

RESOLUTION NO. 22-33

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 53642/CONDITIONAL USE PERMIT NO. 22-08 FOR THE SUBDIVISION OF APPROXIMATELY 40 ACRES INTO 208 RESIDENTIAL LOTS AND THE CONSTRUCTION OF AN AGE-RESTRICTED RESIDENTIAL PLANNED DEVELOPMENT AT THE SOUTHEAST CORNER OF 60TH STREET WEST AND AVENUE K-4 IN THE R-7,000 ZONE (APNS: 3204-009-026, 3204-009-079, 3204-009-081)

WHEREAS, a Tentative Tract Map has been requested by Pacific Communities Builder, Inc. (“Applicant”) to allow for the subdivision of approximately 40 acres into 208 single-family residential lots at the southeast corner of 60th Street West and Avenue K-4 (APNs: 3204-009-026, 3204-009-079, 3204-009-081) in the R-7,000 (single family residential, minimum lot size 7,000 square feet); and

WHEREAS, a Conditional Use Permit has also been requested by Pacific Communities Builder, Inc., to allow for the construction of an age-restricted residential planned development with smaller lots and common open space; 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, an application for the above-described Conditional Use Permit has been filed pursuant to the regulations contained in Article I of Chapter 17.32 of the 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 the regulations of the LMC, prepared a written report, and recommended approval of this Tentative Tract Map and Conditional Use Permit, subject to conditions; 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, an Initial Study (SCH #2022100369) was prepared for the proposed project in compliance with the California Environmental Quality Act (“CEQA”) and circulated for public review ending on November 17, 2022; and

WHEREAS, public notice was provided, as required by law, and a public hearing was held on December 12, 2022; and

WHEREAS, the Planning Commission, after considering all evidence presented, desires to approve the Applicant’s requested Tentative Tract Map and 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 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.
- 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 2. That the Planning Commission hereby adopts the following CUP 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.
- 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.
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.

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

Section 3. 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 instill a sense of pride and well-being in the community.
- 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.”
- 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.

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

Section 7. That the 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 8. This Commission hereby approves Tentative Tract Map No. 53642 and Conditional Use Permit No. 22-08, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 12th day of December 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

RECUSED:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

LARISSA DE LA CRUZ, Senior Manager – Community Development
City of Lancaster

Attachment:
Conditions List
Mitigation Monitoring and Reporting Program