

**STAFF REPORT**  
**City of Lancaster**  
**Lancaster Redevelopment Agency**

JPH 2
11/10/09
MVB

Date: November 10, 2009

To: Mayor Parris and Members of the City Council  
Chairman Parris and Agency Directors, Lancaster Redevelopment Agency

From: Vern Lawson, Economic Development and Redevelopment Director  
Urban Futures, Inc., Agency Advisors

Subject: **Proposed Amendment No. 2 to the Redevelopment Plan for the Lancaster Fox Field Redevelopment Project -- Joint Public Hearing Evidentiary Record**

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**Recommendations:**

Adopt the following Resolutions:

- A) Resolution No. 25-09 of the Lancaster Redevelopment Agency, approving the report to the City Council for the Proposed Amendment No. 2 to the Redevelopment Plan (the "Plan") for the Lancaster Fox Field Redevelopment Project (the "Project") and authorizing transmittal of said report and amendment to the City Council.
- B) Resolution No. 26-09 of the Lancaster Redevelopment Agency, considering and adopting the Negative Declaration of Environmental Impact for the Proposed Amendment No. 2 to the Redevelopment Plan for the Lancaster Fox Field Redevelopment Project.
- C) Resolution No. 27-09 of the Lancaster Redevelopment Agency, approving the Proposed Amendment No. 2 to the Redevelopment Plan for the Lancaster Fox Field Redevelopment Project.
- D) Resolution No. 09-97 of the City Council of the City of Lancaster, considering and adopting the Negative Declaration of Environmental Impact for the Proposed Amendment No. 2 to the Redevelopment Plan for the Lancaster Fox Field Redevelopment Project.

Introduce the following ordinance:

- A) Ordinance No. 937, an ordinance of the City Council of the City of Lancaster, approving and adopting Amendment No. 2 to the Redevelopment Plan for the Lancaster Fox Field Redevelopment Project.

**Background:**

The Lancaster Redevelopment Agency (the "Agency") is proposing approval and adoption of an amendment ("Amendment No. 2") to the Redevelopment Plan (the "Plan"), as previously amended for the Lancaster Fox Field Redevelopment Project (the "Project" or the "Project Area," as applicable), for the sole purpose of reinstating and extending the Agency's eminent domain authority to acquire property, except property on which any persons reside, within the Project Area for an additional 12 years as permitted by the California Community Redevelopment Law (CCRL; Health and Safety Code Section 33000 *et seq.*), specifically CCRL Section 33333.4(g)(2).

On November 10, 2009, the Agency and the City Council of the City of Lancaster (the "City Council") will hold a Joint Public Hearing Amendment No. 2. As part of the Joint Public Hearing, the Agency has distributed a binder containing the Joint Public Hearing Evidentiary Record (hereafter referred to as the "Record") to each City Council/Agency Board member. The Record includes, among other items, Amendment No. 2, a Negative Declaration of Environmental Impact (the "Negative Declaration"), the Agency's Report to the City Council (the "Report to Council"), related adopted and proposed Resolutions, and the proposed City Council ordinance adopting Amendment No. 2. The following is a brief discussion of the contents of the Record:

**Tab 1 — Joint Public Hearing Procedures**

The Joint Public Hearing Procedures outline Agency and City Council actions and procedures necessary for approval and adoption of Amendment No. 2.

**Tab 2 — Amendment No. 2 to the Redevelopment Plan for the Lancaster Fox Field Redevelopment Project**

Amendment No. 2 specifically sets forth, for that section of Plan that will be changed by Amendment No. 2, the new language for said section.

**Tab 3 — Notice of Intent to Adopt Negative Declaration, Negative Declaration and Related Initial Study for Amendment No. 2**

The preparation and distribution of the Notice of Intent to Adopt Negative Declaration, Negative Declaration and related Initial Study/Environmental Checklist for Amendment No. 2, contained behind Tab 3 of the Record, has been completed in accordance with the California Environmental Quality Act, commonly referred to as CEQA. This document was prepared as part of the amendment adoption process based on the findings contained in the Initial Study prepared for the Project, and included here. Based upon the assessment completed for the Initial Study, the Agency determined that Amendment No. 2 could not have a significant effect on the environment beyond those impacts addressed, and mitigated as appropriate, by CEQA compliance previously completed for the Project. *[if applicable: Included under Item 3B are the comments received on CEQA compliance matters, and responses thereto.]*

#### **Tab 4 — Agency's Report to the City Council**

The Report to the City Council (the "Report to Council") describes, among other things, the deficient physical and economic conditions, or "blight," remaining within the Project Area and the reasons for reinstating and extending the Agency's eminent domain authority in the Project Area. Generally, as evidenced in the Report to Council; which conditions are not likely to be alleviated without reinstating and extending the Agency's ability to use its limited eminent domain authority in the Project Area. The availability of the power of eminent domain to acquire real property, except property on which any persons reside, within the Project Area will help the Agency to: more effectively implement the Plan and continue redevelopment programs necessary to alleviate remaining conditions of blight; carry out Agency redevelopment-related goals and objectives by providing an important site assembly tool for public improvements and promote and stimulate new private investment in the Project Area.

#### **Tab 5 — Planning Commission Report on the Plan's Conformity with the Lancaster General Plan**

Tab 5 of the Record contains the Planning Commission's report on the conformity of the Plan as proposed to be amended by Amendment No. 2, and its recommendations to the Agency and City Council with regard to adoption of Amendment No. 2. In this report, the Planning Commission found that the Plan, as proposed to be amended, is in conformance with the Lancaster General Plan and recommended that the Agency approve, and City Council adopt Amendment No. 2. Once adopted, the Plan, as proposed to be amended by Amendment No. 2, will reinstate and extend the Agency's eminent domain authority to acquire real property, except property on which any persons reside, within the Project Area for an additional 12 years, from the date of adoption of the Amendment No. 2.

#### **Tab 6 — Meetings Held and Information Transmitted to Property Owners and Tenants, and Taxing and Environmental Entities**

Tab 6 of the Record contains information transmitted to all affected persons and/or entities in accordance with the CCRL. This section is prefaced with a summary of all information transmitted by the Agency and of meetings/consultations held with Project Area community members and other interested parties, and information transmitted to all affected taxing entities in accordance with the CCRL.

#### **Tab 7 — Agency Resolution Approving the Report to Council**

This section contains the Agency Resolution approving its Report to Council (see Tab 4 above for further discussion on the Report to Council) and authorizing the transmittal of this Report and Amendment No. 2 to the City Council for that body's subsequent action. This Resolution is adopted prior to the opening of the Joint Public Hearing.

#### **Tab 8, Items A through C — Agency Resolution Adopting the Negative Declaration, Agency Resolution Approving Amendment No. 2, City Council Resolution Adopting the Negative Declaration**

This section of the Record contains the proposed Agency and City Council Resolutions approving and adopting the Negative Declaration, the proposed Agency Resolution approving Amendment No. 2 and recommending that the City Council approve and adopt Amendment No. 2.

**Tab 8, Item D — Previously Adopted Resolutions Related to Amendment No.2 and the Plan**

This section contains those resolutions adopted throughout the amendment adoption process by the Agency, the City Council and the Planning Commission (if and as applicable) not otherwise included in the Record.

**Tab 9 — City Council Ordinance Approving and Adopting Amendment No. 2**

Tab 9 of the Record is the proposed City Ordinance, which approves and adopts Amendment No. 2 to the Redevelopment Plan, as previously amended, for the Project, which the City Council, if it so desires, may introduce for first reading.

VL:tbe

Attachments: Resolution No. 25-09  
Resolution No. 26-09  
Resolution No. 27-09  
Resolution No. 09-97  
Ordinance No. 937