

RESOLUTION NO. 23-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 83572 FOR THE SUBDIVISION OF APPROXIMATELY 28.9 GROSS ACRES INTO 118 RESIDENTIAL LOTS IN THE R-7,000 ZONE LOCATED AT THE NORTHEAST CORNER OF LANCASTER BOULEVARD AND 35TH STREET EAST (APNS: 3150-021-028 AND 3150-021-029), ADOPTING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (SCH# 2023070372), APPROVING THE MITIGATION MONITORING AND REPORTING PROGRAM AND AUTHORIZING STAFF TO EXECUTE THE NOTICE OF DETERMINATION

WHEREAS, a Tentative Tract Map has been requested by Imad Aboujawdah (“Applicant”) to allow for the subdivision of approximately 28.9 gross acres into 118 single-family residential lots at the northeast corner of 35th Street East and Lancaster Boulevard (APNs: 3150-021-028 and 3150-021-029) in the R-7,000 (single family residential, minimum lot size 7,000 square feet); 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 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, subject to conditions; and

WHEREAS, an Initial Study (SCH #2023070372) was prepared for the proposed project in compliance with the California Environmental Quality Act (“CEQA”) and circulated for public review ending on August 18, 2023; and

WHEREAS, public notice was provided, as required by law, and a public hearing was held on August 21, 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 HEREBY 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 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 proposed 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 proposed 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 proposed 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 proposed 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 proposed development to assess potential impacts to twenty-one (21) resource areas including biological resources. No 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, 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 proposed 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 proposed 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 proposed project would have a beneficial effect on the housing needs of the region because an additional 118 dwelling units could be provided. The proposed project would not adversely affect the economic health of the City as the infrastructure to support the proposed 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. Additionally, all roadways, sewer, and water lines within the subdivision would be private and maintained by the Homeowners/Property Owner's Association.

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

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

Section 3. 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 4. That the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program included in the Mitigated Negative Declaration.

Section 5. 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 6. This Commission hereby approves Tentative Tract Map No. 83572, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 21st day of August 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

RECUSED:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

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.