission hereby adopts the following finding 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.
- b. The design and improvement of the proposed subdivision is consistent with the general plan, any applicable specific plan, Title 17, and this title.
- c. The site is physically suitable for the type and density of the development proposed.
- d. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- e. The design of the subdivision or the type of improvements will not cause serious public health problems.
- 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.
- 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.
- h. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

Section 3. That the Planning Commission hereby adopts the following Zone Change findings, pursuant to Section 17.24.120 of the LMC:

- a. That modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration; and

- b. That a need for the proposed zone classification exists within such area or district; and
- c. That the particular property under consideration is a proper location for said zone classification within such area or district; and
- d. That placement of the proposed zone at such location will be in the interest of public health, safety and general welfare and in conformity with good zoning practice.

Section 4. This Commission hereby finds the foregoing recitals are true, correct and a substantive part of this resolution.

Section 5. That the Planning Commission hereby certifies that it has reviewed and considered the information in the Mitigated Negative Declaration prepared for the proposed project in compliance with the California Environmental Quality (“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 Mitigated Negative Declaration prepared for the proposed project reflects the independent judgment of the City of Lancaster.

Section 6. That Community Development Division staff is hereby authorized and directed to prepare, execute, and file a Notice of Determination pursuant to CEQA (including its implementing guidelines).

Section 7. That the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program included in the Mitigated Negative Declaration.

Section 8. That the Planning Commission hereby approves Tentative Tract Map No. 61920 and recommends approval to City Council for Zone Change No. 21-04, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 17<sup>th</sup> day of October 2022, 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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LARISSA DE LA CRUZ, Senior Manager – Community Development  
City of Lancaster

**Attachments:**

- A. Conditions List
- B. Mitigation Monitoring and Reporting Program