

AGENDA ITEM: 3.
DATE: 10-18-10

STAFF REPORT

TENTATIVE PARCEL MAP NO. 66794

DATE: October 18, 2010
TO: Lancaster Planning Commission
FROM: Planning Department
APPLICANT: Rubin and Mirla Bugarin
LOCATION: 2.5 ± gross acres located approximately 260 feet north of Avenue M-8 west of 38th Street West
REQUEST: A subdivision for 4 single family lots in the SRR Zone

RECOMMENDATION: Adopt Resolution No. 10-42 approving Tentative Parcel Map No. 66794.

BACKGROUND: There have been no prior hearings before either the City Council or the Planning Commission concerning this property.

GENERAL PLAN DESIGNATION, EXISTING ZONING, AND LAND USE: The subject property is designated as NU (Non-Urban Residential; 0.4 to 2 dwelling units per acre) by the General Plan, is zoned SRR (Semi-Rural Residential, one single family dwelling unit per 20,000 square feet), and is currently vacant. The General Plan designation, zoning, and land use of the surrounding properties are as follows:

	<u>GENERAL PLAN</u>	<u>ZONING</u>	<u>LAND USE</u>
NORTH	NU	SRR	Vacant
EAST	NU	SRR	Vacant
SOUTH	NU	SRR	Vacant
WEST	NU	SRR	Vacant

PUBLIC IMPROVEMENTS: The site is bounded on the east by future 38th Street West, which is undeveloped. All public utilities are available or can be extended to serve the site.

ENVIRONMENTAL REVIEW: Review of pertinent environmental documents has disclosed no significant adverse impacts resulting from the proposed subdivision after mitigation measures have been applied. Potential effects are discussed more fully in the attached Initial Study. The Initial Study prepared for the proposed project was sent to the State Clearinghouse SCH #2010071018 for public review. This 30-day public review period ended on August 4, 2010. Based on this information, staff has determined that a Mitigated Negative Declaration is warranted. Notice of intent to prepare a mitigated Negative Declaration has been legally advertised.

LEGAL NOTICE: Notice of Public Hearing was mailed to all property owners within a 1,500-foot radius of the project, posted in three places, posted on the subject property, and noticed in a newspaper of general circulation per prescribed procedure.

ANALYSIS: The proposed subdivision consists of 4 single family lots in the SRR Zone. The lots would range in size from approximately 21,268 square feet to 23,362 square feet. The project is consistent with the General Plan land use designation of Non-Urban Residential (Non-Urban Residential; 0.4 to 2 dwelling units per acre), and the SRR zoning designation of the property (Semi-Rural Residential, one single family dwelling unit per 20,000 square feet). Division of the property would allow for the construction of a single family residence on each lot. The proposed project site and the surrounding parcels are currently vacant.

The proposed residential subdivision would have access from 38th Street West via Avenue M-8. In order to provide continuity, street improvements would be required along the property frontage in 38th Street West. In addition, the applicant would be required to install a 34-foot-wide paved access in 38th Street West south of Lot No. 4 to Avenue M-8. Individual lot access would be provided from an internal Street "A" as shown on the map. The proposed subdivision has the potential to generate forty (40) vehicular trips per day, with four (4) trips occurring during the peak hours which would not significantly impact surrounding streets.

The density of the development is consistent with the General Plan designation of Non-Urban Residential; the proposed subdivision meets the City's zoning requirements for the SRR Zone; and sufficient access, utilities, and infrastructure exist or can be extended to serve the project site. Therefore, staff is recommending that the Commission approve Tentative Parcel Map No. 66794.

Respectfully submitted,

Randie Davis, Assistant Planner

cc: Applicant
Engineer

RESOLUTION NO. 10-42

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 66794

WHEREAS, a tentative parcel map has been filed by Rubin and Mirla Bugarin for the division of 2.5± gross acres located approximately 260 feet north of Avenue M-8 west of 38th Street West, as shown on the attached site map, into four lots; and

WHEREAS, staff has conducted necessary investigations to assure the proposed division of land would be consistent with the purposes of the City's Subdivision Ordinance, the State Subdivision Map Act, and the regulations of the SRR Zone; and

WHEREAS, a written report was prepared by staff which included a recommendation for approval of this Tentative Parcel Map subject to conditions; and

WHEREAS, public notice was provided as required by law and a public hearing was held on October 18, 2010; and

WHEREAS, the initial study was performed for this project in accordance with the requirements of CEQA; and

WHEREAS, this Commission hereby finds that the Initial Study determined that the proposed subdivision could have a significant effect on the environment; however, there would not be a significant effect in this case with the implementation of mitigation measures as detailed in Exhibit "A"; and

WHEREAS, this 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; and

WHEREAS, this Commission hereby certifies that it has reviewed and considered the information contained in the Mitigated Negative Declaration prepared for the proposed division of land in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act prior to taking action; and

WHEREAS, this Commission hereby adopts the following findings in support of approval of this map:

1. The proposed design and improvement of the four lot subdivision are consistent with the General Plan land use designation of NU (Non-Urban Residential) for the subject property.

2. The site is physically suitable for the type and proposed density of development because adequate roadway capacity and infrastructure exist or can be provided, and the site has no topographical constraints.
3. The design and improvement of the subdivision are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the site is not within a sensitive habitat area and all potential impacts are insignificant as noted in the environmental review section of the staff report.
4. The design and improvement of the subdivision are not likely to cause serious public health problems because sewer and water systems will be provided to the project.
5. The design and improvement of the subdivision will not conflict with easements acquired by the public at large, for access through or use of property within the proposed subdivision because all such easements have been incorporated into the proposed public streets (or will be abandoned), based on staff review of a preliminary title report.
6. The proposed subdivision may have a beneficial effect on the housing needs of the region because an additional four dwelling units could be provided, and the City has balanced these needs against the public service needs of its residents and available fiscal and environmental resources.
7. The proposed subdivision provides, to the extent feasible, for the future passive or natural heating or cooling opportunities in the subdivision because the size and configuration of the parcels would allow for such systems, and

WHEREAS, this Commission, after considering all evidence presented, further finds that approval of the proposed tentative parcel map will promote the orderly growth and development of the City.

NOW, THEREFORE, BE IT RESOLVED:

This Commission hereby approves Tentative Parcel Map No. 66794, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 18th day of October 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster

**ATTACHMENT TO PC RESOLUTION NO. 10-42
TENTATIVE PARCEL MAP NO. 66794
CONDITIONS LIST
October 18, 2010**

GENERAL ADVISORY

1. All standard conditions as set forth in Planning Commission Resolution No. 10-24 shall apply except Condition No. 22, 30, 33, and 40.

STREETS

2. Per the direction of the Director of Public Works, improve and offer for dedication the following streets to rural street standards:
 - 38th Street West (north of Lot No. 4) at a 54-foot right-of-way (improve with 30 feet of pavement, a 2-foot-wide rolled curb on each side of the street, and a 10-foot-wide parkway).
 - Street "A" at a 54-foot right-of-way (improve with 30 feet of pavement, a 2-foot-wide rolled curb on each side of the street, and a 10-foot-wide parkway).
3. Per the direction of the Director of Public Works, design and construct a 30-foot paved access with 2-foot-wide rolled curbs on both sides in 38th Street West from the southern portion of Lot No. 4 (34-foot right-of-way) to Avenue M-8.

WATER AND SEWER

4. Per the direction of the Director of Public Works, construct a 100-foot drainage swale west of Lot Nos. 2 and 3 within a drainage easement as shown on the site plan.
5. Per the direction of the Director of Public Works, a 12-foot-wide sewer easement shall be required north of Lots No. 1 and 2.

ENVIRONMENTAL

6. Per the direction of the Director of Public Works, prior to issuance of a grading permit, a burrowing owl survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities. If burrowing owls or their sign are observed on the project site, then protocol burrowing owl surveys shall be required in accordance with the procedures as established in the California Department of Fish and Game.
7. Per the direction of the Planning Director, a nesting bird survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities. If nesting birds are encountered, all work in the area shall cease until either the young birds have fledged or the appropriate permits are obtained from the California Department of Fish and Game.

OTHER CONDITIONS

8. Per the direction of the Directors of Planning and Public Works, contact Quartz Hill Water District to determine if there are any additional off-site improvements or conditions that would be required. The proposed development will also be required to pay all applicable District fees.
9. The project shall meet all the requirements of the rural street standards per Section 16.20.080.
10. The applicant shall vary setbacks of house placement and meet all requirements of the Architectural Design Guidelines.
11. Per the direction of the Planning Director, installation of the front yard and street side yard landscaping is required. A landscape and irrigation plan shall be submitted for review and approval by City staff. Said landscaping and irrigation system shall conform to the requirements of Ordinance No. 970.
12. Per the direction of the Planning Director, landscaping and irrigation systems shall be installed on all portions of single family residential lots open to view from a public street not used for building, vehicle access, or parking, and to be maintained by the homeowner.
13. Prior to occupancy, the applicant will provide a masonry wall along the interior lot lines per the direction of the Planning Director.