

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

June 18, 2012

CALL TO ORDER

Brian Ludicke called the meeting to order at 6:00 p.m.

INVOCATION

Commissioner Randy Hall did the invocation.

PLEDGE OF ALLEGIANCE

Brian Ludicke led the Pledge of Allegiance to the flag of the United States of America.

ORGANIZATION OF THE PLANNING COMMISSION

Election of Chair

Brian Ludicke opened nominations for Chair of the Planning Commission. It was moved by Commissioner Harvey and seconded by Commissioner Smith to approve James Vose as Chair of the Planning Commission. Brian Ludicke asked Commissioner Vose if he would accept the nomination, and Commissioner Vose affirmed. There were no other motions to nominate for Chair, and nomination was closed. Motion carried with the following vote (7-0-0-0):

AYES: Commissioners Cook, Hall, Harvey, Malhi, Smith, Terracciano, and Vose.

NOES: None.

ABSTAIN: None.

ABSENT: None.

Brian Ludicke turned the meeting over to Chairman Vose.

Election of Vice Chair

Chairman Vose opened nominations for Vice Chair of the Planning Commission. It was moved by Commissioner Terracciano and seconded by Commissioner Cook to approve Randy Hall as Vice Chair of the Planning Commission. Chairman Vose asked Commissioner Hall if he would accept the nomination, and Commissioner Hall affirmed. There were no other motions to nominate for Vice Chair and nomination was closed. Motion carried with the following vote (7-0-0-0):

AYES: Commissioners Cook, Hall, Harvey, Malhi, Smith, Terracciano, and Chairman Vose.

NOES: None.

ABSTAIN: None.

ABSENT: None.

ROLL CALL - NEWLY SEATED PLANNING COMMISSION

Present: Commissioners Cook, Harvey, Malhi, Smith, Terracciano, Vice Chairman Hall, and Chairman Vose.

Absent: None.

Also present were the Deputy City Attorney (Joe Adams), Planning Director (Brian Ludicke), Associate Planner (Chuen Ng), Associate Planner-Environmental (Jocelyn Swain), Recording Secretary (Joy Reyes), and an audience of 14 people.

CONSENT CALENDAR

1. APPROVAL OF MINUTES

It was moved by Commissioner Malhi and seconded by Commissioner Harvey to approve the Minutes from the Regular Meeting of May 21, 2012. Motion carried with the following vote (6-0-1-0):

AYES: Commissioners Cook, Harvey, Malhi, Terracciano, Vice Chairman Hall, and Chairman Vose.

NOES: None.

ABSTAIN: Commissioner Smith.

ABSENT: None.

NEW PUBLIC HEARINGS

2. Residential Zones Update

Chairman Vose opened the public hearing at 6:06 p.m., to hear comprehensive update of the Residential zoning ordinance in Title 17, Chapter 8 of the Lancaster Municipal Code.

The staff report and slides were presented by Chuen Ng.

Speaker Marta Brown, representing the Building Industry Association (BIA), Lancaster/Antelope Valley Office, of the Los Angeles/Ventura Chapter, commented that it was with regret that “opposed” was placed on her speaker card, because the BIA supports the endeavor of the City in various areas of the new residential zones update; she attended the meeting earlier in the year in February, and has been in communication with Planning staff. She

expressed that due to the economy downturn, it has been a very difficult time for those in the building industry. The request is to consider solar not as a requirement or mandate, but as an option. She informed that some of the builders are providing solar panels to make the new homes more efficient. She concluded and emphasized that due to the economy, mandating solar panels would exclude some builders from the market.

There were no others in the audience who wished to speak in opposition to the report. Public Hearing closed at 6:12 p.m.

Commissioner Terracciano commented that he read the letter from Stratham Homes, and the feedback on the new proposal seems very restrictive; he inquired if other builders were invited to participate in the study. Chuen Ng affirmed that builders were invited to submit comments, and stated that Marta Brown was a contact for the builders or developers in the area; phone calls were received from developers, for example KB Homes and Richmond Homes; the only written comments was submitted by Stratham Homes. Commissioner Terracciano inquired if it would be possible to conduct a workshop with local developers. Chuen Ng responded if the Commission so chooses, another workshop could be arranged.

Commissioner Cook inquired as to the cost for builders to add solar to new homes. Chuen Ng responded that he would need to acquire that information from specific builders.

Commissioner Harvey referenced Marta Brown's comments on incentives for providing solar, and inquired if those items were things that could be done or offered at some point.

Vice Chairman Hall inquired clarification of paragraph 2 of the Stratham Homes letter regarding solar panels. Chuen Ng referred to page 9 of the Residential Zones Update, Development Standards solar provisions.

Chairman Vose commented that he would like to have a visual graphic of the solar arrays demonstrating what they would look like on a house, in a typical subdivision. Chuen Ng stated that staff observed the trends of homebuilders adding solar as a feature to a home, and added the amenity as a requirement in the code. Chairman Vose asked about the objective to require solar, for example to reduce fossil fuel energy use, Chuen Ng responded the objective is to have programs that implement alternative energy, and to have homes that provide features that appeal to buyers. Chairman Vose commented that the objective is not for the sake of conforming to a general plan condition but to reduce fossil fuel consumption and provide realistic alternative energy; perhaps the requirement is set too low for practical use. Chuen Ng stated the threshold requirement for solar was set low enough to gain acceptance of such a requirement. Vice Chairman Hall stated that solar helps customers stay in lower rate tiers for their Edison bills. The specifications seem to imply one can chose whether to have solar or not, and was not sure if the speaker's request was to not have solar at all. Chairman Vose stated that all entities, employers as well as employees, are facing the realism and issues of these economic times. Therefore, the City must be very careful when establishing standards; have to be fair and equitable to all in every economic situation.

Commissioner Terracciano stated that it would be more cost effective to install solar type construction rather than to go back into retrofitting. He inquired if Stratham Homes' suggestions were taken into consideration for infill development, and he would like to hear from other local builders who have worked with the City in the past. He concluded that as the Antelope Valley is growing, he does not want the City to over-regulate the building requirements.

Chairman Vose referred to page 7, introduction of solar panel requirements, min/average, e.g., typical subdivision lots. He stated that builders are not required to build model homes, but if builders do, would they have to build with the same standards. Brian Ludicke affirmed and stated that is the intent; builders are not required to build model homes, in accordance with the ordinance, if model homes are built, they must meet the same requirements. Chairman Vose stated that the administrative procedures for implementing requirements should be put in place.

Commissioner Harvey commented that she was pleased that the draft ordinance would require recessed garages, resulting in a better look.

Chairman Vose inquired about the porch issue as a requirement for a home, and Chuen Ng stated the wording can be changed from porch to frontage feature, with the intention of enhancing the entrance of a house. Chairman Vose referenced page 15 (Landscaping, paragraph a.) security for apartment complexes, and asked staff to define security. Brian Ludicke stated there was no specified definition; if defined, i.e., actual guard vs. cameras, how to determine if one is better than the other. Chairman Vose stated that commercial development projects are a little sensitive when it comes to security issues; if interpretation is left undefined, it can lead to misinterpretations by customers. Brian Ludicke stated that security ideas are usually obtained from the Sherriff's office or Crime Prevention staff. Chairman Vose stated if the development standards are met, they do not require a conditional use, and once the regulations are adopted by the City Council the standards are by rights; therefore, does not come before the Planning Commission unless there is an appeal. Brian Ludicke affirmed. Vice Chairman Hall asked Chairman Vose if there could be a standard of conditions for security for multi-family developments, as in conditional use permits for commercial developments. Chairman Vose responded that with technology changing, security could be added as an amenity.

Brian Ludicke stated that as part of the Housing Element review, the City agreed to HCD's requirement to replace the discretionary conditional use permit process with a by-right process. This can be done if standards/requirements are established by the ordinance.

Chairman Vose raised the discussion of product variety and referenced page 18 (model homes), and requested definition of no two same elevations being "across the street"; he stated the term needed to be spelled out. Chuen Ng stated "across the street" could be clarified to be a defined proximity. Chairman Vose inquired if there was funding in the community of the project for pocket parks, due to the Supreme Court decision of Redevelopment. Brian Ludicke stated that social traits, benefits of maintenance versus people more acquainted within the community. Chairman Vose commented on the density of side yards and potential privacy issues. He questioned the density bonus and its purpose. Chuen Ng stated the density bonus is a State mandated code; the language is very specific and mirrors requirements by the State. Chairman Vose suggested that binding agreements should also add successors so there is no argument when the project changes hands in that the entitlement should run with the land. Brian Ludicke affirmed, and informed the intent is the successor has to retain affordability for a certain period of time.

Chairman Vose inquired if 30 days would be sufficient in an effort to involve developers in the community to a workshop. Brian Ludicke stated another meeting would be arranged with the developers, and recommended a 30-day continuance; after the meeting with the developers, public testimony can be received at the scheduled July meeting.

Commissioner Cook inquired if there was a resistance in developers buying in on the subject update. Marta Brown stated the developers' work force has diminished, and it has become harder to send representatives; she mentioned one builder of Pacific Communities would be willing to participate in the project.

Chairman Vose announced the public hearing would remain open, and continue to the July 16, 2012, Planning Commission Meeting.

3. Conditional Use Permit No. 11-07

Chairman Vose opened the public hearing at 7:05 p.m., to hear a request by Silverado Power, LLC, to construct a 10 megawatt (MW) photovoltaic solar electric generating facility in the Rural Residential 2.5 (RR-2.5) Zone, located 40± gross acres at the southeast corner of 110th Street West and Avenue J.

The reading of the staff report was waived since a 60-day continuance was requested in writing by the applicant.

Chairman Vose informed he was contacted by a citizen (Carol Brunet) concerning the project, and he encouraged her to submit a written recommendation or attend the Planning Commission meeting. There were none in the audience who wished to speak in opposition to the report. Public hearing closed at 7:06 p.m.

It was moved by Vice Chairman Hall and seconded by Commissioner Terracciano to grant the applicant a 60-day continuance to the August 20, 2012, Planning Commission Meeting for Conditional Use Permit No. 11-07. Motion carried with the following vote (7-0-0-0):

AYES: Commissioners Cook, Harvey, Malhi, Smith, Terracciano, Vice Chairman Hall, and Chairman Vose.

NOES: None.

ABSTAIN: None.

ABSENT: None.

4. Conditional Use Permit No. 12-06

Chairman Vose opened the public hearing at 7:07 p.m. to hear a request by Antelope Valley Christian Center, to construct and operate a church facility totaling 32,524± square feet, including a 9,527± square-foot auditorium, 8,230± square-foot multi-purpose room, and 14,040± square feet of miscellaneous office space and restrooms, in the RR-1 (Rural Residential, one dwelling unit per 40,000 square-foot lot minimum) zone, 16.28± acres of an 80.00± gross acre site located on the southwest corner of 30th Street East and Avenue K-8.

The reading of the staff report was waived since a 60-day continuance was requested in writing by the applicant. There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 7:07 p.m.

It was moved by Commissioner Harvey and seconded by Commissioner Malhi to grant the applicant a 60-day continuance to the August 20, 2012, Planning Commission Meeting for Conditional Use Permit No. 12-06. Motion carried with the following vote (7-0-0-0):

- AYES: Commissioners Cook, Harvey, Malhi, Smith, Terracciano, Vice Chairman Hall, and Chairman Vose.
- NOES: None.
- ABSTAIN: None.
- ABSENT: None.

DIRECTOR'S ANNOUNCEMENTS

None.

COMMISSION AGENDA

None.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDA ITEMS

None.

ADJOURNMENT

Chairman Vose declared the meeting adjourned at 7:09 p.m., to the Special Meeting for Agenda Review on Monday, July 9, 2012, at 5:30 p.m., in the Planning Conference Room, City Hall.

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster