

# MINUTES

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## REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

April 20, 2015

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### **CALL TO ORDER**

Chairman Vose called the regular meeting to order at 6:00 p.m.

### **INVOCATION**

Vice Chairman Randy Hall

### **PLEDGE OF ALLEGIANCE**

Commissioner Diana Cook

### **ROLL CALL**

Present: Commissioners Cook, Coronado, Harvey, Vice Chairman Hall, and Chairman Vose.

Absent: Commissioners Malhi and Terracciano

Also present were the Assistant City Attorney (Jocelyn Corbett), Planning Director (Brian Ludicke), City Engineer (Michelle Cantrell), Associate Planner (Chuen Ng), Assistant Planner (Randie Davis), Recording Secretary (Joy Reyes). There were approximately 7 people in the audience.

### **PUBLIC BUSINESS FROM THE FLOOR**

Xavier Flores and his business partner Wannette Cullors, representing Pueblo y Salud, came forward to thank Commissioner Coronado for inviting them, and to provide brief information on the services their organization provide, and how that relates to Agenda No. 4.

Chairman Vose announced that the order of agenda items presented was being changed, as follows: 1, 2, 5, 3, 4 and 6.

### **CONSENT CALENDAR**

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1. **APPROVAL OF MINUTES FROM THE REGULAR MEETING OF FEBRUARY 23, 2015.**

It was moved by Vice Chairman Hall and seconded by Commissioner Harvey to approve the Minutes from the Regular Meeting of February 23, 2015. Motion carried with the following vote (5-0-0-2):

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

## **CONTINUED PUBLIC HEARING**

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### **2. CONDITIONAL USE PERMIT NO. 14-05**

Chairman Vose opened the discussion at 6:06 p.m. to hear a request for continuance by Love and Grace Christian Fellowship for construction and operation of a 12,726± square-foot church, and allow an existing 3,613± residential structure for classroom and office uses in the RR-1 zone, located at 2052 West Avenue L.

Commissioner Harvey made a motion to continue the public hearing to May 18, 2015; however, Brian Ludicke stated that the applicant need additional time to prepare, and recommended that this be continued to the June regular meeting.

It was moved by Commissioner Harvey and seconded by Vice Chair Hall to continue the public hearing to the June regular meeting. Motion carried with the following vote (5-0-0-2)

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

## **NEW BUSINESS**

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### **5. Discussion of Potential Water Conservation Measures – New Construction**

Chairman Vose stated the Mayor requested that the Commission discuss a number of issues related to water conservation.

Brian Ludicke specified the three issues for discussion and Commission consideration: (1) prohibition of turf and lawn for new residential construction; (2) require new developments that are adjacent to the City's existing recycled water system to use recycled water; (3) require onsite Greywater Systems for new single family residential construction. Discussion ensued on these issues, as follows:

### *Greywater System*

Brian Ludicke introduced guest speaker Bob Hitchner from Nexus eWater System who participated in the meeting via the Internet video chat Skype. Bob Hitchner shared brief background information on his company, which originated in Australia. The company's first installation of the greywater system prototype in the U.S. was in the City of Lancaster for KB Homes' Net Zero house. Current greywater systems marketed and installed are NSF350 certified. This system is also recognized as one of the elements in Lancaster's Better Built Home Program.

Bob Hitchner provided the following information on Nexus eWater System:

- Homes must be dual-plumbed when they are built in order to be able to access greywater for home recycling.
- There are two main greywater reuse solutions: treated recycling (Home Water Recycling used by Nexus eWater from showers, hand sinks, washing machine), and untreated greywater reuse.
- Toilet and kitchen water are not recycled.
- Recycling certified to a safety level similar to Lancaster's recycling plant.
- Current projects: El Dorado Hills and retrofitting in Los Angeles homes.
- "Recycle Ready" is a concept of building a home with dual plumbing and all necessary electrical connections to allow easy installation of a water recycling system at a later date.

Bob Hitchner and City staff addressed the Commissioners concerns on the following issues:

- Cost and financial incentives.
- Average water savings for each home.
- Cost of maintenance and operation, and available rebates.
- Grant funding for the City for water efficiency projects.
- Anticipated review and permit process through the regional water control board.

### *Prohibition of Turf and Lawn for New Residential Construction*

- Current standards for residential development limit turf to a maximum of 30% of landscaped area; the Commission is requested to consider whether turf should be completely prohibited.

### *Requirement to Use Recycled Water*

- City system in place; this provision would be a consideration
- Currently, requirements to connect to the system are in Lancaster Municipal Code (LMC) Chapter 13.24; requirement could be established by a statement of policy to review on a case by case basis, or change the LMC to include such requirement to the ordinance.

*Conservation Mandate*

- There are three major urban water districts serving 3,000 persons or 3,000 or more acre-feet in the Antelope Valley area and tiered water use reduction mandates: Los Angeles County Waterworks District, Quartz Hill Water District, and California Water Service.
- Usage above 215 gallons per capita triggers Tier 9, calculated based on summer usage (June through September); the three water districts' usage are between the mid 200's through 400 gallons per capita.
- Tier 9 at 36% conservation reduction. Smaller water districts assigned to conserve 25%.
- Water conservation measured collectively within each district, as oppose to each household.
- State Appeals Court rejected the argument for tiered billing to be used as a method of conservation.

*Commission Discussion*

Chairman Vose expressed his concern with respect to recommending a requirement for installation of greywater system that is not yet available to consumers. Brian Ludicke also pointed out that, while the cost of dual-plumbing is unknown at this time, Bob Hitchner has asked that the City require dual-plumbing system for the Better Built Home program and for the greywater system. Retrofitting an existing house would be more costly.

Vice Chair Hall discussed the differences and the advantages between a dual-plumbing mandate and the Better Built Home voluntary program. Chairman Vose commented on the financial feasibility of investing on greywater system from a potential homebuyer's standpoint.

Commissioner Harvey stated she is a proponent of smart growth in the City. In order to make a fair evaluation, cost, stakeholders' interests, changes to the code, and the impact to the community must also be taken into consideration. She stated she would need more time before coming into a decision for the appropriate recommendation to the City Council.

Michelle Cantrell stated the City collects approximately \$13,000 in fee revenues per average-sized single family home. These fees are applied towards building, plan check, inspection, fire district, and other assessed impact fees; approximately \$8,500 of which are for City impact fees. This is at the incentivized rate of 25%; currently, most of the tract development fall in this category. Without incentives, impact fees collected are approximate \$11,000 to \$12,000. Chairman Vose commented on the costly production for developers to develop a lot.

The Commission reached a consensus to continue the discussion to a special meeting on Monday April 27, 2015, to provide the Commissioners more time to research, staff to provide additional information to address concerns that were raised, and possibly engage the stakeholders in the discussion.

Warren Bennett reaffirmed Chairman Vose' account of the Plumbing Code as being just one element to consider in mandating greywater systems; there are also requirements imposed by the Health Department and water purveyor. Additionally, some soils in the area may not be

conducive for a greywater system; a soils company indicated, for instance, that north of Avenue J-8 and west of the freeway is an area of soil limitations.

### **3. Potential Earthquake-Sensitive Shutoff Valve Ordinance**

Brian Ludicke stated the City Manager has requested that the Planning Commission evaluate whether the City of Lancaster should mandate the installation of earthquake sensitive shutoff valves for natural gas systems in residential and commercial new construction development. Staff has provided the Commission some basic information regarding the different valve systems available to assist in deliberating this issue. The three basic types of valve systems are: manual shutoff valve by utilities, earthquake-sensitive automatic shutoff valves, and excess flow automatic shutoff valves. Brian Ludicke discussed the benefits and drawbacks associated with each of the three basic types of natural gas valves, and concerns raised by The Gas Company.

Brian Ludicke indicated the City's code requires newly installed water heaters to be properly strapped in the event of a seismic activity. City inspectors currently verify the installation of both smoke and carbon monoxide detectors with all residential building inspections. He stated the Commission may wish to consider adding the water heater bracing verification as part of these inspections.

Warren Bennett, Acting Chief Building Official, explained that if the City were to consider a mandate for installation of earthquake-sensitive shutoff valves, this would require adoption of an ordinance for permit issuance and inspection. He provided cost estimates for installation of the system, and fees imposed by The Gas Company for nuisance calls.

It was moved by Vice Chair Hall and seconded by Commissioner Cook to include water heater bracing verification to building and rental inspections. Motion carried with the following vote (5-0-0-2):

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

It was moved by Vice Chair Hall to require earthquake-sensitive shutoff valves to new residential development. Motion failed by lack of second.

### **4. Standard Conditions for Conditional Use Permits for Alcohol Sales**

Brian Ludicke stated the purpose of this agenda is for the Commission to review the ordinance and conditions that regulate conditional use permits for alcohol sales, specifically, issues for onsite and offsite sales operations, container sizes, and types of products sold. This is also to determine what portions of the ordinance the Commission would like to review, and staff provided a list of topics they are investigating, as follows:

- The sale of spirits in convenience markets

- Minimum ounce size for the sale of single-cans or bottles
- Regulations for craft beer container sizes
- Regulations for fortified wines
- Administrative hearing process for alcohol requests in bona-fide restaurants

Furthermore, the Mayor and Council gave direction to review ‘liquor stores’, referring to the following alcoholic beverage establishments: mini-markets, convenience markets and liquor stores. Brian Ludicke provided a clear definition and background information for each of these establishments. He added that since the adoption of the ordinance in 2008, the City has received approximately 59 alcohol-related conditional use permit requests; however, there has been no approval for a defined liquor store in that time.

Chairman Vose voiced his concern on the methods by which alcoholic beverages are dispensed, distilled type spirits, container sizes, and the industry’s marketing strategies attempt to manipulate the ordinance. Brian Ludicke affirmed that the City’s ordinance does not contain specific provisions on container sizes, which allows the Planning Commission the opportunity to regulate specific issues.

Brian Ludicke explained the guiding principle behind the Commission’s intention on Standard Condition No. 9 that any alcoholic beverage designed to be sold as a unit (a “6-pack”, for example) had to ultimately be sold as a unit; the individual containers cannot be sold separately.

Vice Chair Hall commented on the materials submitted by Pueblo y Salud.

Commissioner Coronado disclosed for the record his communication and involvement with Pueblo y Salud. He stated he is an advocate for safer communities, and for this reason he invited Pueblo y Salud.

Brian Ludicke recounted several alcohol-related behavioral studies done, and each one showing counter-intuitive results. He concluded that ultimately each individual city needs to identify issues that they determine to be important to address.

Speaker Wannette Cullors came forward to share about her duties as the Prevention Coordinator for Pueblo y Salud.

Speaker Xavier Flores of Pueblo y Salud spoke about the study done by Dr. Robert Nash Parker from the Presley Center at UC Riverside on the relationship between crime and alcoholism.

Speaker Jennifer Areyan, Prevention Coordinator for Tarzana Treatment Centers, stated the center is part of Antelope Valley’s alcohol prevention coalition working on an ordinance with the City, under the direction of the City Manager.

A sub-committee was formed to review the existing alcoholic beverage control impact and conditional use requirements. The members of the sub-committee are: Vice Chair Hall, Commissioners Cook and Coronado. The sub-committee will review alcoholic beverage issues as discussed, and provide back to the Commission a recommendation for the scope of the review.

Brian Ludicke stated all applicants submitting new applications for a mini-market, convenience market or liquor store have been notified that the City is not processing those types of applications until this review is concluded. The sub-committee will provide a report at the regular Planning Commission meeting in June 2015.

## **CONTINUED BUSINESS**

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### **6. Temporary/Promotional Signs Draft Ordinance**

Brian Ludicke stated that with the concurrence of the Commission, the draft ordinance can begin public hearing process at their May meeting.

Vice Chair Hall asked for clarification on “teardrop signs” as drafted on the second page of the ordinance, and on “permit required” on the third and fourth page.

## **DIRECTOR’S ANNOUNCEMENT**

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None.

## **COMMISSION AGENDA**

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The Planning Commission moved the June regular meeting to June 22, 2015.

## **PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDA ITEMS**

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Alisha Semchuck, a reporter from the Antelope Valley Press, commented on the greywater system.

## **ADJOURNMENT**

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Chairman Vose declared the meeting adjourned at 7:48 p.m. to the Special Meeting for Agenda Review on Monday, April 27, 2015, at 4:00 p.m., in the Council Chamber, Lancaster City Hall. The purpose of this meeting is to continue the discussion of potential water conservation measures for new construction.

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JAMES D. VOSE, Chairman  
Lancaster Planning Commission

ATTEST:

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CHUEN NG, Associate Planner  
City of Lancaster